



Council Offices, Almada Street
Hamilton, ML3 0AA

Tuesday, 26 September 2023

Dear Councillor

Planning Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 03 October 2023

Time: 10:00

Venue: Hybrid - Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

Richard Nelson (Chair), Gerry Convery (Depute Chair), Joe Fagan (ex officio), Alex Allison, Ralph Barker, Archie Buchanan, Ross Clark, Margaret Cowie, Maureen Devlin, Colin Dewar, Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Celine Handibode, Mark Horsham, Ross Lambie, Martin Lennon, Monique McAdams, Lesley McDonald, Davie McLachlan, Norman Rae, John Ross, Graham Scott, David Shearer, Helen Toner, David Watson

Substitutes

Walter Brogan, Robert Brown, Mathew Buchanan, Margaret Cooper, Poppy Corbett, Allan Falconer, Grant Ferguson, Graeme Horne, Martin Hose, Julia Marrs, Ian McAllan, Kenny McCreary, Bert Thomson

BUSINESS

1 Declaration of Interests

- 2 Minutes of Previous Meeting** 3 - 10
Minutes of the meeting of the Planning Committee held on 5 September 2023 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

- 3 Application P/21/2176 for Erection of 4 Detached Houses with Associated Car Parking and Landscaping at Land at St Isidore's RC Church, Lindsaylands Road, Biggar** 11 - 22
Report dated 22 September 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 4 Application P/23/0797 for Erection of Outbuilding (Retrospective) at 11 Drumgray Drive, Cambuslang** 23 - 30
Report dated 22 September 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 5 Application P/23/0858 for Installation of 16 Pedestrian Lighting Columns in Village Green at Coalburn Village Green, Coalburn Road, Coalburn, Lanark** 31 - 36
Report dated 22 September 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)

Urgent Business

- 6 Urgent Business**
Any other items of business which the Chair decides are urgent.

For further information, please contact:-

Clerk Name:	Stuart McLeod
Clerk Telephone:	07385 370 117
Clerk Email:	stuart.mcleod@southlanarkshire.gov.uk

PLANNING COMMITTEE

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Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 5 September 2023

Chair:

Councillor Richard Nelson

Councillors Present:

Councillor Alex Allison, Councillor Ralph Barker, Councillor Archie Buchanan, Councillor Ross Clark, Councillor Gerry Convery (Depute), Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Gladys Ferguson-Miller, Councillor Elise Frame, Councillor Celine Handibode, Councillor Mark Horsham, Councillor Ross Lambie, Councillor Lesley McDonald, Councillor Davie McLachlan, Councillor Norman Rae, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Helen Toner, Councillor David Watson

Councillors' Apologies:

Councillor Joe Fagan (ex officio), Councillor Alistair Fulton, Councillor Martin Lennon, Councillor Monique McAdams

Attending:

Community and Enterprise Resources

F Carlin, Head of Planning and Regulatory Services; B Darroch, Planning and Building Standards Manager (East); F Jack, Team Leader, Development Management Team, Roads and Transportation Services

Finance and Corporate Resources

M Cannon, Legal Services Adviser; S Jessup, Administration Assistant; S McLeod, Administration Officer

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 8 August 2023 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Application P/19/0097 for Erection of 3 Wind Turbines with a Blade Tip Height of 24.8 Metres and a Hub Height of 18.3 Metres at Land 210 Metres West of O'Cathian House, Hayhill Road, Thortonhall

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0097 by Jackton Estates Limited for the erection of 3 wind turbines with a blade tip height of 24.8 metres and a hub height of 18.3 metres at land 210 metres west of O'Cathian House, Hayhill Road, Thorntonhall.

At its meeting on 9 May 2023, the Committee deferred the application to allow the applicant more time to engage with National Air Traffic Services (NATS) and BAA Glasgow, in terms of the Radar Mitigation Scheme, on the grounds that jobs and further employment opportunities were potentially at stake. However, it was understood that no further consultation had taken place with NATS or BAA Glasgow and no confirmation had been provided by the applicant of an agreement being reached in relation to a Radar Mitigation Scheme, therefore, the proposal was considered to have unresolved aviation safety objections.

The Committee decided: that planning application P/19/0097 by Jackton Estates Limited for the erection of 3 wind turbines with a blade tip height of 24.8 metres and a hub height of 18.3 metres at land 210 metres west of O'Cathian House, Hayhill Road, Thorntonhall be refused for the reasons detailed in the Executive Director's report.

[Reference: Minutes of 9 May 2023 (Paragraph 3)]

4 Application P/22/0205 for Erection of Residential Development (81 Houses) with Associated Roads, Parking, Amenity Space and Associated Works at Land 115 Metres South of 122 Goremire Road, Goremire Road, Carluke

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0205 by JR Construction (Scotland) Limited for the erection of a residential development (81 houses) with associated roads, parking, amenity space and associated works at land 115 metres south of 122 Goremire Road, Goremire Road, Carluke.

There followed a discussion on the report during which an officer responded to a member's question on an aspect of the report.

The Committee decided: that planning application P/22/0205 by JR Construction (Scotland) Limited for the erection of a residential development (81 houses) with associated roads, parking, amenity space and associated works at land 115 metres south of 122 Goremire Road, Goremire Road, Carluke be granted subject to the conditions specified in the Executive Director's report.

Councillor McLachlan joined the meeting during consideration of the above item of business

5 Application P/22/0345 for Change of Use of Farm Steading to Form 2 Houses, Restoration of Farmhouse to Form 1 House, Erection of 3 Houses and Associated Access Improvements (Renewal of Planning Consent P/18/0374) at Orchard Farm, Waygateshaw Road, Carluke

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0345 by Taylor Homes (Scotland) Limited for a change of use of farm steading to form 2 houses, restoration of farmhouse to form 1 house, erection of 3 houses and associated access improvements (renewal of planning consent P/18/0374) at Orchard Farm, Waygateshaw Road, Carluke.

The Committee decided:

that planning application P/22/0345 by Taylor Homes (Scotland) Limited for a change of use of farm steading to form 2 houses, restoration of farmhouse to form 1 house, erection of 3 houses and associated access improvements (renewal of planning consent P/18/0374) at Orchard Farm, Waygateshaw Road, Carluke be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 27 January 2015 (Paragraph 17)]

Councillor Ross joined the meeting during consideration of the above item of business

6 Application P/22/1646 for Erection of 7 Wind Turbines with Associated Infrastructure and Meteorological Mast to 105 Metres - Section 42 Application to Vary Condition 12 (Operational Lifetime), Condition 23 (Restoration Period) and Conditions 11, 13, 15, 17 and 19 (Vary Timing of Information Submission) of Planning Consent P/19/1803 at Priestgill Wind Farm, Little Gill Farm, Abington

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/1646 by Priestgill Wind Farm Limited for the erection of 7 wind turbines with associated infrastructure and meteorological mast to 105 metres, under Section 42 of the Town and Country Planning (Scotland) Act 1997, to vary condition 12 (operational lifetime), condition 23 (restoration period) and conditions 11, 13, 15, 17 and 19 (vary timing of information submission) of planning consent P/19/1803 at Priestgill Wind Farm, Little Gill Farm, Abington. Details were given on the amendments to the conditions proposed by the applicant.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

The Committee decided:

- (1) that planning application P/22/1646 by Priestgill Wind Farm Limited for the erection of 7 wind turbines with associated infrastructure and meteorological mast to 105 metres, under Section 42 of the Town and Country Planning (Scotland) Act 1997, to vary condition 12 (operational lifetime), condition 23 (restoration period) and conditions 11, 13, 15, 17 and 19 (vary timing of information submission) of planning consent P/19/1803 at Priestgill Wind Farm, Little Gill Farm, Abington be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement and/or other appropriate agreement between the Council and the applicant to ensure:-
 - ◆ community contributions per megawatt generated
 - ◆ the setting up of a Habitat Management Group
 - ◆ the repair of roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements
- ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum

- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Legal Agreement.

