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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 April 2005</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/04/0322
Planning Proposal:	Mixed Use Development (Including Residential, Recreation, Woodland, Community Use and Access) and Associated Works

## 1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : Turner & Townsend Project Management Ltd
- Location : Larkhall Academy  
Larkhall

## 2 Recommendation(s)

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

- (1) Grant Outline Permission (Subject to Conditions -based on the conditions attached)

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) The application is contrary to the Development Plan and objections have been received. In accordance with Council procedures, a hearing may be required before determining the application.
- (3) If Committee are minded to grant consent, in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 the application should be referred to the Scottish Ministers as the Council has a financial interest in the development, the proposal does not accord with the Development Plan and Scottish Natural Heritage have objected to the application.

## 3 Other Information

- ◆ Applicant's Agent: Keppie Planning Ltd
- ◆ Council Area/Ward: 53 Larkhall West
- ◆ Policy Reference(s): **Hamilton District Local Plan**  
Policy EN1a – Greenbelt  
Policy CU4 – Retention of Open Space  
Policy CU3a – Countryside Access  
Policy EN6 – Nature Conservation  
Policy RES2 – New Housing Sites

- ◆ Representation(s):
  - ▶ 10 Objection Letters

- ◆ Consultation(s):

Larkhall Community Council

Economic Development (Estates & Asset)

Environmental Services

Community Resources

Roads and Transportation Services (Hamilton Area)

Roads & Transportation Services H.Q.(Transportation)

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

Scottish Natural Heritage

Power Systems

TRANSCO (Plant Location)

Scottish Wildlife Trust

Scottish Water

Sports Scotland

Greenspace

West of Scotland Archaeology Service

Glasgow & Clyde Valley Structure Plan Manager

# **Planning Application Report**

## **1 Application Site**

1.1 This report relates to land extending to 44.5 hectares on the western edge of Larkhall. The site comprises several parcels of land namely;

- a) The site currently occupied by Larkhall Academy including the existing school buildings, car park, two blaes pitches and tennis courts.
- b) A large area of woodland and open space between the school and Avon Water which forms the western boundary of the site. The edge to the Avon Water and a large area in the south eastern corner of the site contains a mature woodland which is designated as a Site of Special Scientific Interest. This woodland and the remainder of the open land between the school and riverside is designated as a Site of Importance for Nature Conservation. The whole of this area is criss-crossed by an informal footpath network.
- c) An area of vacant and, in places, derelict land between the school site and existing housing in McMillan Street and Karadale Gardens which forms the northern boundary of the site. This area includes a former nursery, three houses and tree belts.
- d) An existing grassed area bounded by existing housing in Cherryhill View to the north, Karadale Gardens to the east and Nairn Street to the west and containing an informal kickabout area. It sits at a higher level than area (c) described above and is separated from it by a tree belt.
- e) A grassed area between the Robert Smellie Memorial Ground and existing housing at Melrose Place, Tweed Street and Margaretvale Drive on the eastern boundary of the site.
- f) A former railway track running in a NE-SW direction between MacNeil Street and a disused viaduct across the Avon Water.

1.2 The existing vehicular access into the area is from Broomhill Road which has a junction with Church Street (B7078). Larkhall town centre, which contains a range of shopping and other services is located 300 metres from the northern edge of the site as is the proposed Larkhall rail halt. There are existing pedestrian links into the site from Glen Avenue and Helen Wynd along the eastern boundary of the site and Nairn Street and Greer Place to the west.

## **2 Proposal(s)**

2.1 The application seeks outline consent for a mixed use development. A plan has been submitted to identify uses for particular parts of the site as follows:

- a) Residential development in areas a), c), e) and part of area d) described above. A notional capacity of 375 units has been attached to the site.
- b) Leisure/recreational development and woodland planting in area b). Proposals could involve sports pitches, play areas and woodland walks.

- c) A leisure development on the remaining part of area d).
- d) Upgrading the former railway track to provide a pedestrian route from the town centre to the recreation area and Morgan Glen/Avon Water. Existing pedestrian links would be retained and enhanced.

2.2 Access is proposed to be from Broomhill Road. A new roundabout at its junction with Margaretvale Drive would be created giving vehicular access to the site of the new Larkhall Academy and the proposed park and ride facility for Larkhall railway station as well as new access roads to areas (a) and (e) behind the Robert Smellie Ground and areas (c) and (d) behind the Leisure Centre.

2.3 A Transportation Assessment was submitted to support the application and states that local facilities are easily accessible from the site by walking and cycling. The B7078 is a main bus route to areas within Larkhall and the surrounding area while the new rail link to Larkhall will provide a regular service to Glasgow; both are within walking distance of the site. An assessment of key junctions on the road network found all would operate within capacity 10 years after development is complete except those at Church Street/Broomhill Road and Hamilton Street/Duke Street/Drygate Street/Wellgate Street. The report recommends both junctions are signalised to meet capacity requirements. Pedestrian crossing facilities should be provided at Church Street/Broomhill Road to cater for new residents and school children together with a pedestrian link between the site and park and ride facility.

2.4 A habitat survey was also submitted to support the application and shows the site is of moderate to high local conservation value, with national significance attached to the SSSI. The River Avon is an important wildlife corridor while the grasslands, dismantled railway and woodlands act in combination with the river corridor to create a diverse and species rich area. Badger setts were found close to the Avon Water gorge while the grassland and woodlands are potential foraging areas. Further it is likely the school buildings and mature trees are being used by bats for roosting and hibernating while the site is likely to be a significant foraging resource for bats and in use by breeding birds. It recommends that development avoid the SSSI; a detailed vegetation survey be carried out to assess the value of the site; surveys of bats, badgers, water voles and breeding birds be undertaken during appropriate periods; and checks made for the presence of frog and toad populations.

