

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>12</h1>
--	-----------------	---------------------------------------

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>5 October 2010</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	EK/09/0229
Planning Proposal:	Demolition of Existing Building and Erection of 10 Residential Dwellings with Associated Parking and Landscaping

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Milton Bell D/T
- Location : Land at Meadowville  
Stonemeadow Road  
East Kilbride

## 2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission – Subject to Conditions (based on the conditions attached)

### 2.2 Other Actions/Notes

The Planning Committee has delegated Powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 10 East Kilbride East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan(Adopted 2009)**  
Policies STRAT3 -The Green belt and urban Settlements in the Greenbelt  
ENV11 – Design Quality  
ENV31 – New Housing Development  
ENV34 – Development in the Countryside  
CRE1- Housing in the Countryside  
DM1 – Development Management  
DM9 – Demolition and Redevelopment for Residential Use.

- ◆ Representation(s):



2

Objection Letters

▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Environmental Services

Calderwood Community Council

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

SP Energy Network

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

TRANSCO (Plant Location)

Scottish Natural Heritage

Roads and Transportation Services (East Kilbride Area)

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to an area of vacant land which has been subject to various uses over the years including, garage, petrol filling station, car sales, furniture sales and most recently a builder's yard. The land is located within designated Greenbelt located to the northeast of East Kilbride.
- 1.2 The application site extends to 0.73 hectares and is mainly flat and triangular in shape with an existing single storey brick built building central to the site surrounded by hardstanding. To the east the site is bounded by a rural road known as Flemington Road and to the south by Stoneymeadow Road with a couple of isolated residential properties opposite. To the north lies a disused railway line which rises above the ground level of the site. To the west lies open grass land owned by the applicant. A vehicular access onto Stoneymeadow Road currently exists.

### **2 Proposal(s)**

- 2.1 The applicant proposes the demolition of the redundant brick building and the erection of 10 dwellings to form a courtyard development. Originally the proposal was for fifteen dwellings, however following further discussion with the Planning Service on the scale and layout of the development, the proposed number of units was reduced to ten. The vehicular access is to be upgraded to an improved standard and 30 car parking spaces are proposed within the site.
- 2.2 More specifically the proposal comprises the following:
  - 1) Ten one and a half storey dwellings(albeit of two storey dimensions) arranged in groups to form a courtyard. Four are of larger proportions with the remaining six being smaller scale to reflect existing development patterns appropriate to this rural location. All have dormer windows of a traditional style utilising the roof space.
  - 2) Each dwelling provides 4 bedrooms and a bathroom on the first floor and a lounge, dining room, kitchen and wc on the ground floor.
  - 3) Self contained rear gardens.
  - 4) 20 car parking spaces are proposed within the courtyard contained by a stone wall and feature railing.
  - 5) An additional 10 visitors car parking spaces are proposed to the rear of the courtyard.
  - 6) The external finishing materials proposed include smooth rendered walls with stone window surrounds, concrete roof tiles and upvc windows.
  - 7) Additional features proposed include landscaped buffer screening to the boundaries of the site and the introduction of lighting columns to illuminate the site access together with the Flemington Road junction onto Stoneymeadow Road.

### **3 Background**

#### **3.1 Local Plan Status**

The proposal can be assessed against the policies contained within the adopted South Lanarkshire Local Plan. The site is identified in the Local Plan as lying within the designated Greenbelt. Policies STRAT3 – The Greenbelt and Urban Settlements in the Greenbelt, CRE1 – Housing in the Countryside, DM1 – Development Management and DM9 – Demolition and Redevelopment for Residential Use are relevant. Policies ENV11 – Design Quality and ENV31 – New Housing Development and ENV34 – Development in the Countryside are also relevant.