[Reference: Minutes of 7 July 2015 (Paragraph 15) and 1 December 2020 (Paragraph 9)]

7 Application P/23/0071 for Refurbishment and Alterations to Former Student Accommodation to Form 26 Residential Flats with Associated Parking at 2 Barrack Street, Hamilton

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0071 by C&S Group for the refurbishment and alterations to former student accommodation to form 26 residential flats with associated parking at 2 Barrack Street, Hamilton.

The Committee decided: that planning application P/23/0071 by C&S Group for the refurbishment and alterations to former student accommodation to form 26 residential flats with associated parking at 2 Barrack Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

8 Application P/23/0301 for Erection of a 1.5 Storey House with Associated Works at 8A Abbeygreen, Lesmahagow

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0301 by Mr and Mrs B Hood for the erection of a 1.5 storey house with associated works at 8A Abbeygreen, Lesmahagow.

The Committee decided: that planning application P/23/0301 by Mr and Mrs B Hood for the erection of a 1.5 storey house with associated works at 8A Abbeygreen, Lesmahagow be granted subject to the conditions specified in the Executive Director's report.

9 Application P/23/0308 for Erection of 6 Wind Turbines, Access Tracks and Ancillary Infrastructure - Section 42 Application to Amend Condition 1 of Planning Consent P/20/0406 to Extend Time Period to 16 April 2054 and Condition 15 to Extend Period for Decommissioning to 3 Years at Muirhall Wind Farm, Auchengray, Lanark

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0308 by Muirhall Wind Farm Limited for the erection of 6 wind turbines, access tracks and ancillary infrastructure, under Section 42 of the Town and Country Planning (Scotland) Act 1997, to amend condition 1 of planning consent P/20/0406 to extend the time period of consent to 16 April 2054 and condition 15 to extend the period for decommissioning to 3 years at Muirhall Wind Farm, Auchengray, Lanark.

The original permission had been subject to a Legal Agreement to ensure that a habitat management plan was implemented throughout the lifetime of the wind farm and to secure yearly contributions (£2,500 per megawatt generated) to the South Lanarkshire Renewable Energy Fund. The Legal Agreement had been structured in such a way that any permission that superseded the original permission would also be subject to the provisions of the Legal Agreement and, therefore, a variation of the Agreement was not required.

The Committee decided:

that planning application P/23/0308 by Muirhall Wind Farm Limited for the erection of 6 wind turbines, access tracks and ancillary infrastructure, under section 42 of the Town and Country Planning (Scotland) Act 1997, to amend condition 1 of planning consent P/20/0406 to extend the time period of consent to 16 April 2054 and condition 15 to extend the period for decommissioning to 3 years at Muirhall Wind Farm, Auchengray, Lanark be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 25 August 2020 (Paragraph 13)]

10 Application P/23/0309 for Extension to Existing Muirhall Wind Farm Involving Erection of Two 145 Metre High Wind Turbines and Associated Infrastructure - Section 42 Application to Amend Condition 2 of Planning Consent P/20/0409 to Extend Time Period to 16 April 2054 and Condition 4 to Extend Period for Decommissioning to 3 Years at Muirhall Wind Farm, Auchengray, Lanark

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0309 by Muirhall WF Extension Limited for an extension to existing Muirhall Wind Farm involving erection of two 145 metre high wind turbines and associated infrastructure, under Section 42 of the Town and Country Planning (Scotland) Act 1997, to amend condition 2 of planning consent P/20/0409 to extend the time period of consent to 16 April 2054 and condition 4 to extend the period for decommissioning to 3 years at Muirhall Wind Farm, Auchengray, Lanark.

The original permission had been subject to a Legal Agreement to ensure that a habitat management plan was implemented throughout the lifetime of the wind farm and to secure yearly contributions (£2,500 per megawatt generated) to the South Lanarkshire Renewable Energy Fund. The Legal Agreement had been structured in such a way that any permission that superseded the original permission would also be subject to the provisions of the Legal Agreement and, therefore, a variation of the Agreement was not required.

The Committee decided:

that planning application P/23/0309 by Muirhall WF Extension Limited for an extension to existing Muirhall Wind Farm involving erection of two 145 metre high wind turbines and associated infrastructure, under Section 42 of the Town and Country Planning (Scotland) Act 1997, to amend condition 2 of planning consent P/20/0409 to extend the time period of consent to 16 April 2054 and condition 4 to extend the period for decommissioning to 3 years at Muirhall Wind Farm, Auchengray, Lanark be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 25 August 2020 (Paragraph 16)]

11 Application P/23/0431 for Substitution of House Types and Reduction of Units Consisting of 55 Detached, Semi-Detached and Terraced Units and 9 Flats, Including 17 Affordable Housing Units and Associated Road Realignment (Amendment to Planning Consent P/21/1901) at Former Hoover Site Phase 4, Dale Avenue, Cambuslang

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0431 by Dawn Homes Limited for the substitution of house types and reduction of units consisting of 55 detached, semi-detached and terraced units and 9 flats, including 17 affordable housing units and associated road realignment (amendment to planning consent P/21/1901) at former Hoover Site Phase 4, Dale Avenue, Cambuslang.

The Committee decided: that planning application P/23/0431 by Dawn Homes Limited for the substitution of house types and reduction of units consisting of 55 detached, semi-detached and terraced units and 9 flats, including 17 affordable housing units and associated road realignment (amendment to planning consent P/21/1901) at former Hoover Site Phase 4, Dale Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 22 November 2022 (Paragraph 4)]

12 Application P/23/0748 for Erection of 44 Semi-Detached Houses and Associated Works at Site of Former Cairns Primary School, Cairnswell Avenue, Cambuslang

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0748 by South Lanarkshire Council for the erection of 44 semi-detached houses and associated works at site of former Cairns Primary School, Cairnswell Avenue, Cambuslang.

The Committee decided: that planning application P/23/0748 by South Lanarkshire Council for the erection of 44 semi-detached houses and associated works at site of former Cairns Primary School, Cairnswell Avenue, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

13 Application P/23/0848 for Erection of House with Associated Access and Parking (In Part Retrospective) at Land 50 Metres South Southwest of 1 Milton Cottage, Milton Road, Carluke

A report dated 28 August 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0848 by Mr and Mrs D Cornwell for the erection of a house with associated access and parking (in part retrospective) at land 50 metres south southwest of 1 Milton Cottage, Milton Road, Carluke.

The application had been referred to Committee for consideration, as requested by Councillor Shearer, in terms of section 2.4 of the Council's Planning Application Decision Making Process.

Points raised in further representations to elected members were referred to at the meeting and addressed by an officer.

Following discussion, during which an officer responded to members' questions on aspects of the report, Councillor Nelson, seconded by Councillor Convery, moved that the application be refused for the reasons detailed in the Executive Director's report. Councillor Shearer, seconded by Councillor Allison, moved that the application be granted subject to appropriate conditions, to be prepared by officers, on the grounds that the application site was deemed to be a brownfield site. The Legal Services Adviser highlighted that, if the application was granted, it would result in a determination contrary to the development plan. On a vote being taken using the electronic voting system, 7 members voted for the amendment and 14 for the motion which was declared carried.

The Committee decided: that planning application P/23/0848 by Mr and Mrs D Cornwell for the erection of a house with associated access and parking (in part retrospective) at land 50 metres south southwest of 1 Milton Cottage, Milton Road, Carlisle be refused for the reasons detailed in the Executive Director's report.

[Reference: Minutes of 6 June 2023 (Paragraph 7)]

Councillor Toner joined the meeting during consideration of the above item of business and was, therefore, unable to participate in the vote

14 Urgent Business

There were no items of urgent business.