### **3 Background**

#### **3.1 Government Advice/Guidance**

3.1.1 Circular 24/1985 (Development in the Countryside and Green Belts) is relevant in this instance and sets out the principles on which development in the Greenbelt should be assessed. The Circular states that there is great importance in the preservation of existing designated Greenbelts within which development should continue to be strictly controlled. The Greenbelts have three main purposes, namely:

- a) The maintenance of the identity of towns by establishing a clear definition of their boundary and preventing coalescence of settlements,
- b) Providing countryside for recreation or institutional purposes of various kinds, and
- c) The maintenance of the landscape setting of towns.

3.1.2 National Planning Policy Guidance 11 (Sport, Physical Recreation and Open Space) applies and seeks to ensure the protection and enhancement of resources required for sport and recreation. Councils should meet the sporting and recreational needs of residents and visitors; safeguard a system of open spaces for formal and informal recreation needs within urban areas and facilities and resources for sport and recreation; ensure new sport facilities are readily accessible by public transport, cycling and on foot; and take a long term view on provision. Levels of provision should be determined locally on a range of factors, including the quality and value of facilities and open space as well as quantity. All playing fields and sports pitches are seen as potentially significant for their sporting value and value to the local community and the environment. There is a presumption against the redevelopment of playing fields and sports pitches except in the following circumstances;

- The retention/enhancement of facilities is best achieved by redevelopment of part of the site which would not affect its sporting potential and its amenity value; or
- There would be no loss of amenity and alternative provision of equal community benefit and accessibility would be made available; and
- There is a clear long term excess of pitches, playing fields and public open space in the wider area, taking into account long term strategy, recreational and amenity value and any shortfall in adjoining local plan areas.

3.1.3 Scottish Planning Policy 3 (Planning for Housing) urges Councils to promote the re-use of previously developed land in preference to greenfield sites. Land identified for other purposes may provide opportunities for housing where there is little prospect of development for the purposes envisaged, there is access to a choice of transport and a satisfactory residential environment can be created. Extensions to existing settlements can have advantages, including reducing servicing costs and sustaining local services, although sustainable transport options should be considered as an important part of the process.

3.1.4 National Planning Policy Guidance<sup>17</sup> (Planning for Transport) promotes an integrated approach to land use, transport and the environment. Objectives include supporting sustainable development within a pattern of land use and integrated transport which serves the economy and communities, promoting a choice of transport mode and a reduction in car use, and supporting more use of walking, cycling and public transport. In addition proposals should not compromise safety on transport networks. Planning Advice Note 57 states that when considering residential developments, the planning authority should assess the proposal against its accessibility to local day to day services such as convenience shops, school clinics, libraries and community centres, particularly by walking and cycling; and accessibility to significant urban centres providing a range of services and employment, by walking, cycling and public transport."

3.1.5 Circular 6/1995, as revised in June 2000, deals with the application of European Commission Habitat and Birds Directives placing duties on public authorities to exercise nature conservation functions in compliance with the Directives. Public authorities are obliged not to permit developments damaging to an interest to be protected within a European categorised nature conservation site, unless there are imperative reasons of overriding public interest.

## **3.2 Structure Plan Policy**

- 3.2.1 Strategic Policy 1 in the Glasgow and Clyde Valley Joint Structure Plan states that priority for investment is to be given Strategic Development Locations in order to maximise the scale of urban renewal. Further, there is a presumption against the spread of built up areas and encroachment of development into the countryside in order to safeguard the Green Belt.
- 3.2.2 Strategic Policy 6 states that the quality of life and health of communities will be supported by, among other actions, providing housing opportunities to meet the requirement for a 5 year effective owner-occupied land supply, providing for choice in terms of size and type of housing, environmental improvement and the provision of open space and facilities for sport and recreation.
- 3.2.3 Strategic Policy 9 outlines the criteria which development proposals should satisfy in order to accord with the Structure Plan. Firstly, it should fall below thresholds identified in Schedule 9 of the Plan – in this case developments generating trip numbers above 500 vehicles a day is the only relevant threshold.

Secondly, the location should be appropriate in terms of the need to;

- a) Safeguard and avoid displacement/diversion of investment from various locations identified in Strategic Policies 1, 5, 6 and 8.
- b) Promote urban regeneration by giving preference to the reuse of brownfield land rather than greenfield land.
- c) Safeguard and promote the vitality and viability of Town Centres.
- d) Safeguard environmental resources.
- e) Avoid isolated/sporadic development in the Greenbelt.
- f) Promote Sustainable Transport.
- g) Implement the waste management hierarchy.
- h) Avoid the risk of flooding.
- i) Avoid negative impact on Health and Safety.

Finally, appropriate provisions should be made by the developer for;

- a) infrastructure to make the development acceptable.
- b) implementation of appropriate transport measures to future levels of traffic.
- c) implementation of appropriate environmental action.
- d) provision of Sustainable Urban Drainage Systems.
- e) excavation/recording of archaeological sites.

- 3.2.4 Proposals that do not accord with Strategic Policy 9 are considered to be a departure from the Plan and their appropriateness is required to be assessed against Strategic Policy 10. The criteria used includes a need for the development in terms of a specific locational need; economic benefit (including protecting existing jobs or creating a significant number of new jobs); social benefit (including supporting of enhancing community facilities and the capacity of the area to absorb the development); and environmental benefit (in this case, protecting or enhancing the Green Belt and restoring vacant or derelict land).

## **3 Local Plan Status**

- 3.3.1 The site of the existing Larkhall Academy and the land between the Robert Smellie ground and housing in Margaretvale Road is covered by policy CU4 in the Hamilton District Local Plan. This policy states that the Council will review the provision of open space in the local plan area and upgrade/expand facilities where appropriate.

It further states that the Council will oppose any loss of these facilities to other land uses and supports the joint use of school playing fields and recreational facilities with other organisations.

