

Report

Report to:	Planning Committee
Date of Meeting:	1 May 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	CL/17/0343
Planning proposal:	Erection of 19 detached dwellings and associated access road, landscaping and drainage works

1 Summary application information

Application type:	Detailed planning application
Applicant:	T C Stewart & Son
Location:	Site at Lanark Road Kirkmuirhill Lanark ML11 9RB

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 attached

2.2 Other actions/notes

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

3 Other information

- ♦ Applicant's Agent: DAMTONB3 Architecture
- ♦ Council Area/Ward: 04 Clydesdale South
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

South Lanarkshire Local Development Plan
POL2- Climate change
POL4- Development management and placemaking
POL6- General urban area/settlements
POL12- Housing land

Development management, placemaking and design supplementary guidance (2015)

Sustainable Development and Climate Change

Supplementary Guidance

◆ Representation(s):

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

◆ Consultation(s):

Roads Development Management Team

Scottish Water

Environmental Services

RT Flood Risk Management Section

WOSAS

Planning Application Report

1 Application Site

- 1.1 The site is located at the south-eastern end of Carlisle Road within the settlement boundary of Kirkmuirhill, and is bounded by housing to the north and west, a former railway line embankment to the east, and by open agricultural land to the south. There is a right of way bounded by mature hedging which runs along the southern boundary of the site, which will not be affected by the application. A Category C(S) Listed Church and its Manse is located to the north-west of the site, and land associated with the Church bounds the western boundary of the site. The application site consists of undeveloped grassland, and the ground slopes from west to east. The proposed vehicular access off Lanark Road will be created at the point of the existing embankment, and includes an area of land to the east to provide a vehicular visibility splay. An informal walkway exists from Lanark Road to along the top of the former railway embankment which links up with the right of way to the south. The embankment is raised above the ground level at the north of the site, and slopes gently downwards towards the south of the site where the embankment is relatively level with neighbouring land.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of 19 detached dwellinghouses at land off Lanark Road, Kirkmuirhill. The proposal includes ground works, in particular the removal of the former railway embankment, and the formation of a SUDS (Sustainable Urban Drainage) pond to the northern boundary and access point into the site. The applicant proposes to install an equipped play park also within the northern area of the site, and an area of landscaping along the eastern boundary. The removal of the embankment will provide the location for the new vehicular access to serve the site, along with an area of land to the east to provide a vehicular visibility splay.
- 2.2 The proposal contains a mixture of 4 house types varying between single storey and 1.5 storeys in height. The dwellings are of contemporary design incorporating a mixture of external materials. Car parking is provided within each individual plot.
- 2.3 The application also proposes a pedestrian access over the central access road through the site from Lanark Road to connect in to the established right of way located along the southern boundary of the site. This would replace the existing informal route along the top of the former railway embankment.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site as being located within the settlement boundary of Kirkfieldbank where Policy 6 - General urban area/settlements applies. The site is also identified as a proposed housing site within South Lanarkshire Council's proposed 2014 Housing Land Supply audit where Policy 12 – Housing Land is applicable.
- 3.1.2 Other relevant policies in the assessment of this application are: Policy 2 - Climate Change, Policy 4 - Development Management and Placemaking, together with the Development Management, Placemaking and Design and Sustainable Development

and Climate Change Supplementary Guidance. The content of the above policies and how they relate to the proposal is addressed in detail in Section 6 of this report.

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. Planning should take every opportunity to create high quality places and direct development to the right places.

3.3 **Planning Background**

- 3.3.1 Planning consent CL/12/0007 for the residential development of the site and the formation of an alternative access road from Carlisle Road (planning permission in principle) was approved by the Planning Committee on 27 March 2012. The application site was marginally smaller as it didn't include the removal of the former railway embankment, and an alternative vehicular access was proposed from Carlisle Road. There was no indication of the number or layout of houses proposed at that time.

4 **Consultation(s)**

- 4.1 **Roads Development Management Team** – do not object to this application. They are satisfied that the new proposed access point can provide sufficient visibility splays in both directions along Lanark Road. The proposal incorporates an acceptable level of car parking to serve the dwellinghouses proposed.

Response: Noted. It is acknowledged that the former railway embankment requires to be removed to provide an access point with sufficient visibility splays.

- 4.2 **WOSAS** – do not object to this application. However as the proposal involves previously undisturbed land there may be potential for archaeological material to exist below the ground. Should consent be granted then a condition should be attached to ensure that the developer secures the implementation of a programme of archaeological works prior to any work commencing on site.

Response: Noted. Should consent be granted a condition will be attached to address the above.

- 4.3 **Scottish Water** - confirm that Camps Water Treatment Works currently has capacity to service the development; however Blackwood Wastewater Treatment Works has limited capacity to serve the new demand created by the proposal. On this basis Scottish Water advise that the developer is required to submit a fully completed Development Impact Assessment form to Scottish Water to assess the impact on the existing infrastructure. Furthermore, it is advised that a totally separate system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable drainage system (SUDS) if it is to be considered for adoption.

