

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>11</h1>
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Report to: **Planning Committee**  
 Date of Meeting: **6 July 2010**  
 Report by: **Executive Director (Enterprise Resources)**

Application No: HM/10/0146  
 Planning Proposal: Variation of Condition 16 of Planning Consent HM/09/0207

## 1 Summary Application Information

- Application Type : Modification of Condition(s)
- Applicant : South Lanarkshire Council
- Location : Strathaven Road  
Stonehouse

## 2 Recommendation(s)

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

- (1) Grant detailed planning permission (based on the conditions attached)

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: South Lanarkshire Council
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**  
 Policy RES 6 – Residential Land Use Policy  
 Policy CTY 4 - Stonehouse Community Search  
 Area Proposal  
 Policy ENV 30 – New Development Design  
 Policy  
 Policy DM 1 – Development Management  
 Policy

### ◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

### ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

## Roads and Transportation Services (Transportation)

# **Planning Application Report**

## **1 Application Site**

- 1.1 The application relates to an area of land located at the junction between Strathaven Road (A71) and Udstonmill Road at the southern side of Stonehouse. The site currently comprises agricultural land, it is irregular in shape and measures approximately 1.34 hectares. The site is bounded to the north by Strathaven Road and adjacent agricultural land and residential properties, to the south and west by agricultural land and to the east by Udston Mill Road and adjacent residential properties.

## **2 Proposal**

- 2.1 This is a detailed planning application for the variation of Condition 16 of Planning Consent HM/09/0207 which was granted for the erection of an integrated community facility (including cafe), formation of new roundabout with associated re-alignment of Strathaven Road and formation of associated car park at the site in June 2009. Condition 16 of the consent states “That no development of the integrated community facility shall commence on site until the roundabout and the re-alignment of Strathaven Road has taken place in accordance with a specification to be agreed upon in writing with the Council as Planning Authority.”.
- 2.2 The applicant wishes to amend Condition 16 by varying the above wording to “That prior to any car parking spaces being laid out within the site full details of the means of access to the site, including the roundabout if appropriate, shall be submitted to and approved by the Council as Planning and Roads Authority.” Essentially, the application was submitted to enable the provision of an alternative access arrangement to the community facility should the originally approved roundabout access not be implemented.

## **3 Background**

### **3.1 Local Plan Status**

- 3.1.1 The application site is located within a residential policy area under the terms of Policy RES 6 – Residential Land Use of the adopted South Lanarkshire Local Plan. In addition, the site is designated as a Stonehouse Community Search Area Proposal under the terms of Policy CTY 4. The application also requires to be assessed against Policies DM 1 – Development Management Policy and ENV 30 New Development Design Policy. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

### **3.2 Government Advice/Policy**

- 3.2.1 None relevant in this instance.

### **3.3 Planning Background**

- 3.3.1 Detailed planning permission was granted to South Lanarkshire Council for the erection of an integrated community facility (including cafe), formation of new roundabout with associated re-alignment of Strathaven Road and formation of associated car park at the site on 25 June 2009 (HM/09/0207). Detailed planning permission was then granted to the Council for an amendment to the original community facility with the main aspect of the amended application relating to the formation of an access road off Udstonmill Road in May 2010 (HM/10/0107).

#### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services (Hamilton Area)** – have no objections to the proposal.

**Response:-** Noted.

- 4.2 **Roads and Transportation Services (Transportation)** – have no objections to the proposal.

**Response:-** Noted.

#### **5 Representation(s)**

- 5.1 Neighbour notification procedures were undertaken and no letters of objection were received in relation to this application.