3.3.2 The grassed area bounded by Nairn Street, Cherryhill View and Karadale Gardens is identified as a new housing site in the local plan. Policy RES 2A states that new housing will be directed to sites such as these. The remainder of the site lies within the designated Green Belt. Policy EN1a states that there will be a strong presumption against development in the Green Belt.

3.3.3 The dismantled railway is affected by Policy CU3a which states that the Council will safeguard and seek to expand access to the countryside by protecting and improving existing footpaths and rights of way and by providing new footways, cycle ways etc where necessary and desirable. The River Valleys Project Areas are seen as priority for access improvements. Finally, Policy EN6 states that there is a presumption against development that would impinge on or have an adverse impact on SSSIs and SINCs.

### 3.4 **Planning History**

3.4.1 An outline application (planning reference HM/04/0321) for a replacement secondary school within the area adjacent to the Leisure Centre, and including the Robert Smellie Memorial Ground, was granted consent on 23 March, 2005.

## 4 **Consultation(s)**

4.1.1 **Roads and Transportation Services** – A Transportation Assessment (TA) has been submitted and satisfactorily completed in support of a 375 residential development. The service has no objections subject to a number of observations to be considered as conditions of consent in relation to:

- a) detailed design of a 4 leg roundabout located in the vicinity of Broomhill Road and Margaretvale Drive.
- b) detailed design of the site's internal roads layout
- c) detailed discussion on the introduction of traffic signals at the Hamilton Street/Duke Street/Drygate Street/Wellgate Street roundabout and the revision of waiting/loading restrictions in the vicinity; the funding of physical measures and administration associated with Traffic Regulations Orders require to be met by the applicant.
- d) detailed discussion on the introduction of traffic signals at the Church Street/Broomhill Road. As with c) above any cost must be met by the applicant.
- e) new/improved footways should be provided linking the development to the existing footway network and to nearby facilities (e.g. the planned Larkhall Rail Station)
- f) upgrading the existing bus stop infrastructure in the vicinity of the site.
- g) a Safety Audit of all new junctions and infrastructure
- h) parking provision and road/junction design all to be in accordance with the Councils Guidelines for Development Roads and Design Manual for Roads and Bridges.
- i) all infrastructure modifications, both internal and external in the site, shall be completed at the applicants expense, to the satisfaction of the Council as Roads Authority; and furthermore details of programme/phasing are required along with Construction Consent approval prior to any work starting on site.

In addition Roads and Transportation Services comment that South Lanarkshire Council standards for flood prevention will apply. A flood risk assessment considering a 200 years post development storm must be carried out, detailing proposed mitigation measures.

**Response:** A condition would be attached to the outline consent reserving all proposed mitigation matters of detailed design of roads, footways, parking and so on to further submission at the detailed planning application stage. In addition a condition referring to the implementation of the measures identified in the TA and to the submission of flood risk assessment would be attached.

- 4.2 **Environmental Services** – No objections subject to control on noise levels, hours of working during the construction period, and a submission of a site investigation report.

**Response:** A condition would be attached to the outline consent requiring the submission of a site investigation report with the detailed application. I also consider it appropriate to seek a noise impact assessment to consider the impact of the proposed access roads on adjoining residents. Other issues, relating to controlling noise during construction are the responsibility of Environmental Health.

- 4.3 **Scottish Water** – Object on the grounds that the capacity of the public sewerage system is insufficient to accommodate a development of this scale. The developer will be expected to pay for upgrading the existing system.

**Response:** Further discussions have taken place with Scottish Water, resulting in agreement with the Council to pay for an assessment of the existing system to identify any upgrading works required. I propose to attach a condition if outline consent is granted to ensure this matter is considered at the detailed application state.

- 4.4 **Scottish Environmental Protection Agency** – The impact of the proposals on the SSSI and existing habitats should be carefully considered. Assurance should be obtained from Scottish Water that foul drainage from the site can be treated within the existing system. If a sewerage pumping station is required, an emergency overflow will have to be provided which may require a route through the SSSI. Surface water should be treated in accordance with the principles of Sustainable Urban Drainage Systems. Care should be taken to minimise the risk of pollution of the Avon Water during construction.

**Response:** It would be my intention to attach a condition to any outline consent requiring the submission of a full habitat survey to aid assessment of detailed proposals. No development would be permitted within, or that would impinge upon, the SSSI. Issues of treatment of foul drainage and surface water and pollution control can also be dealt with at the detailed stage.

- 4.5 **Larkhall Community Council** – No response.

**Response:** Noted.

- 4.6 **Glasgow and Clyde Valley Joint Structure Plan Manager** – The proposals are contrary to Strategic Policies 1, 6 and 9 as they involve development in the Green Belt and there is no identified need for additional housing in the area. In terms of assessment against Strategic Policy 10, they agree that the proposals will result in social benefit as community facilities will be enhanced. It is appropriate to take a master planning approach to determine the appropriate re-use of the school site and not deal with it in isolation from its surroundings.



**Response:** An assessment of the proposals in terms of Strategic Policies 1, 6, 9 and 10 is contained in the Assessment and Conclusions section of the report.

- 4.7 **Community Resources** - Have commented verbally that they are content with the broad principles of the proposals but wish to be involved in future discussions so that the impact on local biodiversity can be properly managed.

**Response:** Noted.

- 4.8 **Scottish Natural Heritage** – Have concerns regarding the potential for adverse impacts upon the adjacent designated woodlands: Clyde Valley Woodlands (candidate Special Area of Conservation); and Avondale (Site of Special Scientific Interest). They also comment on the fact that the site lies within the Greenbelt and is adjacent to the Area of Great Landscape Value. It is therefore incumbent upon the Council to satisfy itself that the proposal is not contrary to the Local Plan.

