

Report

Report to:	Planning Committee
Date of Meeting:	23 June 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/0027
Planning proposal:	Erection of 110 dwellings with associated works (Approval of matters specified in conditions of planning application CR/09/0139)

1 Summary application information

Application type:	Detailed planning application
Applicant:	Miller Homes Ltd
Location:	Newton POD 2H Newton Avenue Cambuslang Glasgow South Lanarkshire

2 Recommendation(s)

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

- (1) Grant Approval of Matters Specified in Condition - Subject to conditions (based on conditions attached)

2.2 Other actions/notes

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

3 Other information

- ♦ Applicant's Agent:
- ♦ Council Area/Ward: 14 Cambuslang East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (Adopted 2015)**
Policy 1 – Spatial Strategy
Policy 4 – Development Management and Place Making
Policy 5 – Community Infrastructure Assessment
Policy 6 – General Urban Area/Settlements
Policy 12 – Housing Land

**Proposed South Lanarkshire Local
Development Plan 2 (2018)**

Policy 1 – Spatial Strategy

Policy 3 – General Urban Area/Settlements

Policy 5 – Development Management and
Placemaking

Policy 7 – Community Infrastructure Assessment

Policy 11 – Housing

♦ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

SEPA West Region

SP Energy Network

Halfway Community Council

CER Play Provision Community Contribs

Planning Application Report

1 Application Site

- 1.1 The application site extends to approximately 4.9 hectares and is part of Phase 2 of the overall Community Growth Area (CGA) at Newton. This site is bounded to the east by phase 2G, to the south by phase 2I and to the north by phase 2F which are all at varying stages of the construction process.
- 1.2 The site consists of a mostly flat area of land and will be adjacent to the main arterial road serving the CGA which is constructed in part. 905 houses have already been approved as part of Phase 2 of the Newton CGA with approximately 600 having already been constructed. The entire CGA will consist of approximately 2,000 houses (Phase 1 – 600 and Phase 2 – 1400).

2 Proposal(s)

- 2.1 The applicant, Miller Homes Ltd, proposes the erection of 110 dwellinghouses with associated works. As required by the masterplan, the development will incorporate the principles of Sustainable Urban Drainage (SUDs) with drainage ponds located to the north of the site close to the River Clyde, within a proposed riverside park. A number of supporting documents including a Design and Access Statement, Habitat Survey, Dust Management report, Flood Risk Assessment and Ground Survey have previously been submitted as part of the Planning Permission in Principle (PPP) consent granted in 2014. The layout of the site will follow the principles of 'Designing Streets' which gives pedestrians priority over vehicles. The site will be accessed from two separate points off the new arterial road still under construction.

3 Background

3.1 Local Plan Status

- 3.1.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.1.2 In this instance, the relevant policies are 1 – Spatial Strategy, 4 – Development Management and Placemaking, 5 – Community Infrastructure Assessment, 6 – General Urban Area/Settlements and Policy 12 – Housing Land.
- 3.1.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 1, 3, 5, 7 and 11 are applicable.

3.2 **Relevant Government Advice/Policy**

- 3.2.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements. The Council must also maintain a five year supply of effective housing land.

3.3 **Planning Background**

- 3.3.1 Planning permission in principle was granted for the site in September 2014 (CR/09/0139). The first 5 phases (2A-E) were granted as per Approval of Matters Specified in Conditions on 28 January 2015 (CR/14/0155) and are currently under construction. Miller Homes have constructed 123 dwellings on Pod 2G as per planning consent CR/17/0165 and Pods 2I and 2J are well under construction as per planning permission P/18/1041.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** – no objections subject to the attachment of conditions in relation to parking, gradients and wheel washing facilities.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.2 **Environmental Services** – no objections subject to conditions and advisory notes being attached in respect of contaminated land site investigation, construction noise and dust management and monitoring.
Response: Noted. Appropriate conditions and advisory notes can be attached to any consent issued.
- 4.3 **Roads Flooding** – no objections subject to conditions related to the provision of a SUDs drainage system.
Response: Noted. The site will be designed to incorporate the SUDs scheme designed for the CGA
- 4.4 **Scottish Water** – no objections.
Response: Noted.
- 4.5 **SEPA** – no objections to the proposal, however, provided general advice in relation to drainage and pollution prevention.
Response: Noted.
- 4.6 **SP Energy Networks** – no objections to the proposal.
Response: Noted.
- 4.7 **Halfway Community Council** – no response received to date.
Response: Noted.
- 4.8 **Community Resources** – no contributions as the proposal relates to the CGA.
Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken by the Council and the proposal was also advertised as not all neighbours could be identified; however, no representations have been received from third parties.

