

Report

Report to:	Planning Committee
Date of Meeting:	13 March 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application No	CL/17/0287
Planning Proposal:	Formation of 16 Houseplots and Access Road

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mrs Alison McRae
- Location : Land at Bellefield Road
Lanark
ML11 7RH

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 the Conditions listed)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application
- (2) If planning consent is granted, the decision notice should be withheld until a financial contribution of £24,000 has been paid towards the provision of appropriate community facilities in the area.

This may take the form of a one-off payment or an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, being concluded between the Council, the applicants and the site owner(s).

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable. If, however, this matter is being progressed satisfactorily, the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the developers.

3 Other Information

- ◆ Applicant's Agent: Burrell Design Studio
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
 - Policy 2 - Climate Change
 - Policy 3 - Green Belt and Rural Area
 - Policy 4 - Development management and placemaking
 - Policy 5 – Community Infrastructure Assessment
 - Policy 12 Housing Land
 - Policy 15 - Natural and Historic Environment

Green Belt and Rural Area Supplementary Guidance

Development management, placemaking and design supplementary guidance (2015)

Natural and historic environment guidance (2015)

Sustainable Development and Climate Change Supplementary Guidance

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

- ◆ Consultation(s):

Roads & Transportation Services (Flood Risk Management Section)

S.E.P.A. (West Region)

Environmental Services [e-consult]

Roads Development Management Team

Planning Application Report

1 Application Site

- 1.1 The application site (1.9 ha) relates to a former vegetable and packaging business situated at the end of Bellefield Road, approximately 1km to the north of Lanark. The site comprises the hardstanding of cleared sheds, the shell of one remaining building and a tarmac roadway. The remaining part of the site is overgrown with scrub and self seeded trees. Amongst the regenerated growth is evidence of hardstanding and brick foundations. From Bellefield Road there is a wide access down to the main site area. Either side of the access is grazing paddocks.
- 1.2 Generally, the site is relatively level, however, in the southern section beyond the former building group, the vacant open land is slightly raised. Along the southern boundary is a screen embankment whilst part of the eastern boundary has a self seeded tree belt.
- 1.3 The site is bounded to the west by a newly planted woodland to replace a clear felled area on rising ground, to the north by a large residential house and vacant land, to the east by Bellefield Road and beyond by a mixed woodland on rising ground and to the south by residential dwellings. In the north western corner of the site, a narrow strip of land connects the site with an agricultural field which has been earmarked for a SUDS pond. In the immediate locality to the north and south are former nurseries where greenhouses and associated infrastructure have been replaced by dwellings

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the formation of 16 house plots orientated around three cul-de-sacs (one of which has a circular turning head and the other two have y-shaped turning heads) radiating out from the main access road from Bellefield Road. Detailed of the proposed house types have not been provided at this stage and would be subject of further applications. An existing shelter belt around the periphery will be retained and reinforced with additional planting.
- 2.2 The proposed dwellings will be served by a bio-disk plant which discharges into the Mouse Water via an existing pipe previously used by the vegetable packing business. Surface water from the dwellings would be directed to a SUDS pond laid out in the north western corner adjacent to Jerviswood House.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the site as forming part of the housing land supply where Policy 12 – Housing Land applies. The site falls within the Rural Area where Policy 3 Rural Area and Green Belt applies. In addition, Policies 2: Climate Change, 4: Development Management and Place Making, 5: Community Infrastructure Assessment and 15 Natural and Historic Environment are relevant. Finally Supplementary Guidance on Development Management, Place Making & Design; Sustainable Development & Climate Change; Green Belt and Rural Area; and Natural and Historic Environment apply while the Council's Residential Development Guide should also be taken into consideration.

3.2 Relevant Government Advice/Policy

- 3.2.1 SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. In terms of development in the rural area, SPP states that most new development should be guided to locations within or adjacent to settlements. Planning should take every opportunity to create high quality places and direct development to the right places, in particular by encouraging the re-use of brownfield sites.

3.3 **Planning History**

- 3.3.1 Planning Permission in Principle CL/09/0455 for a residential development was granted in March 2010. The consent included a condition limiting the number of houses on the site to 9 unless a detailed statement justifying additional units was provided. Following on from this a Section 42 application CL/13/0003 was granted in February 2013 to vary conditions attached to CL/09/0455 to enable the extension of the period for the submission of further applications by an additional three years. Both consents expired in March 2016.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Clydesdale)** – no objections to the application in principle. This is subject to formation of additional passing places on Bellefield Road, a footway along the site frontage and suitable access and drainage arrangements.