Given the outline nature of the application and accompanying masterplan SNH objects to the development, however they would be happy to reconsider this position if a more detailed masterplan were submitted that addresses the following issues:

- a) details of how the designated woodlands are to be protected, this should incorporate a substantial buffer zone between housing and the woodlands;
- b) details of density, design and layout to enable landscape and visual impact to be assessed;
- c) impact on and mitigation measures to protect any protected species at the site;
- d) details of how non-native species are to be treated to avoid spread into adjacent protected woodland
- e) details of the establishment and management of open spaces and recreational provision.

SNH request that consideration be given to an “inappropriate assessment” given the scale of the proposal and it’s proximity to protected natural heritage sites and the Area of Great Landscape Value. Given that the proposal, could effect the Clyde Valley Woodlands (cSAC) there is a requirement to notify Scottish Ministers if the council is minded to approve planning consent.

**Response:** The objection of SNH relates to matters of detail that can be addressed at later stages in the planning process. The outline masterplan does quite clearly identify the designated woodlands and recognises their potential for enhancement and as a recreational asset. It is proposed to attach a condition to the outline consent requiring the submission of a masterplan as a reserved matters application. All of the areas of concern raised by SNH can be addressed through this process.

In relation to policy issues a full assessment of the proposals in terms of local and structure plan policies is set out in the Assessment and Conclusions section of this report.

Under the terms of Circular 6/1995 the Council has a duty to protect sites designated under European Commission Regulations. Further advice from the Council’s Countryside Services Manager welcomes the inclusion of the proposed Morgan Glen Local Nature Reserve and the exclusion from development of the grassland and gorge edge area. The main concern relating to the cSAC focuses on the south western extremity of the development area identified in the outline masterplan. This edge however can be protected with the Countryside Services Manager advising that this should take the form of -

- a 10m buffer strip between garden boundaries and the edge of the cSAC boundary.
- no rear gates in garden fences alongside the edge of the cSAC boundary.
- a specific planting scheme implemented within the buffer area.

It is our conclusion therefore that with easy to control measures such as those set out above that the proposals are unlikely to have a significant effect on the adjacent cSAC.

Due to SNH's objection, if the Council seek to grant consent for the proposals, the application requires to be notified to the Scottish Ministers.

4.9 **Scottish Power** - No response

**Response:** Noted.

4.10 **Transco** – Information provided by Transco shows there are no gas mains within the site.

**Response:** Noted.

4.11 **Scottish Wildlife Trust** – No response.

**Response:** Noted.

4.12 **Sportscotland** – Originally commented that no evidence had been provided with this application or the proposals for the new school to demonstrate that the objectives of NPPG11 had been met in terms of maintaining or enhancing existing sporting and recreational facilities or open space provision. The residential development would generate demand for additional facilities if the Council are minded to grant consent. However, Sportscotland subsequently advised that any detailed proposals should include an appropriate level in terms of quality and quantity of playing fields and sports pitches to offset the loss of existing facilities on the site and satisfy demand from future residents. Accordingly, Sportscotland do not object to the principle of development proposed in this application provided that the redevelopment of the existing school pitches is not undertaken until the new outdoor sports facilities proposed for the new school are completed and available for play, and that adequate and appropriate formal and informal recreational facilities are provided within the confines of the current application site. Sportscotland wish to be consulted further on any detailed application in this regard.

**Response:** Further evidence has been provided to Sportscotland and it is not proposed that the development proceed without taking cognisance of all the areas of concern to Sportscotland. As with the objections of SNH the fact that I am recommending that a further detailed masterplan is submitted as a condition of this consent affords the opportunity to detail the quantity, quality and location of replacement and new pitch provision on the site.

4.13 **West of Scotland Archaeology Service** – The site lies within an area of archaeological potential and includes a recorded site of a burial found in a wooden coffin which may turn out to be a pre-reformation chapel and burial ground on further investigation. Old ironstone mines may have some significance of early industrial archaeology. They therefore recommend that a condition be attached to the consent requiring the submission of an archaeological mitigation strategy for approval before

the submission of a detailed application and its implementation before any work starts on site.

**Response:** A condition covering this issue can be attached to any consent granted.

## **5 Representation(s)**

**5.1** Statutory neighbour notification procedure was carried out and the application, was advertised in the local press as Development Potentially Contrary to the Development Plan. This process was repeated when the masterplan was submitted in October 2004. A total of ten letters of objection have been received, including the Burnhead Area Residents and Tenants Association and Strutherhill Residential Association, the grounds of which may be summarised as follows;

**a) The proposals are contrary to the local plan and structure plan for the area.**

**Response:** An assessment of the proposals in terms of local and structure plan policies is set out in the Assessment and Conclusions section of the report.

**b) There is insufficient detail provided with the application in terms of access, design, scale and materials.**

**Response:** The applicant seeks outline consent and there is no requirement to provide detailed proposals at this state. Nevertheless a masterplan showing access and the proposed layout of the site in land use terms has been submitted. Neighbour notification was carried out again to allow comments on the masterplan to be made. A further detailed masterplan would be required if outline consent is granted.

**c) The access at Broomhill cuts through sports grounds.**

**Response:** This application and the application for the new Secondary School will result in some repositioning of sports pitches. However there would be no overall loss of sports pitch provision in the area in terms of either quantity or quality as a result of this proposal and the proposed new school.

**d) The rainwater and sewerage system in Larkhall is inadequate to cope with the development.**

**Response:** The Council are in discussions with Scottish Water to determine the shortfall in capacity and the improvements required to accommodate the proposals. See also section 4.0 above

**e) There would be a loss of natural environment.**

**Response:** No development is proposed within the area designated as a SAC, SSSI or SINC. In addition, a detailed conservation survey would be required to be prepared which would advise on detailed layouts for the residential element of the proposals. Management of the existing habitats and improved public access to them would form part of future works in the area.

