

# Report

**6**

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>23 January 2007</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/06/0519
Planning Proposal:	Formation of Eight House Plots

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : William Bernard
- Location : Area of ground between 22 and 52 Bellfield Road  
Coalburn

## 2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission – (Subject to Conditions – Based on Conditions Listed)

### 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 prior to determining the application.

## 3 Other Information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 09 Douglas
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
  - Policy ENV2: Rural Area
  - South Lanarkshire Local Plan (Finalised Draft)
    - Policy RES2: Proposed Housing Sites
    - Policy ENV11: Design Quality
    - Policy ENV30: New Housing Development
    - Policy DM1: Development Management

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

- ◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

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

Scottish Water

# Planning Application Report

## 1 Application Site

- 1.1 The application site is located on the southern portion of Coalburn on Bellfield Road. The site is bounded to the north by Bellfield Road, to the east and west by existing residential dwellings, and to the south by agricultural land. The site itself consists of grassland, and the ground levels are undulating.

## 2 Proposal(s)

- 2.1 Detailed planning permission is sought for 8 house plots which would be accessed directly from Bellfield Road. Each plot measures between 15-18m by 24m. At the western part of the site, a gap of approximately 14m has been left to allow future access to the land to the rear of the proposed plots.

## 3 Background

### 3.1 Local Plan Status

The application site is located within the Rural Area where Policy ENV2 of the adopted Lower Clydesdale Local Plan applies. However, the site forms part of a proposed housing site in the finalised draft South Lanarkshire Local Plan where Policy RES2 applies. Policy ENV11: Design Quality, Policy ENV30: New Housing Development and Policy DM1: Development Management, are also relevant.

### 3.2 Relevant Government Advice/Policy

The Scottish Executive looks to planning authorities to maintain the effectiveness of existing greenbelts, safeguard the character and amenity of the countryside and protect the setting of towns. SPP3: Planning for Housing advocates that most housing requirements, therefore, should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and public services, helping to conserve natural heritage and protecting rural amenity.

### 3.3 Planning History

There are no records of any previous applications for the site.

## 4 Consultation(s)

- 4.1 Environmental Services – offer no objection, although in view of mining activity, they advise that a fully intrusive survey should be carried out.

Response: Noted. This can be covered by condition.

- 4.2 Roads and Transportation Services – offer no objections subject to conditions in respect of visibility splays, suitable accesses, parking and turning facilities.

Response: Noted. These issues can be covered by condition.

- 4.3 SEPA – have no objections to the proposal, they do however request that any planning permission granted includes a condition requiring the applicant to treat the surface water from the site in accordance with the principles of Sustainable Urban Drainage (SUDS), and that written assurance from Scottish Water should be sought stating that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows and that sufficient capacity exists at the receiving sewage treatment facility.

Response: Noted. These issues can be covered by conditions.

- 4.4 Scottish Water – offer no objection to the proposal, however they advise that there are constraint issues within their Waste Water Network, and that the development

may involve building over or obstruct access to an existing sewer or water main. They also ask that the drainage design incorporates SUDS.

**Response:** Noted. These issues can be covered by conditions.

## **5 Representation(s)**

5.1 The application was advertised in the local press as Development Potentially Contrary to the Development Plan. Following this publicity and the statutory neighbour notification procedure, 2 letters of objection were received. The grounds of objection are summarised as follows:

- (a) **The proposal will create a traffic problem on Bellfield Road as the site is adjacent to a church and halls, which are located on a bend in the road. This will cause traffic congestion during church services exacerbating existing problems in accessing and exiting driveways.**

**Response:** The Council's Roads Service was consulted on this proposal and do not offer any objection subject to certain conditions which can be attached to any consent granted.

- (b) **Concerns about the proposed drainage arrangement for the proposal and the finished floor level of the proposed dwellings.**

**Response:** A condition will be attached to any consent granted ensuring that the proposed drainage and ground levels of each of the plots are implemented prior to the individual applications for the dwellinghouses being submitted. The drainage details will be designed and approved in accordance with the current Building Standards. It is also my intention to attach a condition restricting the storey height of the proposed dwellings to one and a half storeys.

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

## **6 Assessment and Conclusions**

6.1 The applicant seeks detailed planning consent for the formation of 8 house plots accessed directly from Bellfield Road in Coalburn. I consider the determining issues in this instance to be the proposal's compliance with the adopted and finalised draft local plan policies and impact on the amenity of the area.