Response: Noted. Should consent be granted an informative will be attached to advise the applicant to discuss the necessary infrastructure requirements directly with Scottish Water.

- 4.4 **Environmental Services** – do not object to this application. They are satisfied with the site investigation information provided to date, however recommend that a condition is attached to any consent granted to ensure that any contaminated materials are satisfactorily addressed on site.

Response: Noted. Should consent be granted then conditions will be attached to address the above.

- 4.5 **Roads and Transportation Flood Management Team** - do not object to this application. However, it is recommended that prior to works commencing on site a flood risk assessment is carried out and further details of the proposed Sustainable Drainage System are provided. It should be noted that professional indemnity insurance would be required with regards to the proposed drainage system.

Response: Noted. Should consent be granted then conditions will be attached to address the above.

5 Representation(s)

- 5.1 Following the carrying out of statutory neighbour notification and the advertisement of the application in the local press due to the non-notification of neighbours, no letters of representation were received.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of 19 detached dwellinghouses and associated access road, landscaping and drainage works at land off of Lanark road, Kirkmuirhill. The main issues in determining this application are its compliance with local plan policy, impact on residential and visual amenity, and road safety.
- 6.2 The site is identified in the adopted South Lanarkshire Local Development Plan as being within the settlement of Kirkmuirhill. The land also forms part of the Council's Housing Land Supply. Policy 12 – Housing Land states that the Council will support development of sites in the land supply. As such, residential development on the site is considered to be acceptable in principle.
- 6.3 The application site is located within the settlement boundary of Kirkmuirhill as identified in the adopted SLLDP. Policies 6 - General Urban/Settlements and Policy 4 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance of the adopted local development plan supports residential developments where they do not have a significant adverse effect on the amenity of the area. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, overshadowing, overlooking or visual intrusion.
- 6.4 The contemporary design of the dwellings is welcomed and meets the aims of the Council's Residential Design Guide in creating streetscapes with a sense of individuality and place. The mixed ridge height of the dwellings is similar to residential development in the locality and would visually integrate well with the edge of settlement location. Each plot meets the minimum provision for garden area, distance to side boundaries, window to window distance, and car parking. The layout includes a play park and sufficient landscaping to serve this scale of development. The pedestrian access link from Lanark Road to the right of way located to the south of the site has been retained through the central access road proposed through the development. The proposed vehicular access arrangement off Lanark Road has been carefully assessed and is considered acceptable by the Council's Roads and Transportation Service. In view of the above the proposal satisfies the aims of policies 4 and 6, the associated Supplementary Guidance Development Management, Placemaking and Design, and the Councils Residential Design Guide.

- 6.5 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change by considering criteria, including being sustainably located. The site is sustainably located within the settlement boundary of Kirkmuirhill and is closely located to bus routes and nearby shops and services. The site is not at risk of flooding and there are no infrastructure constraints. In consideration the proposals would not undermine the objectives of the policy.
- 6.6 In conclusion, the location of the application site in the settlement of Kirkmuirhill and its identification in the Housing Land Supply means the principle of residential development at this site is established. The proposals represent a high quality form of residential development and would positively contribute to the amenity and character of the area. It is therefore recommended that detailed planning consent be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on road safety, visual or residential amenity, and complies with Policies 2, 4, 6 and 12 of the adopted South Lanarkshire Local Development Plan together with the associated Supplementary Guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

12 April 2018

Previous references

- ◆ CL/12/0007

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted) and associated supplementary guidance
- ▶ Neighbour notification letter dated 07.08.2017
- ▶ Lanark Gazette advertisement 16.08.2017
- ▶ Consultations

Roads Development Management Team

Scottish Water

Environmental Services

RT Flood Risk Management Section

WOSAS

Contact for further information

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

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Email: pamela.mcmorran@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: CL/17/0343

Conditions and reasons

1. 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 interest of amenity

2. 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 interest of amenity and retaining effective planning control

3. That before any work commences on the site a scheme of landscaping for the area shaded green on the approved plans 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 proposed 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 interest of amenity and retaining effective planning control

4. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following the completion of the dwellinghouses hereby approved and in accordance with the phasing plan approved under condition No.3, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interest of amenity and retaining effective planning control

5. That proposals for the factored maintenance of all areas of open space, landscaping and play park within the development, and land within the visibility splays, shall be submitted to the Council as Planning Authority and no dwellinghouse shall be completed or occupied (whichever is the soonest) until the permission of the Council as Planning Authority has been granted for these proposals.

Reason: To provide responsibility for maintenance

6. That before any work commences on the site/or within 3 months of the date of this permission (whichever is the latter), a scheme for the proposed play area within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include :(a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s); (b) details of the surface

treatment of the play area, including the location and type of safety surface to be installed; (c) details of the fences to be erected around the play area(s); and (d) details of the phasing of these works (e) maintenance details and residents factor arrangement.

Reason: In the interest of amenity and retaining effective planning control

7. That prior to the completion or occupation of the tenth dwellinghouse within the development, all of the works required for the provision of equipped play area included in the scheme approved under the terms of Condition 6 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area to the satisfaction of the Council as Planning Authority.