6 Assessment and Conclusions

- 6.1 The determining issue in the assessment of this proposal is its compliance with local development plan policy and any other material considerations. In this case, the Adopted South Lanarkshire Local Development Plan (2015) supports the use of the site as a Community Growth Area for residential development. Therefore, in general land use and policy terms, the principle of the development is acceptable.
- 6.2 This application is for the matters specified in condition as per application CR/09/0139. In this regard, the principle of residential development has been firmly established by approval of planning permission in principle (PPP). This was granted in September 2014 following Committee approval in 2010. Consequently, this application deals with the approval of the matters conditioned in the PPP.
- 6.3 The new Community Growth Area (CGA) is based around a new distributor/spine road which forms a loop through the site linking the development to the wider road network. This road has planning permission and has been constructed along to the end where phase 2G meets 2H. As per Policy 5 – Community Infrastructure Assessment, the CGA will deliver a number of improvements through planning obligations. These include affordable housing, open space and road improvements. The relevant Section 75 agreement has already delivered a new primary school and community facility. In addition, the CGA will provide two new roundabouts which will be constructed, one at the junction of Westburn Road and Westburn Drive and the other at the junction of Calder Road and Blantyre Farm Road. The policy, therefore, complies with Policy 5 in relation to Community Infrastructure.
- 6.4 This application is for 110 dwellinghouses and associated works. This will include a mix of 10 different house types consisting of 2,3 and 4 bed detached and semi-detached properties to provide for varying demand. In terms of the Council's Residential Design Guide (2011), each property/plot can meet the requirements in terms of window to window distances, plot ratio and parking requirements. The pods will provide irregular road layouts to increase pedestrian safety. In this regard, I am, therefore, satisfied that the proposal meets the aims of Policies 4, 6 and DM1.
- 6.5 The development will ensure that the Council meets its housing land supply requirements and thus the proposed development will accord with local plan policy 12 – Housing Land. Subsequent applications will follow in the future to deal with the remaining matters such as housing and retail.
- 6.6 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal

accords with Policy 1 - Spatial Strategy, Policy 3 – General Urban Area/Settlements, Policy 5 - Development Management and Place Making, Policy 7 – Community Infrastructure Assessment and Policy 11 Housing.

- 6.7 As noted above, there are no objections from any of the consultees and any appropriate conditions will be attached should permission be granted.
- 6.8 In conclusion, it is considered that the proposed development accords with the relevant policies of the Adopted South Lanarkshire Local Development Plan (2015) and the Proposed South Lanarkshire Local Development Plan 2 (2018) and, as such, it is recommended that approval of matters specified in condition is granted.

7 Reasons for Decision

- 7.1 The proposed development accords with policies 1, 4, 5, 6 and 12 of the South Lanarkshire Local Development Plan and policies 1, 3, 5, 7 and 11 of the Proposed South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 26 May 2020

Previous references

- ◆ CR/09/0139

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 21 February 2020

- ▶ Consultations
 - Roads Development Management Team 29.05.2020
 - Environmental Services 27.05.2020
 - Roads Flood Risk Management 07.04.2020
 - Scottish Water 16.03.2020
 - SEPA West Region 10.03.2020
 - SP Energy Network 24.02.2020
 - Halfway Community Council No response
 - CER Play Provision Community Contribs Judith Gibb 24.01.2020

Contact for further information

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

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455046

Email: julie.pepper@southlanarkshire.gov.uk

Conditions and reasons

01. That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

02. 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.

Reason: In the interests of the visual amenity of the area.

03. 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.

Reason: In the interests of amenity.

04. 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.

Reason: In the interests of amenity and in order to retain effective planning control.

05. 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.

Reason: These details have not been submitted or approved.

06. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 5 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

07. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: In the interests of amenity and in order to retain effective planning control.

08. 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.

Reason: These details have not been submitted or approved.

09. 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.

Reason: 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.

10. 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 signed appendices as required. 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.

Reason: 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.

11. That no dwellinghouse shall 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.

Reason: To ensure the provision of a satisfactory sewerage system.

12. (a) No works should commence prior to the applicant undertaking 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 advice given in the following:

- Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995)
- Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11)' - issued by DEFRA and the Environment Agency
- BS 10175:2011 - 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.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

13. (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.

(b) On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.

(c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: 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. 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.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

15. That prior to development commencing, details of the construction phasing and all construction access routes shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: In the interests of road safety.

16. That the construction phasing and access arrangements required by 15 above shall be adhered to at all times unless otherwise agreed in writing by the Council as Planning Authority.

Reason: In the interests of road safety.

17. That the applicant must ensure that all site traffic and deliveries will be accommodated within the confines of the site and no parking will be permitted on the spine road. A drawing showing the facility for staff and all contractors shall be submitted and approved by the Council as Planning Authority prior to development commencing and thereafter adhered to at all times.

Reason: In the interests of road safety.