Response: Noted. Should consent be granted, conditions can be attached to cover these matters. A plan showing the location of passing places along Bellefield Road between the entrance to the site and Bellefield Grove has been agreed.

- 4.2 **Roads and Transportation (Flooding)** – A 16 plot development requires a holistic approach to drainage and SUDS are a legal requirement. There is an indication from SEPA pluvial maps that some of the site may be at risk of flooding due to run off from the adjoining woodland and, therefore, a Flood Risk assessment is required to ensure there will be no detrimental impact to properties within or outwith the site.

Response: Noted. Should consent be granted, conditions can be attached to cover these matters to ensure surface water run off is suitably addressed in the layout.

- 4.3 **Environmental Services** – Further information was sought to demonstrate that the proposed foul drainage infrastructure is adequate and appropriate for a development of this size. After the submission of further information, Environmental Services confirmed that this matter could be dealt with by condition. They also recommended conditions requiring a contaminated land investigation and dust mitigation measures.

Response: Noted. These matters can be covered by condition if consent is granted.

- 4.4 **SEPA** – This development falls below the scale and nature of development on which they provide on site specific advice.

Response: Noted.

5 **Representation(s)**

- 5.1 The application was advertised in the press for Non-notification of Neighbours. Following this publicity and the carrying out of statutory neighbour notification process, 2 letters of objection have been received. The contents of the letters are summarised as follows:

(a) Bellefield Road is single track with no pavement. It is already dangerous to walk along it due to speed of cars. Further traffic generated by so many new houses is not suitable or appropriate.

Response: Roads and Transportation Services have not raised any safety concerns or objections subject to conditions requiring the introduction of passing places along Bellefield Road and the formation of a footway along the frontage of the site.

(b) There are many developments that have already been granted permission and have not proceeded or sold. This suggests that there is insufficient need for a development of this type, particularly as it is out with the local area for a housing development.

Response: The economic downturn in 2007 did impact upon the housing market however there is now evidence of recovery. The principle of a residential development on this site has already been established by previous consents and its inclusion in the housing supply list referred to in the Local Plan.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the Council's planning portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks planning permission for sixteen house plots on the site of a former storage and packing business at Bellefield Road in Lanark. The determining issues that require to be addressed in respect of this application are compliance with the adopted local development plan, government guidance, the planning history of the site and infrastructure and road safety implications.
- 6.2 The site is identified in the South Lanarkshire Local Development Plan as being outwith the settlement boundary for Lanark and falls within the designated Rural Area where Policy 3 - Green Belt and Rural Area applies. This states that development which does not require to locate in the countryside will be expected to be accommodated within settlements. However, in recognition of the previous planning consents granted for the redevelopment of the site for housing, the site is also identified as part of the housing land supply. Policy 12 – Housing Land states that the Council will support development of sites in the Housing Land Audit. As such, residential development is considered to be acceptable in principle.
- 6.3 The proposal seeks consent for the formation of 16 plots within the site. The previous consent included a condition limiting the number of houses on the site to 9 unless a detailed statement justifying additional units was provided. Therefore, consideration has to be given to whether the scale and form of development proposed is acceptable. A design statement has been provided which explains the site is visually self contained within the landscape framework of the area. In addition, the density of the layout and plot sizes are similar to other small scale residential developments that have been granted in the locality. A restriction on the height of the new houses to one and a half storeys would mean new development would be less prominent than the former buildings on the site.
- 6.4 In addition, detailed guidance on new development in the Rural Area is contained in the Green Belt and Rural Area Supplementary Guidance. In the case of brownfield sites such as this, Policy GBRA7 - Redevelopment of Previously Developed Land outlines a number of criteria relevant to redevelopment proposals. The salient points are summarised as follows:
- New buildings should normally occupy the same position on the site as those that are to be replaced. Exceptionally, new development may extend to the existing

physical limit of the site, including any hardstanding areas. However, justification through the submission of a design statement will be required to show why this is necessary. In such cases, there should not be an adverse impact on the wider area in terms of landscape character and setting.

