



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 05 August 2019

Dear Councillor

## **Planning Committee**

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

**Date: Tuesday, 13 August 2019**

**Time: 10:00**

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

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

<b>Members are reminded to bring their fully charged tablets to the meeting</b>
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Yours sincerely

**Lindsay Freeland**  
**Chief Executive**

### **Members**

Isobel Dorman (Chair), Mark Horsham (Depute Chair), John Ross (ex officio), Alex Allison, John Bradley, Walter Brogan, Archie Buchanan, Jackie Burns, Stephanie Callaghan, Margaret Cowie, Maureen Devlin, Mary Donnelly, Alistair Fulton, Ann Le Blond, Martin Lennon, Richard Lockhart, Kenny McCreary, Davie McLachlan, Lynne Nailon, Carol Nugent, Graham Scott, David Shearer, Collette Stevenson, Bert Thomson, Jim Wardhaugh

### **Substitutes**

John Anderson, Janine Calikes, Gerry Convery, Margaret Cooper, Peter Craig, Allan Falconer, Lynsey Hamilton, Catherine McClymont, Colin McGavigan, Mark McGeever, Richard Nelson, Jared Wark, Josh Wilson

## BUSINESS

### 1 Declaration of Interests

### 2 Minutes of Previous Meeting

5 - 10

Minutes of the meeting of the Planning Committee held on 11 June 2019 submitted for approval as a correct record. (Copy attached)

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#### Item(s) for Decision

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|----------|---|-----------|
| <b>3</b> | <b>Application P/19/0824 for Erection of 5 Classroom Extension with Ancillary Accommodation, Additional External Works to Perimeter Fence, MUGA Pitch, Car Park and Landscaping at St Charles' Primary School, Harvester Avenue, Cambuslang</b><br>Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 11 - 22   |
| <b>4</b> | <b>Application P/19/0135 for Creation of Fenced Allotment Site Comprising 12 Raised Beds and up to 70 Allotment Plots in Total, Including Associated Hardstanding, SUDS Pond, Landscaping and Composting Areas at Lammermoor Recreation Area, Kenilworth, East Kilbride</b><br>Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 23 - 48   |
| <b>5</b> | <b>Application P/19/0405 for Erection of 34 Semi-detached Houses, Formation of New Access Road and Associated Infrastructure at Mill Road, Thankerton, Biggar</b><br>Report dated 19 July 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  | 49 - 68   |
| <b>6</b> | <b>Application P/18/1837 for Erection of 70 Residential Units Comprised of Detached, Semi-detached and Terraced Houses and a 3 Storey Flatted Block with Associated Roads and Landscaping at Land 100 Metres Northeast of Cambuslang Karting, Dale Avenue, Cambuslang</b><br>Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 69 - 96   |
| <b>7</b> | <b>Application P/19/0676 for Erection of 2 Storey Rear Extension with Integral Single Storey Element at 146 Neilsland Road, Hamilton</b><br>Report dated 23 July 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 97 - 106  |
| <b>8</b> | <b>Application EK/17/0291 for Erection of a Retail Warehouse Park, Including Class 1 Bulky Goods Units, Class 1 and Class 3 Pod Units and Two Freestanding Class 3 Restaurants with Drive Through Facilities, Associated Access, Servicing, Landscaping and Car Parking at Land at Redwood Crescent, Peel Park, East Kilbride</b><br>Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 107 - 132 |
| <b>9</b> | <b>Application P/19/0514 for Erection of a Single Storey House with Associated Parking and Landscaping at Land 41 Metres West Southwest of Righhead United Reformed Church, Mungo Park, East Kilbride</b><br>Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 133 - 146 |

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|----|--|-----------|
| 10 | <b>Application P/19/0723 for Erection of 3 Detached Houses, Associated Groundworks and Formation of Associated Vehicular Access at Gilfoot Nursery, Waygateshaw Road, Carluke</b>  | 147 - 158 |
|    | Report dated 16 July 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  |           |
| 11 | <b>Application P/19/0304 for Erection of a Multi-level Golf Leisure Facility (Class 11) and 2 Drive Through Restaurants Together with Associated Netting System Enclosure, Varying in Height up to a Maximum Height of 52 Metres, Infrastructure, Access and Landscaping at Duchess Place and Cunningham Road Redevelopment, Cambuslang Road, Rutherglen</b> | 159 - 182 |
|    | Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   |           |
| 12 | <b>Application P/19/0299 for Demolition of Existing Houses and Redevelopment Consisting of Erection of a 311 Unit Mixed Tenure Residential Development with Associated Access Roads, Car Parking and Landscaping at East Whitlawburn Redevelopment Area, Western Road, Cambuslang</b>  | 183 - 198 |
|    | Report dated 1 August 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   |           |
| 13 | <b>Application P/19/0738 for Erection of Temporary Sales Cabin with Associated Parking at Peel Road, Thorntonhall, East Kilbride</b>   | 199 - 208 |
|    | Report dated 23 July 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  |           |
| 14 | <b>Application P/19/0542 for Erection of Two Detached Houses with Garages and Associated Access at Laigh Brownmuir House, Bents and Station Highway, Glassford, Strathaven</b>   | 209 - 222 |
|    | Report dated 23 July 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  |           |

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## **Urgent Business**

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### **15 Urgent Business**

Any other items of business which the Chair decides are urgent.

### ***For further information, please contact:-***

Clerk Name: Pauline MacRae

Clerk Telephone: 01698 454108

Clerk Email: pauline.macrae@southlanarkshire.gov.uk



## PLANNING COMMITTEE

2

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 11 June 2019

### **Chair:**

Councillor Isobel Dorman

### **Councillors Present:**

Councillor Alex Allison, Councillor John Bradley, Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Stephanie Callaghan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Kenny McCreary, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Collette Stevenson, Councillor Bert Thomson

### **Councillors' Apologies:**

Councillor Alistair Fulton, Councillor John Ross (ex officio), Councillor Jim Wardhaugh

### **Attending:**

#### **Community and Enterprise Resources**

L Campbell, Area Manager, Planning and Building Standards Services (Hamilton and Clydesdale); P Elliott, Head of Planning and Economic Development; T Finn, Headquarters Manager, Planning and Building Standards Services; F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride)

#### **Finance and Corporate Resources**

P MacRae, Administration Officer; K McLeod, Administration Assistant; K Moore, Legal Services Adviser

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## **1 Declaration of Interests**

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The following interest was declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Horsham	Application P/18/1875 for Erection of 14 Wind Turbines up to 200 Metres in Height to Blade Tip Together with Associated Infrastructure (Section 36 Application) at Hagshaw Hill Wind Farm, Douglas, Lanark	Previous involvement with the applicant.

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## **2 Minutes of Previous Meeting**

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The minutes of the meeting of the Planning Committee held on 14 May 2019 were submitted for approval as a correct record.

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

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### **3 Application P/18/1666 for Conversion of Agricultural Building to Distillery, Including Erection of 2 Malt Silos and External Alterations, and Conversion of Stables Building to Bonded Warehouse at Ocathian Stables, Hayhill Road, Thorntonhall**

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A report dated 15 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1666 by Raer Scotch Whisky for the conversion of an agricultural building to a distillery, including the erection of 2 malt silos and external alterations, and conversion of a stables building to a bonded warehouse at Ocathian Stables, Hayhill Road, Thorntonhall.

The application had been assessed against the relevant policies and criteria contained in the Adopted South Lanarkshire Local Development Plan and Supplementary Guidance, the Proposed South Lanarkshire Local Development Plan 2 and relevant government advice/policy. Details of the assessment were provided in the report. The development constituted Development Contrary to the Development Plan, however, it was not considered that the proposal was significantly contrary to the Development Plan.

In the view of the Executive Director (Community and Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ♦ the proposal involved the re-use of existing buildings for a business use that would generate employment in the countryside, in compliance with policy GBRA2 of the Adopted South Lanarkshire Local Development Plan 2015
- ♦ the proposal was acceptable in terms of design, amenity, environmental and safety impacts. It, therefore, complied with Policies 4 and 17 of the South Lanarkshire Local Development Plan (2015) and Policies 5, 16 and GBRA1 of the Proposed South Lanarkshire Local Development Plan 2
- ♦ the proposal would not have a detrimental impact on the integrity or landscape character of the green belt

**The Committee decided:**

that planning application P/18/1666 by Raer Scotch Whisky for the conversion of an agricultural building to a distillery, including the erection of 2 malt silos and external alterations, and conversion of a stables building to a bonded warehouse at Ocathian Stables, Hayhill Road, Thorntonhall be granted subject to the conditions specified in the Executive Director's report.

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### **4 Application P/18/1585 for Erection of House, Formation of Garden Terraces, Alteration to Vehicle Access and Installation of Garden Lighting Poles at Site of Former Crossford Inn, 99 Lanark Road, Crossford, Carluke**

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A report dated 23 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1585 by M Loia for the erection of a house, formation of garden terraces, alteration to vehicle access and installation of garden lighting poles at the site of the former Crossford Inn, 99 Lanark Road, Crossford, Carluke.

Councillor Shearer, having moved an amendment which the Committee could not consider, asked for his dissent to be recorded

**The Committee decided:**

that planning application P/18/1585 by M Loia for the erection of a house, formation of garden terraces, alteration to vehicle access and installation of garden lighting poles at the site of the former Crossford Inn, 99 Lanark Road, Crossford, Carluke be granted subject to the conditions specified in the Executive Director's report.

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**5 Application P/19/0135 for Creation of Fenced Allotment Site Comprising 12 Raised Beds and up to 70 Allotment Plots in Total, Including Associated Hardstanding, SUDS Pond, Landscaping and Composting Areas at Lammermoor Recreation Area, Kenilworth, East Kilbride**

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A report dated 14 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0135 by South Lanarkshire Council for the creation of a fenced allotment site comprising 12 raised beds and up to 70 allotment plots in total, including associated hardstanding, SUDS pond, landscaping and composting areas at Lammermoor Recreation Area, Kenilworth, East Kilbride.

Points raised in a late letter of support for the application by R McMorran were referred to at the meeting and addressed by officers.

Councillor Lennon, seconded by Councillor McLachlan, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Buchanan, seconded by Councillor Callaghan, moved as an amendment that consideration of the application be continued to a future meeting of the Committee to allow for further information to be provided on the wider strategic approach in respect of allotment provision. On a vote being taken by a show of hands, 14 members voted for the amendment and 8 for the motion. The amendment was declared carried.

**The Committee decided:**

that consideration of planning application P/19/0135 by South Lanarkshire Council for the creation of a fenced allotment site comprising 12 raised beds and up to 70 allotment plots in total, including associated hardstanding, SUDS pond, landscaping and composting areas at Lammermoor Recreation Area, Kenilworth, East Kilbride be continued to a future meeting of the Committee to allow for further information to be provided on the wider strategic approach in relation to allotment provision.

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**6 Application P/18/1875 for Erection of 14 Wind Turbines up to 200 Metres in Height to Blade Tip Together with Associated Infrastructure (Section 36 Application) at Hagshaw Hill Wind Farm, Douglas, Lanark**

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A report dated 23 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1875 by 3R Energy Solutions Limited for the erection of 14 wind turbines up to 200 metres in height to blade tip together with associated infrastructure at Hagshaw Hill Wind Farm, Douglas, Lanark.

The application had been made to the Scottish Government for consideration and determination under Section 36 of the Electricity Act 1989 as it involved an electrical generation output of over 50 megawatts (MW). The proposal was for the replacement of the existing wind farm as it reached the end of its operational life and had been categorised by the Scottish Government as a 'repowering' of a wind farm.

The proposal was considered to be acceptable as it:-

- ♦ would not have a significant adverse impact within the surrounding area
- ♦ accorded with National Policy and the relevant provisions of the Development Plan, subject to the imposition of the environmental and transportation conditions attached to the report

To improve the scheme further, it was suggested that the Scottish Government consider a reduction in the height of turbines 10, 11 and 14.

**The Committee decided:**

- (1) that the Scottish Government be advised that the Council had no objections to the proposed erection of 14 wind turbines (up to 200 metres in height) and associated infrastructure under Section 36 of the Electricity Act 1989 subject to conditions based on the conditions attached to the Executive Director's report;
- (2) that, in addition, the Scottish Government be advised that approval should be subject to the conclusion of legal agreements covering:-
  - ♦ community contribution payments
  - ♦ the funding of a Planning Monitoring Officer
  - ♦ control over turbine transportation and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements
- (3) that the applicants meet the Council's costs associated with the legal agreements; and
- (4) that the Head of Planning and Economic Development be authorised to undertake any discussions, further agreements of conditions and planning obligations, if required, with the Scottish Government.

*Councillor Horsham, having declared an interest in the above application, withdrew from the meeting during its consideration*

*Councillor Burns left the meeting following consideration of this item of business*

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## **7 Tree Preservation Order – Blairbeth Terrace, Rutherglen**

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A report dated 30 May 2019 by the Executive Director (Community and Enterprise Resources) was submitted on the promotion of a Provisional Tree Preservation Order (TPO) under the terms of Section 163 of the Town and Country Planning (Scotland) Act 1997 on a beech tree located opposite 4 Blairbeth Terrace, Rutherglen and a lime tree located at the entrance to Blairbeth Terrace at the corner with Blairbeth Road, as detailed on the plan attached to the Executive Director's report.

At its meeting on 25 September 2018, the Committee had approved the promotion of a Provisional TPO on those trees. Following the appropriate legal procedure, the TPO had been referred back to the meeting of the Committee held on 14 May 2019 to be confirmed. At that meeting, consideration of the TPO had been continued to clarify the position regarding the ownership of the trees, however, since then, the Provisional TPO had expired. As the trees were still considered to contribute to the character, amenity and sense of place within the local area, as well as providing an attractive setting for the B listed terrace, it was now proposed to recommence the required procedure to promote a Provisional TPO on the trees.



**The Committee decided:**

- (1) that a Provisional TPO be promoted under the terms of Section 163 (Provisional Tree Order) of the Town and Country Planning (Scotland) Act 1997 on the 2 trees identified on the plan attached to the report; and
- (2) that, should there be no objections to the TPO, the Order be confirmed within 6 months from the date of its promotion.

*[Reference: Minutes of 14 May 2019 (Paragraph 10)]*

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**8 Urgent Business**

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There were no items of urgent business.

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**Chair's Closing Remarks**

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The Chair advised that this would be the last meeting that Lesley Campbell, Area Manager, Planning and Building Standards Services (Hamilton and Clydesdale) would be attending as she was leaving the Council. The Chair, on behalf of the members of the Committee, thanked Mrs Campbell for her help and hard work over the years and wished her every success in the future.



# Report

3

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0824
Planning proposal:	Erection of five classroom extension with ancillary accommodation, additional external works to perimeter fence, MUGA pitch, car park and landscaping.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	South Lanarkshire Council
Location:	St Charles' Primary School Harvester Avenue Cambuslang G72 7ZU

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent: Jonathan Wilson
- ♦ Council Area/Ward: 14 Cambuslang East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements

**Supplementary Guidance 3: Development Management, Placemaking and Design**

## Policy DM1 Design

**Proposed South Lanarkshire Local  
Development Plan 2**  
Policy 3 General Urban Areas  
Policy 5 Development Management and  
Placemaking  
Policy DM1 New Development Design

### ◆ **Representation(s):**

▶	9	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

### ◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

Halfway Community Council

## Planning Application Report

### 1 Application Site

- 1.1 The application site covers an area of approximately 9800 sqm (0.98ha) and consists of the existing St. Charles Primary School in Newton Farm village. The site is surrounded by residential dwellings directly to the south, east and west and is also opposite a roundabout to the south with further housing beyond. To the north-east is a wooded area and open space. In addition, to the south-east is an area of vacant land which has been recently flattened and thinned out by the landowner.

### 2 Proposal(s)

- 2.1 The application relates to the extension of an existing school. The extension will be a permanent replacement to an existing temporary extension which will be moved to the north of the site for the extent of the build. The new extension will be two storey and will house 5 classrooms and associated facilities.
- 2.2 The moving of the temporary building was originally included in the proposal, however, it has since been established that the works are permitted development.

### 3 Background

#### 3.1 Local Plan Status

- 3.1.1 The site is within the established residential settlement of Newton and is, therefore, subject to Policy 6 – General Urban Area/Settlements. Policy 4 - Development Management and Place Making applies to all applications.
- 3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance Policies 3 and 5 are relevant.

#### 3.2 Planning Background

The school was established by virtue of planning application CR/09/0160 granted in December 2009.

### 4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management)** – no objections subject to the provision of appropriate parking spaces and the implementation of a Traffic Management Plan (TMP) during construction.  
**Response:** Noted. These conditions have been attached.
- 4.2 **Roads and Transportation Services (Flood Risk Management)** – no objections subject to the provision of SUDs facilities.

**Response:** Noted. This condition has been attached.

4.3 **Scottish Water** – no objections

**Response:** Noted.

4.4 **Halfway Community Council** – no response to date.

**Response:** Noted

4.5 **Environmental Services** – no objections.

**Response:** Noted

## **5 Representation(s)**

5.1 Following statutory neighbour notification and advertisement in the East Kilbride News, 9 letters of objection have been received. The points raised are summarised as follows:

(a) **The proposal will reduce value of property and impede view.**

**Response:** Neither matter is a material planning consideration and cannot be taken into account in the assessment of the application. However, in planning terms, the proposed extension is a significant distance from the nearest residential properties and considered to be acceptable.

(b) **The school is already busy and the increase of 160 pupils will exacerbate this.**

**Response:** Education Resources have confirmed that the ratio of playground to pupils is suitable. In addition, the increased number of children can be managed appropriately.

(c) **The proposal will result in a loss of daylight and privacy to the neighbouring properties together with the loss of natural horizon.**

**Response:** The proposed extension is a significant distance from the nearest residential properties. There are no window to window distances within 20 metres.

(d) **The playground is 4 metres from the nearest residential properties. This extension will dramatically increase noise impact.**

**Response:** Whilst the footpath entrance is close to the residential properties, the playground is separated from the boundary by a landscaped area which is approximately 18 metres away.

(e) **The area around Newton has changed dramatically over the last 7 years and has permanently changed the locality from a rural area to an urbanised area.**

**Response:** The locality has been developed in line with the approved development plans.

(f) **A number of works have already been carried out to enable construction works. These do not have planning permission and have resulted in the loss of habitat and trees and the increase of noise, smell and the generation of dust. This has also resulted in damage to existing buildings. In addition, the works to move the existing extension have already been carried out.**

**Response:** The works outwith the site have not been carried out by the Council in relation to the proposal. These works, which do not require planning permission,

have been carried out by the landowner and have been checked on site by both Education Resources and Planning Services. Any alleged damage to property would be a separate legal matter between the relevant parties. As these works do not require planning permission, no ecological reports have been submitted to the Planning Service, however, these have been raised with Scottish Natural Heritage and the Council's Countryside and Greenspace. Education Resources have advised that the proposed site compound will be located within the site on the current MUGA pitch. The works to move the temporary extension do not require planning permission.