6.2 Policy ENV2 of the adopted Lower Clydesdale Local Plan states that within the Rural Area, the Council will generally favour development of an appropriate form and that development is preferred on sites identified in the local plan, or suitable infill/gap sites identified within settlement boundaries, or where development can be integrated with existing groups of buildings. It further advises that isolated proposals will be resisted, along with those which would lead to ribbon development, an extension of a settlement or which, by virtue of their scale or design would change the established character of an area. The proposal is contrary to the current, adopted local plan policy in that it would constitute an extension to the settlement boundary. However, the finalised draft South Lanarkshire Local Plan constitutes a material consideration in the determination of this application and this plan identifies the application site as forming part of a proposed housing site. Policy RES2: Proposed Housing Sites states that the Council will support development for housing on these sites. The Plan indicates that the wider site can accommodate 30 dwellinghouses, however the current proposal only covers the frontage of the site, with a reserved area of ground which would form future vehicular access to the remainder of the site. I consider that the proposal complies with this policy and would not interfere with the future development of the wider site.

- 6.3 Policy ENV11: Design Quality, Policy ENV30: New Housing Development and Policy DM1: Development Management, are also relevant. These policies all seek to promote quality and sustainability in development design and require that any new development should enhance and make a positive contribution to the character and appearance of the urban environment. I consider that the size and shape of the proposed plots are large enough to accommodate dwellinghouses on the site which will be able to meet the Council's Residential Development Guidelines. Should Committee agree to grant consent for this proposal, I intend to attach conditions requiring the applicant to submit a development brief for the site to ensure that the design and layout of each of the dwellings complement each other and integrate successfully with their surroundings. I consider that a condition restricting the height of the proposed dwellings to 1½ storeys would be appropriate as well as a condition requiring the design of the dwellings to respect the semi-rural setting of the site.
- 6.4 After carefully considering all relevant issues, I consider a departure from the Lower Clydesdale Local Plan in respect of Policy ENV2 Rural Area can be justified for the following reasons:
- (a) the application site is zoned as a proposed housing site in the finalised draft South Lanarkshire Local Plan;
  - (b) the proposal complies with the detailed development management policies contained in the finalised draft local plan; and
  - (c) there are no infrastructure issues

## **7 Reasons for Decision**

- 7.1 For the reasons stated in Paragraph 6.4 above.

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

**11 December 2006**

## **Previous References**

- ◆ None

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Scottish Water 10/08/2006
  - Environmental Services 08/08/2006
  - S.E.P.A. (West Region) 31/08/2006

► Representations

Representation from : Mr & Mrs W Struthers, 25 Bellfield Road  
Coalburn  
ML11 0LA, DATED

Representation from : F Bennett, 52 Bellfield Road  
Coalburn  
ML11 0LA, DATED 16/10/2006

**Contact for Further Information**

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

Gail Rae, Planning Officer, South Vennel, Lanark  
Ext. 810 3205 (Tel: 01555 673205)  
E-mail: [Enterprise.lanark@southlanarkshire.gov.uk](mailto:Enterprise.lanark@southlanarkshire.gov.uk)

## CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That further applications shall be submitted to the Council as Planning Authority for the erection of individual dwellinghouses on the plots hereby approved, together with the requisite detailed plans and such plans shall include:-
  - (a) plans, sections and elevations of the proposed building together with the colour and type of materials to be used externally on walls and roof;
  - (b) sections through the site, existing and proposed ground levels and finished floor levels;
  - (c) detailed layout of the site as a whole including, where necessary, provision for car parking, details of access and details of all fences, walls, hedges or other boundary treatments;
  - (d) existing trees to be retained and planting to be carried out within the site;and no work on the site shall be commenced until the permission of the Council as Planning Authority has been granted for the proposals, or such other proposals as may be acceptable.
- 3 That before the submission of any planning application for an individual dwellinghouse on any of the plots hereby approved, a Development Brief, including restrictions on plot development, (to incorporate minimum 6 metre deep front gardens, minimum 10 metre deep rear gardens, 2 metre wide strips to both sides of the plot, dwellings to be restricted to no higher than one-and-a-half storeys, use of materials, dwellings to be traditional in design, landscaping, boundary treatments, existing and proposed levels and sections and access, suitable parking and turning arrangements) shall be submitted to, and approved in writing by the Council as Planning Authority.
- 4 That the applications required under Condition 2 above shall comply with the terms of the development brief for the site, to be approved under Condition 3 to the satisfaction of the Council as Planning Authority.
- 5 That before the submission of any planning application for an individual dwellinghouse on any of the plots hereby approved, details of surface water drainage arrangements shall be 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.
- 6 That the surface water drainage system, approved under the terms of Condition 5 above, shall be implemented simultaneously with the development hereby approved, to the satisfaction of the Council as Planning Authority and SEPA and shall be completed prior to the last dwellinghouse hereby permitted being occupied.

