

Report

Report to:	Planning Committee
Date of Meeting:	13 February 2024
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/1284
Proposal:	Demolition of existing buildings and erection of four detached dwellings, formation of access road and associated landscaping works and ancillary development
Site Address:	83 Meikle Earnock Road Hamilton ML3 8AG
Applicant:	Mr Cameron Revie
Agent:	Alan Wilson
Ward:	Hamilton South
Application Type:	Full planning permission
Advert Type:	N/A
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	No
Direction to Scottish Ministers	No

1. Reason for Report

- 1.1. This application is required to be determined by the Planning Committee within the context of the approved Planning Application Decision Making Process (2015) as the proposal has attracted more than five objections.

2. Site Description

- 2.1. The application site extends to approximately 0.24ha and is situated in an established residential area, within the settlement boundary of Hamilton.
- 2.2. The site is bounded to the north by Meikle Earnock Road and to the east by a pedestrian access lane and further by residential properties. In addition, the site is enclosed to the south by an area of open space, with residential properties further to the west. The surrounding area is predominantly characterised by a mix of house types, including single storey and two storey terraced, semi-detached and detached properties.
- 2.3. The site has considerable level differences throughout and the gradient of the site falls from the south to the north, towards Meikle Earnock Road. The site previously accommodated two traditional detached residential properties and associated garden ground. Both of these residential properties remain on site but are in a state of disrepair.
- 2.4. The site has been poorly maintained and building materials not relating to the existing properties appear to have been disposed of on the land. In addition, a number of trees have previously been removed, with several large tree trunks remaining. The site is not covered by a Tree Preservation Order (TPO) and the felling of these trees (prior to the submission of a planning application) did not require permission.

3. Description of Proposed Development

- 3.1. This is a detailed planning application for the demolition of existing buildings and the erection of four detached dwellings, formation of access road and associated landscaping works and ancillary development at 83 Meikle Earnock Road, Hamilton.
- 3.2. The proposed layout would incorporate pedestrian and vehicular access onto Meikle Earnock Road. One plot would front onto Meikle Earnock Road, with the other three properties being located adjacent to the southern site boundary.
- 3.3. The proposed properties would all be two storey in height and consist of a mixture of four and five bedroom properties. All of the properties would include integrated garages and provide additional driveway parking. Externally, the dwellings are proposed to be finished in a combination of facing stone, cedar lining board, render, glazing panels and concrete roof tiles.
- 3.4. The development proposals include the loss of two self-seeded sycamore trees within the site. However, a new landscaping scheme, including replacement trees, is proposed.

4. Relevant Planning History

- 4.1. An application at the site for the 'demolition of existing buildings and erection of 6 detached dwellings, formation of access road and associated landscaping works' (P/23/0497) was withdrawn on 7 September 2023.

5. Supporting Information

5.1. In support of the planning application, the applicant has submitted the following:-

- ◆ Design and Access Statement
- ◆ Preliminary Ecological Appraisal Report
- ◆ Bat Survey

6. Consultations

6.1. Environmental Services - No objection to the proposal.

Response: Noted.

6.2. Roads Development Management Team – No objection to the development, subject to the imposition of conditions relating to the submission of a Construction Traffic Management Plan and the provision of dropped kerb access to the site. In addition, the conditions would relate to the layout and construction of the car parking spaces and the provision of minimum visibility splays for the driveway and private access.

Response: Noted.

6.3. Meikle Earnock Community Council – Advised that they undertook community consultation in relation to planning application P/23/0497 (withdrawn) and that they do not consider that the reduction from 6 units to 4 units at site has addressed their concerns.

Response: Noted.

7. Representations

7.1. Following the statutory period of neighbour notification and advertisement, a total of 18 representations have been received (16 objections and 2 supporting the application). The issues raised are summarised as follows:-

Design and Amenity

- ◆ The proposed dwellings would not be in keeping with the surrounding area.
- ◆ The proposed dwellings would result in the overshadowing of adjacent properties.
- ◆ The proposed dwellings would impact on the privacy of nearby properties.
- ◆ The existing boundary fences would be impacted on by the development.