Report

3

Report to:	Planning Committee
Date of Meeting:	3 October 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/21/2176
Proposal:	Erection of 4 no. detached dwellings with associated car parking and landscaping
Site Address:	Land at St Isidore's RC Church Lindsaylands Road Biggar
Applicant:	Trustees of the Diocese of Motherwell
Agent:	DTA
Ward:	03 Clydesdale East
Application Type:	Full Planning Permission
Advert Type:	Notification of Neighbours placed in Lanark Gazette dated 12 January 2022
Development Plan Compliance:	Yes
Departures:	Not applicable
Recommendation:	Grant subject to conditions
Legal Agreement:	Not applicable
Direction to Scottish Ministers	Not applicable

1. Reason for Report

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.

2. Site Description

- 2.1. The site is located in the settlement of Biggar and within the curtilage of St Isidore's RC Church. The site is bound to the north by Lindsaylands Road, to the east by an industrial estate and dwellinghouse, to the south by Coulter Road – the main approach to Biggar – and to the west by residential development.
- 2.2. The site itself contains St Isidore's RC Church situated to the south of the site with a single-track vehicular access off Lindsaylands Road on the northern boundary. The northern boundary contains a stone wall and the access to the site is tree lined down to the Church. The site is sloping with higher land located on the northern boundary steeply sloping down. There are also trees on the north, west and southern part of the site.

3. Description of Proposed Development

- 3.1. The proposed development seeks detailed planning permission for 4 detached dwellinghouses. One dwellinghouse is positioned facing on to Lindsaylands Road, the remaining 3 are situated internally within an existing clearing facing towards the existing access track within the site. A proposed vehicular access is situated to the west of the existing access track.
- 3.2. The proposed 3-bedroom dwelling to the front of the site consists of 3 levels of accommodation, addressing the levels on site. The proposed dwelling would appear as single storey dwelling with attic accommodation from Lindsaylands Road. The other dwellings would consist of 1½ storey dwellings, with 4 bedrooms and a modern projecting double height bay to the front elevation. The materials indicated include a mixture of white render, timber cladding and a grey roof tile.
- 3.3. The plans have been updated to ensure the retention of more trees than initially indicated on site, namely those along the eastern boundary. There will be some loss of trees on the northern boundary to accommodate the new site access. The existing stone wall is to be removed and rebuilt further back in the site, at a lower height to accommodate a pedestrian path and visibility.
- 3.4. A soakaway design for surface water for each dwellinghouse is proposed and connections to the public water and sewerage systems are proposed.

4. Relevant Planning History

- 4.1. There is no relevant planning history.

5. Supporting Information

- 5.1. The applicant has submitted the following information to support the application:-
- ◆ Tree Survey Report
 - ◆ Planning Support Statement
 - ◆ Bat Roost Survey

6. Consultations

- 6.1. Roads and Development (Flooding) – No objection subject to satisfactory drainage arrangements being provided as per the appropriate Council guidance.
Response – Noted, this can be achieved through the imposition of conditions.

- 6.2. Roads and Development (Transportation) – No objections, subject to conditions relating to access, footway, visibility and parking.
Response – Noted.
- 6.3. West of Scotland Archaeology Service – Whilst the area around Biggar is rich in recorded archaeological material, they have no objection subject to conditions requiring an archaeological watching brief to be undertaken.
Response – Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 25 representations have been received (20 objections, 5 comments). In addition, results of a survey by Biggar Community Council were submitted including 19 unsupportive, 18 supportive and 4 unsure comments. The issues raised are summarised as follows:-

Principle of Development

- ◆ Lack of capacity in school
- ◆ Overdevelopment of the site
- ◆ Use of prime agricultural land
- ◆ Land is not allocated for housing
- ◆ Lack of affordable housing

Road Safety

- ◆ Increased traffic
- ◆ Gradient of access unsuitable in inclement weather
- ◆ Lack of pavement on Lindsaylands Road and parked vehicles already limit visibility.
- ◆ Unsafe pedestrian access
- ◆ Lindsaylands Road is part of National Cycle Network and Core Path. The access will impact upon the safety of walkers and cyclists
- ◆ Lack of clarity on plans in relation to proposed access

Design and Amenity

- ◆ Loss of residential amenity, including privacy
- ◆ Visual impact of the development since it is not in keeping with the surrounding area
- ◆ Loss of wall and impact on streetscape
- ◆ Increased light pollution
- ◆ Noise and disturbance from construction and occupation of the properties

Trees/Biodiversity/Bats

- ◆ Loss of trees
- ◆ Impact on bats
- ◆ Breaking up an eco-corridor

Flooding/Sustainable Drainage

- ◆ There is an underground stream within the site and a lack of site investigations
- ◆ Hard landscaping on site would exacerbate surface water flooding

Construction Impacts

- ◆ Potential use of adjacent children's grass play area for construction parking and storage of materials
- ◆ Noise impact

Support

- ◆ More housing is needed
- ◆ Site is suitable for residential use

7.2 The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

7.3 Loss of Church

- ◆ The proposal would limit access to the church for older and disabled persons
- ◆ Loss of a place of worship within Biggar
- ◆ Object to the sale of the Church and development of its lands

A number of comments were raised about the loss of the Church within Biggar. The church itself is not included within the proposed plans for development. It is understood that the facility has closed and relocated. This matter is not planning related.

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 – Tackling the climate and nature crises
- ◆ Policy 2 – Climate mitigation and adaption
- ◆ Policy 3 – Biodiversity
- ◆ Policy 4 – Natural Places
- ◆ Policy 6 – Trees, Forestry and Woodland
- ◆ Policy 12 – Zero waste
- ◆ Policy 13 – Sustainable Transport
- ◆ Policy 14 – Design Quality and Place
- ◆ Policy 15 – Local Living and 20 minute neighbourhoods
- ◆ Policy 16 – Quality homes
- ◆ Policy 19 – Heating and cooling
- ◆ Policy 22 – Flood Risk and Water Management
- ◆ Policy 21 – Play Recreation and Sport

8.3. South Lanarkshire Local Development Plan 2 (2021)

The South Lanarkshire Local Development Plan 2 (SLLDP2) was formally adopted on 9 April 2021. For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted SLLDP2. In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 1 – Spatial Strategy
- ◆ Policy 2 – Climate Change
- ◆ Policy 3 – General Urban Areas and Settlements
- ◆ Policy 5 – Development Management
- ◆ Policy 14 – Natural and Historic Environment

SLLDP2 Volume 2 Policies

- ◆ Policy SDCC3 – Sustainable Drainage Systems
- ◆ Policy DM1 – Design
- ◆ Policy NHE13 – Trees and Woodland
- ◆ Policy NHE 9 Protected Species
- ◆ Policy DM15 – Water Supply
- ◆ Policy DM16 – Foul Drainage/Sewerage Provision
- ◆ Policy SDCC 7 – Low and Zero Carbon Emission from New Buildings

South Lanarkshire Council (SLC) Supporting Planning Guidance

- ◆ Residential Design Guide 2011
- ◆ Electric Vehicle Charging Point Supporting Guidance 2022

9. Guidance

- 9.1. NatureScot Developing with Nature Guidance is relevant to all local developments and provides advice and guidance on how to achieve Policy 3 Biodiversity of NPF4.

10. Assessment and Discussion

10.1. Introduction

Detailed planning permission is sought for the erection of 4 dwellinghouses at St Isidore's RC Church, Biggar. The main issues to be addressed in the determination of this application is the principle of residential development, layout, siting, design and technical matters. The policies contained within National Planning Framework 4 (NPF4) and the South Lanarkshire Local Development Plan 2 (SLLDP2) are the main consideration in this case, listed above, together with an assessment of any other material planning considerations.

