

Report

Report to:	Hamilton Area Committee
Date of Meeting:	5 December 2007
Report by:	Executive Director (Enterprise Resources)

Application No	HM/07/0618
Planning Proposal:	Erection of monument and installation of car parking spaces

2. Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Quarter & Cadzow Community Council
- Location : Vacant Plot 11 Cadzow Road
Quarter

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to the following conditions)

2.2 Other Actions/Notes

None

3. Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **Hamilton District Local Plan**
Policy EN2 – Village Envelopes
Policy DC1 - Development Control – General
South Lanarkshire Planning Policies
SLP6 – Development Control – General
Finalised South Lanarkshire Local Plan
(After Modifications)
Policy RES6 – Residential Land Use
Policy DM1 – Development Management

- ◆ Representation(s):
 - ▶ 7 Objection Letters

- ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The application site is a vacant site on Cadzow Road within a mainly residential area of Quarter. The site is relatively flat and is 0.55 hectares in size with residential dwellings on 3 sides and Cadzow Road on the remaining side. The whole of the site is finished in concrete paving stones, mainly of which are in a poor state of repair.

2 Proposal(s)

- 2.1 The proposal for the creation of a monument and the installation of associated car parking has been brought forward by Quarter and Cadzow Community Council. The monument itself will be in the centre of the site and will have a height of 3m with a base with a diameter of 4m. The monument will be designed to represent a pithead and will consist of a wheel 2m in diameter which will be held up by 2 wooden supports and be raised 1m off the ground sitting upon a stone platform.
- 2.2 As part of the proposal a car parking area will be created adjacent to Cadzow Road which will incorporate areas of planting to create a boundary between the existing roadway and the monument. To the east of the site there will be the installation of 4 planters with two coal hutches in between. To the south of the site there will be an area of seating and further planters to the north side of the site.

3 Background

3.1 Local Plan Status

- 3.1.1 In relation to the adopted Hamilton District Local Plan the application site is covered by Policy EN2 – Village Envelopes. This policy seeks to protect the character of the village and still allow for enhancements to be carried out that would increase the village's amenity. With this in mind, proposals for individual developments will be assessed on their own merits.
- 3.1.2 Criteria to assess the proposal in greater detail are set out in Policy DC1- Development Control – General of the adopted local plan. The policy ensures that all planning applications take account of the local context and built form. Development should not take place in isolation and must take note of scale, position and materials of adjacent buildings and surrounding streetscape.
- 3.1.3 In relation to Policy DC1, Policy SLP6 – Development Control General of the South Lanarkshire Planning Policies reiterates this policy and as such is also applicable to this application. It also states that all new development should aim to enhance the quality and appearance of the local environment.
- 3.1.4 When assessing the proposal in relation to the Finalised South Lanarkshire Local Plan (After Modifications), the application site is covered by Policy RES6 – Residential Land Use. Within these areas the council will protect the residential amenity of the area and will oppose the loss of houses to other uses. The Council will not approve 'bad neighbour' uses within these areas if it is likely to have a detrimental impact upon the residential amenity of the area.

- 3.1.5 In addition Policy DM1 – Development Management of the Finalised South Lanarkshire Local Plan (After Modifications) is also applicable. This policy requires all planning applications take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Development is required to enhance the quality and appearance of the local environment and will be assessed against criteria set out by the Council.

3.2 **Planning Background**

- 3.2.1 There is no recent site history in relation to this site.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services**: have no objection to the proposal however do state that a drop kerb will have to be provided along the frontage of the proposed development at the applicants own cost. They also add that a road opening permit will have to be obtained prior to any works commencing.

Response: Noted. If planning permission is granted, appropriate conditions and informatives will be imposed.

- 4.2 **Environmental Services**: also have no objection to the proposal. They do state however that a floodlighting scheme would need to be submitted prior to works commencing on site along with a dust mitigation and control scheme. They have also asked for several informatives to be attached in relation to noise, demolition and pest control.

Response: The proposal does not include any lighting. If planning permission is granted appropriate conditions and informatives will be imposed regarding the remaining matters.

5 **Representation(s)**

- 5.1 Statutory neighbour notification was undertaken from which 7 letters of representations were received in respect of this application.

- 5.2 The grounds of objection can be summarised as follows:

a) A Memorial would be inappropriate within this area. Residential amenity would be diminished in no time due to youths under age drinking.

Response: The site is presently made up of broken paving and it's re-use as a memorial garden would greatly improve its appearance and would be an acceptable use for a residential area. The issues regarding under age drinking would be a police matter and not a matter for the planning service.

b) The proposal would be detrimental to the privacy of adjacent residents.

Response: The site is already an area open to the public. It is therefore considered that there would not be a significant impact on the areas existing level of privacy. The residents' boundaries are well screened with fencing and other boundary treatments.

c) Litter would also be a problem. Broken glass already poses a problem, and this would only encourage more of the same.