- The physical footprint of the new buildings shall normally not exceed that of the existing buildings in terms of floor area unless it can be shown there will not be a detrimental landscape impact or the cost of rehabilitating the site require additional units.
- The new development will be in keeping with the main features of the landscape and will integrate with its surroundings. A landscape framework should be provided to demonstrate how the development would fit into the landscape.
- Proposals should have no adverse impact in terms of road safety.
- There will be no adverse impact on biodiversity, including Natura 2000 sites and protected species, or features which make a significant contribution to the cultural and historic landscape value of the area.

6.5 Most of the original buildings associated with the former use have now been cleared other than the shell of one remaining shed. The site is derelict and overgrown and detracts from the landscape character and the amenity of nearby residents. The site is detailed on the Council's Vacant and Derelict Land Register. The former industrial use has long since ceased with no prospect of recommencing. The site previously contained a number of large sheds industrial in appearance. They had an extensive overall footprint but were located in the centre of the site whereas the current proposal seeks to develop the entire site for housing. Notwithstanding this, a significant area of hard standing used for storage and parking existed previously. It is also noted that the footprint of the houses on the 16 plots would not exceed that of the industrial complex if a limit on plot ratio is imposed by condition. On balance, the redevelopment of the site would greatly enhance the environmental quality of the area and would integrate with the landscape character of the area providing limits on storey height are imposed. It is also accepted that in the context of its surroundings, the site is well screened by topography and woodland and is not visually prominent from any public viewpoint.

6.6 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change. This is a relatively small housing development situated close to local services in Lanark which will utilise vacant brownfield land. The site is not at risk of flooding other than potential surface water run-off from an adjoining hill which could be mitigated by appropriate drainage. In consideration the proposals would not undermine the objectives of the policy.

6.7 The proposed development has also been considered against Policy 4 Development Management & Place Making and associated Supplementary Guidance which requires development proposals to take account of and be integrated with the local context and built form. Proposals should not have a significant adverse impact on the local area and address the six qualities of placemaking. These matters are more properly dealt with at the further application stage, however, the development of the site for a housing development of the size and scale proposed would respect the local character of the area. A condition would be attached to the consent to ensure compliance with the Rural Design Guide and the submission of a Design Brief to justify the chosen house types and design and set parameters and guidelines for the future development of the site.

- 6.8 Policy 5 - Community Infrastructure Assessment states that where development proposals would require capital or other works or facilities to enable the development to proceed, financial contributions towards their implementation will be required. These contributions will be appropriately assessed and developers will be required to ensure transparency in the financial viability of a development. In compliance with this, the applicant has agreed to make financial contributions towards community facilities of £1500 per dwelling amounting to £24,000. The scale of development does not exceed thresholds in the policy that would require the making of a contribution towards education provision and affordable housing.
- 6.9 Policy 15 – Natural and Historic Environment seeks to protect the natural and historic environment from adverse impacts resulting from development. In this case the site is within a Special Landscape Area. All proposed development should take into account the detailed guidance contained in the South Lanarkshire Landscape Character Assessment 2010. The site falls within the Rolling Farmlands Landscape Character type where new development should generally be small scale, well sited so as to maximize the natural screening and the integration provided by topographic and woodland variety. Large and medium scale modifications to the undulating topography should be resisted. In its present dilapidated state the site detracts from the quality and enjoyment of the surrounding countryside. The remediation of the site will result in significant environmental improvements. The adjacent woodland cover on steep sided inclines ensures visual containment in respect of the wider locality. No modification of the natural landform is anticipated. The site also adjoins a core path which follows the route of Bellefield Road; Policy NHE18 in the Natural and Historic Environment Supplementary Guidance seeks to safeguard existing routes and where developments are adjacent to a route they are required to take account of the route. The proposed development does not affect the route of the path and conditions requiring the formation of a footpath along the site frontage and passing places along Bellefield Road would enhance the route and improve pedestrian safety.
- 6.10 In summary, this development proposes redeveloping the brownfield site of a former industrial business within the rural area. Previous consents and the identification of the site in the Housing Land Supply have established the principle of residential development on site. The proposal has been assessed favourably against detailed policy guidance of the adopted local development plan. The proposals represent an appropriate form of residential development for the site and it is therefore recommended that detailed planning consent be granted subject to the conditions listed. However, consent should be withheld until the payment of £24,000 has been made to ensure the submission of the necessary financial contributions.