**(g) A number of properties in the locality have not been notified, why not?**

**Response:** All properties within the required 20 metre buffer area have been notified. A number of additional properties have also been notified as they are directly opposite. Notification was carried out on 3 June 2019. In addition, the application was advertised in the Rutherglen Reformer on 12 June 2019. All the details of those notified is on the planning portal.

**(h) The residents should be advised as to who will provide them with compensation for the upheaval with the proposed works. Residents should not be made to live within a construction area and, therefore, our house should be compulsory purchased.**

**Response:** Construction is an accepted part of any development and the applicants (in this instance Education Resources) are subject to the usual controls in terms of hours of operation and health and safety.

**(i) There is a discrepancy in the orientation and positioning of the site in the drawings.**

**Response:** The drawings have been checked on site and with the relevant mapping systems and are accurate.

**(j) Minutes from the meeting with the case officer and the residents on 20 June 2019 should be provided.**

**Response:** The above meeting was a normal Q and A meeting to provide information relating to the planning application and no minutes were taken. For the record, the issues discussed related to providing the application plans, the process for submitting representations, details on the neighbour notification process, issues relating to works outwith the site and the history of the locality in planning terms. The case officer asked for information to be submitted in writing and this was subsequently provided together with follow up letters to which the relevant responses were sent.

**(k) The proposal will result in the overdevelopment of the site and a reduction in the playground space.**

**Response:** The extension is in proportion with the site. A sizeable playground, including a MUGA pitch, will be maintained. In addition, the extension will be constructed using similar materials to the existing building to ensure it appears as if original. The extension will permanently replace a temporary extension which has been in situ for approximately 4 years.

**(l) A number of representations haven't been listed on the portal.**

**Response:** All the representation received are now on the portal. Usually letters appear approximately two days after they have been received to allow for redaction of personal information.

- (m) **The temporary classrooms are being relocated to directly opposite the bedroom windows on Newton Farm Road.**

**Response:** As discussed, the relocation of the portacabins does not require planning permission and they will only be in situ for the length of construction.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The determining issues that require to be addressed in respect of this application for detailed planning permission are the proposal's compliance with the adopted local development plan, and its relationship with both the properties recently constructed in the vicinity and those which have been in situ for a number of years.
- 6.2 The adopted South Lanarkshire Local Development Plan identifies the site as within Newton village. For the purposes of this application, policies 4 and 6 are relevant. Policy 4 – Development Management and Placemaking, Policy 6 – General Urban Areas and Policy DM1 – Design require that all planning applications take account of the local context and built form and are compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. All developments require to have no significant adverse impact on the local environment and to enhance its quality and appearance. The site relates to the existing school at St. Charles Primary which is located between Newton Farm Road and Harvester Road. The proposal will result in a permanent extension to the school. To make way, an existing temporary portacabin extension will be relocated to the east of the site for the duration of the construction.
- 6.3 The proposed extension will be constructed along the south-western boundary of the site facing the existing roundabout on Harvester Avenue. The structure will be two storey and will house 5 classrooms – 2 on the ground floor and 3 on the upper floor. The new extension will be approximately 9.6m high and will have a floor space of approximately 250 sqm. The buildings comprise a link piece to the existing building and the classroom block which includes additional toilets and escape stair. The new classroom block is a similar height to the existing two storey building facades. The curved form is due to the proximity to the boundary fence and curved road at the roundabout. This allows the extension to be pushed to the boundary thereby maintaining usable playground space. This also provides an architectural focal point for the area. The development will raise no privacy issues and the existing car park and access can accommodate the proposal.
- 6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policies 3 and 5 in the Proposed plan.



- 6.5 None of the statutory consultees have objected to the proposal and none of the matters raised through representations would justify refusal of the planning application. Given this, it is recommended that detailed planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal complies with Policies 4, 6, 12 and DM1 of the South Lanarkshire Local Development Plan 2015 and policies 3, 5, 11 and DM1 of the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

### **Previous references**

- ◆ CR/09/0160

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 3 June 2019
- ▶ Consultations
  - Roads Development Management Team ...07.2019
  - Environmental Services 10.06.2019
  - Roads Flood Risk Management 21.06.2019
  - Scottish Water 07.06.2019
- ▶ Representations Dated:
  - James Gibson, 65 Leighton Court, Newton Farm Road, Cambuslang, G72 6WL 18.06.2019
  - Mr David Gray, 24 Newton Farm Road, Cambuslang, South Lanarkshire, G72 7UJ 01.07.2019
  - Mrs Joan Reilly, 73 Leighton Court, Newton Farm Road, Cambuslang, Glasgow, South Lanarkshire, G72 6WL 16.06.2019
  - David Gray, 20 Newton Farm Road, Cambuslang, Glasgow, South Lanarkshire, G72 7UJ 26.06.2019
  - Cora Zonfrillo, Via Email 25.06.2019

David Gray, By Email	02.07.2019
Mr Lindfield, No Address Given	02.07.2019
David And Branda Gray, No Address Given	02.07.2019
Cora Zonfrillo, 20 Newton Farm Road, Cambuslang, Glasgow, South Lanarkshire, G72 7UJ	02.07.2019

**Contact for further information**

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Phone: 01698 455048  
Email: [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

02. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

03. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

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

04. 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.

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

05. That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.

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

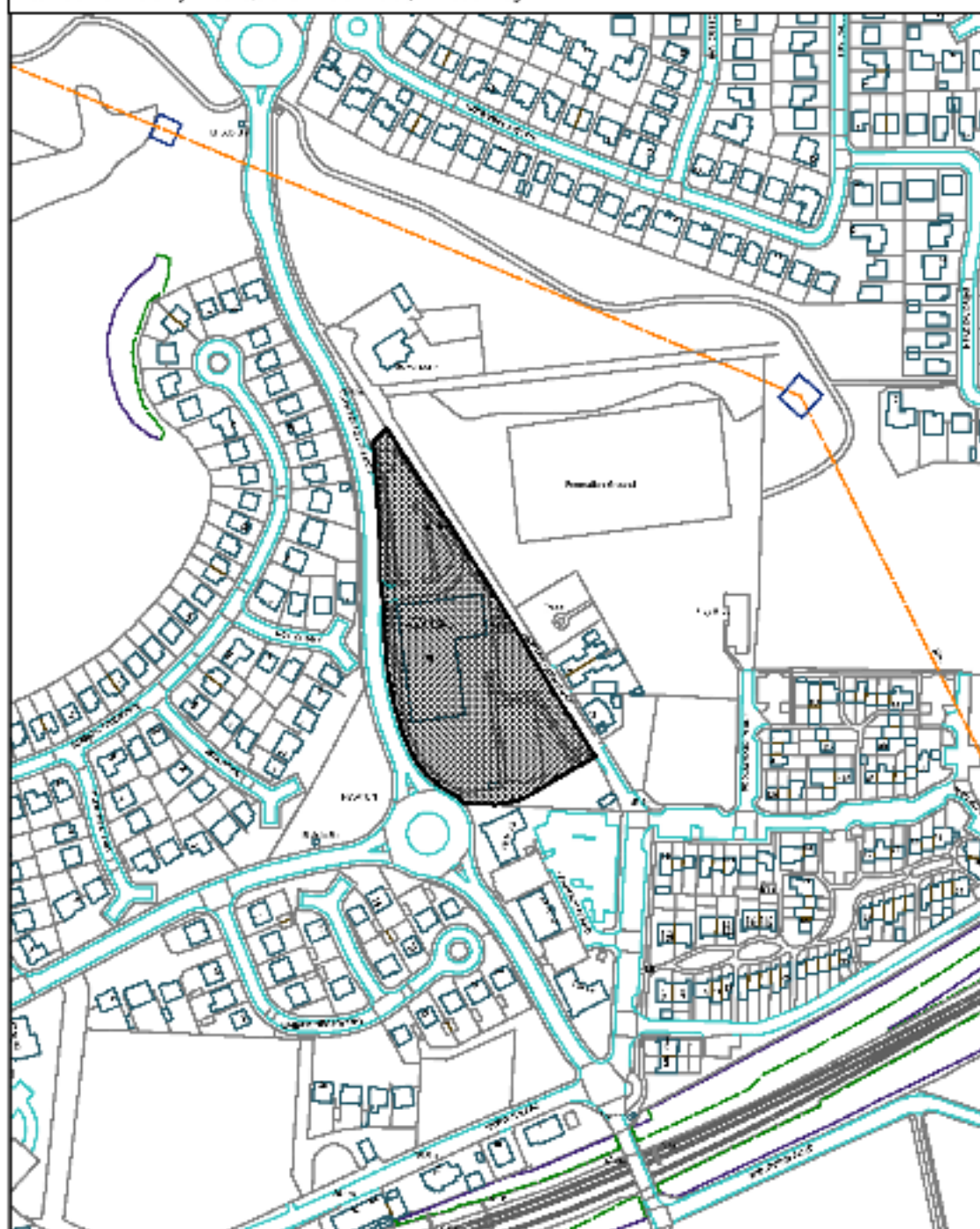
06. That before any development commences on site a Traffic Management Plan (TMP) shall be submitted to and approved by the Council as Planning Authority and thereafter shall be maintained to the satisfaction of the Council. The TMP shall include a compound layout, car parking facilities and wheel washing facilities. In addition, unless otherwise agreed, all works (including vehicle movements) shall be prohibited at the following times:

08:45hrs - 09:15hrs

14:45hrs - 15:15hrs

P/19/0824

St Charles Primary School, Harvester Avenue, Cambuslang



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Scale  
1:2,000  
Date  
10/07/2019



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development



# Report

4

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0135
Planning proposal:	Creation of fenced allotment site comprising 12 raised beds and up to 70 allotment plots in total, including associated hardstanding, suds pond, landscaping and composting areas.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	South Lanarkshire Council
Location:	Lammermoor Recreation Area Kenilworth East Kilbride South Lanarkshire

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent:
- ♦ Council Area/Ward: 10 East Kilbride East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

Policy 2 – Climate change  
Policy 4 – Development Management and Place Making  
Policy 14 – Green network and greenspace  
Policy 15 – Natural and historic environment  
Policy 17 - Water environment and flooding

[Supplementary Guidance](#)

**South Lanarkshire Local Development Plan 2  
(Proposed Plan 2018)**

Policy 1 – Spatial Strategy  
Policy 2 – Climate Change  
Policy 5 - Development Management and  
Placemaking  
Policy 13 – Green Network and Greenspace  
Policy 14 – Natural and Historic Environments  
Policy 16 - Water Environment and Flooding  
Policy SDCC2 – Flood Risk  
Policy NHE12 – Water Environment and  
Biodiversity

♦ **Representation(s):**

▶	172	Objection Letters
▶	1	Support Letters
▶	1	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Countryside and Greenspace



## Planning Application Report

### 1 Application Site

- 1.1 This planning application relates to the development of land within an area of greenspace for use as allotments and associated facilities. This application was presented to the meeting of the Planning Committee held on 11 June 2019 and was deferred to enable further background information to be provided by the applicant.
- 1.2 The site lies within the Lammermoor Recreation Area in the Calderglen area of East Kilbride and consists primarily of mown grass. Immediately east of the site lies an area of trees, with an area of ancient, semi-natural woodland further east, which forms part of the Rotten Calder river valley that runs north to south, close to the edge of East Kilbride. To the north of the site lies a further area of trees, with the Allers allotments and Allers sewage works further north. The site of the allotments lies in the north-east of Lammermoor Recreation Area, with residential properties found to the west and south of the park. The application site includes an area of hardstanding at the north-west of the site which was previously occupied by a South Lanarkshire Council building and associated hard standing. There is an existing vehicle access route running north to south through the recreational area and pedestrian connection routes coming off this to the surrounding residential areas.

### 2 Proposal(s)

- 2.1 As detailed above, the application was deferred at the June Committee to allow for additional information to be provided in order to assist with determination of the application.
- a) Further information on the background to the selection of the Lammermoor site and why this site was chosen.

**Response:** The applicant has advised that the decision to progress the site at Lammermoor Recreation Area was based on local demand in East Kilbride and its proximity to Allers allotments which has services that can be shared and has the ability for new users to access existing expertise. In addition, the proposed design of the allotments includes improved drainage, increased biodiversity through wildflower planting, pond planting in the new attenuation pond, additional screen planting and will utilise 8% of the overall Lammermoor Recreation Area.

- b) Further information on the background to the requirement for the provision of allotments within the East Kilbride area.

**Response:** The applicant has provided information on the legislative background to the provision of allotments. In this regard, it is noted that the Community Empowerment Act (Scotland) 2015 places an obligation on local authorities within Scotland to provide allotments where there is an identified need. The following information on the specific legislative requirements and their relevance to East Kilbride, as provided by the applicant, is summarised below.

- The current legislation states that applicants cannot remain on the waiting list for longer than 5 years or the number on the waiting list cannot exceed 50% of the overall number of plots available.
- Councils should offer applicants a plot of the required size (up to 250m<sup>2</sup>) within 3 miles of their home albeit applicants can choose to travel further if they wish to do so. If they do not wish to travel further, then they will remain on the waiting list and the Council is required to create additional sites to remain compliant.
- There are currently 451 applicants on the Council's waiting list, some of whom have been on the list for 10 years or more. Of these 451 applicants, 240 are resident within East Kilbride, equating to 53% of the overall waiting list. 93 of the 240 applicants have been on the waiting list for more than 5 years and, therefore, the Council is not compliant with the current legislation.
- An analysis of the waiting list shows that of the next 70 applicants, 46 are residents of East Kilbride (65%). However, there is no guarantee that those offered a plot who reside outwith East Kilbride will choose to travel further and may decline the offer made.
- The Council is in the process of allocating plots at the new site located at Fernbrae Meadows, Rutherglen. As there are no available allotments in East Kilbride, over 50% of the plots that have been allocated to date have been accepted by residents from East Kilbride.
- Once the new raised bed site at Murray Recreation Area (planning permission ref P/18/0727) is delivered and if the site at Lammermoor goes ahead, the Council would still require to identify and deliver a further site in East Kilbride in order to meet current demand and be compliant with the legislation.

2.2 The application is for the formation of 70 allotment plots, 12 raised beds, parking, landscaping, associated paths, fencing and drainage works. Vehicle access to the site is proposed via the existing single lane route that has an access point from Lammermoor to the south of the site. The proposed perimeter fencing and gated access is to be 1.8m high metal weldmesh fencing, coloured black. A total of 25 parking spaces are proposed in the area of the existing hard standing, immediately adjacent to the proposed allotments. Following discussion with Roads and Transportation Services, some improvements to the existing vehicle access route are proposed, to include crossing areas for pedestrians, 5mph signs, lockable bollards, passing places and access improvements at the southern (Lammermoor) end of the access road. The proposal also involves the removal of a single slide, and associated foundations. The slide is to be relocated approximately 45m south of the application site boundary. Two small trees are also to be removed within the central part of the application site and a relatively small area of trees and shrubs is to be cut back on the eastern boundary. The total area of the allotments is approximately 0.6 hectares.

### **3 Background**

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

3.1.1 In land use terms, the site lies within an area designated as Priority Greenspace and Green Network where Policy 14 (Green Network and Greenspace) of the South Lanarkshire Local Development Plan 2015 (SLLDP) applies. In addition, supplementary guidance 8 (Green Network and Greenspace) is applicable in terms

of the provision of further guidance on these matters. In addition to the above land use designation, Policy 2 (Climate Change), Policy 4 (Development Management and Placemaking), Policy 15 (Natural and Historic Environment) and Policy 17 (Water Environment and Flooding) are relevant to the assessment of this proposal.

3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 (SLLDP2) is now a material consideration. In this instance the following policies are relevant:

- Policy 1 – Spatial Strategy
- Policy 2 – Climate Change
- Policy 5 - Development Management and Placemaking
- Policy 13 – Green Network and Greenspace
- Policy 14 – Natural and Historic Environments
- Policy 16 - Water Environment and Flooding
- Policy SDCC2 – Flood Risk
- Policy NHE12 – Water Environment and Biodiversity

### 3.2 Relevant Government Advice/Policy

3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to create high quality, vibrant and sustainable places with living environments that foster better health and reduce spatial inequalities in well-being. SPP introduces a presumption in favour of development that contributes to sustainable development. Further, in terms of valuing the natural environment, the planning system plays an important role in protecting, enhancing and promoting access to our key environmental resources, while supporting sustainable use.

## 4 Consultation(s)

4.1 **Environmental Services** – have no objections, subject to an advisory note on noise.

**Response:** Noted. An appropriate advisory note can be added to any planning permission issued.

4.2 **Roads and Transportation** – have no objections following the provision of additional information on anticipated traffic volumes and details of measures to be introduced to ensure that the access route operates in a safe manner, that there is sufficient car parking and that the proposal does not adversely impact on the adjacent residential area at Lammermoor.

**Response:** Noted.

4.3 **Roads and Transportation Flood Risk Management** - have no objections, subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems and flood risk.

**Response:** Noted. An appropriate condition can be attached to any consent issued.

- 4.4 **Countryside and Greenspace** - have no objections and are fully supportive of creation of allotments in this location.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised for non-notification of neighbours. 174 representations have been received in respect of the proposed development, including a letter of objection from Councillor Gladys Miller and one letter of support. The grounds of objection and issues raised can be summarised as follows:

- a) **A document entitled Lammermoor Park Greenspace Report has been submitted on behalf of Calderglen Heritage in opposition to the planning application. The report sets out the context for green space in East Kilbride, the history of Lammermoor Park, its potential archaeological associations and the importance of the adjacent Calderglen Country Park due to its environmentally significant landscape/habitats and related statutory designations, as well as its cultural importance and health benefits. The report also concludes that the proposal does not comply with Policy 13 (Green Network and Greenspace) of the Proposed South Lanarkshire Local Development Plan 2 and the development would not comply with the agreed SLC Biodiversity Strategy 2018 – 2022. Concerns are also expressed over the impact of the proposed pond/drainage arrangements on wildlife/biodiversity within the Country Park and whether it complies with established guidance. Further comments are provided that the proposal is not in the public interest, that it is a further example of public green space within East Kilbride being lost and that the location does not address the requirement for an even spread of allotments in urban areas.**

**Response:** The content of the report in relation to local issues of relevance to this proposal is noted. In respect of archaeological issues, the site is not within an area of identified archaeological interest, however, West of Scotland Archaeology Service have advised that in light of the issues raised, on a precautionary basis, it is recommended that an archaeological condition is imposed requiring archaeological investigation works at the site. An appropriate planning condition can accordingly be imposed. A full assessment against the relevant local development plan policies is detailed in section 6 below. In respect of environmental/natural designations, it is noted that the river corridor area to the east of the site is designated as an area of ancient semi-natural woodland, part of Calderglen Country Park and a SSSI. In respect of trees, it is noted that there is a buffer of between 30-40 metres of more recently planted trees between the eastern edge of the application site and the start of the semi-ancient woodland area. It is further noted that the application site consists primarily of mown grass, which has very little ecological or biodiversity value and does not relate to the adjacent river corridor in visual terms. In respect of the proposed drainage arrangements and pond, the applicant has advised that the proposals will offer the opportunity for improved biodiversity and environmental education to allotment holders and the wider community. It is, therefore, considered that given the adequate separation from the semi-ancient woodland/river corridor

and the lack of biodiversity on the application site at present, the provision of allotments in this location will not have a detrimental impact on the natural environment in this locality or directly affect Calderglen Country Park. It is noted that matters relating to landscape and visual impact have also been raised, which are addressed in section 6 below. In terms of the general provision of allotments within South Lanarkshire, this is not a matter that can be considered as part of this planning application. However, it is noted that there is an identified need and shortage of allotment provision within South Lanarkshire and that there are health and community benefits associated with the use of allotments. As stated above, it is also noted that allotments in this location will increase the biodiversity of the site.