**f) There would be a loss of soakaway capacity for flooding.**

**Response:** Developers will be expected to comply with SUDS principles.

- g) **The proposals would result in traffic, parking and access problems.**  
**Response:** The Transportation Assessment shows that there would be no adverse impact on the local road network subject to off-site junction improvements. Any detailed application would have to comply with Council guidelines on access construction and car parking.
- h) **The proposed access road between the Leisure Centre and existing houses in Broomhill Gate would result in high levels of traffic, noise, fumes, loss of privacy and loss of property values for adjoining residents. Other more appropriate options are available.**  
**Response:** The route of the proposed access has been agreed with Roads and Transportation Services as the only one practicable to serve the land to the west of the leisure centre. A noise impact assessment would be submitted to consider noise and provide recommendations to mitigate any potential issues.
- i) **There should be a 10 metre buffer zone to the SSSI.**  
**Response:** The impact on the SSSI and details of any buffer zones will be fully considered at the detailed application stage. The buffer zone principle is referred to at section 4.8 in the response to Scottish Natural Heritage's consultation.
- j) **What will happen to the castellated towers at the entrance to the site**  
**Response:** They do not form part of the application site.
- k) **The existing footpath links from the Strutherhill area through the school site should be maintained.**  
**Response:** The masterplan shows that all existing routes will be retained.

These letters have been copied and are available for inspection in the usual manner.

## 6 Assessment and Conclusions

- 6.1 The application seeks outline consent for a mixed use development including residential, sporting/recreation, woodland and formation of access roads on land at Broomhill Road on the western edge of Larkhall. The main issues in determining the application are whether the proposals comply with national, strategic and local planning policy and guidance, the traffic and road safety implications, the impact on the natural environment and residential amenity of the area, whether there would be loss of sporting/recreation facilities and the infrastructure implications.
- 6.2 The land the subject of the residential proposals comprises the site of the existing Larkhall Academy complex, an area of grassed open space, land at Nairn Street used for informal recreation uses and an area within the designated Green Belt. It is useful to consider each of these parcels of land in terms of planning policy and guidance.
- 6.3 In terms of national planning policy, the most contentious part of the housing proposals involves the land currently within the Green Belt. Circular 24/1985 establishes a general presumption against development in the Green Belt and stresses the need to provide confidence in their permanence. SPP3 advises that the re-use of previously developed land should be promoted in preference to greenfield land and looks to Councils to maintain the effectiveness of existing Green Belts,

safeguard the amenity and character of the countryside and protect the setting of towns and cities. However, it goes on to state that sites which no longer contribute significantly to the purpose of the Green Belt and which can be readily accessed by a range of transport may be released provided the Green Belt's overall effectiveness and integrity is not affected. The release of greenfield land next to built up areas can be acceptable as infrastructure costs are low and can take advantage of and sustain existing local shops and services.

- 6.4 In this case, a large part of the area was formerly occupied by a nursery. The ceasing of this use has led to a degraded and derelict site which is brownfield in character and appearance and contributes little to visual or landscape character of the area. The remainder of this area is similarly of little landscape value or visual character with limited public access to it. The release of this land for housing would not undermine the overall objectives of Circular 24/1985 or SPP3. The site is within walking distance of the town centre and other local facilities and public transport (including Larkhall Railway Station due to open in 2006) and its development represents a logical extension of the built up area in this part of Larkhall.
- 6.5 In terms of strategic planning policy, the proposals must be assessed against Strategic Policy 1, 6, 9 and 10 of the GCVJSP. Strategic Policy 1 seeks for priority to be given to investment in Strategic Development Locations (SDL) and safeguard the Green Belt through a presumption against the spread of built up areas and the encroachment of development into the countryside. While the application site itself is not identified as a SDL, Larkhall Town Centre is identified as a centre to be safeguarded. Members will be aware of the recent consultants report which set out objectives and proposals to enhance the centre in particular and the town in general. The new housing will help sustain local services in the town centre and contribute to the regeneration of Larkhall. The built up area will be extended if these proposals progress. However, as set out in paragraph 6.8 of the report this proposal is considered acceptable in planning terms and the effectiveness of the Green Belt in this location would not be reduced. A permanent defensible long term boundary would be established by the nature conservation interests on the western edge of the site.
- 6.6 It is accepted that the proposal does not comply with Strategic Policy 6 as there is no identified need for additional owner occupied housing in the area over the next 5 years nor a need to provide greater choice of housing. In addition, it does not accord with Strategic policy 9 in that the proposed residential development fails to meet several of the criteria set out in 3.2 above, namely it involves 10 or more units on greenfield land for which no case has been established; it does not promote urban regeneration as it does not involve the use of brownfield land but rather a greenfield site; and it would result in encroachment into the Green Belt. As a result the application is required to be treated as a significant departure from the Structure Plan and be assessed against Strategic Policy 10.
- 6.7 Firstly, clear evidence of a shortfall in the supply of land for private housing cannot be demonstrated, based on current supply requirements in the Structure Plan. Economic benefit would be indirectly generated through increased expenditure in the town centre and on local services. Of most significance would be the proposal's social and environmental benefits. Under the Council's school modernisation programme, surplus land from vacated sites will be transferred to a Special Project Vehicle and promoted for redevelopment. Revenues from these disposals will cross fund the school modernisation programme. The new school will provide a high

quality modern education facility while its availability outwith school hours will significantly enhance the range of community facilities in the area. In the case of Larkhall the Council holds far more land than the existing school and its grounds and it has therefore been decided to explore the suitability of this adjacent land and incorporate it into the PPP project. At the same time this provides an opportunity to consider the comprehensive planning opportunities for the overall area through a master planning exercise. Further all of the Green Belt land is underused and makes little contribution to the landscape character of this part of the Green Belt. This application represents an opportunity to enhance a large area for public access for recreational and sporting purposes and open up the Morgan Glen and wider countryside. Finally, the proposals involve the upgrading of the former railway line to provide a pedestrian link between Larkhall Town Centre and new rail halt and the Morgan Glen/Avon Water area. I would therefore conclude that the development is appropriate in terms of Strategic Policy 10.