### 3.2 **Planning History**

None

## 4 **Consultation(s)**

- 4.1 **Environmental Services** – have no objection subject to standard conditions.  
**Response:** Noted. Standard conditions and advisory notes would be attached to any approval.
- 4.2 **Calderwood Community Council** – no response to date.  
**Response:** Noted.
- 4.3 **Roads & Transportation Services H.Q. (Flooding)** – have no objections subject to the Council's drainage design criteria guidance being satisfied.  
**Response:** Noted.
- 4.4 **Scottish Water**- no objections to the proposal. A separate application should be made to SW for connection to their infrastructure and a totally separate drainage system will be required with the surface water draining to a suitable outlet.  
**Response:** Noted and suitable conditions will be attached to any approval.
- 4.5 **SP Energy Network** - have objected to the proposal on the basis that at time of consultation they had not received any intimation from the applicant as to whether their apparatus would be affected by the proposal.  
**Response:** An overhead electricity power line crosses the north eastern corner of the site where no dwelling development is proposed. The applicant's Agents have been made aware of Scottish Power's objection and have been in discussion with them to resolve any technical issues.
- 4.6 **S.E.P.A. (West Region)** - no objections.  
**Response:** Noted.
- 4.7 **TRANSCO (Plant Location)** - no objections.  
**Response:** Noted.
- 4.8 **Scottish Natural Heritage** - have advised that a bat survey is to be undertaken for the site.  
**Response:** Noted. The applicant has undertaken a bat survey. No presence of bats was found. An advisory note would be attached to any approval to advise the applicant of their legal requirements under the European Protected Species legislation, should protected species be found.
- 4.9 **Roads and Transportation Services (East Kilbride Area)** - had originally objected to the proposal concerned about road safety resulting from the introduction of residential development accessed from an unlit, de-restricted, rural road. However, detailed discussions have taken place between the applicants and Roads Services with the applicant undertaking speed surveys for consideration. The Roads & Transportation Service is now satisfied with the proposal provided specific visibility splays are achieved, the introduction of street lighting columns and a 2 metre footpath along the frontage of the development and on the other side of Stonymeadow Road, opposite the site entrance.  
**Response:** Suitable conditions would be attached to any approval to cover these issues.

## **5 Representation(s)**

5.1 Two letters of representation have been received in respect of this application. The points raised are summarised as follows:

a) **Such a proposal within the Greenbelt must remain a non-starter.**

**Response:** The proposal was advertised as 'Development Contrary to the Development Plan within the local newspaper. The proposal has been assessed against the relevant policies of the adopted Local Plan. This assessment is detailed in Section 6 of the report. The policies support the principle of redevelopment for residential use provided specific criteria are complied with including that the scale and design of the development should be sympathetic to the scale/mass/height/materials of adjacent buildings. In this instance it is considered that while the development will intensify the existing grouping, the proposal comprises the consolidation of the existing footprint and hardstanding area by constructing traditional styled houses in a courtyard design. This design has been reached after extensive discussion with the Council and the architects have created a layout that is an acceptable interpretation of the traditional steading that is sensitive to the context of the rural setting. The existing building's footprint and extensive hardstanding area has developed over years through a variety of commercial uses at the site. It is considered that the new development will improve the visual character of the immediate area. and that the new development will not have a detrimental impact on residential amenity but rather will improve the overall appearance of the local rural environment.

b) **The proposal contravenes all relevant adopted local plan Policies including Greenbelt Policy.**

**Response:** As stated above, the proposal was advertised as 'Development Contrary to the Development Plan within the local newspaper. The proposal has been carefully assessed against the relevant policies of the adopted Local Plan. This assessment is detailed in Section 6 of the report. Since originally being lodged the proposal has been reduced from fifteen dwellings to ten. While it is agreed that the proposal is contrary to the adopted Local Plan in that it involves residential development with no direct association with the furtherance of agriculture, horticulture, forestry etc, it is considered that the removal of the redundant building and the subsequent development of a vacant site of this size would improve the overall amenity and rural character of the area.

c) **The new build is inappropriate in scale and out of character with the area.**

**Response:** As stated above, the original scheme for fifteen dwellings has been reduced to ten dwellings. The design of this revised scheme has been examined in detail and it is considered that the carefully designed development of ten dwellings can be successfully introduced to the site.

d) **The area is prone to flooding.**

**Response:** The Council's Flood Protection Officer was consulted and no adverse comments were made. Any approval would be conditioned to ensure that the applicant provides satisfactory surface water drainage of the site.

e) **The site is inappropriate as it is a site of a former petrol filling station with unforeseen dangers underground, unused storage tanks and a mains gas pipe nearby.**

**Response:** The Council's Environmental Services and Transco have been consulted with no adverse comments being made. The applicant will undertake all appropriate measures to de-contaminate the site, if proven necessary, and any approval would be subject to suitable conditions and advisory notes to ensure that the applicant is

cautious regarding possible contamination and arranges for any alteration, deviation or reinstatement of statutory undertakers equipment.

- f) **Sets an undesirable precedent to encourage other applications to contravene local and national plan policy.**  
**Response:** Each application is considered on its own merits. In this instance careful consideration of the proposal has taken place and in this instance it is considered an acceptable residential proposal at this location.
- g) **Would involve the loss of an area of strategic greenbelt that makes a contribution to the landscape setting of East Kilbride and Blantyre and of the strategic green network wedge separating East Kilbride and Blantyre securing the individual identities of both avoiding the towns merging.**  
**Response:** While the site does lie within sensitive Greenbelt between Blantyre and East Kilbride, it is not considered that the site, in its present state, makes a valuable contribution to the landscape setting of the area. It is therefore considered that the removal of the redundant building and the subsequent development of a vacant site of this size would improve the overall amenity and rural character of the area without threatening coalescence of the neighbouring towns.
- h) **A further strain on utilities such as septic tanks, no street lighting, overhead electricity lines etc.**  
**Response:** All relevant consultations have taken place with no adverse comments being received. As part of the proposal some street lighting is to be introduced at junctions and any approval would be suitably conditioned to ensure that the site is served by an adequate sewerage system.