Roads Related Matters

- ◆ The development would result in an increase in traffic, noise and pollution.
- ◆ The works at the site would result in the loss of the pavement in the short term, impacting on an existing safe route to school.
- ◆ The development could lead to an increase in road accidents.
- ◆ The road is not fit for purpose and there are already issues with the construction vehicles and traffic associated with the Hamilton Community Growth Area.

Impact on Natural Environment

- ◆ The existing trees on site were destroyed when the site was cleared.
- ◆ The development would adversely impact on wildlife.
- ◆ There are existing species on the site, including bats.
- ◆ The development should promote nature within the site.

Flood Risk and Drainage

- ◆ The development would result in an increase in flooding and details of the flood prevention measures should be provided.

Other Matters Raised

- ◆ The changes undertaken in the revised application do not address the concerns which we raised in relation to application P/23/0497 (withdrawn).
- ◆ The existing structures on site should be utilised.
- ◆ Impact of the development on health.
- ◆ Concern regarding dust and noise during the construction phase.

Matters Raised in Support of the Application

- ◆ The site is currently an eyesore and should be redeveloped for a residential use.
- ◆ Children currently play at the vacant site and there is concern that there will be an accident.

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

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 Adaptation
- ◆ Policy 3 - Biodiversity
- ◆ Policy 4 - Natural Places
- ◆ Policy 9 - Brownfield, Vacant and Derelict Land and Buildings
- ◆ Policy 13 - Sustainable Transport
- ◆ Policy 14 - Design, Quality and Place
- ◆ Policy 15 - Local Living and 20 Minute Neighbourhoods
- ◆ 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 1 - Spatial Strategy
- ◆ Policy 2 - Climate Change
- ◆ Policy 3 - General Urban Areas
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 15 - Travel and Transport
- ◆ Policy DM1 - New Development Design

9. Guidance

9.1. The South Lanarkshire Council Residential Design Guide (2011).

10. Assessment and Discussion

10.1. Principle of Development

Planning permission is sought for the erection of four detached dwellings and associated works at 83 Meikle Earnock Road, Hamilton. The determining issues in the consideration of this application are its compliance with national policy, local development plan policy and its impact on residential amenity, traffic safety, environmental matters and infrastructure issues.

10.2. Policy 9 of NPF4 identifies that proposals for the re-use of vacant brownfield land will be supported as this will maximise the use of existing assets and minimise additional land take. The proposal relates to the sustainable re-use of vacant land, within an established urban area, to provide residential accommodation. Subsequently, the proposed development accords with the provisions of Policy 9 of the NPF4.

10.3. Policy 16 of NPF4 seeks to encourage, promote, and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations. The site is not allocated for housing within the local development plan, therefore in terms of Policy 16 part (f), the proposal is contained within the defined settlement boundary where the principle of development is considered to be acceptable in accordance with the local development plan and NPF4. It is therefore considered to comply with part (iii), as the proposal is for smaller scale opportunities within an existing settlement boundary. A timing condition will be applied to any permission granted in line with part (i). Overall, the principle of the small-scale housing development can therefore be accepted in this case. For the avoidance of doubt, Policy 16 part (e) is not applicable in this case as affordable housing contributions are not required for this scale of development. Therefore, the principle of the development of the site for a residential use raises no issues within the context of Policy 16 of NPF4.

10.4. The site is affected by Policy 3 of the local development plan 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 on the amenity and character of the area. The use of the site for residential accommodation is long established and the two detached dwelling houses remain in a derelict state. Subsequently, it is considered that the proposed development will not result in a significant adverse impact on residential amenity or the established character of the area and therefore raises no issues within the context of Policy 3 of the adopted Local Development Plan.