- 6.8 In terms of local planning policy development in the Green Belt is covered by policy EN1A of the local plan and broadly reflects national guidance, namely a strong presumption against the encroachment of urban uses. It is appropriate to assess the suitability of development on this site in relation to the six functions of the Green Belt set out in 3.0 above. While the proposals would result in the extension of the built up area, the extent of future development is effectively constrained by the presence of the SSSI and SINC on the western boundary and existing housing in the area. Incursion into this part of the Green Belt is considered more appropriate than other areas which are more sensitive in landscape and visual impact terms. The proposal would not result in the merging of Larkhall with neighbouring towns due to the topography of the area, the presence of the Avon Water and the fact that Stonehouse is 3 km to the south. The landscape setting of the western edge of Larkhall is currently provided by the woodland along the banks of the Avon Water. Development will not encroach into this area, therefore the existing setting of the town will be preserved. The site is not in agricultural use while the overall proposals include provision for additional woodland planting and improved public access to the Avon Water area and wider countryside. I am therefore satisfied that the purposes of the Green Belt would not be compromised by the proposals.
- 6.9 The land occupied by Larkhall Academy is affected by policy CU4 in the adopted local plan which seeks to oppose the loss of open space to other land uses. The designation of the school site under this policy reflects the community use of the complex and, in particular, the provision of two blaes pitches within it. However, these pitches are now largely redundant and there is no current public access to them. The new school is proposed on adjacent land as part of the Council's modernisation programme for secondary schools. The existing site represents a windfall opportunity to provide new housing on brownfield land within the built up area. This form of new housing development is encouraged in SPP3 and therefore the redevelopment of the school and its grounds is considered acceptable in principle. While two blaes pitches would be lost, the proposals for the new school would include high quality pitch provision for use by pupils and by the local community outwith school hours. This would offset the loss of the existing facilities and in addition, Sportscotland advise that detailed proposals should be submitted to include a level of sports pitch provision that will satisfy demand from future residents. These will therefore be key components of the more detailed masterplan submission being recommended as a condition to this consent. I am satisfied that these issues are capable of being satisfactorily resolved at this stage.

- 6.10 The open space adjacent to the Robert Smellie ground is also affected by policy CU4 in the local plan. The land in question is a grassed area with no distinguishing features worthy of retention. There are no facilities within this part of the site and the site appears to be used infrequently by the general public. I do not consider that its loss would be detrimental to the level of open space provision, especially given the proposals to enhance public access to the land adjacent to the Avon Water, nor would the visual amenity of the surrounding area be adversely affected. The residential amenity of residents immediately adjoining this site area would be maintained through the retention of an existing tree belt along the rear boundary of their properties. Accordingly, I consider the development of this land is acceptable in planning terms.
- 6.11 The land at Nairn Street is identified as a new housing site in the local plan and therefore the principle of residential development at this site is already established. The land is currently used for informal recreation purposes and it will be important to ensure adequate replacement facilities are provided in the overall residential scheme proposed by this application.
- 6.12 In terms of the impact on traffic and road safety, a Transportation Assessment (TA) has been submitted and satisfactorily concluded. This supports the development of 375 dwellinghouses and also takes into account the relocation of Larkhall Academy to an adjacent site. Several measures require to be implemented by the sites developers. I consider traffic and road safety issues to have been demonstrated to be capable of mitigation.
- 6.13 In terms of impact on the natural environment, the application site contains significant natural heritage resources, including a SAC, SSSI and SINCS on the western edge, areas of local importance within the area to be developed and potential habitats and foraging areas for bats, badgers, breeding birds and water voles. The master plan shows that no development will encroach into the nationally designated sites and that these areas would be enhanced and public access to them improved. Measures to ensure that further protection have been recommended by the Countryside Service Manager and can be included as a condition of any consent. Care will need to be taken to ensure drainage routes to the Avon Water are carefully chosen to avoid adverse impact on these resources. I would also seek further detailed surveys of vegetation and animals to allow a layout to be prepared that does not encroach on any significant habitats. Overall, I consider that the impact on the natural environment will be positive as a result of the enhancement works proposed and improved public access. Further, a condition can be attached to any outline consent to ensure any archaeological issues are considered at the detailed stage.
- 6.14 In terms of loss of sporting/recreation facilities, SportScotland initially raised concerns over the loss of playing fields within the site. However the loss of these pitches is in part compensated by the new provision at the new school and furthermore requirements for new pitches will be accommodated in the more detailed masterplan which will require to be submitted (though a condition) as part of any subsequent application.
- 6.15 In terms of infrastructure, Scottish Water have objected to the application on the grounds that there is insufficient capacity in the local sewerage system to cater for a development of this scale. The Council has opened discussions with them and has commissioned Scottish Water to develop a detailed network capacity model to identify the areas of concern and possible solutions to improve the systems's

capacity. In the meantime, a condition requiring proposals to be submitted at the detailed stage is considered acceptable. Any future development will also be required to provide a SUDS scheme to treat surface water.

