

	<b>Report</b>	<b>Agenda Item 10</b>
--	---------------	---------------------------

Report to: **Planning Committee**  
Date of Meeting: **19 June 2007**  
Report by: **Executive Director (Enterprise Resources)**

Application No CR/07/0157  
Planning Proposal: Erection of 68 Dwellinghouses with Associated Roads, Retaining Walls and Landscaping

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : West of Scotland Housing Association
- Location : Castlefern Road/Colvend Drive  
Blairbeth Golf Club/Tormusk Road, Rutherglen

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission (Subject to Conditions – Based on Conditions Listed)

### 2.2 Other Actions/Notes –

The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: John Gilbert Architects
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **Cambuslang/Rutherglen Local Plan**  
Policy RES9 – 'Residential Land Use'

### **Finalised South Lanarkshire Local Plan (After modification)**

STRAT1 – Regeneration Priorities Policy  
Policy RES2 – 'Proposed Housing Sites'  
Policy ENV30 – 'New Housing Development'

- ◆ Representation(s):
  - ▶ 0 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comments Letters

◆ Consultation(s):

Glasgow City Council

Rutherglen Community Council

Roads and Transportation (North Division)

Scottish Water

Environmental Services

Roads & Transportation Services (Flooding)

## **Planning Application Report**

### **1 Application Site**

- 1.1 The development site relates to an area of ground, between Castlefern Road, Colvend Drive and Blairbeth Golf Club in Fernhill, Rutherglen. The site is approximately 2 miles to the south of Rutherglen. It is bounded to the south by Blairbeth Golf Course a strip of open space to the west, within the Glasgow City Council Boundary and residential areas on all other sides. The western edge of the site lies on the boundary between South Lanarkshire Council (SLC) and Glasgow City Council (GCC).
- 1.3 A remote footpath runs along the south of the site connecting Castlefern Road and the bus stop on Tormusk Road, Glasgow. The site is currently vacant and slopes down from east to west and rises towards its southern edge. In the heart of the site is a tree-topped mound which consists of clay.

### **2 Proposal(s)**

- 2.1 The application seeks detailed planning permission for the erection of 68 residential dwellings, associated roads layout and landscaping. The application is an amended version of a proposal granted by the Council in January 2007 for 53 houses to be built within South Lanarkshire. This development also incorporated a strip of land within Glasgow City Council (GCC) upon which 25 houses and some of the access roads were proposed. The application lodged with GCC remains undetermined and WoSHA are anxious to begin regeneration work in Fernhill. This proposal therefore represents a redesign of the previously approved layout in order to ensure that a development, wholly within the SLC boundary, can be progressed. In order to accommodate this change the southern boundary of the SLC site has been moved 22 metres south to accommodate changes in the layout and some additional houses within SLC. The western boundary of this site will be a landscaped edge along the GCC boundary.
- 2.2 The residential provision will include a mix of new two storey semi-detached and detached houses, split level terraced houses and cottage flats with a mix of those which are socially rented and those which are in shared equity. The proposal will also include 206 sqm of play space and 1600 sqm of green space. The application also describes proposals for the management of trees.
- 2.3 This proposal is one of a series of applications likely to be submitted for Fernhill as part of the wider initiative for the regeneration of the Fernhill area being pursued by SLC. This is being taken forward as a partnership between SLC and West of Scotland Housing Association (WoSHA). In addition to providing new housing, the aim of the proposal is to tackle anti-social behaviour problems, increase security and provide an improvement in the quality of the local amenities and public spaces.

### **3 Background**

#### **3.1. Local Plan Status**

- 3.1. In the Cambuslang/Rutherglen Local Plan 2002, the site falls within a Residential Land Use Policy Area (RES9) which states that all proposals must not have a detrimental impact on residential amenity.