10.2. Principle of Development

The site is located within the general urban area of Biggar, as defined by Policy 3 of SLLDP2. The site is located within close proximity to the town centre of Biggar. A variety of facilities are available within 1km or less of the site and include shopping, health centre, pharmacy, dentists, nursery, primary and secondary school, public toilets, parks, open space, sports and recreation facilities. There is also access to bus connections and various employment opportunities.

- 10.3. Policy 3 does not specifically allocate sites for housing, however, the principle of residential development is acceptable in an urban location. NPF4 Policy 16 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations. It details that homes on land not allocated for housing shall only be supported in limited circumstances, as set out in part (f). This site of 4 dwellings in the context of Biggar is considered a small-scale opportunity within an existing settlement boundary satisfying part (iii). The site is consistent with local living and 20 minute neighbourhoods (NPF4 Policy 15) satisfying part (ii). A timing condition will be applied to any permission granted in line with part (i).

- 10.4. Overall, it is considered that the principle of development is acceptable on this site and the proposal complies with Policy 15 and 16 of NPF4 and Policy 3 of SLLDP2.
- 10.5. Climate Change
NPF4 Policy 1, NPF4 Policy 2 and SLLDP2 Policy 2 aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. SLLDP2 Policy SDCC 7 - Low and Zero Carbon Emission from New Buildings, also requires a further 10% reduction on emissions beyond that contained in the Building Regulations. NPF4 Policy 19 Heating and Cooling requires that buildings occupied by people (i.e. dwellings) ensure sustainable temperature management utilising passive methods where possible.
- 10.6. The site is well located for services within the existing settlement, where the majority of the daily needs could be achieved by walking, wheeling or cycling. The dwellings themselves shall be required to go through the Scottish Building Standards. However, that aside, further conditions shall be imposed to ensure electric car charging at each dwelling. A condition requiring further details on including low and zero carbon technologies shall be imposed on any permission granted. The site layout has positioned the main living area to face either south or southeast, to allow for sustainable temperature management. In addition, the proposal will have no significant adverse impact on the water or soil environment, flood risk, air quality, biodiversity and/or green networks. Therefore, overall the proposal is considered, on balance, to meet the terms of NPF4 Policy 1 and Policy 2 and SLLDP2 Policy 2 and SDCC7.
- 10.7. Layout, Siting and Design
NPF4 Policy 14 Design Quality and Place and SLLDP2 Policy 5 Development Management and Placemaking and Policy DM1 New Development Design seeks to ensure well designed development that makes for successful places and considers the impact on residential amenity.
- 10.8. The proposal consists of 4 detached dwellinghouses. One of which is positioned to the front of the site, facing onto Lindsaylands Road. This dwelling would appear as a single storey dwelling with attic accommodation from Lindsaylands Road, although it has 3 storeys of accommodation due to site levels. The design includes an eyebrow dormer and double storey bay window projection, representing a modern interpretation of the traditional properties adjacent to it. The plans show the stone wall rebuilt at a lower height within the site.
- 10.9. Within the site the 3 other dwellings consist of 1½ storey dwellings, with 4 bedrooms and a modern projecting double height bay to the front elevation. The materials indicated include a mixture of white render, timber cladding and a grey roof tile. It is considered that the proposals are appropriate in terms of scale, siting and design for the surrounding area.
- 10.10. There are existing dwellings adjacent to the site, however, given the set back of the rear gardens proposed, and retention of trees on the eastern boundary, it is not considered there is a loss of residential amenity. Nor is the volume of traffic from 4 dwellings considered to be a significant issue.
- 10.11. NPF4 Zero Waste Policy 12 details that suitable bin storage inclusive of recycling bins shall be shown on site. In addition, NPF4 Policy 21 (d) Play, recreation and sport details for any dwelling occupied by children and young people shall incorporate well-designed, good quality provision for play, recreation and relaxation which is proportionate to the development and existing provision in the area.

- 10.12. There is suitable space at each dwelling for access, parking, bin storage and garden ground. Given the location of the site within the centre of Biggar it is considered there is good quality play provision at parks in the surrounding area. There are also the opportunities for informal play within the site.
- 10.13. The proposal meets the terms of NPF4 Policies 12, 14 and 21 and SLLDP2 Policies 5 and DM1.
- 10.14. Biodiversity, Trees and Protected Species
NPF4 Policy 3 Biodiversity under part (c) details that all local developments shall include appropriate measures to conserve, restore and enhance biodiversity. The Developing with Nature Guidance is pertinent in this case. The guidance encourages a mitigation hierarchy to be applied - avoid, minimise, restore and offset to achieve a net positive biodiversity impact. NPF4 Policy 4 Natural Places requires that where proposals are likely to have an impact on a protected species (ie. bats), steps must be taken to establish its presence and a level of protection then afforded. SLLDP2 Policy NHE9 Protected Species, carries similar aims.
- 10.15. During the handling of the application, plans have been amended to retain further trees within the site, namely those on the eastern boundary. This allows for the part retention of a nature network for protected species within the site. Furthermore, compensatory bat boxes would be required. It is considered that the proposal in this regard has avoided, minimised and then restored. A condition requiring a tree protection plan across the site shall further ensure impact to existing trees is avoided.
- 10.16. However, the guidance requires the creation of new habitats, preferably on site. A condition would be imposed on any permission granted, requiring the submission of appropriate biodiversity measures; this should relate to the existing features on site such as trees and bats. Therefore, subject to conditions, the proposal meets the terms of NPF4 Policies 3 and 4 and SLLDP2 Policies 14, NHE9 and NHE13
- 10.17. Technical Matters
SLLDP2 Policy SDCC 3 Sustainable Urban Drainage seeks to ensure suitable sustainable urban drainage. NPF4 Policy 22 Flood risk and water management details that proposals shall not increase the risk of surface water to others or themselves. Additionally, all rain and surface water should be managed through SUDS and form part of the proposed/existing, blue/green infrastructure and areas of impermeable surfaces are to be minimised. The site is not at risk from river or surface water flooding. A soakaway design for surface water is proposed for each dwelling. A suitable condition would ensure that a suitable SUDs scheme is implemented. The proposal meets the terms of SLLDP2 Policy SDCC3 and NPF4 Policy 22.
- 10.18. SLLDP2 Policy DM16 Water Supply and Policy DM16 Foul Drainage seeks to ensure appropriate water supply and foul drainage arrangements. The application form details connections will be made to the existing public water and sewerage system. Therefore, the proposal meets the terms of Policy DM15 and DM16.
- 10.19. A suitable road design and layout are proposed. Roads and Transportation Services have been consulted and have not raised any safety concerns.
- 10.20. Other matters raised by representations include the capacity of the school, loss of agricultural land and disruption during construction. There are no issues raised in terms of education or the loss of agricultural land since the site is located within an urban area. Appropriate conditions and advisory notes will be used to minimise any disruption from the development during the construction phase.

10.21. Conclusion

In conclusion, the proposal seeks planning permission for 4 dwellings. The site is well located within the settlement boundary of Biggar and is a suitable location for residential use. The proposed layout can be achieved without significant impact on surrounding amenity and the natural environment and the design complements the surrounding area. Overall, it is considered that the proposals comply with the provisions of the relevant policies within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2.

11. **Recommendation and Conditions**

11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That prior to any works starting on site an energy statement shall be submitted for the written approval of the Planning Authority. The development shall then be completed in accordance with the approved details.

Reason: To secure the timeous implementation of renewable and/or low carbon energy technologies.

03. That prior to any works starting on site details of biodiversity measure(s) shall be submitted for the written approval of the Planning Authority. The biodiversity measure(s) shall thereafter be implemented prior to occupation or completion of the approved dwellings, whichever occurs first.

Reason: In order to ensure the provision of biodiversity measures which restore and enhance the site and surrounding area.