6.16 In view of the above it is considered that the proposals are acceptable in principle. It is recommended that a condition be attached to any consent granted to require a further detailed masterplan application be submitted to address in more detail the issues that have been raised. However, it is acknowledged that the proposals are contrary to the Hamilton District Local Plan and are a significant departure from the GCVJSP. However I consider they can be considered as an acceptable departure from the development plan for the following reasons;

- a) The proposals will not reduce the overall effectiveness of the Green Belt in this location.
- b) The residential proposals are highly sustainable in that the site is close to existing services and amenities and within walking distance of Larkhall town centre, the new railway station and public transport routes.
- c) The proposals will result in improved public access to the Morgan Glen area and the wider countryside and enhance the use and enjoyment of this area.
- d) There are no traffic or road safety implications associated with the development.
- e) The off-site road improvements recommended in the Transportation Assessment submitted with the application will benefit road safety in the area.
- f) The residential amenity of neighbouring properties and nearby residential areas will not be adversely affected.
- g) There will be no adverse impact on environmental resources within or adjacent to the site. The SSSI/SINC will be enhanced through the proposals.
- h) The revenue from the proposed residential development will cross-fund the Council's modernisation programme for its secondary schools.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**19 April 2005**

#### **Previous References**

◆ None

#### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - West of Scotland Archaeology Service 08/09/2004
  - Scottish Water 01/11/2004
  - Scottish Natural Heritage 07/03/2005
  - Sports Scotland 10/03/2005



Roads and Transportation Services (Central Division)	09/06/2004
Sports Scotland	09/06/2004
Environmental Services	01/06/2004
TRANSCO (Plant Location)	09/06/2004
Scottish Natural Heritage	06/07/2004
S.E.P.A. (West Region)	14/07/2004
Roads & Transportation Services H.Q.	10/01/2005

► Representations

- Representation from : Isobel Sheridan, 190 Glen Avenue, Larkhall,  
DATED 20/05/2004
- Representation from : Mr. Thomas Malcolm, 5 Jura Gardens, Larkhall  
ML9 2JS, DATED 19/05/2004
- Representation from : John Jamieson, 194 Glen Avenue, Larkhall,  
DATED 19/05/2004
- Representation from : Mrs. M. Jamieson, 194 Glen Avenue, Larkhall,  
DATED 19/05/2004
- Representation from : Mrs. V. Orr, 19 Whinnie Knowe, Larkhall, ML9 1LD,  
DATED 18/05/2004
- Representation from : Mrs Margaret Higgins, 80 Margaretvale Drive, Larkhall,  
ML9 1EH, DATED 24/05/2004
- Representation from : Mr J Jamieson (Secretary), Strutherhill Tenants Association  
194 Glen Avenue, Larkhall, ML9 1JZ, DATED 01/11/2004
- Representation from : Mr. William Whip, 11 Broomhill Gate, Larkhall, ML9 1ED,  
DATED 26/10/2004

**Contact for Further Information**

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

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## Outline Planning Application

PAPER APART – APPLICATION NUMBER : HM/04/0322

### CONDITIONS

- 1 That before any development starts on site, a reserved matters application shall be submitted to and approved by the Council as Planning Authority. This application shall take the form of a masterplan (comprising a plan or series of plans at a minimum scale of 1:1250 and a written statement) in respect of the whole of the application site and shall include the following;
  - a) the overall layout of the site including all roads, footpaths, development parcels, structural planting and access to the Morgan Glen area
  - b) proposals for all public utilities infrastructure required to serve the site, in particular proposals for upgrading the capacity of the existing sewerage system which shall be supported by the results of an investigatory report to be agreed with Scottish Water.
  - c) a full geographical and site survey which will highlight all existing physical and landscape features within the area and those to be retained. This shall include a tree and vegetation survey.
  - d) a full visual impact assessment of the proposals taking account of views into the site from the surrounding area (and paying particular regard to the skyline) and impact on the adjacent Area of Great Landscape Value..
  - e) a full appraisal of the impact of the proposals on wildlife interest in the area and a survey of habitat quality, including surveys of badgers, bats, water voles and breeding birds to establish the presence of habitats, the loss of foraging areas and to explore mitigation measures for their movement within the site if required.
  - f) proposals for the adoption, maintenance and management of all areas of structural planting, landscaping, pitch provision, play areas, open space and woodland.
  - g) a phased development and implementation programme in respect of road construction, public utilities infrastructure, structural planting and landscaping, recreational and open space provision and phasing of the proposed housing.
- 2 That before the expiration of three years from the date of this outline permission and before any development starts, written applications and plans in accordance with the masterplan required under condition 1 above shall be submitted to and approved by the Council as Planning Authority for each of development parcels in respect of the following reserved matters:
  - (a) a site layout plan at a scale of 1:1250 showing the position of all buildings, roads, footpaths, parking areas (distinguishing where appropriate between private and public spaces), walls, fences, landscaping, open space and recreational provision;
  - (b) plans and elevations of each house and garage type showing their dimensions and type and colour of materials;

- (c) a landscaping plan at a scale of 1:1250 showing the location, species and ground spread of existing and proposed trees, shrubs and hedges;
- (d) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
- (e) detailed cross-sections of existing and finished ground levels and finished floor levels, in relation to a fixed datum, preferably ordnance datum.