- 3.1.1 The Finalised South Lanarkshire Local Plan (after modification) (SLLP) is also a material consideration in this instance. As Modified in March 2007 the site is zoned as a proposed housing site where Policies RES2 & ENV30 are relevant.
- 3.1.2 South Lanarkshire Council Residential Development Guide (Revision No.1 October 2001) emphasises the need for developments to reflect the scale and character of surrounding areas and respect existing urban forms. It also recommends standards for garden sizes, space between boundaries and protection of privacy.
- 3.1.3 The guidelines recommend that recreational provision for large housing sites (51-100 houses) is:
- (a) provision of one play area
  - (b) provision of modern games court
  - (c) provision of a youth space facility

### **3.2 Relevant Government Advice Policy**

- 3.2.1 The Scottish Planning Policy 3 'Planning for Housing' highlights the importance of choice and good quality design and landscaping. Also, encouragement should be given towards the creation of safe pedestrian routes from new housing sites to surrounding areas.
- 3.2.2 Planning Advice Note 67 'Housing Quality' advises that a development should take account of topography, surroundings, site drainage and ease of pedestrian and vehicular movement. Consideration should be given to finishes, materials and maximisation of daylight.

### **3.3 Planning Background**

- 3.3.1 The application reflects the terms of a planning brief which was drawn up by SLC. The preparation of the brief was also part of the development process led by the Regeneration Partnership involving SLC, WoSHA and the Fernhill Steering Group. This group has been working together on the redevelopment of Fernhill for three years. The application represents the outcome of this part of their work.

## **4 Consultation(s)**

- 4.1 **Roads & Transportation Services** – advise they have no objections subject to conditions relating to surfacing, gradients and visibility.  
**Response:** Noted. These details have been conditioned.
- 4.2 **Scottish Water** – advise they have no objections to the proposal as there is adequate water supply and sewerage facility.  
**Response:** Noted.
- 4.3 **Environmental Services** – previously advised that a site investigation report should be submitted.  
**Response:** The site investigation has now been carried out and the results are awaited. Condition previously requested has again been attached.
- 4.4 **Glasgow City Council** – no response to date.
- 4.5 **Rutherglen Community Council** – no response to date.

- 4.6 Roads & Transportation Services (Flooding)** - no response to date, however a condition reflecting the comments made on the previous application requiring a suitable SUDs scheme has been attached...

## **5 Representation(s)**

- 5.1 Following statutory neighbour notification, no letters of objection have been received.

## **6 Assessment and Conclusions**

- 6.1 The determining issue in this instance is the proposal's compliance with current and proposed local plan policy. Policies RES9 of the Approved Plan (Residential Land Use) aims to protect the character and amenity of residential areas while supporting, in principle, compatible uses. The policy, therefore, is aimed at resisting proposals which will detract from their character and amenity and supporting development which satisfies the following criteria:
- (a) The proposed development relates satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use;
  - (b) The character and amenity of the area is not impaired by reason of traffic generation, parking, visual intrusion, noise, emission of gases and particles;
  - (c) There is no resultant loss or damage to spaces, trees, bushes or hedgerows that made a significant contribution to the character or amenity of the area;
  - (d) The development is adequately services in terms of cycle, pedestrian and vehicular access, parking and accessibility to public transport.
  - (e) There is no detrimental effect on public safety.
- 6.2 In terms of the adjacent and surrounding development, the proposal will result in the redevelopment of an area of vacant ground located within SLC. It will consist of the construction of modern detached, semi-detached, terraced and flatted dwellings. Each property will be offered garden ground in excess of what is provided currently to adjacent properties and will meet what is required by the Residential Development Guide. The materials on the housing proposed will be in keeping with the surroundings whilst allowing the site to develop a new identity in what is a prominently located part of Rutherglen. Although the sloping topography in the site is such that a number of houses will be higher than the neighbouring properties that adjoin them, the layout and design of the houses has taken account of this in order to prevent privacy or overlooking problems arising.
- 6.3 In terms of character and amenity, with specific regard to traffic generation, visual intrusion and noise, given that the site is currently under used and largely vacant; there will be an increase in the number of people using it. Nevertheless, the proposed design and layout of the site, and the houses, is such that I do not consider the development will have an adverse impact on the appearance of this area. Similarly, as the majority of the new houses will have their own individual parking area within each plot, and Roads have not objected to the development, I do not believe that there will be a significant adverse impact on amenity arising from traffic generation or parking. Finally I do not consider that a residential development will generate a level of noise likely to disturb the amenity of neighbouring residents.
- 6.4 As regards open space and landscaping, generous landscaping will be retained throughout the site and a tree management scheme will be adopted. In addition, in response to discussions with the Steering Group, and in order to reflect the position

with the houses being retained throughout Fernhill, side garden fences have been incorporated into the development. As part of the overall Fernhill Regeneration, it is anticipated that further community facilities will be constructed in the area.