04. That before any dwellinghouse hereby approved is completed or brought into use, an electric vehicle charging point shall be provided for each dwelling, and thereafter retained, and be capable of delivering a minimum 7kw charge all in accordance with the Council's 'Supporting Planning Guidance - Electric Vehicle Charging Points August 2022'.

Reason: To ensure timely and continued provision of electric vehicle charging point.

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

06. Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring in relation to the area marked in green on the approved plans and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Council as Planning Authority. The development shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure that the Council as Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details.

07. 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 Soakaway Design Guidance - Technical Appendix May 2023 and shall include signed appendices as required. The surface water drainage arrangements shall investigate ground conditions and any potential impact from underground watercourses within the development site. 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.

08. That before the development hereby approved is completed or brought into use, 3 no. parking spaces (3m by 6m modules) per dwellinghouse approved shall be laid out, constructed to the specification of the Council as Roads and Planning Authority.

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

09. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to safeguard any archaeological items of interest or finds.

10. The Bat Protection Plan as detailed in the Bat Roosts Surveys dated June - August 2022 shall be carried out. Any change shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: In order to ensure the protection of the specified species.

11. That prior to the commencement of any works associated with the development detailed plans showing access and footway and wall facing onto Lindsaylands Road shall be submitted and approved in writing by the Council as Planning Authority. These plans shall show an access 5m wide with the first 4m of access constructed in hardstanding, 2m wide footway in a footway cross over form with dropped kerb crossing points, drainage gullies and a connection/outfall for those gullies. A method of trapping surface water onto the public road shall also be shown. That no dwellinghouse shall be occupied until the access roads, footpath and wall facing onto Lindsaylands Road have been constructed in accordance with the plans approved by this condition.

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

12. That prior to the commencement of any works associated with the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter. This document shall include details of access and a parking provision (including a parking plan) for staff and operatives, intended working hours, the management and storage of deliveries and the wheel washing facilities.

Reason: In order to retain effective planning control.

13. That before any work commences on site, a woodland management and maintenance scheme, covering the area coloured blue on the approved plans, shall be submitted to the Council as Planning Authority for written approval and it shall include:-

- (a) proposals for the continuing care, maintenance and protection of the trees, shrubs and hedges including details of the timing and phasing of all such works;
- (b) details of the number, variety and size of any replacement trees and shrubs to be planted and the phasing of such works; and
- (c) details of initial and future maintenance.

Reason: To ensure the protection and maintenance of the existing woodland within the area.

14. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular access.

Reason: In the interests of traffic and public safety.

12. Reason for Decision

- 12.1. The application seeks detailed planning permission for 4 detached dwellings and associated access. The proposal consists of a small scale residential development well located within a settlement boundary. There is no significant adverse impact on amenity, public safety or the local environment. The proposal complies with Policies 1, 2, 3, 4, 5, 6, 12, 14, 15, 16, 19, 21, 22 of National Planning Framework 4 (adopted 2023) and Policies 2, 3, 5, 14, SDCC3, DM1, NHE13, NHE9, DM15, DM16 and SDCC7 of South Lanarkshire Local Development Plan 2 (adopted 2021).

David Booth
Executive Director (Community and Enterprise Resources)

Date: 22 September 2023

Background Papers

Further information relating to the application can be found online:-

[P/21/2176 | Erection of 4 no. detached dwellings with associated car parking and landscaping | Land At St Isidore's R.C. Church Lindsaylands Road Biggar \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

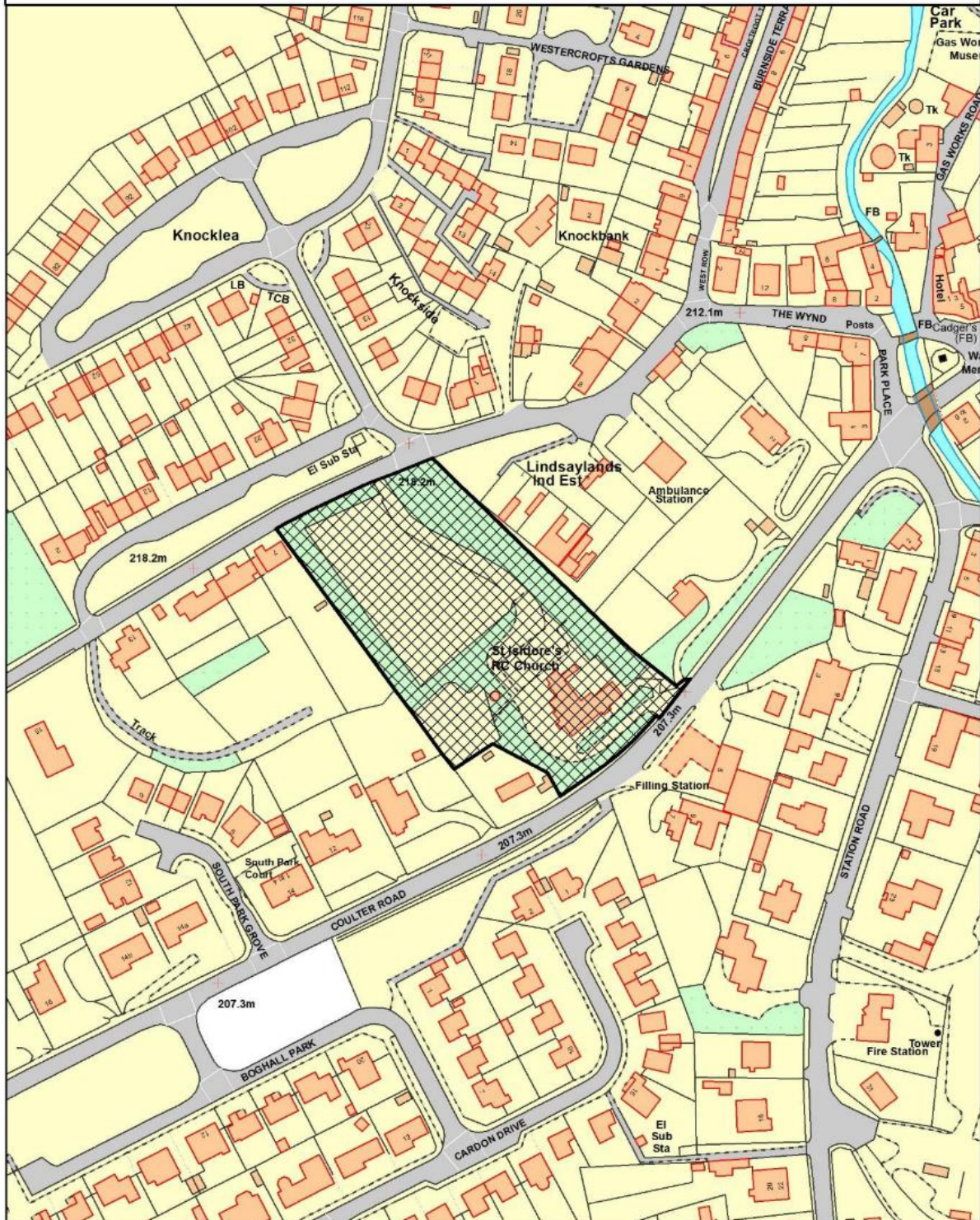
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/21/2176 Land At St Isidore's R.C. Church, Lindsaylands Road, Biggar



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Date:
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South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

4

Report to:	Planning Committee
Date of Meeting:	3 October 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/0797
Proposal:	Erection of outbuilding (retrospective)
Site Address:	11 Drumgray Drive, Cambuslang, G72 8WS
Applicant:	Mr Wali Afzal
Agent:	Stuart Sandilands
Ward:	14 - Cambuslang East
Application Type:	Full Planning Permission
Advert Type:	N/A
Development Plan Compliance:	Yes
Departures:	None
Recommendation:	Grant subject to attached condition
Legal Agreement:	Not required
Direction to Scottish Ministers	Not required

1. Reason for Report

- 1.1 The application is required to be determined by the Planning Committee under Clause 4.1 of the Decision-Making Process 2015: any application which has attracted more than five objections.