Response: Whilst the objector's concerns are noted this is not considered to be material to justify refusal of this application.

d) Car parking spaces - this area is played on by younger children, and the risk of it being used as a car park could result in injury.

Response: Only part of the application site is to be used for car parking with the remaining area to be used for the memorial. Furthermore after consultation Roads and Transportation Services had no objections to the proposal.

e) At present cars are parked on the road adjacent to this area. Therefore why is further parking required?

Response: Additional car parking has been submitted as part of the application by the applicant. The Planning Service is required to assess the application on this basis. After consultation Roads and Transportation Services had no objections to the proposal.

f) Seating area - this will encourage undesirables to congregate there at night, causing a nuisance for the neighbourhood.

Response: Whilst the objector's concerns are noted this is a police matter.

These letters have been copied and are available for inspection in the usual manner.

6. Assessment and Conclusions

- 6.1 This planning application is for the erection of a monument, car parking and associated works and improvements. The application site is located on a vacant plot on Cadzow Road, Quarter which is in an established residential area featuring numerous house types. The main determining factors in assessing the planning application relate to the proposals ability to comply with relevant local plan policy and the proposal's impact upon the residential amenity of the surrounding area.
- 6.2 In terms of the adopted Hamilton District Local Plan, the application site is covered by Policy EN2 – Village Envelopes. As the proposal is considered to be an improvement to the area and will add to the character and amenity of the village it is considered to be an appropriate use.
- 6.3 In relation to the Finalised South Lanarkshire Local Plan (After Modifications), the application site is covered by Policy RES6 – Residential Land Use. The proposal is also considered to be an acceptable use when considered in relation to this policy as it will enhance the local area and would have a positive impact upon the amenity of the village.
- 6.4 The proposal when assessed against Policy DC1 – Development Control – General is considered to be acceptable. The proposal would not have a negative impact upon the amenity of the area and takes account of the existing local context. As part of the works, landscaping will be carried out in the form of plant boxes which will improve the general appearance of the site and make it more appropriate in relation to the residential context in which it is located. As stated in paragraph 3.1.3, Policy SLP6 – Development Control General of the South Lanarkshire Planning Policies

reiterates Policy DC1 and as such the proposal is also considered to comply with Policy SLP6.

- 6.5 In terms of the Finalised South Lanarkshire Local Plan (After Modifications) the application is assessed in relation to Policy DM1 – Development Management. This proposal is considered to be acceptable as it is an appropriate scale for the site and does not have an over dominating effect upon the area and as such takes account of the local context. The form and design of the monument and associated works is appropriate in relation to the surrounding area and will enhance the visual amenity of the area.
- 6.6 All points contained within the letters of representation have been assessed and it is considered that no issues have been raised that would merit refusal of this application.
- 6.7 All consultations responses have been received and no issues have been raised which render the application unacceptable, and any other issues raised can be satisfactory dealt with by the imposition of appropriate conditions or informatives.
- 6.8 In conclusion, it is considered that the proposal is acceptable as it complies with all relevant local plan policy and does not have a detrimental impact upon the village or the residential amenity of the adjacent area. I therefore recommend that planning permission be granted subject to conditions.

7 Reasons for Decision

- 7.1 The application is considered to comply with Policies EN2 and DC1 of the adopted Hamilton District Local Plan, Policies RES6 and DM1 of the Finalised South Lanarkshire Local Plan (After Modifications) and additional guidance contained within Policy SLP6 of the South Lanarkshire Planning Policies.

Executive Director (Enterprise Resources)

19 November 2007

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Environmental Services 14/09/2007
 - Roads and Transportation Services (Hamilton Area) 19/09/2007
- ▶ , Representations
 - Representation from : Mrs Mary Law, 9 Castle Wynd, Quarter, DATED 05/09/2007
 - Representation from : John & Margaret Todd, 9 Cadzow Road, Quarter, Hamilton, ML3 7XE, DATED 04/09/2007
 - Representation from : Mr J W McDowall, 11 Castle Wynd, Quarter, Hamilton, ML3 7XD, DATED 28/08/2007
 - Representation from : Mrs Milne, 26 Limekilnburn Road, Quarter, ML3 7XA, DATED 30/08/2007
 - Representation from : Mrs I Lindsay & Miss I Lindsay, 5 Castle Wynd, Quarter, Hamilton, ML3 7XD, DATED 31/08/2007
 - Representation from : Mr F & Mrs J McDowall, 30 Limekilnburn Road, Quarter, Hamilton, , DATED 31/08/2007
 - Representation from : David & Linda Alexander, 3 Castle Wynd, Quarter, Hamilton, ML3 7XD, DATED 31/08/2007

Contact for Further Information

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

Alisdair Simpson

(Tel :01698 453598)

E-mail: Enterprise.hamilton@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 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.
- 3 That before the erection of the monument hereby approved is brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 4 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 5 That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interest of public safety
- 4 To minimise the risk of nuisance from dust to nearby occupants.
- 5 In the interests of amenity.