These letters have been copied and are available for inspection in the usual manner and on the Council's Planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning consent for the demolition of a redundant brick building (formerly used for a variety of commercial uses) and the erection of a ten dwelling courtyard development accessed directly from Stoneymeadow Road adjacent to Flemington Road. The determining issues in this instance are the proposal's compliance with the adopted South Lanarkshire Local Plan policies and impact on the amenity of the area.
- 6.2 Policies STRAT3-The Green belt and urban Settlements in the Greenbelt states that within the Greenbelt the Council will strongly resist the encroachment of urban uses and that there will be a general presumption against development except where it can be shown to be necessary for the furtherance of agriculture, forestry etc. All development should seek to enhance the environmental quality of the area. In this instance although the development of ten houses is contrary to the development plan and has been advertised to this effect, it is considered that this site had formerly been used for a variety of commercial uses ranging from a petrol filling station to car sales and a furniture retail outlet all of which have ceased operation. The site has therefore become unused and can be classed as Brownfield in nature.
- 6.3 The proposal also requires to be assessed against Policy CRE1- Housing in the Countryside. Policy CRE1 states that new housing proposals in the countryside should be assessed against the following criteria:
- a) The development will not extend, expand or intensify the grouping to the detriment of the local amenity and/or traffic safety.

- b) The design and location of the housing does not adversely affect the character and amenity of the surroundings, particularly landscape, countryside amenity and nature conservation etc.
- c) The proposal shows satisfactory integration with adjoining properties.
- d) The proposal complements the scale and character of the existing adjoining properties.
- e) The proposal meets access and parking standards and can be readily provided with services such as water, drainage and sewerage.
- f) The proposal complies with the Council's policy on siting and design as contained in ENV34 – Development in the Countryside Policy.
- g) The Council will require all new houses to incorporate on-site renewable energy equipment to reduce predicted carbon dioxide emissions by at least 10%.

In this instance it is considered that while the development will intensify the existing grouping, the proposal involves the redevelopment of a Brownfield site by constructing quality houses in a courtyard setting. The design and layout has been reached after extensive discussion with the Council and the architects have created a design that is a good interpretation of a traditional steading that respects the context of the rural setting. The existing brick building presently has negative impact upon the area and the overall safety of the site access and the junction of Flemington road onto Stoneymeadow Road will be improved through better sight lines and streetlighting. It is considered that attention to detail in terms of a courtyard layout, landscaping, boundary treatments, and the use of quality materials will ensure that the development will comply with Policy ENV34 and will improve the overall rural character of the area.

- 6.4 Policy DM1- Development Management is also relevant. This policy seeks to promote quality and sustainability in the development design and requires that any new development should enhance and make a positive contribution to the character and appearance of the environment. It is considered that the size of the individual plots which read together as a courtyard are of satisfactory proportions to meet the Council's Residential Development Guidelines. Should Committee agree to grant consent for this proposal, it is intended to attach conditions requiring the applicant to submit sample materials for consideration and approval to ensure that quality materials are used appropriate to this rural setting.
- 6.5 With regard to Policy DM9 - Demolition and Redevelopment for Residential Use, it supports the redevelopment of sites for residential use provided specific criteria are complied with. These are as follows:
  - (a) There will be a general presumption against the demolition and redevelopment of sites within Conservation areas or where a listed building is affected.
  - (b) The scale and design of development should be sympathetic to the scale/mass/height/materials of adjacent buildings and to development in the immediate area. It should not significantly breach any existing layout convention such as established building line or height of adjacent buildings.
  - (c) Re – development proposals should not be cramped, out of keeping with or occupy a significantly greater footprint than the demolished building or those adjacent, where this is to the detriment of the visual character of the area.
  - (d) Increased overlooking of adjoining properties should not occur.
  - (e) Overshadowing of adjacent properties should not occur. Assessment of the impact of the new development shall have regard to orientation, height, proximity to boundaries and adjacent buildings.

- (f) Vehicular access and off-street parking must be satisfactorily achieved and must not present a traffic hazard or create amenity problems. Parking provision should not adversely affect the appearance or character of the area.

In this instance the site does not lie within a Conservation Area nor does it affect a Listed Building. It is considered that although the building group is intensified, the new development, through careful design, consolidates the footprint and existing hardstanding area by introducing a courtyard style development in keeping with the character of the rural area. The proposal is of a one and a half storey design and it is considered that the scale of the new development is acceptable in this location given that it is an appropriate interpretation of a steading building group. Through the use of sensitive boundary treatments and quality materials the proposal will improve the visual character of this area which is presently in an unkempt condition. In addition the vehicular access to the site will be improved together with the provision of adequate on curtilage parking. Given the above it is considered that the proposal complies with Policy DM9.