7 Reasons for Decision

- 7.1 The proposal accords with Policies 2, 3, 4, 5, 15 and 17 of the adopted South Lanarkshire Local Plan and associated Supplementary Guidance: Natural and Historic Environment; Development Management, Place Making and Design; Green Belt and Rural Area; Green Network and Green Spaces and Sustainable Development and Climate Change. The proposal will have no adverse impact on residential or visual amenity of the area and also raises no road safety issues.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

22 February 2018

Previous References

- ◆ CL/09/0455
- ◆ CL/13/0003

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Neighbour notification letter dated 04/10/2017

- ▶ Consultations
 - Environmental Services [e-consult] 14/07/2017
 - S.E.P.A. (West Region) 11/07/2017
 - Roads & Transportation Services (Flood Risk Management Section) 08/08/2017

- ▶ Representations
 - Representation from : Siobhan , 15 Bellefield Crescent
Lanark
ML11 7QY
, DATED 26/07/2017 15:22:24

 - Representation from : Bryan Kerr , 3 Bellefield Way
Lanark
, DATED 26/07/2017 14:53:47

Contact for Further Information

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB
Ext 5174 (Tel: 01698 455174)
E-mail: ian.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 That further applications shall be submitted to the Council as Planning Authority for the erection of individual dwellinghouses on the plots hereby approved, together with the requisite detailed plans and such plans shall include:-(a) Plans, sections and elevations of the proposed building together with the colour and type of materials to be used externally on walls and roof;(b) Sections through the site, existing and proposed ground levels and finished floor levels;(c) Detailed layout of the site as a whole including, where necessary, provision for car parking, details of access and details of all fences, walls, hedges or other boundary treatments; and,(d) Existing trees to be retained and planting to be carried out within the site; and no work on the site shall be commenced until the permission of the Council as Planning Authority has been granted for the proposals, or such other proposals as may be acceptable.
- 2 That before any of the further applications required under the terms of Condition 1 above are submitted a Design Statement and Design Brief which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site shall be submitted for the consideration and approval of the Council as Planning Authority. All of the applications submitted under condition shall accord with the approved documents.
- 3 That notwithstanding the terms of Condition 1 above, the design and siting of any dwellinghouse on the site shall take due cognisance of the rural location, with particular regard being paid to scale, massing, roof pitch, fenestration and materials; and shall be in accordance with the Council's approved policy on new dwellings in the Countryside.
- 4 That before any work commences on the site, 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., including, where appropriate, the planting of fruit/apple trees; (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 before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 60 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.
- 6 That before any of the houses hereby approved are occupied, a two metre wide footway shall be constructed along the frontage of the site to the specification of the Council as Roads and Planning Authority.

- 7 That before any of the houses hereby approved are occupied passing places, with appropriate entry and exit taper, shall be formed, in compliance with Guidelines for Development Roads, in the location detailed in drawing number 1007 to the satisfaction of the Council as Planning and Roads Authority.
- 8 That before the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 9 That no dwellinghouses shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water scheme constructed to the specification and satisfaction of Scottish Water as the Water Authority.
- 10 That before work commences on site details of the sewerage disposal system, shall be submitted to and approved by the Council as Planning Authority in consultation with SEPA and thereafter prior to the occupation of the dwellings the approved sewerage system shall be installed to the satisfaction of the said Authority.
- 11 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 shall include the following signed appendices : 1 'Sustainable drainage design compliance certificate' , 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.
- 12 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 13 (a) The applicant shall be required to undertake a comprehensive site investigation, carried out to the appropriate Phase level, to be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk

assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

- 14 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.
- 15 That the developer shall submit a scheme for the installation of 'Schwegler 2FN' bat boxes on adjacent woodland for the approval of the Council as Planning Authority in consultation with SNH and that prior to the commencement of the development on site, including any associated demolition, the bat boxes shall be installed to the full satisfaction of the said Authority.
- 16 That the further application required under Condition 1 above shall include a scheme of tree and shrub planting for the area indicated in green on the approved plan.
- 17 That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

REASONS

- 1.1 These details have not been submitted or approved.
- 2.1 To provide an explanation of the design concept and to enable a greater understanding of the proposal.
- 3.1 In the interests of amenity and to ensure satisfactory integration of the new dwellinghouse with the designated Countryside.
- 4.1 In the interests of the visual amenity of the area.
- 5.1 In the interest of road safety.
- 6.1 In the interest of public safety.
- 7.1 In the interest of road safety.
- 8.1 To ensure the provision of a satisfactory drainage system.