- b) **Object to any development on priority green space and especially due to the significance of the site. The change of use of this area would remove the only recreational facility in the local area and reduce enjoyment of the park. The existing allotments at Allers accommodates allotment users in the area. This park is designed to service a dense residential population and it would be a mistake take it away.**

**Response:** An assessment against the relevant local development plan policies is detailed in section 6 below. The proposal is for part of the grassed, northern section of Lammermoor recreation area to be used as allotments. The vast majority of the park (approximately 92%) will remain as open space to be used for recreational purposes. A single children's slide will be removed from within the application site and relocated within the immediate area. The assessment of this application relates specifically to the application site under consideration. While there are existing allotments in close proximity, this is not considered to be a material factor in the consideration of this application as it is noted that there is a high demand for allotments within East Kilbride.

- c) **Safety concerns over proposed additional traffic using the vehicle access route from Lammermoor to the allotments as it goes through a recreational area where families walk pets and children play safely. The route is in a poor state and is not sufficiently wide to accommodate additional traffic. Lammermoor is a quiet street and there are safety concerns over additional traffic in the street. The access road could be used by non allotment users for convenience and congregating. Additional parking could be put in next to the existing Allers parking and a vehicle access point from Kenilworth used. If the proposed access is used, an enforced traffic management plan and risk assessment should be available to the public. The signage at the start of the footpath currently states 'No through road.'**

**Response:** Following discussions with Roads and Transportation Services, the applicant has submitted additional information and revised plans detailing measures to address safety concerns. These alterations relate to the provision of pedestrian crossing features, 5mph road signs, lockable bollards to be installed near the entrance to the existing access route, installation of passing places and increasing the width of the start of the access road at the Lammermoor end. Repairs to the surface of the existing access road are also proposed and details of 25 car parking spaces to be provided adjacent to the site have been provided. In respect of the use of the access route through the site, it is noted that this was previously a vehicle access to a South

Lanarkshire Council community building (now demolished) that was positioned in the north-west corner of the site. It is acknowledged that the park and adjacent areas are used by residents of all ages and as such it is noted that the safety concerns have been taken on board by the applicant, as demonstrated by the additional information submitted, which is designed to minimise risk. In this regard, it is noted that, while the proposal is not anticipated to result in a significant increase in traffic that would require formal pedestrian safety arrangements, in order to alleviate concerns over increased vehicle movements, the measures outlined above have been agreed with the applicant, in consultation with Roads and Transportation Services.

- d) **Concern over impact on existing play area and potential loss of chute. This area of Calderglen recreation area has been neglected and under funded for a number of years. The development limits the scope of any future proposals. The facilities within the park should be upgraded instead.**

**Response:** The applicant has submitted a revised plan to show the existing slide moved approximately 45 metres to the south-west. The condition and maintenance of Lammermoor Recreation Area is not a matter that is considered relevant to the consideration of this application. The provision of allotments in this area is considered to be compatible with the recreation area and the adjacent Calderglen Country Park.

- e) **The benefits of allotments is recognised but this is not the correct location. Object to the size of the allotments and the detrimental impact on neighbours.**

**Response:** As stated at d) above, the provision of allotments in this location is considered to be compatible with the surrounding land uses and local environments. It is considered that there is an adequate separation distance between the proposed allotments and surrounding residential areas.

- f) **The park is well maintained and is not an eyesore. The proposal, including future sheds and polytunnels will have a negative impact on the visual quality of the park. The proposals will result in the loss of many trees, resulting in environmental damage and loss of screening of Allers sewage works. Three generations of families have enjoyed this picturesque park.**

**Response:** It is recognised that the proposed allotments will have a visual impact on Lammermoor Recreation Area, however, it is considered that the visual impact will not be significant given the lower level of the main allotment site and the backdrop of trees to the north and east of the site. The applicant has also submitted details of soft landscaping (including tree planting) to the south of the site to help soften the appearance of the allotments when viewed from the south. The proposals include the removal of two, immature trees in the central area of the site and cutting back of a small area of trees/shrubs on the eastern boundary. The proposals do not include removal of any trees to the northern boundary, therefore screening of Allers sewage treatment works will be unaffected.

- g) **Construction vehicles and additional vehicles using the allotments will result in pollution, contrary to Scottish Government recommendations for cleaner air for Scotland.**  
**Response:** The amount of vehicles associated with construction works and use of the allotments is not considered to be significant. Environmental Services have no objections to the proposal in relation to air quality impacts.
- h) **A public residents' consultation meeting with all parties to discuss this application would be welcomed. Residents of a property that overlook the park were not informed of the application and the Council does not appear to be listening to concerns.**  
**Response:** The planning application was subject to statutory neighbour notification and advertisement in the local press, in compliance with established procedures and legislation.
- i) **The previous community facility at the site should be replaced or opened again as the same facility. Allotments are not open for everyone to use. The allotments would be of little benefit to local residents/will not be used by East Kilbride residents and should be sited elsewhere, potentially on existing industrial space which benefits from existing road infrastructure.**  
**Response:** The proposal under consideration is related to the provision of allotments and associated works only. The loss of the area of grass associated with this proposal is not considered to be significant in amenity terms, given the amount of open space that will remain. The provision of allotments at this site will address a shortage of allotments for East Kilbride residents. This assessment relates to the site subject to this planning application and, as such, other sites cannot be considered as part of this application.
- j) **The proposal would result in an increase of anti-social behaviour.**  
**Response:** The provision of allotments in this location is considered to be compatible with the surrounding land uses. It is considered that the provision of allotments would not increase the likelihood of anti-social behaviour in this area.
- k) **It is our understanding that planning permission has not yet been granted and yet ground work in the form of surveys and contractors pricing for tenders has taken place.**  
**Response:** The Planning Service is not aware of any survey works at the site in relation to the provision of allotments. This is not considered to be a matter that is relevant to the consideration of this application.
- l) **There are various programmes operated by public bodies and the NHS to encourage all of the population, not just those who have or wish to have an allotment, to participate in recreation within areas of greenspace for health benefits. The loss of an area of greenspace does not comply with these initiatives and general policy direction.**  
**Response:** As stated at 5.1 (a) above, the loss of a relatively small area of grass within the Lammermoor Recreation Area is not considered to be significant in terms of loss of recreational open space due to the location of

the site, current use of the area, site conditions and the benefits of providing allotments in this location in terms of health and biodiversity benefits.

- m) **Unless you are aware of how small Lammermoor is and how appreciated this area is to the community, the sheer number of residents of Calderwood who are opposed to the application may be a surprise. Many residents can see the park in its entirety. 8% loss of such a small park is quite considerable.**

**Response:** As stated at 5.1 (f) above, the visual impact of the proposed allotments is not considered to be significant given the position of the allotments within the park and separation from the surrounding dwellings. Furthermore, landscape screening is proposed to help soften the appearance of the site.

- n) **There is at present ground work at Colonsay Field and there are rumours that allotments will be sited there. Land next to the river should be left as landscape.**

**Response:** This is not considered to be a matter relevant to the consideration of this planning application

- o) **Councillor Gladys Miller objection**

**Councillor Miller has commented on the small size of the Lammermoor site and how appreciated this area is to the community, therefore, resulting in a high volume of residents of Calderwood who are opposed to the application. The local residents consider themselves very fortunate to live near Lammermoor due to the attractive outlook. Many residents can see the park in its entirety. 8% loss of such a small park is quite considerable in an area surrounded by houses. Concerns relating to public safety have also been raised and that children play safely at present with little vehicle movements. Councillor Miller has also highlighted that there are existing allotments in the area. The Council is currently working with the current administration on the roadmap for community engagement, yet at the same time does not appear to be listening to this community. Further concerns have been raised in relation to the potential negative health impacts of loss of this greenspace.**

**Response:** The number of objections received on this application are noted and, as such, the level of local concern is acknowledged in relation to the provision of allotments in this location. A full assessment of the proposal in respect of the relevant planning policies and other material considerations is detailed in section 6 below. The visual impact of the proposal is addressed at 5.1 (f) above and section 6 below. Concerns over safety have been considered by the Roads and Transportation Service, as stated at paragraphs 4.2 and 5.1(c) and section 6 below. In relation to community involvement, the Planning Service is aware of the current approach of the Council to community engagement outwith the statutory planning process and acknowledges that early engagement can be beneficial. In terms of this planning application, the Planning Service is required to assess each application on its individual merits, taking into account development plan policies and any other material considerations. Neighbour notification and publicity has been carried out in accordance with the relevant planning



legislation and procedures. Concerns in relation to health impacts are addressed at 5.1 (l) above.

p) **Letter of support**

**This excellent initiative is fully supported. East Kilbride needs more land freed up for activities such as this. Growing our own food is crucial in terms of health and education benefit. Hopefully it encourages more land to be released.**

**Response:** Noted and agreed. The benefits of allotments in terms of exercise and health is recognised.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks consent for the creation of a fenced allotment site, with associated works to include landscaping, creation of suds pond and parking area. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local plan policy and if there are other material considerations which are relevant to the consideration of this application.

- 6.2 The adopted South Lanarkshire Local Development Plan 2015 (SLLDP) identifies the site, in land use terms, as being within an area designated as green network and greenspace, where Policy 14 (Green network and greenspace) applies. Policy 14 states that any development proposals should safeguard the local green network and identify opportunities for enhancement and/or extension which can contribute towards:

1. placemaking
2. mitigating greenhouse gases,
3. supporting biodiversity,
4. enhancing health and quality of life,
5. providing water management including flood storage, and buffer strips,
6. providing areas for leisure activity,
7. promoting active travel.

The loss of any areas of priority greenspace will not be supported. Partial loss will only be considered where it can be demonstrated that:

- The retention or enhancement, including positive management of the areas to be retained can be best achieved by the redevelopment of part of the site which would not affect its function
- There is no significant adverse impact on the landscape character and amenity of the site and surrounding area
- There is no significant adverse impact on natural and/or built heritage resources, including Natura 2000 sites and Protected Species
- Compensatory provision of at least equal quality and accessibility is provided locally

- 6.3 In respect of Policy 14 above, it is considered that allotments (due to their nature as primarily areas of varied planting) are a use that is regarded as compatible with the green network and greenspace designation. In this regard, it is noted that the adjacent allotments at Allers are allocated as part of the green network and priority greenspace within the SLLDP. In respect of criteria 1 to 7 of Policy 14, it is considered that the provision of allotments in this location will contribute towards several of these criteria by encouraging healthy lifestyles, providing opportunities to grow food locally (mitigating greenhouse gases) and providing opportunities for community involvement (placemaking). In respect of biodiversity, it is considered that the provision of allotments will increase biodiversity in this area of the park which currently consists almost entirely of mown grass. It is further considered that the provision of a suds pond on the site will benefit local drainage and provide a more diverse habitat in this location.
- 6.4 In respect of the proposed use of the allotment site, it is acknowledged that the activities that will take place on the application site will differ from the use of the site at present and that public access to the allotment site would be restricted. However, it is considered that the use of approximately 8% of the overall Lammermoor Recreation Area as allotments will not alter the function of the park. While a single piece of play apparatus is proposed to be removed and replaced nearby, it is noted that the proposed allotments are proposed to be in a relatively peripheral location within the park and in an area that suffers from drainage issues due to its low lying nature. It is further considered that in terms of visual impact, the proposed allotments will not appear as a prominent feature locally due to their position in a lower section of the park and given the existing trees bordering the site to the north and east. It is acknowledged that the allotments will be clearly visible from within Lammermoor Recreation Area, however, it is considered that the visual impact, given the proposed landscaping to the south of the site, will not be of such a scale that enjoyment of the park will be significantly affected. Taking all of the above into account, it is considered that the proposal complies with Policy 14 of the SLLDP.
- 6.5 In terms of the detail of the proposal, Policy 4 of the SLLDP states that all planning applications should take fully into account the local context and built form. Furthermore, any proposal should not result in significant adverse environmental or amenity impacts relating to matters including the water environment and air quality. Policy 2 (Climate Change) states that proposals for new development must, where possible seek to minimise the effects of climate change. Policy 17 (Water Environment and Flooding) of the SLLDP states that any development proposals which will have a significant adverse impact on the water environment will not be permitted. It is noted that several representations have been received in respect of environmental impacts relating primarily to potential impacts on the adjacent protected area surrounding the Rotten Calder to the east of the site. In this regard, Environmental Services, Roads and Transportation (Flood Risk Management) and Countryside and Greenspace Services have been consulted on the proposal and offered no objections. It is further considered that the provision of allotments in this location will not result in significant disturbance or loss of amenity for local residents. In respect of potential traffic impacts, it is noted that the applicant has submitted additional details to address potential safety concerns relating to access to the site via Lammermoor and through the recreation area. In this regard, it is noted that Roads and Transportation Services have assessed the information provided and have offered no objections.

- 6.6 Policy 15 (Natural and Historic Environment) of the SLLDP states that the Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. In addition, where specific designations are affected, further guidance is applied, relative to the relevant categories, 1 to 3. The application site is not affected by any designations in this regard, however, it is noted that the river corridor (SSSI) and associated trees (ancient semi-natural woodland) within Calderglen Country Park, to the east of the site are designated as category 2 areas of national importance. As stated at 5.1 (a) above, it is noted that the application site does not directly abut these protected areas and that, given the nature of the proposed use, it is considered that the proposed development will not adversely impact on the integrity or quality of this protected area.
- 6.7 Given the above, it is considered that there will be no significant loss of amenity for local residents and that the proposed allotments will not have an adverse impact on the local landscape character or the environmental quality of the wider area. Furthermore, it is noted that the provision of allotments is compatible with sustainable development objectives relating to environmental education, provision of local food produce and healthy lifestyles. In addition, as described at paragraph 6.5 above, it is considered that the proposal is acceptable in terms of public safety. As such, it is considered that the proposal complies with policies 2, 4, 14, 15 and 17 of the SLLDP. It is noted that a substantial number of objections have been received, however, it is considered, following assessment of the proposals, that the matters raised do not merit refusal of the application and that the potential health benefits of allotments in this location are significant.
- 6.8 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policies 1, 2, 5, 13, 14, 16, SDCC2 and NHE12 of SLLDP2.
- 6.9 In summary, as described above, the principle of the provision of allotments on this site is considered acceptable and in compliance with Policy 14 of the SLLDP. Furthermore, given that the proposal will not result in adverse amenity, environmental or safety impacts, it is considered that the proposed development is also in compliance with Policies 2, 4, 15 and 17 of the SLLDP, as detailed above. It is, therefore, recommended that planning permission is granted, subject to conditions.

## **7 Reasons for Decision**

- 7.1 The proposal will have no significant adverse impact on amenity, public safety or the local environment and complies with the provisions of Policies 2, 4, 14, 15 and 17 of the South Lanarkshire Local Development Plan 2015 and associated Supplementary Guidance and the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

**Previous references**

- ◆ None

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated
  
- ▶ Consultations
  - Roads Development Management Team 21.05.2019
  - Environmental Services 07.03.2019
  - Roads Flood Risk Management 18.04.2019
  - CER Simon Pilpel 14.03.2019
  
- ▶ Representations Dated:
  - Cheryl Anderson, 25.03.2019
  - Mr Colin Lawson, 30 Durward, Calderwood, East Kilbride 21.03.2019
  - David McKellar, Received Via Email 22.03.2019
  - Lisa Thomson, 42 Brunel Court, East Kilbride, G75 0GX 22.03.2019
  - Mrs Natalie Wood, 34 Peploe Drive, East Kilbride, Glasgow, South Lanarkshire, G74 3PU 19.03.2019
  - Mrs Sheila Hunter, 129 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PD 19.03.2019
  - Sam Carpenter, 115 Ivanhoe, East Kilbride, G74 3NY 21.03.2019
  - Annie Manzor, Received Via Email 21.03.2019
  - Mr Robert Garscadden, 32 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG 13.03.2019
  - Ms E Shearer, 5 Glen Tanner, East Kilbride, G74 2JF 25.03.2019
  - Victoria Bell, 167 Waverley, East Kilbride, G74 3PD 25.03.2019

Gillian Hanna, 12 Kenilworth, East Kilbride, G74 3PG	25.03.2019
Winnie McCann, Received Via Email	25.03.2019
Helena Thomson,	25.03.2019
Louise Beaton,	26.03.2019
Norman Beaton, 198 Waverley, Calder Wood, East Kilbride, G74 3PE	26.03.2019
Joe Allan, 94 Franklin Place, Westwood , East Kilbride, G75 8LS	12.03.2019
Alison And Gavin Wilson, 18 Gourlay, Calderwood, East Kilbride, G74 3PJ	01.04.2019
R.D And Sylvia Anderson, 16 Gourlay, Calderwood, East Kilbride, G74 3PJ	01.04.2019
Eileen And Paul Gormley, 10 Gourlay, Calderwood, East Kilbride, G74 3PJ	01.04.2019
Marcella Albertus, 13 Gourlay, Calderwood, East Kilbride, G74 3PJ	01.04.2019
Daniel Carrigan, 14 Gourlay, Calderwood, East Kilbride, G74 3PJ	01.04.2019
Mrs Gina Garscadden, 32 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	13.03.2019
Gina Garscadden,	14.03.2019
Stevie Murdoch,	14.03.2019
Bob Anderson,	03.04.2019
Mr iain buchanan, 20 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	18.03.2019
Mr Hugh Elder, 41 Durward, East Kilbride, Glasgow, South Lanarkshire, G74 3PB	19.03.2019
Mrs Jacqueline Corbrick, 36 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	14.03.2019
Ms Shona MacInnes, 161 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PD	15.03.2019
Mr Robert Oliphant, 49 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	14.03.2019