Climate Change

10.5. Policy 1 of NPF4 requires that when considering all development proposals, significant weight will be given to the global climate and nature crises. Policy 2 of NPF4 seeks to minimise and mitigate against the effects of climate change by considering various criteria including being sustainably located, the reuse of vacant and derelict land, the avoidance of flood risk areas, incorporating low and zero carbon generating technologies, opportunities for active travel routes and trips by public transport and the provision of electrical vehicle charging infrastructure. The proposal relates to the redevelopment of vacant brownfield land within an established urban area, situated in close proximity to existing supporting facilities and local services, established transport links and will include the provision of electrical vehicle charging infrastructure at the site. Therefore, it is considered that the proposal raises no issues within the context of Policies 1 and 2 of NPF4.

10.6. Policies 1 and 2 of the adopted local development plan encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts

of climate change. The proposal involves the regeneration of a derelict site within Hamilton and therefore raises no issues within the context of Policies 1 and 2 of the adopted local development plan.

10.7. Layout, Siting and Design

Policies 14 and 15 of NPF4 relate to 20 minute neighbourhoods and liveable places. The proposed development site is located within the Hamilton settlement boundary, which has a wide range of facilities and services. The site is considered to be well connected and situated within a sustainable location, which will contribute to minimising emissions. In addition, the site is considered to be adaptable as the proposal seeks to ensure the long-term reoccupation of vacant land whilst simultaneously improving the vitality of the area. Therefore, it is considered that the proposal raises no issues within the context of Policies 14 and 15 of NPF4.

10.8. In terms of the detailed design of the development, Policies 5 and DM1 of the local development plan generally require new development to have due regard to the layout, form, design and local context of the area, and to promote quality and sustainability in its design. The site currently accommodates two detached dwellinghouses and it is accepted that these buildings are structurally unstable (Design and Access Statement prepared by Wilson Architects). Within the context of the local area there are a wide variety of house types and designs. Subsequently, it is considered that the design, location and scale of the proposed development is acceptable and will not result in a significant material impact on the locality or nearby properties.

10.9. The application site is within an established residential area where a degree of mutual overlooking already occurs. In addition, the proposal accords with the standards set out in the Council's Residential Design Guide, particularly in relation to window to window distances, garden ground and car parking provision. Therefore, the proposal raises no issues within the context of Policies 5 and DM1 of the adopted Local Development Plan and the Council's Residential Design Guide.

10.10. Natural and Historic Environment

NPF4 Policy 3, under part (c), details that all local developments shall include appropriate measures to conserve, restore and enhance biodiversity. Prior to the submission of the application, trees were felled on site and this work did not require permission from the Council. The proposal includes a landscaping scheme, with replacement trees, and it is considered that this will improve the biodiversity impact of the development, in accordance with the provisions of Policy 3 of NPF4.

10.11. Policy 4 of NPF4 requires that where proposals are likely to have an impact on a protected species, steps must be taken to establish the presence of the species and the level of protection then afforded. A Preliminary Ecological Appraisal Report and Bat Survey have been submitted to and assessed by the Planning Service, in accordance with the provisions of Policy 4 of NPF4.

10.12. Transport

Policy 13 of NPF4 provides support for development proposals which have links to local facilities, are accessible via public transport, provide low emission vehicle charging points, provide cycle parking and take into account the transport needs of diverse groups whilst simultaneously reducing the dominance of the car. The location of the site and the design of the proposal supports sustainable travel and addresses these infrastructure requirements, in accordance with the provisions of Policy 13 of NPF4.

10.13. Policy 15 of the adopted Local Development Plan seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In this regard, the site is situated adjacent to a main route through Hamilton, is accessible by public transport and the development would be well integrated into existing walking and cycling networks. In addition, Roads and Transportation Services consider that the proposal is acceptable in terms of access, parking and road safety issues including the matter of pedestrian access during the construction period which would be addressed through the submission of a Construction Traffic Management Plan. Subsequently, it is considered that the proposal accords with the provisions of Policy 15 of the adopted Local Development Plan.