#### **6 Assessment and Conclusions**

- 6.1 The application relates to the variation of Condition 16 of Planning Consent HM/09/0207 which was granted for the erection of an integrated community facility (including cafe), formation of new roundabout with associated re-alignment of Strathaven Road and formation of associated car park at Strathaven Road, Stonehouse on 25 June 2009. The determining issues that require to be addressed are the proposal's compliance with local plan policy and its impact on the amenity of adjacent properties.
- 6.2 In terms of local plan policy, the application site is located within a residential policy area under the terms of Policy RES 6 – Residential Land Use Policy of the adopted South Lanarkshire Local Plan. In addition, the site is designated as a Stonehouse Community Search Area Proposal under the terms of Policy CTY 4. This policy states that a search area has been identified on the western edge of Stonehouse, south of Strathaven Road, within which the Council proposes to develop a community Centre. Policies ENV30 - New Development Design Policy and DM1 – Development Management Policy generally require new development to have due regard to the layout, form, design and local context of the area.
- 6.3 Condition 16 of Planning Consent HM/09/0207 states “That no development of the integrated community facility shall commence on site until the roundabout and the re-alignment of Strathaven Road has taken place in accordance with a specification to be agreed upon in writing with the Council as Planning Authority.”.
- 6.4 The applicant wishes to amend Condition 16 by varying the above wording to “That prior to any car parking spaces being laid out within the site full details of the means of access to the site, including the roundabout if appropriate, shall be submitted to and approved by the Council as Planning and Roads Authority.”
- 6.5 Detailed planning permission was recently granted for an amendment to the original community facility under planning reference HM/09/0207. The main aspect of the amended application related to the formation of an access road off Udstonmill Road. Essentially, the application was submitted to enable the provision of an alternative access arrangement to the community facility should the originally approved roundabout access not be implemented. The current planning application to vary the wording of Condition 16 was also submitted for this reason. As the proposal currently benefits from detailed planning permission, the principle of development has already been accepted on this site. As with the amended planning application the only determining issue that requires to be addressed is the proposal's

compliance of impact on road safety due to the proposed alterations to the originally approved access arrangements. In terms of road safety, Roads and Transportation Services have no objections to the application and are satisfied that the proposal raises no access or road safety issues.

- 6.6 In summary, I am satisfied that the proposed variation to Condition 16 is acceptable and that it conforms with local plan policy and raises no access or road safety issues. I would, therefore, recommend that detailed planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies RES 6, ENV 30, CTY 4 and DM 1 of the adopted South Lanarkshire Local Plan.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**23 June 2010**

### **Previous References**

HM/10/0107

HM/09/0207

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Roads and Transportation Services (Hamilton Area) 13/05/2010
  - Roads and Transportation Services (Transportation) 13/05/2010
  
- ▶ Representations
  - None

### **Contact for Further Information**

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

Jim Blake, Planning Officer, Brandon Gate  
Ext 3508 (Tel :01698 453508 )  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto: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 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.
- 4 That before any work commences on the site or within 3 months of the date of this permission, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 5 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.
- 6 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.
- 7 That the development shall not be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 8 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.
- 9 That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

- 10 That notwithstanding the terms of Condition 9 above, a detailed specification for a planted screen buffer located along the boundaries marked yellow on the approved drawings shall be submitted to and approved by the Council as Planning Authority and the required specification shall include proposals for the initial and future maintenance of the screen buffer.
- 11 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 12 Prior to the development being brought into use, details of the storage of waste arising from the commercial activity shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.
- 13 That before development starts, a badger survey shall be submitted to and approved by the Council as Planning Authority.
- 14 Prior to the commencement of development on site, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:
  - a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 15% reduction beyond the 2007 building regulations CO2 standard;
  - b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
  - c) an indication of the location and design of the on-site energy technologies; and
  - d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.
- 15 The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.
- 16 That prior to any car parking spaces being laid out within the site full details of the means of access to the site, including the roundabout if appropriate, shall be submitted to and approved by the Council as Planning and Roads Authority.
- 17 That notwithstanding the terms of Condition 16 above, prior to any works commencing, a detailed phasing plan shall be submitted of the construction stages of the development, for the consideration and written approval of the Council as Planning Authority.
- 18 This decision relates to drawing numbers: Site Layout.

## REASONS

- 1 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of the visual amenity of the area.
- 5 In the interests of amenity.
- 6 To ensure the provision of a satisfactory sewerage system.
- 7 To ensure the provision of a satisfactory sewerage system.
- 8 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 9 These details have not been submitted or approved.
- 10 These details have not been submitted or approved.
- 11 These details have not been submitted or approved.
- 12 To minimise nuisance, littering and pest problems to nearby occupants.
- 13 To comply with the Badgers Act.
- 14 To secure a reduction in carbon dioxide emissions.
- 15 To secure the timeous implementation of on-site zero and low carbon energy technologies.
- 16 In the interests of road safety.
- 17 These details have not been submitted or approved.
- 18 For the avoidance of doubt and to specify the drawings upon which the decision was made.