Reason: In the interest of amenity and retaining effective planning control

8. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To consider the historic environment.

9. 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.

10. That before each of the dwellinghouses hereby approved are occupied, all of the parking spaces shown on the approved plan for the relevant plot 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.

11. That before any of the dwellinghouses hereby approved are completed or brought into use, the first 2.0 metres of the driveways 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.

Reason: To prevent deleterious material being carried onto the road.

12. 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.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings.

13. That before the development hereby approved is completed or brought into use, a visibility splay of metres by **** 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.

Reason: In the interests of traffic and public safety.

14. 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: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

15. That within 6 months of this consent, or prior to works commencing on site, details of pole mounted signage (to direct users from Lanark Road to the right of way located to the south of the application site) shall be submitted for approval to the Council as Planning Authority. The approved signage will be erected and shall thereafter be maintained by the resident's factor agreement.

Reason: To ensure a sufficient pedestrian link is retained.

16. On completion of the ground remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out and that the works have successfully reduced these risks to acceptable levels.

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.

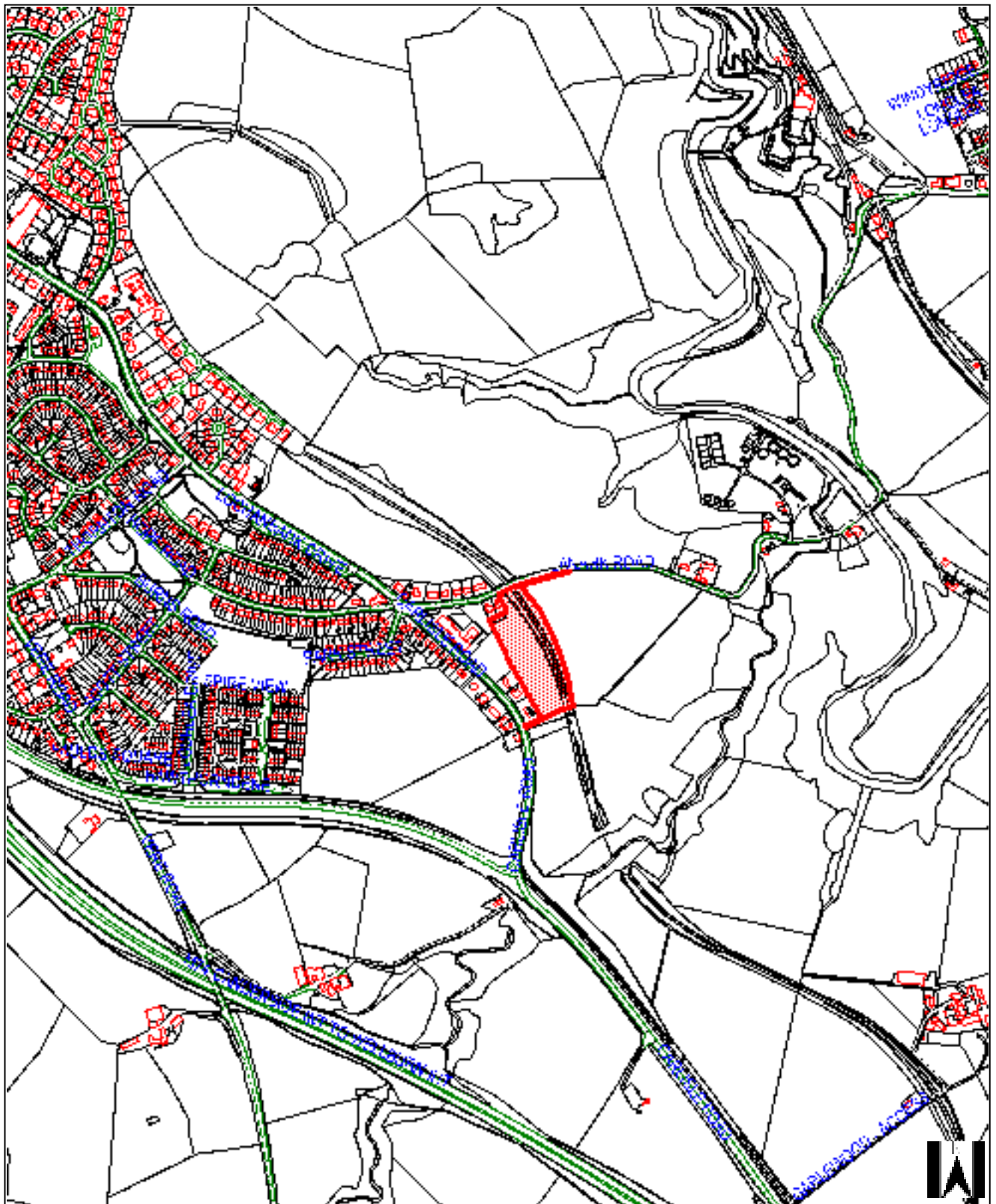
CL/17/0343

Site at Lanark Road, Kirkmuirhill, Lanark

Planning and Building Standards

Scale: 1: 10000

For information only



For information only