- 9.1 To ensure that the development is served by a water supply.
- 10.1 To ensure that the development is served by an appropriate effluent disposal system.
- 11.1 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.
- 12.1 In order to retain effective planning control.
- 13.1 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 14.1 To minimise the risk of nuisance from dust to nearby occupants.
- 15.1 To minimise impacts upon bats, a European Protected Species.
- 16.1 In the interests of amenity.
- 17.1 To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

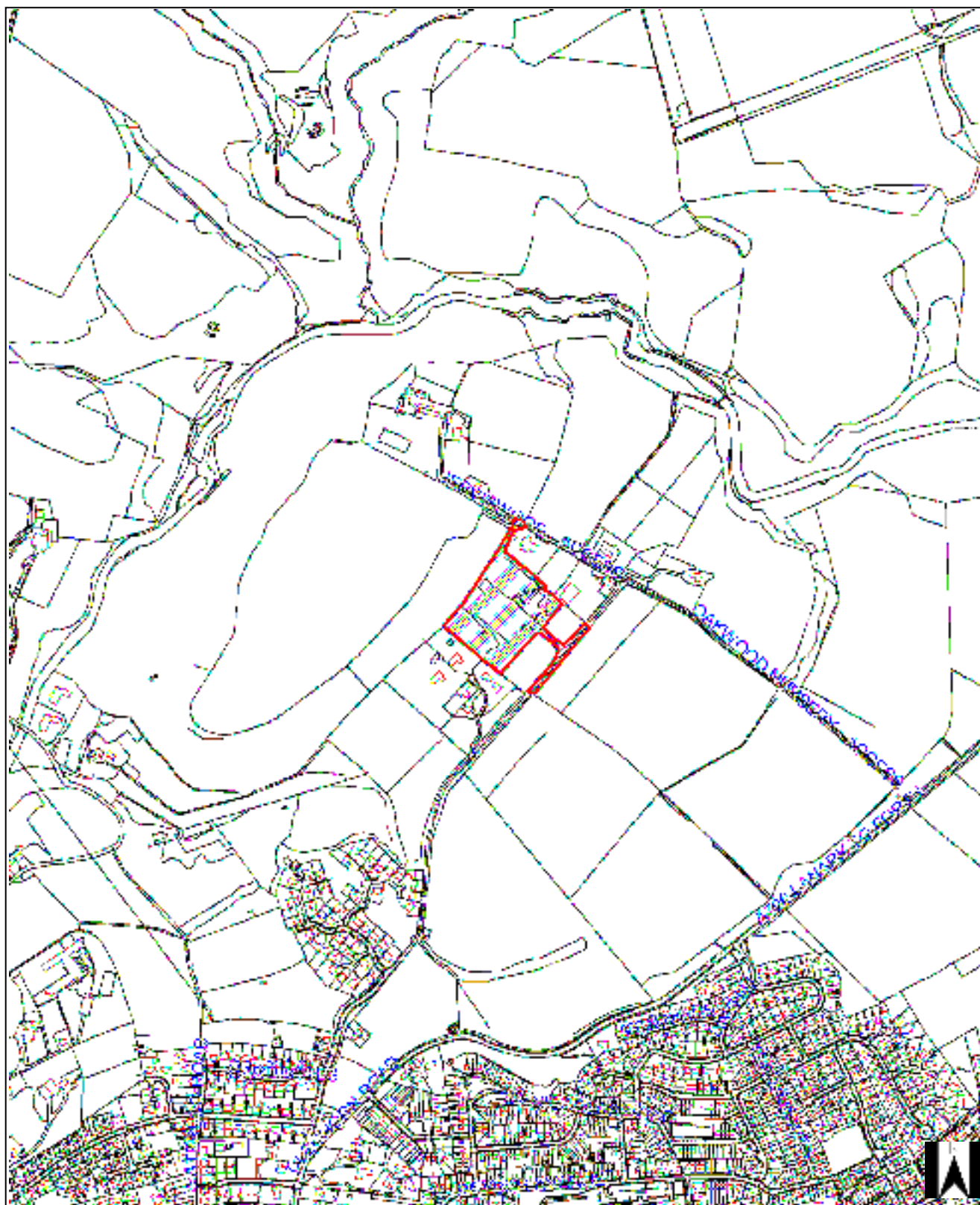
CL/17/0287

Planning and Building Standards

Jerviswood House, Access from Jerviswood Road to
Jerviswood House Lanark

Scale: 1: 10000

For information only



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