2. Site Description

- 2.1 The application site relates to the curtilage of a detached two-storey dwellinghouse at 11 Drumgray Drive within the designated settlement boundary of Cambuslang. The site is located at the head of a cul-de-sac within an established residential area characterised by similar new-build properties clad with facing brick with residential dwellings on all sides. Vehicular and pedestrian access to the property is taken from Drumgray Drive.

3. Description of Proposed Development

- 3.1 The proposal relates to an application for the retrospective consent of the erection of an outbuilding within the rear garden at 11 Drumgray Drive. The structure has a width of 9.9 metres and a depth of 3.4 metres. Due to a variance in the ground levels, the apex height of the structure ranges from 2.7 metres to 2.8 metres and the rear elevation eaves are approximately 2.6 metres in height from ground level. The development covers approximately 21% of the rear curtilage. The roof of the structure has a slight pitched angle, with the highest point of the roof culminating in overhanging eaves.

4. Relevant Planning History

- 4.1 Prior to the current application, a planning application (P/23/0488) was submitted which sought both retrospective consent for the existing outbuilding and extension of the building, thereby forming an L-shaped structure. The applicant was advised that this proposal would constitute overdevelopment, so the application was withdrawn, and a new application submitted which solely related to the existing building.

5. Supporting Information

- 5.1. None

6. Consultations

- 6.1. None required.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 14 representations have been received (6 objections, 8 support). The issues raised are summarised as follows:-

- ◆ Amenity impacts
- ◆ Overbearing impacts
- ◆ Loss of privacy
- ◆ Proposed materials
- ◆ Loss of sunlight and daylight to neighbouring gardens
- ◆ Noise and disturbance
- ◆ Comments confirming that the extension raised no detrimental issues

The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

7.2 Other non-material planning comments were included in representations. These points relate to:-

- ◆ Loss of a view
- ◆ The structural integrity of proposed materials
- ◆ Drainage details
- ◆ The use of a temporary marquee within the rear garden
- ◆ Ground levelling of the rear curtilage

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the South Lanarkshire Local Development Plan 2 and National Planning Framework 4.

8.2 National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

Policy 1: Tackling the climate and nature crises

Policy 2: Climate mitigation and adaption

Policy 16: Quality homes

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

Policy 2: Climate Change

Policy 3: General Urban Areas

Policy 5: Development Management and Placemaking

SLLDP2 Volume 2 Policies

Policy DM2: House Extensions and Alterations

South Lanarkshire Council (SLC) Supporting Planning Guidance

Development at a dwellinghouse - SPG

9. Guidance

9.1. None

10. Assessment and Discussion

10.1. Introduction

Full planning permission is sought for the erection of an outbuilding at 11 Drumgray Drive, Cambuslang. The main issues to be addressed in the determination of this application includes the acceptability in principle of the proposed development, its layout, siting and design, and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations.

10.2 Principle of Development

The application site is located within the identified settlement boundary of Cambuslang. As such, the proposal is required to be considered against Policy 3 – General Urban Areas and Settlements of the SLLDP2 which establishes that residential developments, and those of an ancillary nature, may be considered acceptable provided that they do not have a significant adverse impact upon the amenity and character of the area. It is considered that the principle of an outbuilding at 11 Drumgray Drive raises no issues within the context of Policy 3 of the SLLDP2.

10.3 Climate Change

Policy 1 – Tackling the climate and nature crises of NPF4 requires that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 - Climate change and mitigation expands on this, requiring all new developments to be sited and designed (1) to minimise lifecycle greenhouse gas emissions as far as possible and (2) to adapt to the current and future risks from climate change. Due to its scale and nature, the proposal does not require a qualitative assessment under NPF4 Policy 2. The SLLDP2 Policy 2 - Climate Change sets out criteria which new development should address to minimise and mitigate against climate change, which is in line with the aims and intentions of NPF4 Policy 2. The scale of the proposal means that it is more appropriate to assess the proposals' climate change impact and mitigation against SLLDP2 Policy 2.

10.4 The proposal is for an outbuilding. The Council as Planning Authority recognises its role in combating the climate crises but given the scale and nature of the proposed development, it is considered that the impact is acceptable. The structure has been built to the applicable insulation requirements in terms of the Building Standard requirements and the site is located sustainably within a recognised settlement. The proposal accords with Policies 1 and 2 of NPF4 and Policy 2 of the SLLDP2.

10.5 Layout, Siting and Design

Policy 16 – Quality homes of NPF4 aims to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland. Householder development proposals will be supported where they: do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

10.6 Policy 5 – Development Management and Placemaking of SLLDP2 states that development proposals should be well designed and integrate well with the local area. Proposals should not have unacceptable significant adverse impacts upon adjacent buildings or the streetscape in regard to layout, scale, massing, design, external materials or amenity.

10.7 Policy DM2 – House Extensions and Alterations of SLLDP2 states that house extensions and alterations will be considered favourably where it can be demonstrated that the proposal complies with the following criteria:-

- 1) The siting, form, scale, design and materials respect the character of the existing dwelling and the wider area. Within this context, high quality, innovative design will be encouraged where it complements the character of the building and its surroundings.
- 2) It does not dominate or overwhelm the existing dwelling, neighbouring properties or streetscene in terms of size, scale or height.

- 3) It does not significantly adversely affect adjacent properties in terms of overlooking or loss of privacy, daylight or sunlight.
 - 4) It retains adequate car parking, useable garden ground and bin storage within the site.
 - 5) It does not have an adverse impact on traffic or public safety.
- 10.8 The application site contains a large rear garden area of approximately 160m² and the rear boundary treatments consist of fencing. It is noted that a hard surface has been constructed covering the entirety of the garden with paving except for a section at the rear comprising of loose stones. The proposed outbuilding has a gross external floor area of approximately 34m². While the outbuilding is relatively substantial, the applicant benefits from a garden of adequate size to accommodate such a structure, so that no unacceptable overdevelopment occurs.
- 10.9 Several representations have been received which express concerns relating to detrimental impacts of the ancillary building to neighbouring properties regarding the scale, massing, noise, loss of privacy, overshadowing and amenity impacts of the structure. Additionally, several of the representations stated concerns for matters that were deemed to be non-material to the assessment of this application. These related to the loss of a view, the structural integrity of proposed materials, drainage details, the use of a temporary marquee within the rear garden and the ground levelling of the rear curtilage. A number of letters have also been received in support of the proposals.
- 10.10 It is noted that some degree of alteration in ground levelling may take place through the installation of paving or a hard surface, though in this instance the works were not deemed to constitute a material change and thereby benefited from permitted development rights under Class 3C of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended 2011).
- 10.11 Concerns were also raised relating to the drainage implications resulting from the structure. While the capacity of drainage infrastructure for larger applications is a material consideration, the assessment of drainage details for householder applications is covered under Building Regulations and will be assessed through a Building Warrant rather than a planning application. Though it should be noted that the submitted plans indicate that the outbuilding features rainwater pipes for the purposes of drainage and loose stones are also located adjacent to the outbuilding which have a permeable function. Nonetheless, if there are examples of localised flooding the onus is on the householder to consider and address any private drainage issues.
- 10.12 As the openings of the outbuilding are located on its front elevation, it faces the rear of the applicant's house and the building does not result in any overlooking to neighbouring properties to an unacceptable degree. The highest point of the outbuilding is approximately 2.8 metres, which is 1.2m lower than the maximum height of a roof that can be erected with permitted development rights within 1 metre of the boundary of the curtilage.
- 10.13 It is considered that the proposal will have no significant adverse impact on the neighbouring properties, or the surrounding residential area and it complies with the provisions of Policies 1, 2 and 16 of the adopted National Planning Framework 4 and Policies 3, 5 and DM2 of the adopted South Lanarkshire Local Development Plan 2 (2021). There are no other additional material considerations which would justify refusing planning permission.
- 10.14 Other issues
None