Mr William Creighton, 47 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	13.03.2019
Mr steven garscadden, 45 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	13.03.2019
Miss Sarah Fullarton, 43 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	14.03.2019
A Napier, 149 Waverley , Calderwood , East Kilbride , G74 3PD	02.04.2019
Anne-Marie Carrigan, 13 Gourlay, Calderwood, East Kilbride, G74 3PJ	04.04.2019
Graeme Wilson, 5 Purdie, Calderwood, East Kilbride, G74 3PN	04.04.2019
Lauren Carrigan McCarthy, 5 Purdie , Calderwood, East Kilbride, G74 3PN	04.04.2019
Debbie And Dan Jones, 5 Gourlay, Calderwood, East Kilbride, G74 3PN	04.04.2019
Mark Carrigan, 5 Purdie, Calderwood, East Kilbride, G74 3PN	04.04.2019
Mr john buchanan, 20 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	18.03.2019
Mr Mark Gemmell, 141 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PD	19.03.2019
Stevie Murdoch,	19.03.2019
Victoria Bell,	21.03.2019
Mrs Natalie Wood, 34 Peploe Drive, East Kilbride, G74 3PU	21.03.2019
Kevin Rush,	21.03.2019
Mr Colin Gilmartin, 72 dykehead st, Queenslie, glasgow, g33 4aq	14.03.2019
Mr John Corbrick, 36 Lammermoor, East Kilbride, G74 3SE	18.03.2019
Mrs Maureen Boll, 36 Glen Arroch, East Kilbride, Glasgow, South Lanarkshire, G74 2BP	18.03.2019
Audrey Napier, 149 Waverley, Calderwood, East Kilbride	04.04.2019

Miss Victoria Bell, 167 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PD	18.03.2019 18.03.2019
Clair Stewart, 35 Hill View, The Murray, East Kilbride, G75 0EB	21.03.2019
Mrs ISOBEL buchanan, 20 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	18.03.2019 18.03.2019
Michael And Debbie Connelly, 20 Gourlay, Calderwood, East Kilbride, G74 3PJ	08.04.2019
Linda And Ross Irwin, 11 Gourlay, Calderwood , East Kilbride, G74 3PJ	08.04.2019
Mary And Paul Heron, 2 Morland, Calderwood, East Kilbride, G74 3PH	08.04.2019
Maria Gillespie, 109 Stratford, Calderwood, East Kilbride, G74	21.03.2019
Mr Stephen W Baxter, 30 Riverton Drive, East Kilbride, G75 8ZU	21.03.2019
Mr John Cairns, 123 Ivanhoe, Calderwood, East Kilbride, G74 3NY	21.03.2019
Emma Anderson,	21.03.2019
Audrey Leith,	21.03.2019
Mr Stephen Manzor,	21.03.2019
Lyndsay Torlay,	22.03.2019
Chris Ladds,	03.04.2019
Mr Barrie Wilson, 32 Geddes Hill, Calderwood, East Kilbride, G74 3LL	03.04.2019
Mr Christopher Barr, 55 Lammermoor, Calderwood, East Kilbride, G74 3SE	18.04.2019
Margaret MacDonald, 219 Rockhampton Avenue, East Kilbride, Glasgow, South Lanarkshire, G75 8EN	18.04.2019
Steven Anderson, 16 Gourlay, Calderwood, East Kilbride G74	22.05.2019
Jon Corrigan, 12 Gourlay, Calderwood, East Kilbride, G74	22.05.2019

Robert McMorran, 23 Manitoba Crescent, East Kilbride, Glasgow, South Lanarkshire, G75 8EN	03.06.2019
Thomas Walters, 168 Waverley, East Kilbride, Glasgow, South Lanarkshire G74 3PE	14.07.2019
Marie Gray	14.07.2019
Linda Connor, 6 Kenilworth, Calderwood, East Kilbride	25.07.2019
Linda Connor, 6 Kenilworth, Calderwood, East Kilbride	25.07.2019
Lesley Darroch, 54 Kenilworth Crescent, Hamilton, South Lanarkshire, ML3 9LR	31.07.2019
Barbara Queen, 56 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PF	31.07.2019
Stuart Queen, 56 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PF	31.07.2019
Lisa Queen, 56 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PF	31.07.2019
Robert Docherty, 58 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Mary Docherty, 58 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Morag Hanna, 70 Ness Drive, East Kilbride, Glasgow, South Lanarkshire, G74 2AB	31.07.2019
Sid Hanna, 70 Ness Drive, East Kilbride, Glasgow, South Lanarkshire, G74 2AB	31.07.2019
Roslin Burnett, 8 Mannering, East Kilbride, Glasgow, South Lanarkshire, G74 3PA	31.07.2019
William Burnett, 8 Mannering, East Kilbride, Glasgow, South Lanarkshire, G74 3PA	31.07.2019
Linda Brae, 80 Lochlea, East Kilbride, Glasgow, South Lanarkshire, G74 3RY	31.07.2019
David Summers, 9 Rattray Drive, East Kilbride, Glasgow, South Lanarkshire, G74 3EZ	31.07.2019
M Gouran, 92 Ballochmyle, East Kilbride, Glasgow, South Lanarkshire, G74 3RU	31.07.2019



Elaine Meakin, 14 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
Jacqueline Young, 28 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
Lee Haighway, 17 Blackbraes, East Kilbride, Glasgow, South Lanarkshire, G74 3JY	31.07.2019
Hugh Haighway, 17 Blackbraes, East Kilbride, Glasgow, South Lanarkshire, G74 3JY	31.07.2019
Christopher Haighway, 17 Blackbraes, East Kilbride, Glasgow, South Lanarkshire, G74 3JY	31.07.2019
Linda Brae, 80 Lochlea, East Kilbride, Glasgow, South Lanarkshire, G74 3RY	31.07.2019
Lee Miller, 14 Clamps Wood, East Kilbride, G74 2HB	31.07.2019
Sophie Haggerty, 12 Morland, East Kilbride, G74 3PH	31.07.2019
Pauline Gilmour, 12 Morland, East Kilbride, G74 3PH	
John Sneddon, 30 Loch Lea, East Kilbride, G74 3RY	31.07.2019
Kate Lawrence, 3 Maclean Grove, East Kilbride, G74 4TJ	31.07.2019
Rab Lang, 7 Gourlay, East Kilbride, G74 3PJ	31.07.2019
Debbie Connolly, 20 Gourlay, East Kilbride, G74 3PJ	31.07.2019
Cathie Lang, 7 Gourlay, East Kilbride, G74 3PJ	31.07.2019
Ross Irwin, 11 Gourlay, East Kilbride, G74 3PJ	31.07.2019
Vickie Wilson, 43 Kenilworth, East Kilbride, G74 3PG	31.07.2019
Sheila Hunter, 129 Waverley, East Kilbride, G74 3PD	31.07.2019
Isobel Walters, 168 Waverley, East Kilbride, G74 3PE	31.07.2019
Brian Hurton, 67 Saddlers Wells Court, East Kilbride, G74 3NG	31.07.2019
Moyra McAra, 42 Kenilworth, East Kilbride, G74 3PG	31.07.2019
Helen Webb, 19 Tannahill Drive, East Kilbride, G74 3HR	31.07.2019
Mavis Donaldson, 20 Mauchline, East Kilbride, G74 3RZ	31.07.2019
Gavin Wilson, 18 Gourlay, East Kilbride, G74 3PJ	31.07.2019

Lynda Gray, 153 Waverley, East Kilbride, G74 3PD	31.07.2019
Alan Roden, 17 Loch Lea, East Kilbride, G74 3RX	31.07.2019
Irene Bell, 167 Waverley, East Kilbride, G74 3PD	31.07.2019
Hugh Haighway, 17 Blackbraes Road, East Kilbride, G74 3JY	31.07.2019
Jacqueline Young, 28 Kenilworth, East Kilbride, G74 3PG	31.07.2019
Jonathon Weir, 34 Kenilworth, East Kilbride, G74 3PG	31.07.2019
Jacqueline Fablan, 123 Waverley, East Kilbride, G74 3PD	31.07.2019
May Millar, 117 Waverley, East Kilbride, G74 3PD	31.07.2019
Sarah Blair, 26 Nithsdale, East Kilbride, G74 3SG	31.07.2019
Charles Veitch, 10 Glen Farg, East Kilbride, G74 2JW	31.07.2019
Shona Doanghy, 53 Oak Avenue, East Kilbride, G75 9ED	31.07.2019
Mark Carrigan, 5 Purdie, East Kilbride, G74 3PN	31.07.2019
Anne-Marie Carrigan, 3 Purdie, East Kilbride, G74 3PN	31.07.2019
Margot Buchanan, By Email	01.08.2019
Steven Paterson, 44 Mauchline, Calderwood, East Kilbride	31.07.2019
Alan And Elizabeth Roden, 17 Lochlea, East Kilbride, G74 3RX	29.07.2019
Mr Thomas Walters, 168 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PE	14.07.2019
Steven Paterson, 44 Mauchline, East Kilbride, G74 3RZ	31.07.2019
Lesley Ann Paterson, 44 Mauchline , East Kilbride , G74 3RZ	31.07.2019
Graham Malarkey, 44 Trinidad Way, East Kilbride, Glasgow, South Lanarkshire, G75 8PF	31.07.2019
Natalie Malarkey, 44 Trinidad Way, East Kilbride, Glasgow, South Lanarkshire, G75 8PF	31.07.2019
Christine Sweeney, 48 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
William Sweeney, 48 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019

Jacqui Head, 49 Mauchline, East Kilbride, Glasgow, South Lanarkshire, G74 3SA	31.07.2019
Sandra Watt, 5 Loch Lea, Calderwood, East Kilbride, G74 3RX	31.07.2019
Graeme Dallas, 51 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Caroline Dallas, 51 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Marie Gray, Received Via E-mail	16.07.2019
Brian Sheenv, 52 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PF	31.07.2019
Lynee Bradley, 52 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PF	31.07.2019
David Hutchison, 53 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Linda Connor, 6 Kenilworth, Calderwood	26.07.2019
Cllr Gladys Miller, Received Via Email	30.07.2019
Eileen Gormley, 10 Gourlay, East Kilbride, Glasgow, South Lanarkshire, G74 3PJ	31.07.2019
Margaret Veitch, 10 Glen Farg, East Kilbride, Glasgow, South Lanarkshire, G74 2JW	31.07.2019
Steven Anderson, 84 Glasgow Road, Strathaven, South Lanarkshire, ML10 6NF	31.07.2019
Marcella Albertus, 13 Gourlay, East Kilbride, Glasgow, South Lanarkshire, G74 3PJ	31.07.2019
Andy Gilmour, 12 Morland, East Kilbride, Glasgow, South Lanarkshire, G74 3PH	31.07.2019
David Blair, 26 Nithsdale, East Kilbride, Glasgow, South Lanarkshire, G74 3SG	31.07.2019
Thomas Dugan, 6 Nithsdale, East Kilbride, Glasgow, South Lanarkshire, G74 3SG	31.07.2019
Michael Connolly, 20 Gourlay, East Kilbride, Glasgow, South Lanarkshire, G74 3PJ	31.07.2019

Councillor Gladys Miller	29.07.2019
Margaret Donaldson, 8 Mauchline, East Kilbride, Glasgow, South Lanarkshire, G74 3RZ	31.07.2019
Paul Gormley, 10 Gourlay, East Kilbride, Glasgow, South Lanarkshire, G74 3PJ	31.07.2019
Elaine Meakin, 14 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
Ian Millar, 117 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PD	31.07.2019
Ian Hunter, 129 Waverley, East Kilbride, Glasgow, South Lanarkshire, G74 3PD	31.07.2019
Sharon McAllister, 3 Glen Nevis, East Kilbride, Glasgow, South Lanarkshire, G74 2BJ	31.07.2019
Lee Haighway, 17 Blackbraes Road, East Kilbride, Glasgow, South Lanarkshire, G74 3JY	31.07.2019
Martin Lane, 16 Craigneith Court, East Kilbride, Glasgow, South Lanarkshire, G74 3SN	31.07.2019
Liz Roden, 17 Lochlea, East Kilbride, Glasgow, South Lanarkshire, G74 3RX	31.07.2019
Jean Syme, 22 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
Alison Wilson, 18 Gourlay, East Kilbride, Glasgow, South Lanarkshire, G74 3PJ	31.07.2019
Shona Syme, 22 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
Jackie Corbrick, 36 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Graham McAra, 42 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
David Crichton, 77 Old Vic Court, Bosworth Road, East Kilbride, Glasgow, South Lanarkshire, G74 3NE	31.07.2019
Nikki McLean, 34 Kenilworth, East Kilbride, Glasgow, South Lanarkshire, G74 3PG	31.07.2019
Emma Douguns, 18 Durward, East Kilbride, Glasgow, South Lanarkshire, G74 3PB	31.07.2019

Kate Lawrence, 3 Maclean Grove, East Kilbride, Glasgow, South Lanarkshire, G74 4TJ	31.07.2019
Francesca Lane, 26 Lochlea, East Kilbride, Glasgow, South Lanarkshire, G74 3RY	31.07.2019
Frank McGurk, 30 Lammermoor, East Kilbride, Glasgow, South Lanarkshire, G74 3SE	31.07.2019
Avril Hammer, 35 Calderside Grove, East Kilbride, Glasgow, South Lanarkshire, G74 3SP	31.07.2019
George Neil, Mull, St Leonards, East Kilbride	01.08.2019

### **Contact for further information**

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

Alan Pepler, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone:

Email: [alan.pepler@southlanarkshire.gov.uk](mailto:alan.pepler@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/19/0135

### **Conditions and reasons**

01. That unless otherwise agreed in writing with the Planning Authority, no development shall commence until drainage and flood risk details to include signed appendices 1 to 5 shall be submitted to and approved in writing by the Planning Authority. The development shall not be brought into operation until the surface drainage works and any required flood mitigation works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

02. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

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

03. That the landscaping scheme as shown on the approved plan shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following completion of the development hereby approved and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

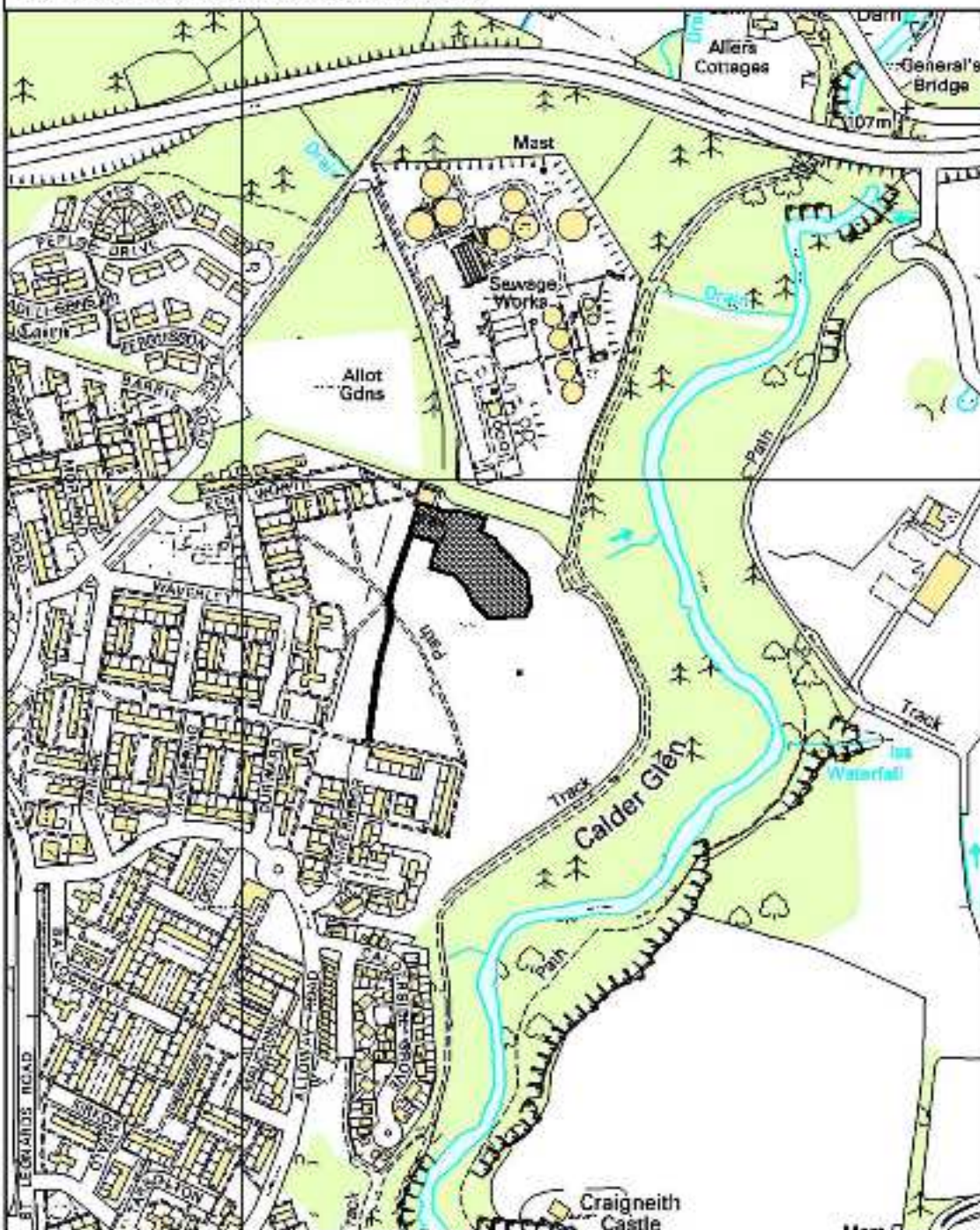
Reason: In the interests of the visual amenity of the area.

04. That unless otherwise agreed in writing with the Planning Authority, the access improvement works and car parking detailed on drawing nos. Lammermoor Allotments/LS/TD/10 Rev A & Lammermoor Allotments/LS/TD/09/Rev B shall be completed prior to the allotments being brought into use and maintained thereafter to the satisfaction of the Planning Authority.

Reason: In the interests of public safety.

P/19/0135

Lammernoch Recreation Area, Kenilworth, East Kilbride



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Planning Department, South Lanarkshire Council,  
100742213.



Scale  
1:5,000  
100742213



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development





# Report

5

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0405
Planning proposal:	Erection of 34 semi-detached dwelling houses, formation of new access road and associated infrastructure

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	BHC Ltd
Location:	Proposed Housing Development Mill Road Thankerton Biggar South Lanarkshire ML12 6NY

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Detailed planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the following:
  - Financial contribution towards the provision of affordable housing
  - Financial contribution towards educational facilities
  - Financial contribution towards the upgrade of community facilities

In accordance with agreed procedure, should there be no significant progress on behalf of the applicant towards the conclusion of the Planning Obligation within 6 months from the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily, the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the applicant.