- 6.5 In terms of access through the site, the existing footpath to the south of the site will be upgraded and improved. The design and orientation of the houses is such that what is currently a remote footpath will be overlooked throughout almost its entire length. This footpath will maintain and improve a link between Castlemilk and Fernhill and allow people living in Fernhill to retain a convenient access to public transport.
- 6.6 As regards public safety, the development of the site in itself will help to reduce anti-social behaviour. Whilst the site is predominantly open space, it has become a magnet for significant levels of antisocial behaviour. This is a problem identified by the local residents themselves. The development of the site will help to “design out” many of these problems and will provide residents with the ability to more effectively supervise the area. In light of all these issues, the proposal complies with both current policies relating to residential land use.
- 6.7 The proposal is, therefore, in accordance with the appropriate approved Local Plan Policy. Furthermore, in total it will result in the major redevelopment of an existing residential estate providing 68 new houses of high quality and associated road network changes that will improve traffic flow and road safety. This presents an opportunity not only to enhance the quality of the environment for the residents but also to start the process of improving and regenerating their community. With regard to the recommendations set out in the South Lanarkshire Council Residential Development Guide, the total development will incorporate 200 square metres of formal play space and 1600 square metres of green space. I am satisfied that, having regard to the site’s location and the wider aims of the Fernhill project, this represents a suitable level of recreational provision.
- 6.8 In terms of the finalised SLLP, as modified – Policy RES2 establishes that the Council will support the development of this site for housing. Policy STRAT1 in the SLLP identifies the site as being part of the Fernhill Priority Regeneration area. It is one 15 communities classed as Neighbourhood Management Areas and the application reflects the work already done by the Council and the local community to take forward this initiative.
- 6.9 Regarding Policy ENV30 of the SLLP (New Housing Development). This states that all new housing developments should make a positive contribution to the character and appearance of the urban environment. Residential developments require to:
- (a) respect the local context and provide appropriate character, layout, massing scale and proportion;
  - (b) be of a high quality design;
  - (c) ensure that archaeological, built heritage, landscape features and wildlife interests are identified;
  - (d) address sustainable development issues;
  - (e) make provision for cycle and pedestrian routes and access to public transport and community facilities;
  - (f) ensure appropriate provision of public and private open spaces;
  - (g) ensure provision of appropriate roads layout and provision for parking;
  - (e) ensure there is no conflict with adjacent land users;

- (f) meet the highest standards of accessibility and inclusion by virtue of their location;
- (g) incorporate crime prevention and community safety considerations;
- (h) minimise the generation of waste.

6.10 The proposal appropriately addresses each aim of Policy ENV30 respectively:

- (a) it provides properties of a similar style to those in the vicinity whilst updating and improving the methods of construction;
- (b) it improves the quality of design, including the use of materials and introduction of more colour;
- (c) no archaeological, built heritage, landscape features and wildlife interests were identified;
- (d) sustainability has been addressed through the proposed drainage scheme;
- (e) an existing footpath has been improved to maintain access to public transport and community facilities;
- (f) a large green area provision has been made throughout the proposed development;
- (g) the road layout meets the Council's Roads and Transportation guidelines;
- (h) the proposal has been designed to blend in to the existing land uses e.g. the road layout and has taken account of details such as window to window distances;
- (i)& (j) the development has been designed to maximise overlooking to public spaces, it has improved access and has effectively removed an area with anti-social behaviour problems;
- (k) the site lends itself to the safe collection of waste.

6.11 Having regard to the above, I am satisfied that the redesign of the layout has resulted in an acceptable development and one which will allow the Housing Association to pursue the initial work on the regeneration of the wider Fernhill area, without the need to rely on the outcome of their current application with Glasgow City Council. It is recommended therefore that planning permission be granted subject to the conditions listed.