10.14. Technical Matters

A Sustainable Urban Drainage System (SUDS) would be installed to deal with surface water run-off from the roofs, access road and driveways within the development and this matter can be addressed through the use of a planning condition.

10.15. In relation to matters regarding the anticipated construction noise, dust and the impact on health. It is noted that, similar to any construction site, that the proposal is anticipated to result in some local disruption in the short term. However, the matters of noise and dust can be addressed through the use of planning conditions and advisory notes.

10.16. Conclusion

The principle of residential development at the site has been long established. The proposal relates to the sustainable reuse of vacant brownfield land within an established urban area to provide new residential accommodation. The design, layout and general impact of the development is considered to be acceptable and the proposal raises no significant environmental or infrastructure issues. 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. It is therefore recommended that the application be granted subject to the conditions listed.

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. Details of all boundary treatment(s) shall be submitted to and approved in writing by the Council as Planning Authority and thereafter all approved works shall be implemented prior to the development hereby approved being occupied or brought into use.

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

03. That no development shall commence on site 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.

04. No dwellinghouse shall be occupied until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

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

05. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no extensions or outbuildings shall be erected within the curtilages of the dwellinghouses, without the submission of a further planning application to the Council as Planning Authority.

Reason: To ensure that the Council retains control over future developments on the site.

06. That, prior to the occupation of each dwellinghouse an electric vehicle charging (EVC) point shall be installed.

Reason: In order to ensure the provision at each property of appropriate renewable energy technology.

07. That before the development hereby approved is completed or brought into use, all of the parking spaces shown in Drawing 2309-PL-02 Rev E of the approved plans shall be laid out and constructed to the specification of the Council as Roads and Planning Authority.

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

08. That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and 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.

09. That before the development hereby approved is brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

10. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided to both sides of the shared private 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.

11. That before the development hereby approved is completed or brought into use, a visibility splay of 2 metres by 35 metres measured from the road channel shall be provided to both sides of the junction of the private driveway of Plot 1 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.

12. That prior to any works commencing on site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority. This document should provide details of a safe pedestrian route during the construction phase, details of access and parking provision for staff and visitors, intended working hours, how deliveries of materials will be managed and stored and what wheel washing facilities will be provided to prevent mud being carried on to the adopted road.

Reason: in the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

13. That the requirements and recommendations identified in the Preliminary Ecological Appraisal Report and the Bat Survey (prepared by EP Ecology Ltd) shall be implemented to the satisfaction of the Council as Planning Authority.

Reason: To protect established species.

14. That all trees to be retained within the site shall be fully protected during the period of construction and the existing trees to be retained must be protected in accordance with methods as set out in BS5837/2012 during and until completion of all site operations and building works.

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

15. That prior to the commencement of any works on site, a scheme of landscaping shall be submitted to and approved in writing by the Council as Planning Authority and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground;

(d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works.

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

16. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of amenity.

12. Reason for Decision

- 12.1. The proposed development would redevelop a plot of vacant land, representing a small-scale opportunity within a settlement and is a sustainable location due to the availability of services and infrastructure. The design of the development respects the local residential character, and the site layout ensures that neighbouring amenity would not be significantly impacted. Technical matters have also been met or could be addressed through condition. Consequently, the proposal is considered to comply with Policies 1, 2, 3, 4, 9, 13, 14, 15 and 16 of the National Planning Framework 4 and Policies 1, 2, 3, 5, 15 and DM1 of the adopted South Lanarkshire Local Development Plan 2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 5 February 2024

Background Papers

Further information relating to the application can be found online:

[P/23/1284 | Demolition of existing buildings and erection of four detached dwellings, formation of access road and associated landscaping works and ancillary development | 83 Meikle Earnock Road Hamilton ML3 8AG \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