6.6 After carefully considering all relevant issues, I consider a departure from the South Lanarkshire Local Plan in respect of Policy STRAT3 – The Greenbelt and Urban Settlements in the Greenbelt can be justified for the following reasons.

- (a) The application site is classed as a Brownfield site as it contains a former commercial building which is now vacant and, owing to its design, does not lend itself to conversion.
- (b) The architects have produced an appropriate design that satisfies Council policy with a good interpretation of the traditional steading that will be sensitive to the context of this rural setting.
- (c) The proposal complies with the detailed development management policies contained within the adopted Local Plan; and
- (d) There are no infrastructure issues.

## **7 Reasons for Decision**

7.1 For the reasons stated in Paragraph 6.6 above.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**16 September 2010**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Power Systems 16/07/2009
  - Scottish Natural Heritage 21/07/2009



TRANSCO (Plant Location)	30/07/2009
Environmental Services	24/07/2009
Scottish Water	24/07/2009
Roads and Transportation Services (East Kilbride)	06/09/2010
S.E.P.A. (West Region)	02/10/2009
Roads & Transportation Services H.Q. (Flooding)	27/10/2009

► Representations

Representation from : William Barclay, Main Lodge, Crossbasket, Stonymeadow Road, High Blantyre, G72 9UE, DATED 07/08/2009

Representation from : Mr J Allan, 94 Franklin Place, Westwood, East Kilbride, G75, DATED 09/09/2009

**Contact for Further Information**

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

Maud McIntyre, Planning Officer, Civic Centre  
 Ext 6385 (Tel : 01355 806385 )  
 E-mail: Enterprise.ek@southlanarkshire.gov.uk

**CONDITIONS**

- 1 The consent shall be carried out strictly in accordance with drawing numbers: L(2-)02 Rev C; L(SK-)02 Rev C; L(2-)04 Rev A; L(2-)05 Rev A; L(0-)06 rev B; L(2-)06 Rev C; L(2-)07 Rev C.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 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.
- 4 That the roofs of the dwellings hereby approved shall be clad externally in natural slate or an appropriate slate/tile.
- 5 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 6 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 7 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 6 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 8 That before development starts, details of all boundary treatment shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.
- 9 That within 3 months of the date of this permission, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 10 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.

- 11 That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 12 That before the development starts, a scaled plan detailing the location of a 2 metre footpath along the frontage of the site and along the frontage of the land directly opposite the site on Stoney Meadow Road; and a system of street lighting along the frontage of the site and including the Flemington Road junction and the proposed junction, shall be provided and no works shall be undertaken on the site until the plan has been approved by the Council as Roads and Planning Authority.
- 13 That the footpath and lighting detail approved under Condition 12 above shall be completed to the satisfaction of the Council as Roads and Planning Authority prior to the start of any construction works in relation to the dwellinghouses hereby approved.
- 14 That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 120 metres measured from the road channel shall be provided on both sides of the proposed vehicular access onto Stoney Meadow Road 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.
- 15 That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 120 metres measured from the road channel shall be provided to the right of the Flemington Road vehicular access onto Stoney Meadow Road, 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.
- 16 That a forward sight distance of 70 metres shall be provided on Stoney Meadow Road to ensure that vehicles turning right into the development site can view oncoming traffic.
- 17 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 18 The surface of the vehicular access shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 19 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.
- 20 That the built development hereby approved shall not be commenced until the land drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 19 above.
- 21 That no dwellinghouse shall be occupied until the site is served by a sewerage

scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

- 22 That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.
- 23 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 requirements.
- 24 Prior to the development being brought into use, details of the storage of waste arising from the commercial activity shall be submitted to and approved in writing by the Council as Planning Authority.  
The agreed details shall be in place prior to the development being brought into use.
- 25 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

## REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 These details have not been submitted or approved.
- 7 In order to retain effective planning control
- 8 These details have not been submitted or approved.
- 9 In the interests of the visual amenity of the area.
- 10 In the interests of amenity.
- 11 In the interest of public safety
- 12 In the interests of public and traffic safety.
- 13 In the interests of public and traffic safety.
- 14 In the interest of road safety
- 15 In the interest of road safety
- 16 in the interests of road safety.
- 17 In order to retain effective planning control
- 18 In the interest of public safety
- 19 To ensure the provision of a satisfactory land drainage system.
- 20 To ensure the provision of a satisfactory land drainage system.
- 21 To ensure the provision of a satisfactory sewerage system.

- 22 To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.
- 23 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.
- 24 To minimise nuisance, littering and pest problems to nearby occupants.
- 25 To minimise the risk of nuisance from dust to nearby occupants.

For information only



For information only