### 3 Other information

- ◆ Applicant's Agent: Calum Smith
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
 Policy 2 Climate change  
 Policy 4 Development management and placemaking  
 Policy 6 General urban area/settlements  
 Policy 12 Housing land  
 Policy 13 Affordable housing and housing choice  
 Policy 16 Travel and transport  
 Policy 17 Water environment and flooding  
**Supplementary Guidance 3: Development Management, Placemaking and Design**  
 Policy DM1 Design  
**Supplementary Guidance 1: Sustainable development and climate change**  
 Policy SDCC2 Flood risk  
 Policy SDCC3 Sustainable drainage systems  
 Policy SDCC4 Water supply  
 Policy SDCC5 Foul drainage and sewerage  
**Proposed SLDP2**  
 Policy 2 Climate change  
 Policy 3 General Urban Areas  
 Policy 5 Development Management and Placemaking  
 Policy 12 Affordable Housing  
 Policy 15 Travel and Transport  
 Policy 16 Water Environment and Flooding  
 Policy SDCC2 Flood risk  
 Policy SDCC3 Sustainable Drainage Systems  
 Policy DM1 New Development Design  
 Policy DM15 Water Supply  
 Policy DM16 Foul Drainage and Sewerage
- ◆ **Representation(s):**
  - ▶ 8 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comment Letters
- ◆ **Consultation(s):**
  - Education Resources School Modernisation Team
  - Community - play provision/community contributions

SEPA West Region

WOSAS

Housing Services

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Network Rail

Quothquan and Thankerton Community Council

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located on Mill Road on the edge of the settlement of Thankerton and comprises an area of open space. The site is located to the north side of Mill Road and is bound by the west coast railway to the north, housing to the south and east, and a car park to a public house and a single house plot to the west. Mill Road and the surrounding area contains a mix of house types with the majority being two storey traditionally built four in a block flats or semi-detached housing. The site is vacant, is generally level and covers 1.95 hectares.

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

- 2.1 Detailed planning permission is being sought to erect 34 semi-detached dwelling houses, the formation of an access road and associated infrastructure. The proposal includes improvements to Mill Road in the form of the widening of the existing carriageway to accommodate the existing on-street parking. The proposal incorporates landscaping, open space and play areas.
- 2.2 The houses are to be finished in off white render with contrasting buff bands and cills, white UPVC windows and doors, and dark grey concrete roof tiles.
- 2.3 The applicant submitted a number of documents and plans in support of the proposed development including a Noise Impact Assessment and Site Investigation Report.

### **3 Background**

#### **3.1 Relevant Government Advice/Policy**

- 3.1.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements.

#### **3.2 Local Plan Status**

- 3.2.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.2.2 In land use terms, the application site is identified within the adopted SLLDP as being within the Housing Land Supply where Policy 12 – Housing Land is applicable.
- 3.2.3 With regard to normal development management criteria, a number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely Policy 2: Climate Change, Policy 4: Development Management and Placemaking, Policy 6 General Urban Area/Settlements, Policy 13: Affordable Housing and Housing Choice, Policy 16: Travel and Transport and Policy 17: Water Environment and Flooding.

3.2.4 These principle policies are supported by specific policy guidance provided through approved Supplementary Guidance on the following topics,

- Development Management, Place Making and Design SG 3  
Policy DM 1 – Design
- Affordable Housing and Housing Choice SG 7
- Sustainable Development and Climate Change SG 1  
Policy SDCC 2 - Flood Risk, Policy SDCC 3 - Sustainable Drainage Systems, Policy SDCC 4 - Water Supply and Policy SDCC 5 - Foul Drainage and Sewerage.

The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and which result in no significant adverse impact. In addition, the Council has prepared a Residential Design Guide. An assessment of the proposal against these specific policies is contained in Section 6 of this report.

3.2.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 2, 3, 5, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 are relevant

### 3.3 Planning History

3.3.1 There is no planning history for this site.

## 4 Consultation(s)

4.1 **Roads and Transportation Services (Flood Risk Management Section)** - have no objection to the proposed development subject to conditions and advisory notes in relation to SUDs, flood risk assessment and maintenance of the proposed drainage system.

**Response:** Appropriate conditions and advisory notes would be added to any consent issued.

4.2 **West of Scotland Archaeology Service** - have no objections to the proposed development subject to appropriate survey work being carried out on the site.

**Response:** A condition will be added to any consent issued to ensure that a programme of archaeological works is carried out on the site.

4.3 **Roads and Transportation Services (Development Management)** – have no objections to the proposal subject to conditions being attached in respect of driveway provision, surface water drainage, surfacing, road cleaning and parking. The road layout, proposed traffic calming and level of parking provision on the site is considered acceptable for the scale of the development.

**Response:** Noted: Appropriate conditions will be added to any consent issued.

- 4.4 **Environmental Services** – no objections subject to conditions and advisory notes in relation to noise impact from the construction of the proposed dwellings, contamination and floodlighting.  
**Response:** Noted. Appropriate conditions and advisory notes will be added to any consent issued.
- 4.5 **Network Rail** – no objection to the development subject to conditions on secure fencing and landscaping  
**Response:** Noted. Appropriate conditions and advisory notes will be added to any consent issued to address the points raised.
- 4.6 **Community - Play Provision/Community Contributions** - no objections subject to the developer providing a financial contribution for community/play provision facilities in the local area.  
**Response:** Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards community provision in the area.
- 4.7 **Housing Services** – a formal response has not been received, however, it has been intimated that a commuted sum to support social rented provision elsewhere in the local housing market area would be appropriate and that an appropriate contribution should be sought from the developer.  
**Response:** Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards social rented housing provision.
- 4.8 **Education Resources - School Modernisation Team** – no objections subject to the developer providing a financial contribution to address the impact of the development on education accommodation within the catchment areas for the site.  
**Response:** Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards education accommodation.
- 4.9 **SEPA** – no response to date.  
**Response:** There are no known flooding issues with the site and an advice note will be added to any consent issued to address the requirement to contact SEPA in relation to their development.
- 4.10 **Quothquan and Thankerton Community Council** - they have received several comments about the proposed development and that these comments have ranged from not wanting any more houses in Thankerton to being supportive of the idea of the development because it comprises small sized homes, more suited to retaining younger people within the community. The comments received by them and forwarded to the Council can be summarised as follows:-

- Concerns over the new houses accessing directly onto Mill Road due to the width of the road and the parked cars outside existing properties opposite the development. Mill Road is used by Scottish Water tankers to access their site behind Mill Place which can cause conflict on this narrow stretch of Mill Road and could be exacerbated with the new properties accessing onto this section of Mill Road and increasing the risk of accidents
- Standing water sometimes collects after heavy rainfall in parts of the site; how will this be dealt with?
- That an additional footpath from the southern end of the internal road should be provided to Mill Road, creating a shorter route to exit the new development
- Concerns have been expressed as to whether the existing Scottish Water facility would be able to cope with the additional development and this could result in an increase in the frequency of Scottish Water tankers using Mill Road
- Some residents have suggested the provision of additional road markings such as 20mph and additional give way markings in and around the development and that new footpath be provided along the west side of Mill Road to assist children walking to the school bus pick up points, and also be available for prams and any wheelchair users as the existing footpath of the east side of Mill Road is considered to be too narrow for these people to use
- The new dwellings will put additional pressure on the broadband network
- Concern has been raised about the extra number of construction vehicles, deliveries of materials and cement, etc., via Mill Road
- The parking of cars by staff working on the site during the early stages of the project. Thankerton is an older style settlement with little provision for the parking of motor cars other than on the road side
- One salt bin will need re-locating from its existing site, preferably to be re-sited at the Mill Road/Millands Road Junction, and one dog waste bin will need relocating, probably to the other side of Mill Road
- Concern has been expressed regarding the extra vehicular traffic using the Station Road/Mill Road Junction. This junction lacks a continuous footpath, and pedestrians using the existing footpath have to cross the road twice. The development will produce additional traffic at this road junction. It is felt by several people that traffic calming measures will be required at this road junction to ensure the safety of all users

**Response:** Noted. All the points raised via the Community Council have been raised and addressed in section 5 below.

## **5 Representation(s)**

- 5.1 Statutory notification was undertaken and the proposals advertised in the local press for Non-Notification of Neighbours. Following this, 8 letters of objection were

received. The issues raised in these representations can be summarised as follows:

- a) **Having 12 houses all accessing Mill Road at its narrowest point due to the parked cars could lead to accidents. Mill Road is used by large Scottish Water tanker lorries visiting the site of the sewerage septic collection facility which adds to the risk of accidents with vehicles emerging from the new driveways on this section of Mill Road. Could a standard width footpath be provided from approximately plot 11 to the southern end of the boundary of the site along Mill Road.**

**Response:** Following discussion with the applicant, it has been agreed that the length of Mill road in front of plots 1 to 13 is to be widened to 7.5m to accommodate the existing on street parking at this location. There will also be a 2m wide footpath provided along the whole street frontage of the proposed development. Roads and Transportation, following a review of the revised layout, have raised no objection to the proposed development. In addition, road calming measures in the form of speed humps and a build out on Mill Road have been included to control traffic speeds on Mill Road and Station Road.

- b) **Only 2 car parking spaces are being provided per house; where will additional and visitor cars park?**

**Response:** Roads and Transportation Services have advised that the parking provision is adequate for this development and raise no objections to the proposed development layout. Due to the widening of Mill Road and the dimensions of the new internal road, adequate on street parking is considered to be available to meet the needs of visitors to the new houses. It is, therefore, not considered necessary to provide additional parking within the development.

- c) **The Section of Mill Road between Milllands Road and Station Road should have additional 20 mph reminders painted on the road surface due to the number of pedestrians crossing near the vacant shop. Vehicles emerging from Mill Place do not always give way/stop to see if there is anything coming up from Mill Road. The salt bin adjacent to the site boundary on Mill Road should be moved to the junction of Milllands Road and Mill Road. The dog waste bin, situated close to the new access road, will also need relocating, possibly to the other side of the road.**

**Response:** Roads and Transportation Services have not identified the need for any additional road markings or signage on Mill Road or Station Road in their consultation response. The developer will require to carry out a Road Safety Audit as part of the road design process; this will identify any deficiencies in the layout and signage provision and recommend mitigation. This is part of the road construction consent process and is a function of the Council as Roads Authority. In relation to the existing road grit bin and dog waste bins, this is not a consideration of the Planning Service and the developer will have to liaise with the relevant departments in the Council about having these relocated.

- d) **The open amenity space, and plots numbered 17, 18, 33 and 34 are located in areas which are presently prone to standing water after heavy rainfall. Surface water which collects in the area of proposed house No**



**18 subsequently drains through garden of Thankerton Mill and then onto road. There is no useable drain at the bottom of Mill Road. Given that a tarmaced roadway will run downhill towards these locations, will additional drainage be necessary to reduce the risk of flooding.**

**Response:** All new roads and hard surfaces within the development will be redirected to a surface water drainage system which will direct the water to the nearby Glade Burn via a suds basin. This drainage system has to be designed to appropriate standards set out by the Council and will be subject to a flood risk assessment. A planning condition will be added, if consent is granted, to ensure a suitable surface water drainage system is put in place.

- e) In the last 3 years there have been eight properties constructed, all feeding their sewerage into the Scottish Water site behind Mill Place. Would the addition of these 34 dwellings create capacity issues for Scottish Water and/or increase the number of tanker vehicle movements? If the latter is likely, then traffic calming measures on the stretch of Mill Road, between Millands Road and Station road should be considered.**

**Response:** Scottish Water have advised the developer that there is currently capacity in their sewer network to service the site. It is not known how this would affect the servicing of the existing sewerage works accessed via Mill Road. However, as part of the planned road upgrade, speed humps and a build out on Mill Road are proposed to control traffic speeds on Mill Road which should benefit all users of the area.

- f) In 2017, permission for two dwellings was granted on land behind the Village Inn, which runs between the new development and the railway. At the time people were concerned about the access being via the Village Inn car park. Would there be an opportunity create a new access between these two development sites?**

**Response:** The access for the two plots has been approved and it would be up to the two landowners to submit a revised planning application to propose a different access arrangement for the approved plots.

- g) These 34 new dwellings will put additional pressure on the broadband network. Should the developer be pressing BT for the installation of a new fibre optic distribution box in the area to service the new plots which in turn would benefit the existing residents?**

**Response:** The effect on broadband provision in the area of new development is not a consideration of the Planning Service.

- h) It is presumed that this development is a mixture of private/social housing; is there any indication as to what the breakdown will be? Why is there no provision for 1 or 2 bedroom houses for elderly/disabled?**

**Response:** The whole development is for private housing and the developer will pay the Council a contribution towards the provision of affordable housing within the Clydesdale Housing Market Area.

- i) Could one pair of houses be adapted to accommodate disabled/old people?**

**Response:** The developer has applied to develop the site with 3 bed, two storey semi-detached houses. This is a private development and there is no

requirement for the developer to provide for a specific demographic. However, all new housing has to be designed to allow disabled access and accessible facilities at ground floor level to comply with Building Regulations.

**j) Will developer provide things like additional flower planters for whole village?**

**Response:** The developer has no responsibility to provide flower planters for the village. A contribution will be made by the developer towards community facilities.

**k) Will local schools be able to cope with extra kids?**

**Response:** The Education Service has raised no objection to the development. A contribution will be made by the developer towards education facilities in the schools catchment area.

**l) Will developer/community council have a joint open evening to hear our views?**

**Response:** The applicant has submitted the planning application for a residential development on a site identified in the current adopted local plan for housing. The application does not fall within the definition of a major development and so statutory pre-application discussion was not required. The planning application process provides the opportunity for the local community to submit their observations on the development. This application has generated a number of concerns and comments either direct to the planning service or via the community council. All the points raised have been addressed in this report and the development layout has been altered to address some of the issues raised.

**m) The road at the junction of Mill Place and Mill Road is a regular vehicle turning spot. As the plans show a footpath emerging from the proposed development at this point, will there be a barrier between the footpath and the road?**

**Response:** The design of all new roads and footpaths are covered by the Roads Scotland Act and the details of the new layout will be designed to be in accordance with this legislation as part of the construction consent application to the Roads Service.

**n) What fencing/hedging will there be at the boundary to Thankerton Mill (The Shieling)**

**Response:** The plans do not show any new fencing or planting along the boundary to the existing property Thankerton Mill. However, a planning condition will be put in place, if approval is granted, to provide details of new fencing to be erected on site and also to restrict fencing heights to the front of the new houses. The maximum height of any new fencing will be 2m in the rear garden areas.

5.3 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicants propose to develop 34 residential units, comprising 2 storey semi-detached houses, within the settlement of Thankerton. In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. The main determining issues in assessing this proposal are whether it accords with local plan policy, its impact on amenity and road safety matters.
- 6.2 Scottish Planning Policy (SPP) highlights that development proposals which accord with up-to-date plans should be considered acceptable in principle. The site is identified within the adopted South Lanarkshire Local Development Plan as being within the Housing Land Supply and, therefore, raises no issues in this regard. It is, therefore, considered that the proposal is in accordance with national planning policy and the adopted SLLDP in land use terms.
- 6.3 Policy 4 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated with the local context and built form. Proposals should have no significant adverse impacts on the local community and include, where appropriate, measures to enhance the environment. The design and scale of the proposed development is considered acceptable in this location. The proposed layout, scale and design of the houses complies with the Residential Design Guide in terms of window to window distances and other amenity issues. The proposed development is, therefore, considered to be consistent with Policy 4 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Development Management, Placemaking and Design.
- 6.4 Policy 13: Affordable Housing and Housing Choice states that the Council will expect developers to contribute to meeting affordable housing needs across South Lanarkshire by providing, on sites of 20 units or more, up to 25% of the site's capacity as serviced land for the provision of affordable housing where there is a proven need. The Council has, in this instance, agreed that a commuted sum to fund social rented affordable housing at alternative locations within the same Housing Market Area be sought. The developer has agreed to pay a commuted sum to the Council to fulfil this requirement. The proposed development is, therefore, considered to be consistent with Policy 13 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Affordable Housing and Housing Choice.
- 6.5 With regard to road safety, Policy 16 - Travel and Transport - requires all new development proposals to consider the resulting impacts of traffic growth. The impact of the proposal on the local road network and in terms of parking provision has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions. The proposal can, therefore, be considered acceptable in transportation and road safety terms.
- 6.6 The application site is an identified housing site within the settlement boundary of Thankerton in close proximity to the existing public transport network. It is, therefore, in a sustainable location. Given the site's location, it is considered that

the proposed development can be appropriately serviced in terms of water and sewerage. No objections have been received from consultees in this regard. The site has been assessed by the Council's Flood Risk Management Team who are satisfied, subject to a number of conditions in relation to the detailed submission and implementation of a Sustainable Drainage Design. The proposal is, therefore, acceptable when assessed against Policy 2: Climate Change and Policy 17: Water Environment and Flooding of the SLLDP and the Sustainable Development and Climate Change SG.

- 6.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. In particular, the site is identified as a new housing site. It is considered that the proposal accords with Policies 2, 3, 5, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 in the Proposed plan.
- 6.8 Eight letters of representation were received as well as a consultation response from Quothquan and Thankerton Community Council in respect of the proposal, the grounds of which have been addressed in Section 5 above and do not merit refusal of the application. The requirements of the statutory consultees have been addressed through the use of conditions, where appropriate.
- 6.9 In summary, it is considered that the proposal conforms to both national and local plan policy and that no significant environmental or infrastructure issues are raised. Following a full and detailed assessment, it is considered that the proposed development is in accordance with the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance and the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and, on that basis, it is recommended that planning permission is granted. If the Committee agrees with the recommendation the decision notice should be withheld until a legal agreement to address the issues listed at the front of the report has been concluded.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on amenity or on the character of the area and complies with Policies 2, 4, 6, 10, 12, 13, 16 and 17 of the Adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance Development Management Place Making & Design and Sustainable Development. The proposal also complies with Policies 2, 3, 5, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 of the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 19 July 2019

## Previous references

- ◆ None

## List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 15 March 2019
- ▶ Consultations
  - CER Play Provision Community Contributions 09.04.2019
  - Education Resources School Modernisation Team 01.05.2019
  - WOSAS 25.03.2019
  - Roads Development Management Team 09.04.2019
  - Environmental Services 03.04.2019
  - Roads Flood Risk Management 18.04.2019
  - Network Rail 3.04.2019
  - Quothquan And Thankerton Community Council, 49B Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 29.03.2019 & 10.06.2019
- ▶ Representations
  - Mrs Laura Knock, 49B Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY Dated: 19.03.2019
  - Mr Kevin Andrews, Village Post Office, 51 Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 18.03.2019
  - Mr Stephen Elliott, 6 Robin Close, Brough, HU15 1RY 19.03.2019
  - Peter Forkes, 22.03.2019
  - William Charles Cummings, 25.03.2019
  - Christine Anne Stokes, 40 Station Road, Thankerton, ML12 6NZ 25.03.2019
  - Mr Barry Knock, 49B Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 26.03.2019
  - Mrs Elizabeth Murdoch, 81 Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 09.04.2019

## Contact for further information

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

Steven Boertien, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455116

Email: [steven.boertien@southlanarkshire.gov.uk](mailto:steven.boertien@southlanarkshire.gov.uk)

**Conditions and reasons**

01. That before any work commences on the site, 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. including, where appropriate, the planting of fruit/apple trees;
  - (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.