INFORMATIVES

- 1 The applicant is advised that all works carried out on site must be carried out in accordance with BS5228 Parts 1 -4 1984/1986, 'Noise control on construction and open sites'.
The applicant is further advised that audible construction activities should be limited to: Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. The applicant is advised that Environmental Services may consider formally imposing these hours of operation by way of statutory notice should complaints be received relating to audible construction activity outwith these recommended hours and should such complaints may be justified by Officers from this Service.
Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Atholl House, East Kilbride, G74 1LU. Telephone (01355) 806915
- 2 All lifts and/or hoists, including doors, guide rails and ancillary plant and machinery, and mechanical air handling/ air conditioning plant, shall be suitably isolated from the structure of the building, and ducted systems to minimise transmission of noise and vibration.
- 3 The applicant is advised that adequate pest control measures should be employed to ensure that any demolition and/or associated ground works occurring as part of this development do not give rise to increased pest activities. Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Atholl House, East Kilbride, G74 1LU. Telephone (01355) 806918.

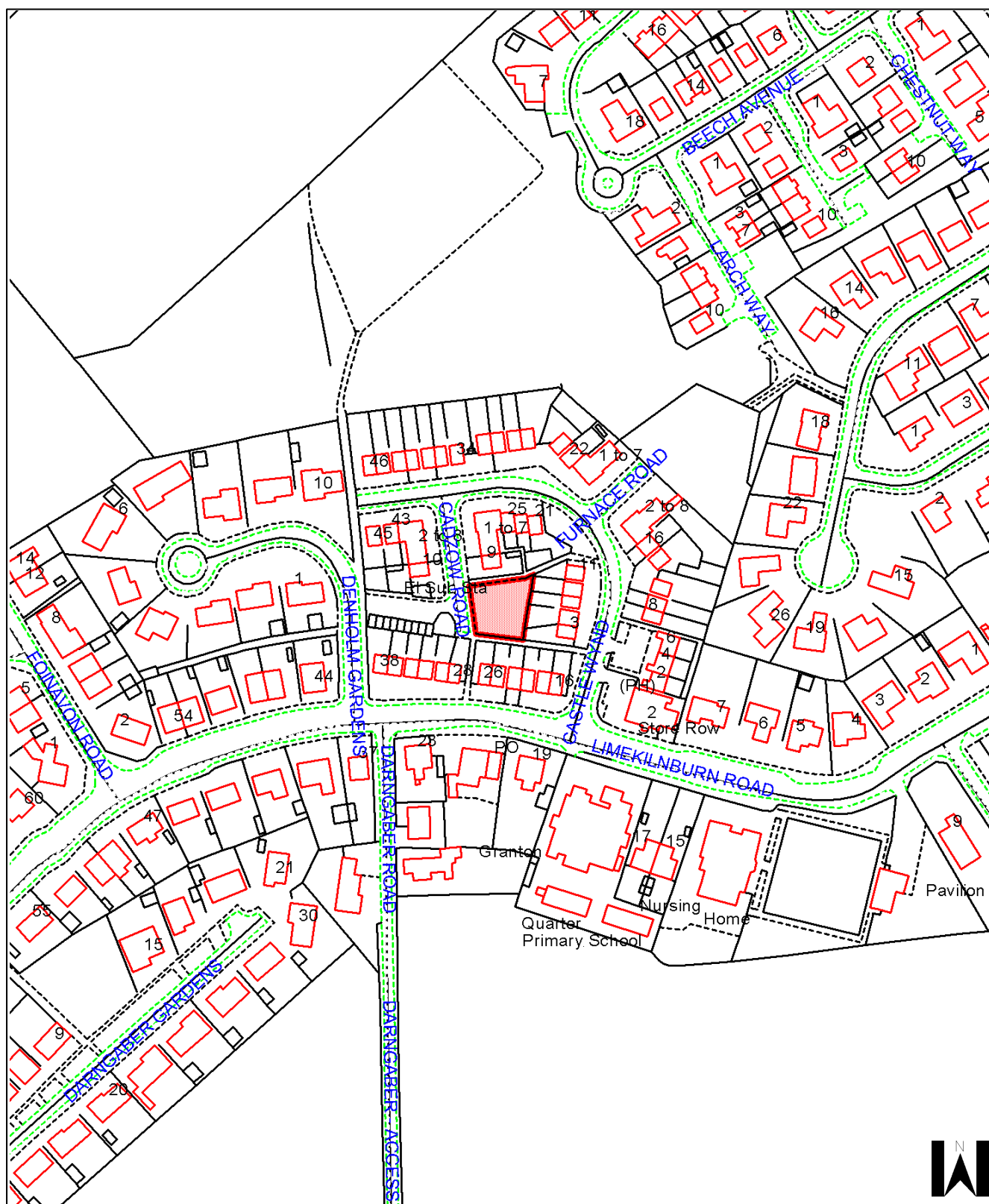
HM/07/0618

Vacant Plot, 11 Cadzow Road, Quarter

Planning and Building Standards Services

Scale: 1: 2500

For information only



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