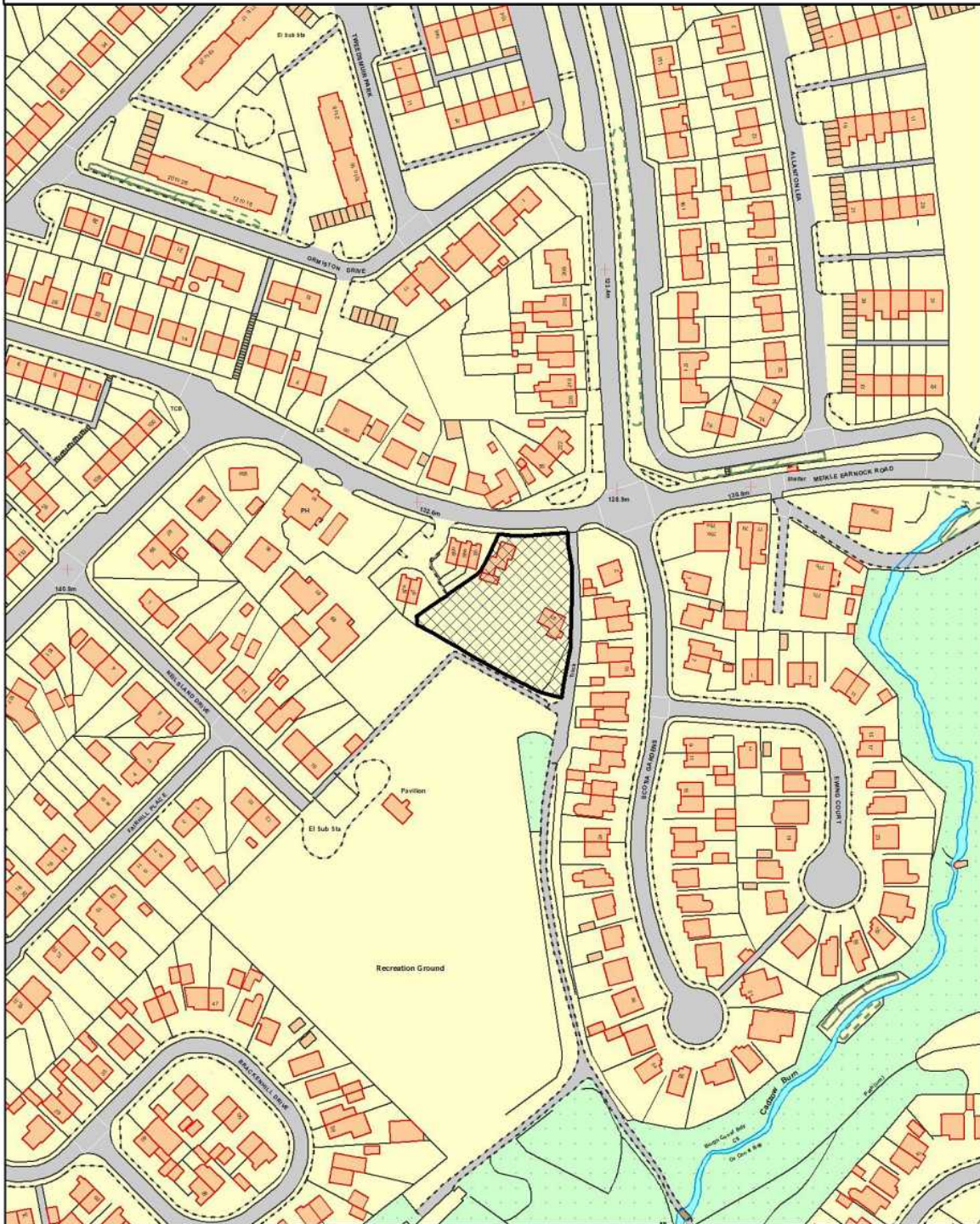
The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

Contact for Further Information

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

Tel: 01698 454867

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Scale:
1:2,000
Date:
03/11/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services