- 7 That before the submission of any planning application for an individual dwellinghouse on any of the plots hereby approved, a scheme of landscaping for the area shaded green on the approved plans shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
  - (b) details and specification of all 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.
- 8 That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.
- 9 That before the submission of any planning application for any individual dwellinghouse on any of the plots hereby approved, sections through the site showing the existing and proposed ground levels shall be submitted to and approved in writing, and thereafter the approved ground works shall be implemented prior to the submission of any further planning applications all to the satisfaction of the Council as Planning Authority.
- 10 That before the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 11 That before the submission of any planning application for any individual dwellinghouse on any of the plots hereby approved, a certificate from a recognised firm of chartered engineers shall be submitted to the Council as Planning Authority confirming the mineral stability of the site.
- 12 That notwithstanding the terms of Condition 2 above, no dwellinghouse to be erected on the site shall exceed one-and-a-half storeys in height.
- 13 That notwithstanding the terms of Condition 2 above, the design and siting of any dwellinghouse on the site shall take due cognisance of the rural location, with particular regard being paid to scale, massing, roof pitch, fenestration and materials; and shall be in accordance with the Council's approved policy on new dwellings in the Countryside.
- 14 That the further application(s) required under Condition 2 above shall show the proposed dwellinghouses with a front elevation orientated onto Bellfield Road, to the satisfaction of the Council as Planning Authority.

- 15 That before any of the dwellinghouses hereby approved are completed or brought into use, a visibility splay of 2.5 metres by 90 metres measured from the road channel shall be provided on both sides of each vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 16 That before any of the dwellinghouses hereby approved are completed or brought into use, a 2-metre wide footway shall be constructed along the full frontage of the site to the specification of the Council as Roads and Planning Authority.
- 17 That before any of the dwellinghouses hereby approved are completed or brought into use, parking spaces shall be provided in accordance with the 'Guidelines for Development Roads' (1-3 bedrooms - 2 car parking spaces, 4 or more bedrooms - 3 car parking spaces) within the curtilage of each plot and outwith the public road or footway and shall thereafter be maintained to the specification of the Council as Planning Authority.
- 18 That before any of the dwellinghouses hereby approved are completed or brought into use, a turning space shall be provided within each plot to enable vehicles to enter and leave the application site in forward gears at all times.
- 19 That before any of the dwellinghouses hereby approved are completed or brought into use, driveways of at least 12 metres in length shall be provided on each plot and the first 2 metres of these accesses from the heel of the footway shall be hard surfaced across their full width to prevent deleterious material being carried onto the road.
- 20 That no dwelling shall be occupied until the site is served by a sewerage and public water scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.
- 21 That before the submission of any planning application for any individual dwellinghouse on any of the plots hereby approved, a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 22 That before any of the dwellinghouses hereby approved are completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.
- 23 That any alterations to the remediation plan may only take place with the written approval of the Council as Planning Authority.

- 24 That on completion of all remediation works, a completion report confirming that works have been carried out to the agreed plan shall be submitted to and approved by the Council as Planning Authority.
- 25 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.
- 26 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.

## REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 These details have not been submitted or approved.
- 3 To ensure the appropriate future development of the site
- 4 To ensure the appropriate future development of the site
- 5 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.
- 6 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.
- 7 In the interests of the visual amenity of the area.
- 8 In the interests of amenity.
- 9 In the interests of amenity.
- 10 To ensure the provision of a satisfactory drainage system.
- 11 To ensure the mineral stability of the site
- 12 In the interests of amenity.
- 13 In the interests of amenity and to ensure satisfactory integration of the new dwellinghouse with the designated <<Greenbelt/Countryside>>
- 14 In the interests of amenity.
- 15 In the interest of road safety
- 16 In the interest of public safety
- 17 To ensure the provision of adequate parking facilities within the site.
- 18 In the interest of public safety
- 19 To prevent deleterious material being carried into the highway.
- 20 To ensure that the development is served by an appropriate effluent disposal system water supply
- 21 To ensure the site is free of contamination and suitable for development.
- 22 To ensure the site is free of contamination and suitable for development.
- 23 In order to retain effective planning control
- 24 In order to retain effective planning control
- 25 These details have not been submitted or approved.
- 26 To ensure the protection and maintenance of the existing trees and other landscape features within the site.

For information only