Reason: To ensure the appropriate provision of landscaping within the site.

02. That all trees to be retained on the edge of the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

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

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

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

04. 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 shall include a flood risk assessment report and all signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

05. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

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

06. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

07. That prior to the occupation of any of the houses hereby approved, a trespass proof fence of at least 1.8m in height shall be provided adjacent to the railway boundary. Details of such fencing together with future maintenance provisions shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.

Reasons: In the interests of public safety and the protection of Network Rail infrastructure.

08. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

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

09. That before any of the houses hereby approved are occupied, the carriageway of Mill Road shall be upgraded, widened over the frontage of the site as per the approved plans and traffic management measures installed along Mill Road and Station Road, all as per drawing 19-001-SK10a Road Layout and to the satisfaction of the council as roads authority.

Reason: To ensure the provision of satisfactory access to the site over the existing public road.

10. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011, no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road with the exception of a 800mm high wall or fence and before the development starts, samples of the pallet of materials to be used shall be submitted to and approved by the Council as Planning Authority.

Reason: To safeguard the residential amenity of the area.

11. 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.

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

12. That before each dwelling hereby approved is completed or brought into use, a private vehicular access or driveway of at least 12 metres in length shall be provided and the first 4m metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road. Each driveway and garden areas of the dwellings shall have adequate drainage installed as to prevent water from entering the footpath and pavement.

Reason: To prevent deleterious material or water from being carried onto the pavement and public road.

Reason: In order to retain effective planning control.

13. That before development starts on site the developer shall submit a site and traffic management plan (to include arrangements for construction workers' parking) to the Council as planning authority for approval and development shall not start until written approval has been given.

Reason: to ensure that appropriate management and site compounds are put in place to minimise disturbance to residents surrounding the site.

14. That during construction wheel washing facilities shall be installed at the entrance/exit to the site, in order that all vehicles leaving the site are kept clear and free of debris. The applicant or subsequent operator(s) shall at all times be responsible for the removal of mud or other materials deposited on the public highway by vehicles entering or leaving the site.

Reason: In the interests of traffic and public safety.

15. Prior to the development first coming into use a suitable mitigation scheme shall be provided. The scheme should detail the apparent weighted sound reduction for the glazing units with trickle vents fitted (as appropriate).

The scheme shall ensure that-

- a) The internal levels with windows closed do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
- b) The internal levels with windows closed do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
- c) The internal levels with windows closed do not exceed an LAeq, max of 45dB night-time (23:00 - 07:00).
- d) The external levels shall not exceed an LAeq, 16hr of 55dB daytime in any rear garden areas, when measured free-field.

Reason: to ensure the reasonable enjoyment of the residential units is not affected by noise nuisance

16. That no piling works shall be undertaken on site until a method statement has been submitted to and approved in writing by the Council as Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1992 'Evaluation of human exposure to vibration in buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on



the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

Reason: To ensure the impact of noise and vibration is minimised in accordance with BS 6472: 1992

17. Prior to commencement of development a dilapidation survey of Mill Road & Station Road shall be submitted to and approved in writing by the Council as Planning Authority. Any subsequent damaged caused to the road shall be repaired at the developers expense to the satisfaction of the Council as Planning Authority.

Reason: In the interests of traffic and public safety.

18. That each driveway should have a visibility splay of 2 x 20m and pedestrian visibility splays of 2.4m x 2.4m, (measured from the heel kerb of the footway). Within these splays nothing over 900mm in height, including the planting trees and shrubs is permitted within these splays.

Reason: In the interests of traffic and public safety

19. That before development starts a combined Stage 1 & 2 Road Safety Audit shall be submitted to and approved by the Council as Roads authority. All recommendations of the audit shall be completed to the satisfaction of the Council as Planning Authority in consultation with Roads and Transportation in the time scales agreed in the audit approval.

Reason: In the interests of traffic and public safety

20. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the new vehicular access road into the development off Mill 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.

Reason: In the interests of traffic and public safety

21. That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

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

22. That before any work commences on the site a scheme for the provision of the play areas within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include :  
(a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);

- (b) details of the surface treatment of the play areas, including the location and type of safety surface to be installed;
- (c) details of the fences to be erected around the play area(s); and
- (d) details of the phasing of these works.

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

- 23 That prior to the completion or occupation of the 20th dwellinghouse within the development hereby approved, all of the works required for the provision of play area(s) included in the scheme approved under the terms of Condition 24 shall be completed, and thereafter, that area shall not be used for any purpose other than as play areas.

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

P/19/0405

Proposed Housing Development, Mill Road, Thankerton, Biggar



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development



Scale  
1:5,000  
Date:  
18/12/19



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development



# Report

6

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/18/1837
Planning proposal:	Erection of 70 dwelling units comprised of detached and semi-detached and terraced houses, and 3 storey flatted units, and associated roads and landscaping.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Dawn Homes Ltd
Location:	Land 100M Northeast Of Cambuslang Karting Dale Avenue Cambuslang South Lanarkshire

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) A request for a hearing prior to determination has been received. However, in terms of the Council's guidance on hearings, the request is not considered to meet the criteria in this case. Therefore, the application can be determined without a hearing taking place.
- (3) If planning consent is granted, the decision notice should be withheld until an appropriate obligation under Section 75 of the Planning Act and/or other appropriate obligation has been concluded between the applicant and the Council in respect of a financial contribution in respect of:
  - a) the phasing, improvement and upgrading of educational facilities
  - b) the phasing, improvement and upgrading of community facilities

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above section 75 Obligation shall be borne by the developers.

### 3 Other information

- ◆ Applicant's Agent: Michael Keegan
  - ◆ Council Area/Ward: 13 Cambuslang West
  - ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015):**
    - Policy 4 Development management and placemaking
    - Policy 5 Community infrastructure assessment
    - Policy 12 Housing land
    - Policy 13 Affordable housing and housing choice
    - Policy 16 Travel and transport
    - Policy 17 Water environment and flooding
- South Lanarkshire Local Development Plan (Supplementary Guidance)**  
**Development Management, Place Making and Design**  
DM1 Design
- Affordable Housing and Housing Choice**
- Sustainable Development and Climate Change**  
SDCC 2 - Flood risk  
SDCC 3 - Sustainable drainage systems  
SDCC 4 - Water supply  
SDCC 5 - Foul drainage and sewerage
- Proposed South Lanarkshire Local Development Plan 2**  
Policy 5 Development Management and Placemaking  
Policy 11 Housing  
Policy 12 Affordable Housing  
Policy 15 Travel and Transport  
Policy 16 Water Environment and Flooding  
Policy DM1 New Development Design

Policy SDCC2 Flood risk  
 Policy SDCC3 Sustainable Drainage Systems  
 Policy DM15 Water Supply  
 Policy DM16 Foul Drainage and Sewerage

◆ **Representation(s):**

▶	43	Objection Letters
▶	1	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Network Rail

Education Resources School Modernisation Team

Housing Services

Community Services

Cambuslang Community Council

Environmental Services

Roads Flood Risk Management

Scottish Water

SEPA West Region

SP Energy Network

Scottish Gas Digital Records Department

## **Planning Application Report**

### **1 Application Site**

- 1.1 The planning application site relates to an area of land to the south of Dale Avenue in Cambuslang forming part of the cleared site of the former Hoover factory. The site extends to approximately 1.6 hectares. The site is bounded to the southwest by the main Glasgow to London railway line, to the south east by Cambuslang Rangers football ground and Somervell Street Industrial Estate and to the west and north by recently constructed residential development.
- 1.2 The former Hoover factory covers a large proportion of the site and is currently vacant land. The factory buildings were demolished in 2008 and the site cleared and regraded. The northern area of the former factory site has been redeveloped for housing under a previous planning consent (CR/16/0096) by the applicant Dawn Homes and Keepmoat Homes. The site is generally level.

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

- 2.1 The applicants propose the erection of a residential development of 70 dwellings, comprising, 25 detached, 28 semi-detached, 8 terraced units and 9 flats, internal roads, parking areas and informal open spaces. Part of the development, the terraced and flatted properties to the south east of the site, will provide 17 units for rent as Housing Association accommodation and will be managed by the Clyde Valley Housing Association. All of the dwellings will be two storey except for the flats which consist of one three storey block with three flats on each floor. Two parking courts are provided to serve the terraced dwellings and the flats. All the properties will be finished externally with modern materials including brick, stone and rendered walls, concrete roof tiles and uPVC windows. The flats will have galvanized steel juliette balconies on the north, south and east elevations.
- 2.2 The development will be accessed via Dale Avenue which has been completed as part of the previous consent and linked to Somervell Street. Structural planning will separate the development from the railway to the south west and the football stadium to the south east. The previous consent will provide the main area of open space area to the north of the site close to the River Clyde. Approximately half of this open space houses the SUDs basin for the wider site and the remainder is being laid out as informal open space with a formal games court located adjacent to the SUDs basin. New footpath and cyclepath links are being provided to the Clyde Walkway on the River Clyde as part of the previous consent.
- 2.3 The development is classified as a 'Major' development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was the subject of pre-application consultation, including a public exhibition held in the Cambuslang Institute, Greenlees Road, Cambuslang, on 12 September 2018. A number of documents have been provided in support of the application, namely a Pre-application Consultation Report, Site Investigation Report, Noise Assessment and a Design Statement.
- 2.4 The site has been subject to a Pre Application Notice (P/18/0007/PAN). Under the new regulatory framework following from the Planning etc. (Scotland) Act



2006, applicants lodging a major planning application are required to undertake pre-consultation with the community and stakeholders 12 weeks in advance of lodging the formal planning application. The applicant has followed this procedure and has submitted a Report of Consultation with the current planning application.

### **3 Background**

#### **3.1 Relevant Government Advice/Policy**

3.1.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements.

#### **3.2 Local Plan Status**

3.2.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.

3.2.2 In land use terms, the application site is identified, within the adopted SLLDP, as forming part of the Council's housing land supply (Policy 12). In terms of those sites identified as part of the Council's housing land supply (Policy 12) their development for residential purposes is supported (subject to compliance with normal development management criteria), as this will assist the Council in meeting its housing needs.

3.2.3 With regard to normal development management criteria, a number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely Policy 4 - Development Management and Placemaking, Policy 5 - Community Infrastructure Assessment Policy 13 - Affordable Housing and Housing Choice, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding.

3.2.4 These principal policies are supported by its specific policy guidance provided through approved Supplementary Guidance on the following topics,

- Development Management, Place Making and Design SG 3  
Policy DM 1 – Design and Policy DM13 – Development within General Urban Area/Settlement),
- Affordable Housing and Housing Choice SG 7
- Sustainable Development and Climate Change SG 1  
Policy SDCC 2 - Flood Risk, Policy SDCC 3 - Sustainable Drainage Systems, Policy SDCC 4 - Water Supply and Policy SDCC 5 - Foul Drainage and Sewerage.

The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and result in no significant adverse impact.

- 3.2.5 In addition, the Council has prepared a Residential Design Guide. The aim of the associated policies and guidance is to seek well designed development which is located in appropriate locations and is appropriately serviced.
- 3.2.6 An assessment of the proposal against these specific policies is contained in Section 6 of this report.
- 3.2.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 5, 11, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 are relevant.

### 3.3 Planning History

- 3.3.1 Planning permission in principle (CR/11/0248) was granted to Forrest Developments Ltd and St Vincent (435) c/o Dawn Developments Ltd in March 2012 for a mixed use development for the regeneration of the Hoover/Bridge Street site in Cambuslang, comprising a supermarket, 208 houses, relocation of business and industry, a spine road linking the new junction at Bridge Street through the site to Dallas Drive, a park and ride facility to serve Cambuslang Station, landscaping and footpath links. The first matters specified in conditions (MSC) application (Reference CR/12/0149) relating to a range of works required to deliver the proposal was granted consent at Planning Committee on 29 January 2013. A second matters specified in conditions (MSC) application (Reference CR/12/0188) relating to further works was granted consent on 17 April 2013. Following the original planning permission in principle consent, detailed planning consent (CR/16/0096) was granted in March 2017 to St Vincent St 435 Keepmoat Homes Ltd for the construction of 195 houses and associated infrastructure, earth moving, roads, drainage and landscaping. The first two areas of housing to the north and south of Dale Avenue have been developed by Dawn Homes and Keepmoat Homes over the last two years. These units are largely constructed and a significant number of the homes and are now occupied. An amendment to this consent (P/18/0042) in respect of relocation of footpath/cycleway and amended house types was granted in July 2018.

## 4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management)** – have no objections to the proposal subject to conditions being attached to any consent in respect of detailed road design, dropped kerbs, parking provision requirements and a Traffic Management Plan.  
**Response:** Noted. Appropriate conditions will be added to any consent issued.
- 4.2 **Network Rail** – have no objections to the proposal subject to advisory notes being attached to any consent in relation to planting and construction works in close proximity to operational railway embankments and supporting structures.  
**Response:** Noted. Appropriate advisory notes will be added to any consent issued.

- 4.3 **Education Resources School Modernisation Team** – have no objections to the proposal, however, developer contributions would be required towards education facilities.  
**Response:** Noted. A Section 75 Legal Agreement would be concluded prior to any consent being issued.
- 4.4 **Housing Services** – have no objections to the proposal as the developer is providing 25 % of the total number of residential units for rent as Affordable Housing which will be managed and operated by the Clyde Valley Housing Association. Clyde Valley Housing Association have confirmed that the unit types being provided will enable them to offer accommodation to a range of households.  
**Response:** Noted. Appropriate conditions will be added to any consent issued.
- 4.5 **Community Services** – have no objections to the proposal, however, would require developer contributions in respect of community facilities.  
**Response:** Noted. A Section 75 Legal Agreement would be concluded prior to any consent being issued.
- 4.6 **Cambuslang Community Council** – object to the proposed development on the grounds that:

Application Specific Issues

- (a) **The development requires a full Environmental Impact Assessment as it will clearly have a significant effect on the environment.**

**Response:** The proposal has been assessed against Schedule 3: Selection criteria for screening Schedule 2 Development, i.e. the characteristics of the development, its location and characteristic of the potential impact, and the Council considers that the proposal is not EIA development.

- (b) **No traffic should use the Somervell Street / Bridge Street junction prior to a wider capacity study being undertaken.**

**Response:** Roads and Transportation Services raised no objections to the proposal subject to conditions being attached to any consent in respect of detailed road design, dropped kerbs, parking provision requirements and a Traffic Management Plan. Relevant conditions have been attached.

- (c) **The submitted noise study is inadequate and mitigation measures provided by the noise barrier insufficient.**

**Response:** Environmental Services raise no objections, subject to conditions and advice notes being attached in respect of industrial noise survey and validation testing and construction noise. These conditions will be attached to any consent issued.

- (d) **There is no detailed landscape strategy or planting detail.**

**Response:** The development proposes several areas of landscaping and a condition has been attached in respect of the submission and approval of a detailed landscape scheme.

- (e) **The Pre Application Consultation Event was poorly undertaken with residents of the new housing not being directly notified.**

**Response:** The applicants submitted a Proposal of Application Notice (PAN) in July 2018, amended following comments by the Council in August 2018. The applicants advertised the proposed Public Consultation Event in the Rutherglen Reformer and the subsequent Public Consultation Event was held on 12 September 2018 in Cambuslang Institute. The Pre-Application Consultation Report is available on the planning portal.

- (f) **The application fails to set out a parking strategy for cycles, for the Cambuslang Rangers Football Club, Cambuslang Railway Station or on street parking within the development and no financial contribution from the developer has been identified.**

**Response:** Roads and Transportation Services raised no objections to the proposal subject to conditions being attached to any consent in respect of detailed road design, dropped kerbs, parking provision requirements and a Traffic Management Plan. Relevant conditions have been attached.

- (g) **The development fails to provide 10% accessible standard dwellings or clarification as to the Category A Energy Efficiency standards.**

**Response:** On a site such as this which is reasonably level, the majority of units will be to Accessibility Standards and all dwellings will be assessed and require to meet relevant energy efficiency standards. This will be determined and agreed by Building Standards Officers at the Building Warrant stage.

- (h) **The development fails to assess or address potential privacy, right to light standards or the inclusion of solar panels.**

**Response:** The proposed development will not significantly increase the overshadowing of the existing houses on Dale Avenue given the distance between the properties and the proposed flats and the height of the proposed flats.

#### Wider Area Issues

- (i) **There has been a lack of a planning strategy for the area following the previous Master Plan leading to a piecemeal development approach for the area.**

**Response:** The Proposed South Lanarkshire Local Development Plan 2 provides the planning context for the wider area and identifies an area of land to the east of Somervell Street and west of Bridge Street as a Development Framework Site and sets out guidance for the development of that wider area in Appendix 3.

- (j) **There has been a lack of transport context for the site only the previously submitted Traffic Assessment for the previous master plan site.**

**Response:** Roads and Transportation Services raised no objections to the proposal having fully assessed the information submitted.

- (k) **There is a lack of provision for cycle parking within the estate or links to the National Cycle Network routes.**

**Response:** New footpath and cycle path links are being provided to the Clyde Walkway on the River Clyde and the National Cycle Network as part of the

previous consent. Cycle parking facilities are not required to be provided in a residential development.

- (l) **There is a lack of detailed design and insufficient plans demonstrating the detailed quality urban design.**

**Response:** The design and scale of the proposed development is considered acceptable in this location given that it is an extension and third phase of the existing residential development and the design and external finishes are similar continuing the existing pattern of development.

- (m) **Failure to recognise the important “Cambuslang Entrance Gateway” of the Hoover and Bridge Street Sites particularly in respect of the Bridge Street /Somervell Street junction and any future Park and Ride Facility.**

**Response:** The Council is currently undertaking a consultation process in respect of the possible provision of a park and ride facility in Bridge Street.

- (n) **There is too much space left over in many of the sites in this area leading to littering and dumping prior to them being formally adopted by SLC.**

**Response:** The design and scale of the proposed development is considered acceptable continuing the existing pattern of development. The proposed open spaces and landscaped areas in both the previously consented development and the proposed development will be managed and maintained by the applicant and will not be adopted by the Council.

- (o) **There should have been a requirement for a wider area Environmental Impact Assessment.**

**Response:** This proposal has been assessed against Schedule 3: Selection criteria for screening Schedule 2 Development, i.e. the characteristics of the development, its location and characteristic of the potential impact, and the Council considers that the proposal is not EIA development. A screening assessment will be undertaken for any future development where the scale of the development requires a screening opinion to be provided.