10.15 Technical Matters
None

11 Recommendation and Conditions

11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Condition:-

1. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

12 Reason for Decision

- 12.1 The proposal will not result in a significant adverse impact on either visual or residential amenity and complies with the provisions of Policies 1, 2, and 16 of the adopted National Planning Framework 4 and Policies 2, 3, 5, and DM2 of the adopted Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 22 September 2023

Background Papers

Further information relating to the application can be found online:-

[P/23/0797 | Erection of outbuilding \(retrospective\) | 11 Drumgray Drive Cambuslang G72 8WS](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

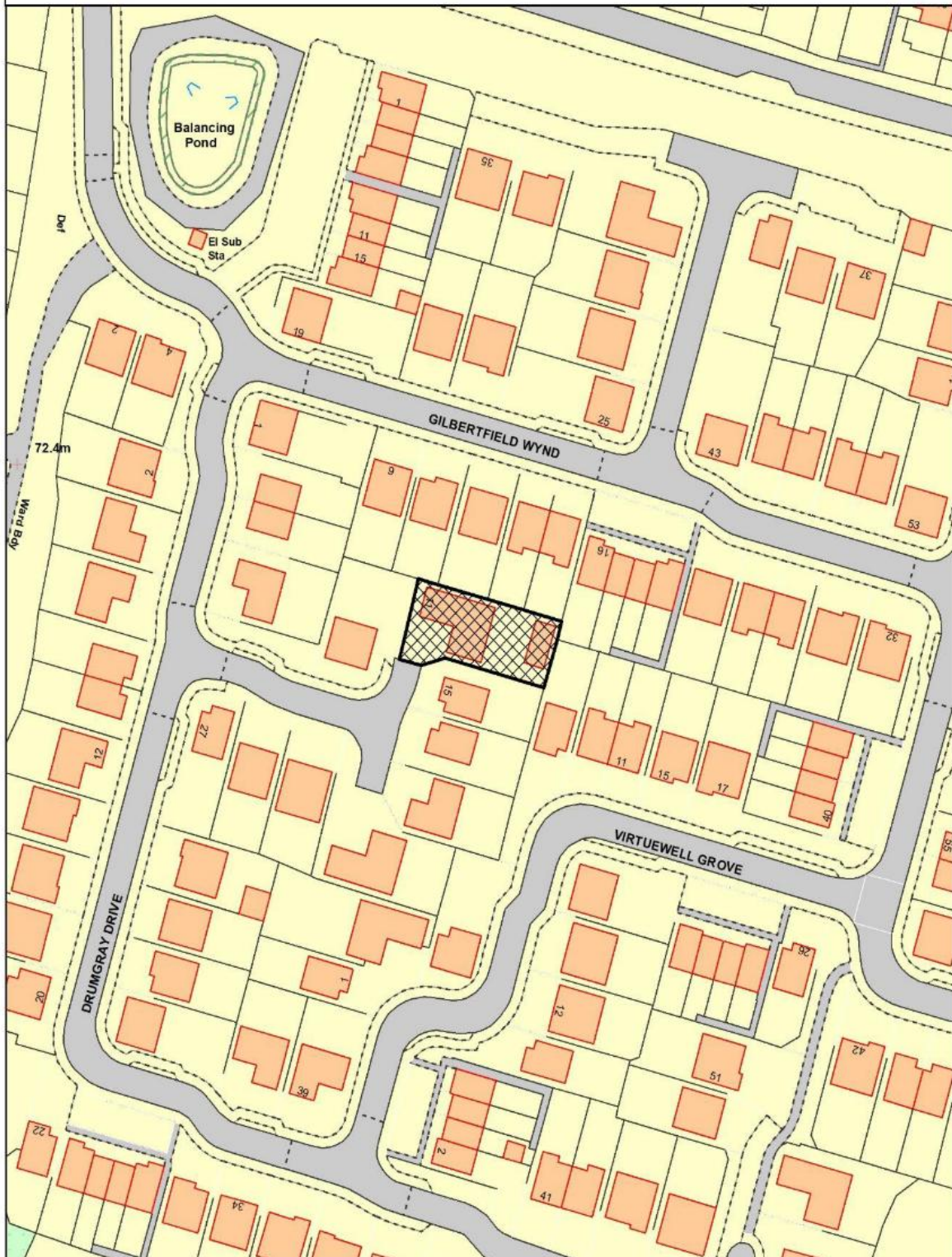
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0797 11 Drumgray Drive, Cambuslang



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South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

5

Report to:	Planning Committee
Date of Meeting:	3 October 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/0858
Proposal:	Installation of 16 pedestrian lighting columns in village green
Site Address:	Coalburn Village Green, Coalburn Road, Coalburn, Lanark
Applicant:	Hargreaves Land
Agent:	Ross Alexander Lambie Architects Ltd
Ward:	04 Clydesdale South
Application Type:	Full Planning Permission
Advert Type:	Non-notification of neighbours – Lanark Gazette – 23 August 2023
Development Plan Compliance:	Yes
Departures:	None
Recommendation:	Grant subject to attached condition
Legal Agreement:	Not required
Direction to Scottish Ministers	Not required

1. Reason for Report

- 1.1. The application is required to be determined by the Planning Committee under Clause 3.3 of the Decision-Making Process 2015: Planning applications from a Member of the Planning Authority or a close relative will require to be considered by the appropriate Committee.

2. Site Description

- 2.1. The application site relates to an area of open space known as Coalburn Green, a local recreational park. The site is approximately 9,500 square metres in area and contains a network of linked pedestrian pathways, park bench seating and a variety of mature and semi mature trees of varying species. The site is accessed from Coalburn Road and Shoulder Rigg Road, contains a small watercourse along the eastern boundary of the site and is surrounded on all sides by residential dwellings.

3. Description of Proposed Development

- 3.1. The proposal involves the installation of 16 pedestrian lighting columns which would be positioned adjacent to the pathways at approximately 25 metre intervals. The columns would measure 5 metres in height and contain LED lamps. The layout has been designed by South Lanarkshire Council Lighting Engineers and the lamps would be fitted with a timer switching the lighting off automatically at 10pm.

4. Relevant Planning History

- 4.1. None.

5. Supporting Information

- 5.1. Planning statement – this outlines the details and aims of the proposal.

6. Consultations

- 6.1. Environmental Services – No objection to the proposal. Requested inclusion of advice notes relating to construction noise, formal action if nuisance occurs and contamination caution.
Response: Noted.
- 6.2. Roads Development Management Team – No objections. Advised that the design for the proposal was completed by the Council's Street Lighting Service.
Response: Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, no valid representations have been received.

8. Development Plan

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the South Lanarkshire Local Development Plan 2 and National Planning Framework 4.
- 8.2. National Planning Framework 4
National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ♦ Policy 1 - Tackling the climate and nature crises
- ♦ Policy 2 - Climate mitigation and adaptation
- ♦ Policy 14 - Design, quality and place
- ♦ Policy 15 - Local Living and 20 minute neighbourhoods
- ♦ Policy 21 - Play, recreation and sport

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard, the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ♦ Policy 2 - Climate Change
- ♦ Policy 3 - General Urban Areas and Settlements
- ♦ Policy 5 - Development Management and Placemaking

SLLDP2 Volume 2 Policies

None

South Lanarkshire Council (SLC) Supporting Planning Guidance

None

9. **Guidance**

9.1. None

10. **Assessment and Discussion**

10.1. Full planning permission is sought for the installation of 16 pedestrian lighting columns at Coalburn Village Green, Coalburn. The main issues to be addressed in the determination of this application includes the acceptability in principle of the proposed development, its layout, siting and design, and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations.