## **7 Reason for Decision**

7.1 The proposal has no adverse impact on residential or visual amenity and complies with Policy RES9 of the Cambuslang/Rutherglen Local Plan and Policies STRAT1, RES2 and ENV30 of the Finalised South Lanarkshire Local Plan (after modifications). The proposal also meets the aims of the South Lanarkshire Council Residential Development Guide.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**12 June 2007**

## **Previous References**

♦ CR/07/0157

## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour notification certificate dated 10 May 2007
- ▶ Cambuslang/Rutherglen Local Plan 2002
- ▶ South Lanarkshire Local Plan (Finalised Draft) 2006
- ▶ South Lanarkshire Council Residential Development Guide 2001
- ▶ Consultations
  - Roads & Transportation Services 12/06/07
  - Scottish Water 11/06/07

## Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Iain Morton, Planning Officer, 380 King Street, Rutherglen  
Ext 5138 (Tel :0141 613 5138 )  
E-mail: [Enterprise.cam-ruth@southlanarkshire.gov.uk](mailto:Enterprise.cam-ruth@southlanarkshire.gov.uk)



**CONDITIONS**

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 3 That notwithstanding condition 2 above, a landscaping plan for the area shaded purple on the approved plan shall be submitted to and approved by the Council as Planning Authority and thereafter completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 4 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 5 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 6 That no development shall begin until a full intrusive survey has been carried out and its findings submitted to and approved in writing by the Council as Planning Authority. This survey shall investigate all aspects of potential contamination indicated by a Phase 1 Investigation (Desk Study) of the site. The report of the investigation shall clearly document the methodology, findings and results. The risk posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate, recommendations for further investigations or remediation options to reduce the risks identified.
- 7 Analytical or investigatory work used to support the conclusions of the survey required by condition 6 above shall include all results, logs etc and information regarding the methodology and Quality Assurance Systems used. Greater credence will be given to analytical work undertaken by organisations that participate in the CONTEST SCHEME or are UKAS accredited in relevant areas.
- 8 That prior to the commencement of development works on site, the developer's reports of 'Site Investigation' , 'Risk Assessment' and Remediation Options and the final Remediation Plan' shall be submitted to the Council as Planning Authority, for written approval.

- 9 That changes to the approved Remediation Plan may only be made with the written agreement of the Council as Planning Authority. Occupation of premises shall not be permitted until remediation/control measures are fully implemented.
- 10 That on completion of all remediation works, a Completion Report shall be submitted to the Council as Planning Authority confirming the works have been carried out to the agreed plan.
- 11 That before the development hereby approved is completed or brought into use, the new vehicular access shall be constructed with a 6.0 metre radius kerb and a 5.5 metre wide carriageway and so far as it lies within the boundaries of the road abutting the site shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 12 That before the development hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6.0 metres in length shall be provided and the first 2.0 metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.
- 13 The surface of the driveways proposed shall be so trapped and finished in hard standing as to prevent any surface water or deleterious material from running onto or entering the highway.
- 14 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 15 That none of the garage driveways shall have a gradient in excess of 1:10
- 16 That all dwellinghouses without garages shall have driveways with a minimum length of 12 metres measured from the heel of the footway/service strip and the first 2 metres of each driveway as measured from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the public footway and/or carriageway.
- 17 That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 18 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 19 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

- 20      That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

## REASONS

- 1      To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2      In the interests of amenity.
- 3      In the interests of amenity and in order to retain effective planning control.
- 4      In the interests of amenity and in order to retain effective planning control.
- 5      In the interests of amenity and in order to retain effective planning control.
- 6      To ensure the site is free from contamination
- 7      To ensure the site is free from contamination
- 8      To ensure the site is free from contamination
- 9      To ensure the site is free from contamination
- 10     To ensure the site is free from contamination
- 11     In the interest of road safety
- 12     In the interest of road safety
- 13     In the interest of road safety
- 14     In the interest of road safety
- 15     In the interest of road safety
- 16     In the interest of road safety
- 17     In the interest of road safety
- 18     In the interest of road safety
- 19     In the interest of road safety
- 20     In the interest of road safety

For information only

For information only