- 4.7 **Environmental Services** – have no objections, subject to conditions and advice notes being attached in respect of rail vibration survey, industrial noise survey and validation testing, further contaminated land site investigation, construction noise and dust management and monitoring.

**Response:** Noted. Appropriate conditions and advisory notes will be added to any consent issued.

- 4.8 **Roads Flood Risk Management** – have no objections to the proposed development subject to conditions in relation to the implementation of a Sustainable Drainage Design designed and independently checked in accordance with the Council's SUDS Design Criteria Guidance. In terms of flood risk, a Flood Risk/Drainage assessment (FRA) was requested.

**Response:** Noted. Appropriate conditions will be added to any consent issued.

- 4.9 **Scottish Water** – have no objections to the proposed development.

**Response:** Noted.

- 4.10 **SEPA West Region** – have no objections to the proposed development subject to conditions in relation to the provision of an updated Flood Risk Assessment (FRA).

**Response:** Noted. Appropriate conditions will be added to any consent issued

- 4.11 **SP Energy Network** – no response to date.

**Response:** Notwithstanding this, an advisory note would be attached to any consent issued reminding the applicants of the requirement to consult statutory undertakers, prior to commencement of works on site.

- 4.12 **Scottish Gas Digital Records Department** – no response to date.

**Response:** Notwithstanding this, an advisory note would be attached to any consent issued reminding the applicants of the requirement to consult statutory undertakers, prior to commencement of works on site.

## **5 Representation(s)**

- 5.1 Statutory notification was undertaken and the proposals advertised in the local press for non-notification of neighbours. Following this, 45 letters of representation were received, consisting of 43 objections, 1 letter of support and 1 letter of comment. The issues raised in all representations can be summarised as follows:

### Requirement for Additional Housing

- (a) **The additional housing provided by the proposed development is not required as there are too many houses already in the area.**

**Response:** The site is identified in the South Lanarkshire Local Development Plan as forming part of the Housing Land Supply which aims to meet demand for housing in the area and in wider South Lanarkshire.

### Affordable Housing

- (b) **The affordable / social housing, particularly flatted properties, provided by the proposed development is not required as there is sufficient social housing in the area with previous consents including Bridge Street Link Housing Association and have only been included in order to ensure the developer gets consent.**

**Response:** The site is identified in the South Lanarkshire Local Development Plan as forming part of the Housing Land Supply which aims to meet demand for housing in the area including a requirement for the provision of affordable housing. Policy 13 (Affordable Housing and Housing Choice) seeks to ensure the provision of a range of house size and types to give greater choice in meeting the needs of the local community. Developers are required to provide 25 % of the total numbers of units developed on site or to make an equivalent financial contribution to off-site provision. Housing Services welcomed the on-site provision in partnership with the Clyde Valley Housing Association as it would help meet demand for rented accommodation.

- (c) **The affordable / social housing should be relocated to alternative location not adjacent to existing housing possibly close to the railway or on the former job centre site in Somervell Street which is also believed to be owned by Dawn Homes.**

**Response:** The location of the affordable housing units is considered to be acceptable and Council cannot consider other land potentially owned by the developer which is out with the application site.

- (d) **The affordable / social housing will be of poor quality design and build and therefore contrary to Policy 5 of the Proposed South Lanarkshire Local Development Plan 2.**

**Response:** The design and quality of the proposed affordable housing is considered to be comparable and compatible with the surrounding residential development.

- (e) **The affordable / social housing will lead to anti-social behaviour and raises concerns over the type of people being housed there, particularly in an area where young children live.**

**Response:** The provision of affordable housing is considered acceptable in this location. The individual people renting accommodation is not a relevant planning matter.

Development Framework Designation

- (f) **The proposed development would be contrary to the Local Development Framework designation in that the proposed development and current development are all housing and other uses are not provided for since the Master Plan.**

**Response:** The application site is not designated as a Development Framework Site in either the Adopted South Lanarkshire Local Development Plan or the Proposed South Lanarkshire Local Development Plan 2. The Proposed South Lanarkshire Local Development Plan 2 identifies an area of land to the east of Somervell Street and west of Bridge Street as a Development Framework Site.

Parking Provision, Traffic and Road Safety

- (g) **The development will result in an unacceptable increase in traffic which will have an adverse impact on road and public safety, particularly when combined with recently consented developments such as the Bridge Street Housing Association site and the traffic from Somervell Street Industrial Area.**

**Response:** Roads and Transportation Services raised no objections to the proposal subject to conditions being attached to any consent in respect of detailed road design, dropped kerbs, parking provision requirements and a Traffic Management Plan. Relevant conditions have been attached.

- (h) **Lack of parking provision for the proposed development, particularly in respect of provision for the flatted block, will increase the existing parking problems in the area caused by the existing businesses, the Cambuslang Football Stadium, Sweepers Pub and commuters using the station. There is a significant problem with illegal on street parking and blocking of pavements with parked cars at the Somervell Street end of the site which cause road and pedestrian safety issues.**

**Response:** Roads and Transportation Services raised no objections to the proposal subject to conditions being attached including parking provision requirements. The parking provision has been assessed and meets with the required standards. There are no current parking restrictions on the

surrounding streets, including the northern area of Somervell Street. Illegal on street parking and blocking of pavements with parked cars is a matter for the police.

- (i) **The location of the access to the flatted block parking area is unsafe being directly opposite a driveway.**

**Response:** Roads and Transportation Services raised no objections to the proposal in respect of the location of the access to the flatted block parking area.

- (j) **On street parking restrictions are requested and the introduction of residents parking permits.**

**Response:** Roads and Transportation Services raised no objections to the proposal. Any request for the introduction of on street parking restrictions would be a matter for Roads and Transportation Services and should be made directly to that Service.

- (k) **Traffic calming requires to be included along Dale Avenue to prevent this road being used as a cut through from Cambuslang Main Street.**

**Response:** Roads and Transportation Services raised no objections to the proposal in respect of traffic calming on Dale Avenue. Traffic calming measures are proposed on the internal roads, however, not on the main spine road Dale Avenue.

#### Landscaping and Openspace

- (l) **The limited provision of openspace and landscaping in the proposed development.**

**Response:** The development proposes several areas of landscaping and a condition has been attached in respect of the submission and approval of a detailed landscape scheme. The larger areas of open space and play facilities, including a MUGA pitch, will be required to be provided through the previous planning consent to the north of the current development.

#### Loss of Privacy/Loss of Light/Loss of View

- (m) **The design of the proposed flats will lead to overlooking of properties on the opposite side of Dale Avenue, resulting in residents in the flats looking directly into bedrooms and bathrooms of the existing properties.**

**Response:** The proposed development meets with the guidelines for habitable room window to window distance, being more than 20 m from windows in the flats to windows in the existing houses on Dale Avenue. It is, therefore, not considered that the proposed development will result in an unacceptable level of overlooking.

- (n) **The design of the proposed flats will lead to overshadowing of properties on the opposite side of Dale Avenue.**

**Response:** The proposed development will not significantly increase the overshadowing of the existing houses on Dale Avenue given the distance between the properties and the proposed flats and the height of the proposed flats.



- (o) **The design of the proposed flats will lead to a loss of the view from properties on the opposite side of Dale Avenue given the location on the highest part of the site.**

**Response:** The loss of a view is not a relevant planning matter.

Noise and Disturbance

- (p) **Residents in the proposed dwellings, particularly the flats, will hear the noise and disturbance from the Cambuslang Football Stadium and the Sweepers bar.**

**Response:** Environmental Services raise no objections, subject to conditions and advice notes being attached in respect of industrial noise survey and validation testing and construction noise. These conditions will be attached to any consent issued.

Water Supply and Flood Risk

- (q) **There is insufficient detail provided in respect of water supply, drainage and flood risk.**

**Response:** The applicant has submitted a Drainage Layout Drawing Number 2454-20-0 together with a wider Drainage Strategy Drawings Numbers 1885-2020-1 REV A (1 of 2) and 1885-2020-1 REV A (2 of 2) which identify the development being linked to the SUDs basin provided for the wider site. SEPA and Roads and Transportation Services Flooding Section have been consulted and have raised no objection to the proposed development. Conditions in relation to the implementation of a Sustainable Drainage Design designed and independently checked in accordance with the Council's SUDS Design Criteria Guidance and submission of an updated Flood Risk/Drainage Assessment (FRA) will be attached to any consent issued.

Pre Application Consultation Process (PAN)/Information from Developer

- (r) **There was no pre-application consultation prior to the application being submitted.**

**Response:** The applicants submitted a Proposal of Application Notice (PAN) in July 2018, amended following comments by the Council in August 2018. The applicant's advertised the proposed Public Consultation Event in the Rutherglen Reformer and the subsequent Public Consultation Event was held on 12 September 2018 in Cambuslang Institute. The Pre-Application Consultation Report is available on the planning portal.

- (s) **The housing types, tenure and layout in the current application differ from the information provided by the developer at the Pre-Application Consultation Event. The plans at the PAC event showed detached and semi-detached houses and not terraced houses or flats.**

**Response:** The information displayed at the PAC event is a matter for the developer and any layouts are indicative providing an indication of the potential pattern of development indicating the general road layout, access points and general areas for development.

- (t) **Dawn Homes failed to inform new residents when they were buying their properties that there would be flats or rented social housing on the site. This was deliberate action to mislead and misinform buyers until they had purchased their properties in the current development.**

**Response:** The information provided by the developer when selling houses is not under the control of the Council and is not a relevant planning matter.

- (u) **Pre-Application Consultation notification was not sent by the developers to new residents as they had not occupied their houses at the time of the event. No information about the event was displayed in the sales office to inform potential buyers of the event.**

**Response:** The developer placed an advert in the local paper, the Rutherglen Reformer on 5 September 2018, prior to the event taking place. Notification was also sent to all the existing neighbours on 25 July 2018 and again on 6 August 2018 prior to the event. The houses in question were not completed or occupied at the time of the event. Notification was also sent to the Community Council and local Councillors prior to the event taking place. The developer has carried out all the relevant consultation to the satisfaction of the Council.

### **Neighbour Notification Process**

- (v) **The existing houses on Dale Avenue, particularly nos. 137 to 153 Dale Avenue were not sent neighbour notification letters at the time of this application.**

**Response:** Properties at 121 to 153 (odd numbers) were sent Neighbour Notification letters on 25 January 2019. If those properties were not complete or occupied, the postal service would not have been able to deliver the letters. Notification of the application was also published in the Rutherglen Reformer on 6 February 2019 providing details of the application and where to view the plans. Neighbour Notification was sent to all properties within 20 metres of the application site boundary and not all properties on Dale Avenue fall within that distance.

### **Plans and Information Errors**

- (w) **The application address was incorrect and unclear when the application was submitted.**

**Response:** The application address was updated at an early stage to reflect the location on Dale Avenue in Cambuslang.

- (x) **The site layout plan does not reflect the correct house types on plots 77 and 78 in the current development to the north of the application site. These units were built as semi-detached and not detached dwellings.**

**Response:** The applicant has provided an up to date site layout which correctly shows the properties as semi-detached dwellings. These two properties are not directly adjacent to the application site.

- (y) **The types of houses and proportion of affordable social housing is not clearly set out in the plans**

**Response:** The applicant has submitted both a site layout plan which clearly identifies each of the proposed house types together with plans of each house type. The legend on the Proposed Layout Plan drawing number AL(0)100 provides a breakdown of the proposed house types, this includes 53 houses either detached or semi-detached (listed by house type) and 17 classed as Affordable being either terraced (8 houses) or flats (9 flats).

- (z) A Contaminated Land Assessment has not been submitted for the development,**

**Response:** The applicant has submitted a "Report on Site Investigations" by Mason Evans, which is available on the planning portal together with all the associated Appendices.

- (aa) A Noise / Acoustic Assessment has not been submitted for the development.**

**Response:** The applicant has submitted a "Noise Impact Assessment – Parcel 3, Former Hoover Site, Cambuslang" by Bureau Veritas, which is available on the planning portal together with all the associated Appendices.

- (bb) A Design Statement has not been submitted for the development.**

**Response:** The applicant has submitted a "Design Statement" by Dawn Homes, which is available on the planning portal.

- (cc) The applicant fails to set out how they intend to contribute to the wider infrastructure requirements in respect of cycling, parking, roads and education. A Section 75 Legal Agreement will be required.**

**Response:** Under the previous application and traffic assessment a contribution was required to the improvement of traffic signals at the junction of Bridge Street and Somervell Street on the basis of the wider development of 300 dwellings. The Council is currently undertaking a consultation process in respect of the possible provision of a park and ride facility in Bridge Street. Various Council services have been consulted to establish any requirements for on-site provision or financial contributions towards off-site provision in relation to the proposed development and these will be included in a Section 75 Legal Agreement which will require to be concluded prior to any consent being issued.

#### Environmental Impact Assessment

- (dd) An Environmental Impact Assessment should be carried out for the development which may have major environmental impacts.**

**Response:** The proposal has been assessed against Schedule 3: Selection criteria for screening Schedule 2 Development, i.e. the characteristics of the development, its location and characteristic of the potential impact, and the Council considers that the proposal is not EIA development.

#### Accessibility Standard Units

- (ee) It is not clear what number of the proposed dwellings will be to Accessibility standards.**

**Response:** On a site such as this which is reasonably level, the majority of units will be to Accessibility Standards. This will be determined and agreed by Building Standards Officers at the Building Warrant stage.

#### Property Values

- (ff) The proposed development will have an adverse impact on the value of properties in Dale Avenue.**

**Response:** Property values are not a valid planning consideration.

## **Grounds for Objection Not Specified**

**(gg)A number of objections did not state any grounds for objecting to the application.**

**Response:** Noted

### **Supporting Representation**

**(hh)One representation of support has been submitted, however, no further detail was provided.**

**Response:** Noted

- 5.3 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicants propose the erection of a residential development of 70 dwellings, comprising, 25 detached, 28 semi-detached, 8 terraced units and 9 flats, internal roads, parking areas and informal open spaces. Part of the development, the terraced and flatted properties to the south east of the site, will provide rented Housing Association accommodation and will be managed by the Clyde Valley Housing Association. In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. The main determining issues in assessing this proposal are whether it accords with local plan policy, its impact on amenity and road safety matters.
- 6.2 Policy 4 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated with the local context and built form. Proposals should have no significant adverse impacts on the local community and include, where appropriate, measures to enhance the environment. The design and scale of the proposed development is considered acceptable in this location given that it is an extension and third phase of the existing residential development and the design and external finishes are similar continuing the existing pattern of development. There are suitable landscape buffers between the proposed housing and the railway line and suitable distance between the proposed housing and the Cambuslang Football Stadium and Somervell Street Industrial Area. Roads and Transportation Services are satisfied with the proposed road layout, access and parking provision. The proposed development layout complies with the Residential Design Guide in terms of window to window distances, outside space and other amenity issues. The proposed development is considered to be consistent with Policy 4 and with the policy guidance set out within the associated Supplementary Guidance Development Management, Placemaking and Design.
- 6.3 As set out above, the site is identified as a proposed housing site (Policy 12). Residential development of the site is, therefore, acceptable, subject to compliance with normal development management criteria. The site is therefore considered acceptable in terms of the designation as a housing site with the adopted SLLDP.

- 6.4 With regard to road safety, Policy 16 - Travel and Transport - requires all new development proposals to consider the resulting impacts of traffic growth. The impact of the proposal on the local road network and in terms of parking provision has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions. The applicant, under the previous planning consent (CR/16/0096) has provided a financial contribution towards junction improvements at the junction of Somervell Street, Bridge Street and Glasgow Road to allow the junction to be upgraded to provide for the increased traffic flows from the current and proposed developments. The proposal can, therefore, be considered acceptable in transportation and road safety terms.
- 6.5 The application site is a brownfield site in Cambuslang and is close to public transport. It is, therefore, in a sustainable location. Given the site's location it is considered that the site can be appropriately serviced in terms of water and sewerage. No objections have been received from consultees in this regard. Conditions will be attached in respect of the detailed submission and implementation of a Sustainable Drainage Design. The proposal is, therefore, acceptable when assessed against Policy 2 – Climate Change and Policy 17 - Water Environment and Flooding of the SLLDP and the Sustainable Development and Climate Change SG.
- 6.6 The Council's adopted policy on Community Infrastructure Assessment (Policy 5) advises that a financial contribution from the developer will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. Through an assessment of the proposals it is considered that contributions would be required in terms of the impact on educational and community facilities. The applicants are in agreement to making such contributions and this will be achieved through a legal agreement or other appropriate means. The proposal, therefore, complies with Policy 5. In respect of affordable housing provision, the development includes 17 units, the terraced and flatted properties to the south east of the site, for rented Housing Association accommodation which will be managed by the Clyde Valley Housing Association. It is, therefore, considered that this provision complies with the requirements of Policy 13 - Affordable Housing and Housing Choice.
- 6.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policies 5, 11, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 in the Proposed plan.
- 6.8 Forty five letters of representation were received in respect of the proposal, the grounds of which have been addressed in Section 5 above and do not merit refusal of the application. The requirements of the statutory consultees have been addressed through the use of conditions, where appropriate.
- 6.7 In summary, it is considered that the proposal conforms to development plan policy and that the proposal raises no significant environmental or infrastructure

issues. Following a full and detailed assessment of the proposed development, it is considered that the proposed development is in accordance with the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance and the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and on that basis, it is recommended that planning permission is granted.