10.2. Principle of Development

The application site is located within the settlement boundary of Coalburn. NPF4 Policy 15 – Local Living and 20 Minute Neighbourhoods supports development proposals that will contribute to local living by providing access to playgrounds, parks, green streets and spaces. NPF4 Policy 21 - Play, recreation and sport, supports development proposals which will improve physical and mental health through the provision of, and access to, outdoor recreation, play and sport facilities. SLLDP2 Policy 3 General Urban Areas and Settlements states that developments which would be detrimental to the amenity of residents and the wider community or to the character of the surrounding area will not be permitted. This policy advises that particular consideration will be given to likely impacts on locally important greenspace.

10.3. In this instance, the site is located within the settlement boundary and the current use as open/recreational space would not be altered. The proposal aims to increase the accessibility, usability and safety of the recreational space, particularly during times of low light levels in the winter months. Given that the function and use of the recreational ground would be extended, the proposal is considered to contribute to local living principles. In addition, the amenity and character of the local area would not be significantly altered as there would be no reduction to the local greenspace.

As such, the proposal is considered to accord with NPF4 Policies 15 and 21 and Policy 3 of the SLLDP2.

10.4. Climate Change

NPF4 Policy 1 - Tackling the Climate and Nature Crises and NPF4 Policy 2 - Climate Mitigation and Adaptation together aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. In addition, SLLDP2 Policy 2 - Climate Change states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The proposal would allow for the extended use of the village green for local residents reducing the need to travel for accessible recreational facilities. The lighting will use energy efficient LED lighting and has been designed to the required British Standards. As such, the proposal is considered to comply with the provisions of Policies 1 and 2 of NPF4 and Policy 2 of the SLLDP2.

10.5. Layout, Siting and Design

Policy 14 - Design, quality and place supports development proposals where they are consistent with the six qualities of successful places – Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. Development proposals will be supported where they improve physical and mental health, provide attractive natural and built spaces and support the efficient use of resources that will allow people to live, play, work and stay in their area. SLLDP2 Policy 5 Development Management and Placemaking advises that development proposals will not be supported where they have a significant adverse impact on nearby residential properties, public safety or access for all.

10.6. The proposed lighting columns would allow for the extended use of the recreational ground when the facility would not normally be accessible in the winter months. This would provide a local facility for physical activity which would be beneficial to the mental and physical wellbeing of local residents. The lighting has been designed to minimise the impact on the surrounding residential properties and would be fitted with a timer which would switch off the lighting at 10pm. It is therefore considered that the proposal is consistent with the six qualities of successful places, would not have a significant detrimental impact on residential amenity, is accessible to all and, as such, complies with Policy 14 of NPF4 and Policy 5 of the SLLDP.

10.7. Other issues

None

10.8. Technical Matters

Roads and Transportation Services advised that the proposal is designed to meet the British Standards for such installations and offered no objection to the proposal. Furthermore, the Planning Statement advises that the works will be carried out and maintained by South Lanarkshire Council.

10.9. Environmental Services offered no objection to the proposal. Given the small-scale and urban location within the settlement boundary the proposal is not considered to give rise to any adverse environmental impact. As such, the proposal is considered to satisfy technical matters.

11. Recommendation and Conditions

11.1. The Committee is asked to agree the following recommendation:-

Grant Full Planning Permission subject to the following condition:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

12. Reason for Decision

- 12.1. That the proposed lighting would not have a significant detrimental impact on local amenity and complies with Policies 1, 2, 14, 15 and 21 of NPF4 and Policies 2, 3 and 5 of the SLLDP2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 22 September 2023

Background Papers

Further information relating to the application can be found online:-

[P/23/0858 | Installation of 16 pedestrian lighting columns in village green. | Coalburn Village Green Coalburn Road Coalburn Lanark South Lanarkshire](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

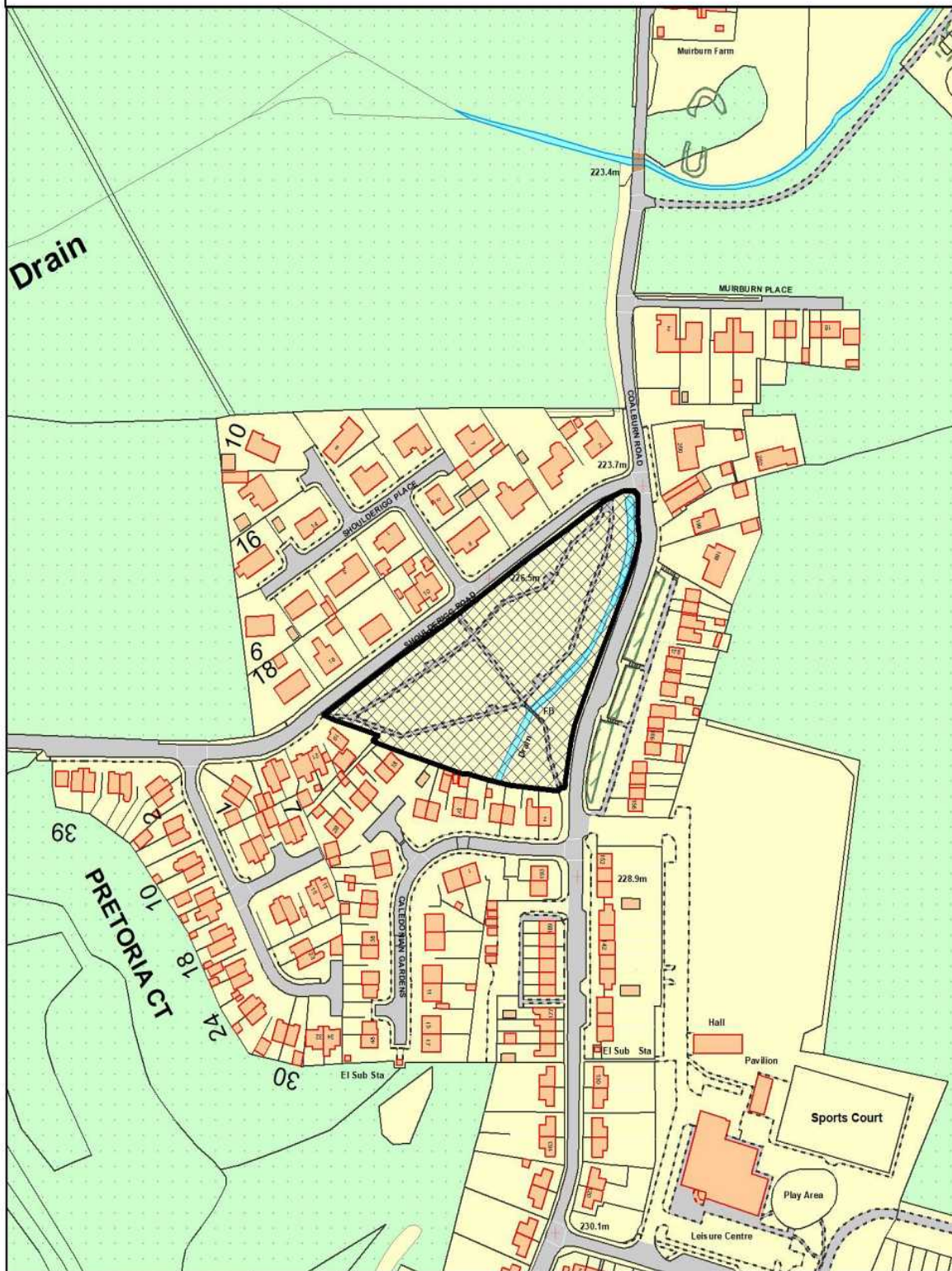
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0858 Coalburn Village Green, Coalburn Road.



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Scale:
1:2,500
Date:
04/09/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services