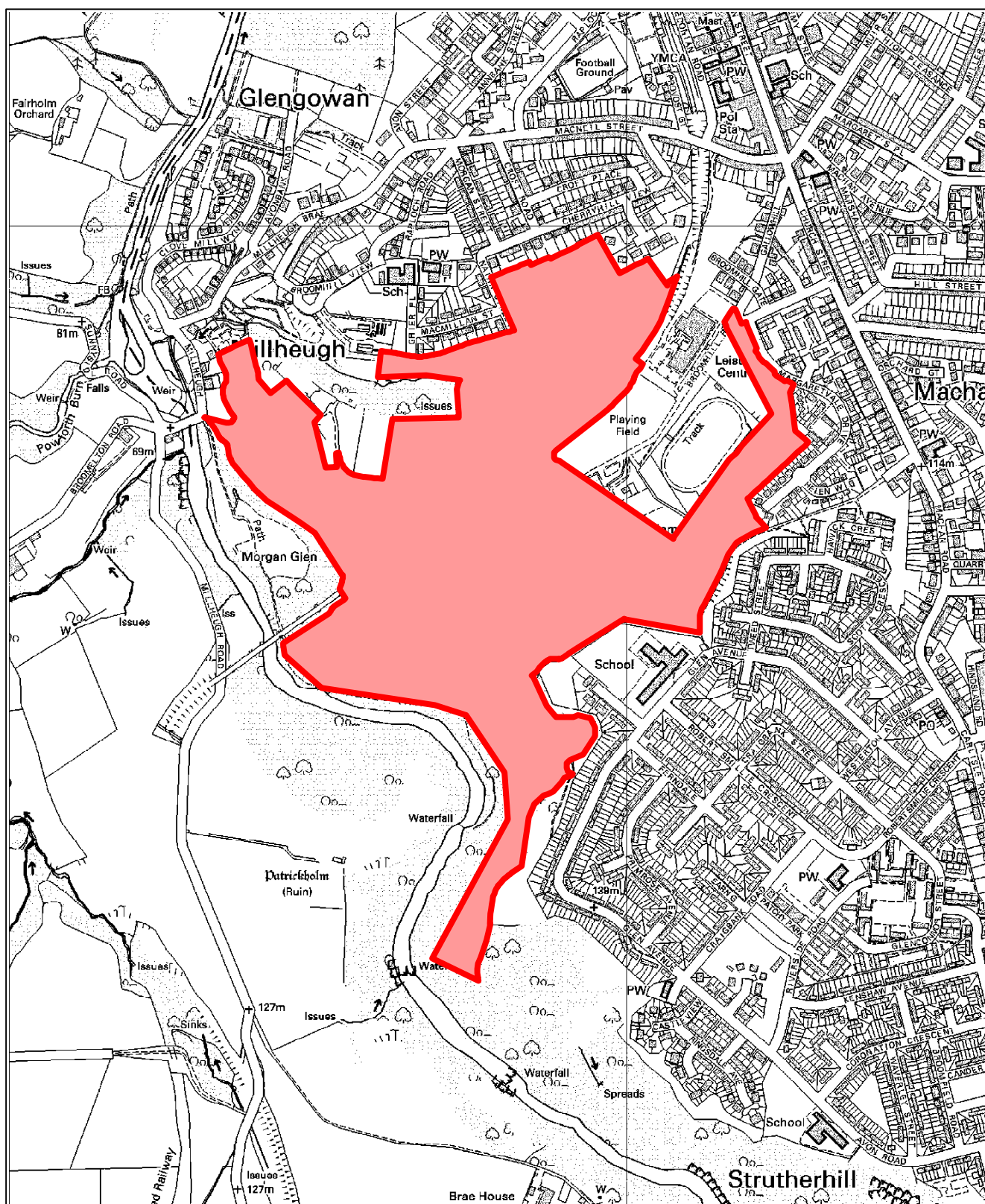
- 3 That the only vehicular access to the application site shall be from Broomhill Road.
- 4 That the development hereby permitted shall be started either within five years of the date of this permission or within two years of the date on which the last of the reserved matters are approved, whichever is the later;
- 5 That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.
- 6 That the masterplan application required under condition 1 above shall include proposals for the greenway network and shall make provision for both amenity open space and recreational use, including active play provision, footpaths, cycleways and bridleways and their links to the surrounding area. Recreational space and facilities shall be provided to the following standards;
  - i) 20 sq.m. of amenity open space per dwelling
  - ii) play areas equivalent to 20sq.m per dwelling
  - iii) kick about pitches at 6 sq.m per dwelling
  - iv) a youth facility
- 7 That the masterplan application required under condition 1 above shall include an archaeological mitigation strategy to be agreed with the West of Scotland Archaeology Service. The strategy shall include proposals for desk-based assessment, field survey and intrusive archaeological evaluation of at least 5% of the application site, and proposals for further excavation and post-excavation analysis, reporting and publication as necessary.
- 8 That the further application required under condition 1 above shall include a noise impact assessment to consider the impact of proposals, in particular the new access roads, on the amenity of existing properties in the surrounding area. The report shall include recommendations to mitigate noise issues raised by the assessment.
- 9 That before any part of the development hereby approved is completed or occupied, the off-site road improvements identified in the Transportation Assessment dated 4th October 2004 and prepared by URS and those further points identified by Roads and Transportation Services consultation response of 23rd December 2004 shall be implemented to the specification and satisfaction of the Council as Planning Authority.
- 10 That the masterplan application required under condition 1 above shall include a report from a professionally qualified source detailing the nature, concentration and distribution of any contaminants found within the application site and recommendations to remove, or render harmless, any such contaminants.

- 11 That the further application required under the terms of Condition 1 above, shall include a flood risk assessment and detailed scheme for any identified flood mitigation and for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and shall be agreed with the Council as Planning Authority in consultation with SEPA.
- 12 That the masterplan application required under condition 1 above shall include an assessment of the impact of the proposals on the Avondale SSSI and Clyde Valley Woodlands Special Area of Conservation, including details of preventing the spread of non-native alien species into these areas.
- 13 That the masterplan application required under condition 1 above shall include; an area of not less than 10 metres between the boundary of the Clyde Valley Woodlands Special Area of Conservation and any garden fence; and, a detailed planting scheme for this buffer area.

## **REASONS**

- 1 Consent is granted in outline only.
- 2 Consent is granted in outline only.
- 3 In the interest of road safety
- 4 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 5 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 6 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 7 To ensure the recording and retention of archaeological resources within the site.
- 8 To safeguard the residential amenity of the area.
- 9 In the interest of road safety
- 10 To ensure the site is free from contamination
- 11 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 off-site flooding.
- 12 In order to protect the adjacent SSSI and Special Area of Conservation.
- 13 In order to protect the adjacent SSSI and Special Area of Conservation.

## Planning and Building Control Services



For information only

For information only