18. That during construction works, the applicant must provide wheel washing facilities within the site to ensure that no muck, debris or water should discharge onto the public road network.

Reason: In the interests of road safety.

19. The first 12.5 metres of any road shall not exceed a gradient of 2%.

Reason: In the interests of road safety.

20. That prior to works commencing on site, a plan showing the position of grit bins throughout the development shall be submitted to and approved in writing by the Council as Roads and Planning Authority and thereafter implemented to our satisfaction.

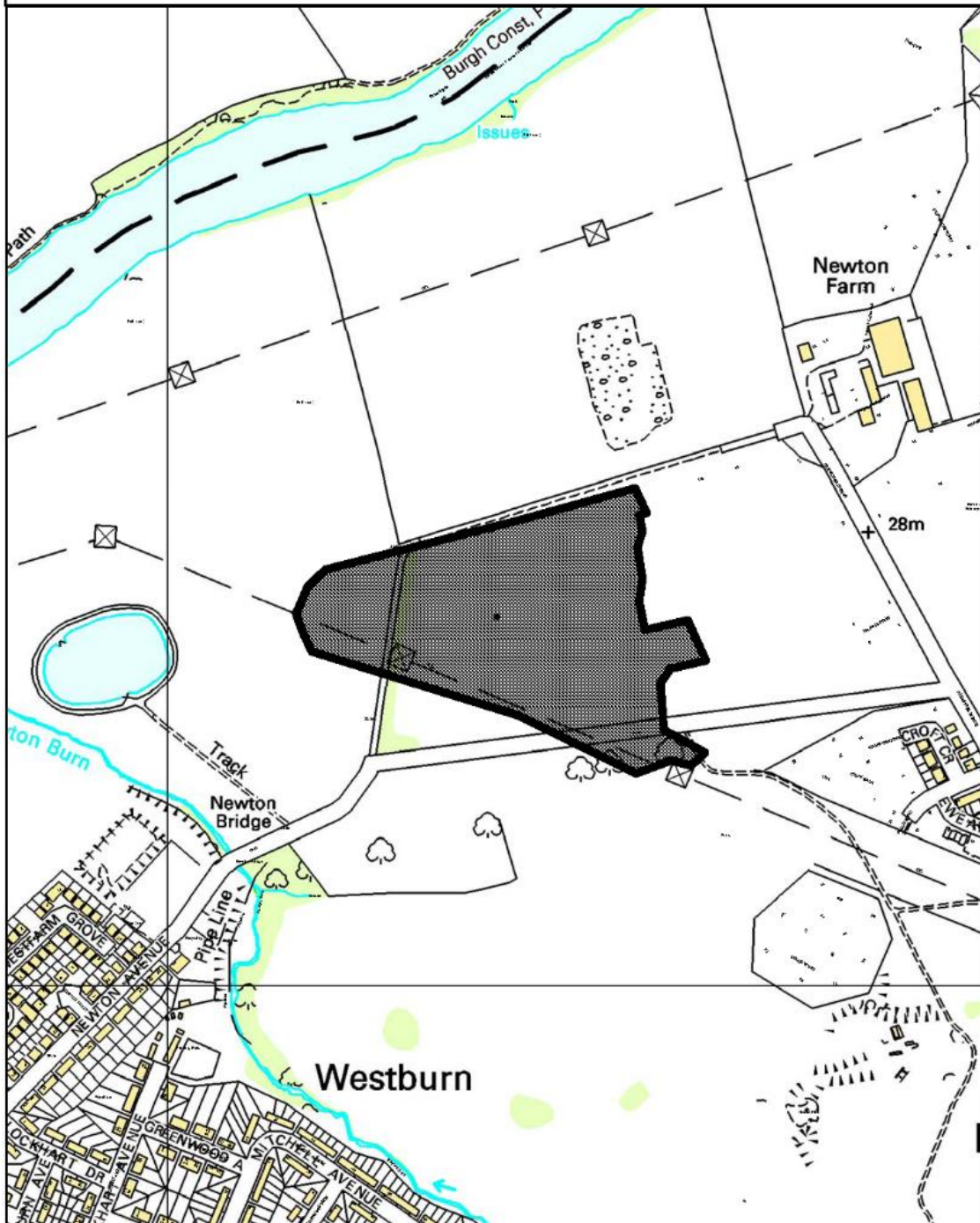
Reason: These details have not been submitted or approved.

21. That all driveways shall be designed to accommodate car parking spaces with minimum dimensions of 3m x 6m each and before the development hereby approved is completed or brought into use, they shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

P/20/0027

Newton POD 2H, Newton Avenue, Cambuslang



© Crown copyright and database rights 2019 OS
100020739. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, sub-licence, distribute or sell
any of this data to third parties in any form.



Scale:
1:5,000
Date:
02/06/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development