## **7 Reasons for Decision**

- 7.1 The proposal complies with Policies 4, 12, 13, 16 and 17 of the Adopted South Lanarkshire Local Development Plan and with associated Supplementary Guidance Development Management Place Making and Design and Sustainable Development. The proposal also complies with Policies 5, 11, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 of the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

### **Previous references**

- ◆ Planning Consent CR/11/0248
- ◆ Planning Consent CR/12/0149
- ◆ Planning Consent CR/12/0188
- ◆ Planning Consent CR/16/0096
- ◆ Planning Consent P/18/0042
- ◆ Pre-Application Consultation Notification P/18/0007/PAN

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated
  
- ▶ Consultations
 

Roads Development Management Team	03.06.2019 & 19/07/2019
Network Rail	08.02.2019
Education Resources School Modernisation Team	05.02.2019
Housing Planning Consultations	22/02/2019 & 18/07/2019
CER Play Provision Community Contribs	08.02.2019

Cambuslang Community Council	24.04.2019
Environmental Services	10.07.2019
Roads Flood Risk Management	12.04.2019
Scottish Water	30.01.2019
SEPA West Region	11.02.2019

► Representations	Dated:
Mr Charles Causer, 149 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	13.02.2019
Louise Murdoch, 151 Dale Avenue, Cambuslang, G72 7EY	01.02.2019
Mr Norman Good, 147 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	14.02.2019
Mr Alan Docherty, 153 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	15.02.2019
Miss Maxine Dallas, 145 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	15.02.2019
Mrs Maureen Good, 147, Dale Avenue, Cambuslang, G73 7EY	14.02.2019
Mrs Suzanne Craig, 37 Hoover Drive, Cambuslang, G72 7EE	05.03.2019
Mr Oliver Heath, 42 Spangler Crescent, Cambuslang, G72 7FD	05.03.2019
Miss Ashleigh Anne Pears, 42 Hoover Drive, Cambuslang, G72 7EF	05.03.2019
Miss Nicola Glancy, 31 Hoover Drive, Cambuslang, G72 7EE	05.03.2019
Miss Zoe Mullaney, 52 Hoover Drive, Cambuslang, G72 7EF	05.03.2019
Miss Emma Bell, 8 Spangler Crescent, Cambuslang, Glasgow, G72 7FD	08.03.2019
David Sutton, 9 Douglas Gate, Cambuslang, G72 8DE	06.02.2019
Mrs Louise Murdoch, 151 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	15.02.2019
Mr Jonathan Causer, 149 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	14.02.2019
Ben Murdoch, 151 Dale Avenue, Cambuslang, G72 7EY	18.02.2019

Lucy Murdoch, 151 Dale Avenue, Cambuslang, G72 7EY	18.02.2019
Fi Grimmond Mailley, Received Via Email	18.02.2019
Miss Chloe Smith, 34 Spangler Crescent, Cambuslang, G72 7FD	05.03.2019
Miss Ashley Malcolm, 32 Hoover Drive, Cambuslang, G72 7EF	08.03.2019
Mr Chas causer, 149 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	14.02.2019
Mr Stuart Anderson, 145 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	15.02.2019
Barrie Murdoch, 151 Dale Avenue, Cambuslang, G72 7EY	19.02.2019
Louise Murdoch, 151 Dale Avenue, Cambuslang, G72 7EY	19.02.2019
Mr Declan Mount, 113 Dale Avenue, Cambuslang, G72 7EY	03.03.2019
Miss Nicole Gilroy, 113 Dale Avenue, Cambuslang, G72 7EY	03.03.2019
Miss Robyn Quinn, 17 Dunscaith Drive, Cambuslang, G72 8ZF	03.03.2019
Mrs Jackie Gilroy, 9 Carlyle Terrace, Rutherglen, G73 1BE	03.03.2019
Mrs Paula Jackson, 2 Spangler Crescent, Cambuslang, G72 7FD	05.03.2019
Mrs Laura Trainer, 29 Hoover Drive, Cambuslang, G72 7EE	05.03.2019
Mr Mark Hagan, 31 Hoover Drive, Cambuslang, G72 7EE	05.03.2019
Mr Ian Blackwood, 115 Dale Avenue, Cambuslang, G72 7EY	05.03.2019
Mr Bradley Cutajar, 14 Spangler Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 7FD	06.03.2019
Mr Ryan Beattie, 8 Hess Grove, Cambuslang, Glasgow, G72 7FA	08.03.2019
Fiona Wilson, Received Via Email	18.02.2019
Miss Neve Murdoch, 151 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	13.02.2019
Mrs Linda Causer, 149 Dale Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 7EY	14.02.2019



Miss Judith Waters, 97 Dale Avenue, Cambuslang, Glasgow, G72 7EY	26.03.2019
Dr Sean McGinty, 35 Hoover Drive, Cambuslang, Glasgow, South Lanarkshire, G72 7EE	29.03.2019
Mr Michael McKeegan, 18 Hoover Drive, Cambuslang, G72 7EF	19.03.2019
Mr Andy Gilroy, 9 Carlyle Terrace, Rutherglen, G73 1BE	03.03.2019
Miss Nicole Gilroy, 113 Dale Avenue, Cambuslang G72 7EY	28.02.2019
Mr Christopher Bilsland, 38 Wheatsheaf Wynd, Cambuslang, G72 6WJ	15.04.2019
Mrs Maureen Good, 147, Dale Avenue, Cambuslang, G73 7EY	15.02.2019
Mrs. Kirsty Brown, 14 Westfarm Grove Cambuslang Glasgow South Lanarkshire G72 7RN	18.07.2019

**Contact for further information**

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

Morag Neill, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
 Phone: 01698 455053  
 Email: [morag.neill@southlanarkshire.gov.uk](mailto:morag.neill@southlanarkshire.gov.uk)

### Conditions and reasons

01. Details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

Reason: In order to retain effective planning control

02. That before any work commences on the site 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., including, where appropriate, the planting of fruit/apple trees; (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.

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

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

Reason: In the interests of amenity

04. That before any work commences on the site a scheme for the provision of equipped play area(s) within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include : (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s); (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; (c) details of the fences to be erected around the play area(s); and (d) details of the phasing of these works.

Reason: To ensure the provision of adequate play facilities within the site and in order to retain effective planning control.

05. That prior to the completion or occupation of 35 dwellinghouses within the development, all of the works required for the provision of equipped play area(s) included in the scheme approved under the terms of Condition 4 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

Reason: In order to retain effective planning control.

06. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

07. 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.

Reason: These details have not been submitted or approved.

08. 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 7 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control

09. 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.

Reason: 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.

10. That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garage.

Reason: To retain effective planning control and safeguard the amenity of the area.

11. 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.

Reason: To ensure the provision of a satisfactory land drainage system.

12. That the required drainage scheme shall be completed in accordance with the approved details prior to the occupation of any house hereby approved.

Reason: To ensure the provision of a satisfactory land drainage system.

13. That before works start on each phase of the development the applicant shall provide written confirmation from Scottish Water to the Council as Planning Authority that each phase of the development can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

Reason: To ensure the provision of a satisfactory sewerage system

14. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Appendices 1,2,3,4 & 5).

Reason: To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.

15. That prior to the construction of any dwelling house surface water drainage works shall be completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 14 above.

Reason: To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.

16. All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).

Reason: To ensure the provision of a satisfactory land drainage system.

17. If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. We recommend a 1.8 metre high 'rivetless palisade' or 'expanded mesh' fence. Network Rail's existing boundary measure must not be removed without prior permission.

Reason: In the interest of public safety

18. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.

Reason: In the interest of public safety

19. That prior to occupation of the first dwelling house the developer will submit for the written approval of the Council, as Planning Authority, a Residential Travel Plan which shall include a plan highlighting walking and cycling connections from the site to existing infrastructure together with nearby bus stops (boarding and alighting), current bus service timetables, web link to Traveline Scotland and information on Strathclyde Partnership for Transport MyBus service.

Reason: In the interest of public safety

20. That all new residents within the approved site shall be issued by the developer with a copy of the approved Residential Travel Pack.

Reason: In the interest of public safety

21. As the plans for this application show dwellings located within 30 metres of the running track it is recommended that a vibration survey is undertaken which determines the vibration dose value for properties within 30 metres of the running track. No dwelling shall be constructed where the applicant cannot demonstrate that there is a low probability of adverse comment from vibration as prescribed in British Standard BS 6472:2008 - Guide to evaluation of human exposure to vibration in buildings (1-80 Hz).

Reason: To minimise noise disturbance to adjacent occupants.

22. The applicant shall undertake a noise assessment to determine the impact of noise from nearby industrial units on the proposed development using the principles set out in British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound, or a method agreed by the Planning Authority. The assessment shall be submitted to and approved by the Planning Authority and shall identify-

- 1) the maximum Rating Levels (Including penalties either subjective or objective as appropriate)
- 2) the statistical average Background Noise Level to which any part of the development will be exposed.
- 3) Details of uncertainty shall be provided accompanied with meteorological data for the measurement period

Where the Level of Significance as described within the Scottish Government Document: Technical Advice Note Assessment of Noise, identifies changes in noise as moderate or greater (assessed with windows open), a scheme for protecting the proposed dwelling(s) from the noise shall be submitted to, and approved by, the Planning Authority. The approved scheme for the mitigation of noise shall be implemented prior to the development being brought into use and where appropriate, shall be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

(The Background Noise Level for the most sensitive period that the source could operate should be used for this assessment. Any survey submitted should assess the noise effects of commercial vehicle deliveries on adjacent dwellings and noise-sensitive premises).

Reason: To minimise noise disturbance to adjacent occupants.

23. The developer shall undertake compliance and validation measurements to demonstrate compliance with BS 8233: Guidance on sound insulation and noise reduction for buildings. The measurements shall be carried out in accordance with an agreed method with respect to current best practice. This shall demonstrate that the projections as detailed within Noise report 6356599/rmg/R1/v2 -12th July 2016 are reliable and meet with the relevant standards.

Reason: To minimise noise disturbance to adjacent occupants.

24. Prior to works commencing on site, the applicant should be required to undertake further site investigations as agreed with Environmental Services, which should be submitted to and approved in writing by the council as planning authority.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed 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.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

26. That prior to occupation of the first dwelling, or other such date to be agreed in writing by the Council's Roads and Transportation Service, the developer shall form to the satisfaction of the Council as Planning Authority all new carriageways and footways to connect the site to the existing public road on Dallas Drive which shall extend to the eastern extremity of the applicant's site. The proposals shall include a 3.0 metre shared use footway/cycleway on the south side of the spine road which shall also extend to the sites eastern boundary. This path shall extend southwards to connect with the existing footway on west side of Somervell Street. The cycle paths shall be designed in accordance with Cycling by Design 2010.

Reason: In the interests of traffic and public safety.

27. That prior to works commencing on site details of the proposed 3.0 metre wide woodland path to be formed along the River Clyde generally in accordance with drawing 3680-AL(0)100F shall be submitted to and approved in writing by the Council as Planning Authority.. The proposals shall include directional signs from the woodland path and the proposed shared use footway/cycleway on the spine road. Once approved the proposed woodland path shall be implemented in accordance with the agreed details, within the agreed timescales and maintained to the satisfaction of the Council.

Reason: In the interests of traffic and public safety.

28. That all car parking set out in the approved plan shall be provided in accordance with the National Road Development Guide and South Lanarkshire Supplement to the satisfaction of the Council as Planning Authority.

Reason: In the interests of traffic and public safety.

29. That prior to commencing works on site a Traffic Management Plan (TMP) and Development Phasing Plan (DPP) for all proposed road, footway and cycleway/path works including construction traffic access routes, staff parking, construction compound, vehicle delivery area, contractors parking, wheel wash facilities and road cleaning arrangements shall be submitted to and approved in writing by the Council as Planning Authority. Thereafter, the applicant shall implement the works in accordance with the approved TMP and DPP unless otherwise agreed in writing with the Council.

Reason: In the interests of traffic and public safety.

30. That prior to commencing works on site a plan detailing all driveway dimension and identifying the allocation of parking spaces in the parking courts to individual units shall be submitted to and approved in writing by the Council as Planning Authority. Thereafter, the applicant shall implement the works in accordance with the approved plans to the satisfaction of the Council as Planning Authority.

Reason: In the interests of traffic and public safety.

31. That all roads shall be 5.5m wide, road narrowings 3.7m wide and footways 2m wide to the satisfaction of the Council as Planning Authority.

Reason: In the interests of traffic and public safety.

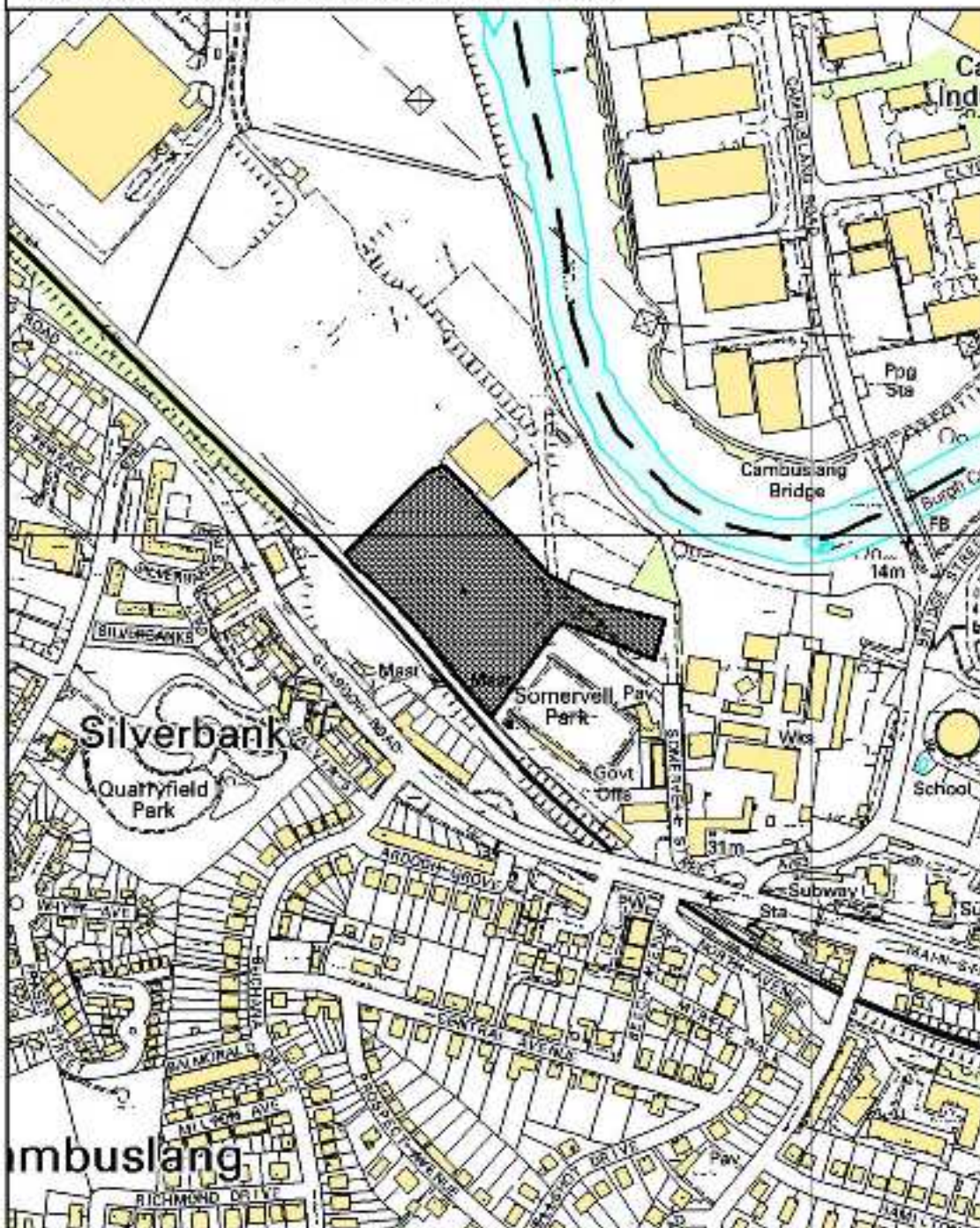
32. That prior to commencing works on site a Quality Audit including Road Safety Audit in respect of all development roads and connections to the existing public road network as referred to in the SCOTS Roads Development Guide shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: In the interests of traffic and public safety.



P/18/1837

Land 100 Northeast of Cambuslang Karling, Dale Avenue, Cambuslang



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Scale  
 1:10,000  
 Date  
 18/07/2018



South Lanarkshire Council  
 Community and Enterprise Resources  
 Planning and Economic Development



# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0676
Planning proposal:	Erection of two storey rear extension with integral single storey element.

## 1 Summary application information

Application type: Detailed planning application

Applicant: Mr Aidan Reid and Ms Jodi Hay  
 Location: 146 Neilsland Road  
 Hamilton  
 ML3 8EX

## 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

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ◆ Applicant's Agent: Steve Convery
- ◆ Council Area/Ward: 19 Hamilton South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
 Policy 4 - Development Management and Placemaking  
 Policy 6 - General Urban Area/Settlements

**Supplementary Guidance 3: Development Management, Placemaking and Design**  
 Policy DM2 - House Extensions and Alterations

**Proposed South Lanarkshire Development Plan 2 (2018)**

Policy 3 - General Urban Areas  
Policy 5 - Development Management and  
Placemaking  
Policy DM2 - House Extensions and Alterations

◆ **Representation(s):**

▶	8	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located at 146 Neilsland Road, within an established residential area of Hamilton. The site accommodates an end terraced property.
- 1.2 The curtilage associated with the dwellinghouse is rectangular in shape and is bounded by footpaths to the front, rear and western side. Similar residential properties surround the site notwithstanding an area of open space adjacent to the gable of the house. The application site is not within a Conservation Area.
- 1.3 The properties to the rear (south) of the site (Ormiston Drive) are approximately 24.7 metres away from the rear of the applicant's house.

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

- 2.1 The applicant seeks detailed planning consent for the erection of a two storey rear extension with integral single storey element. The proposed extension will protrude approximately 3.8 metres from the rear of the house. The proposed ground floor will accommodate a dining/kitchen area and will be approximately 6 metres in width, it being offset slightly from the common boundary with No. 148 Neilsland Road. The proposed first floor will accommodate a bedroom and will be approximately 4.2 metres wide. This results in the two storey element being 2m from the boundary with the adjoining property. A dual pitched roof is proposed, the roof slope nearest No. 148 being of greater size as it will cover both the two and single storey extension. The proposed materials are render, red brick and grey concrete tiles. A Juliette balcony is also proposed at the upper level of the extension.
- 2.2 The proposed drawings indicate various external alterations to the existing property including replacement windows and a new screen and door set and composite timber effect cladding to the front of the house. In addition, a new ground floor utility and upper floor en-suite window and composite timber effect cladding are proposed on the side elevation and a new upper floor bathroom window on the rear elevation. It should be noted that these works do not, on their own, require the benefit of planning consent (they are permitted development) and could be undertaken at any time due to the provisions of the 2011 General Permitted Development (Scotland) Amendment Order.

### **3 Background**

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

- 3.1.1 With regard to the South Lanarkshire Local Development Plan (adopted 2015) the site falls within the general urban area where Policy 6 – General Urban Area/Settlements applies. Policy 4 – Development Management and Placemaking is also of relevance to the proposal. In addition, the guidance contained within the supplementary guidance document relating to development management, placemaking and design is of relevance to the proposed development.

3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policy 3 - General Urban Areas and Settlements, Policy 5 - Development Management and Placemaking and Policy DM2 – House Extensions and Alterations are relevant to the proposal.

### 3.2 **Relevant Government Advice/Policy**

3.2.1 Given the nature and scale of the proposed extension, there is no specific government guidance relative to the determination of this application.

### 3.3 **Planning Background**

3.3.1 There is no site history pertaining to the application site.

## 4 **Consultation(s)**

4.1 No consultations were required to be undertaken in respect of this application.

## 5 **Representation(s)**

5.1 Statutory neighbour notification procedures were undertaken in respect of the proposal. In response, eight letters of objection were received, a number of which are from the same individuals.

5.2 The grounds of objection are summarised as follows: -

### **(a) Loss of sunlight/daylight to neighbouring properties and gardens.**

**Response:** All forms of development will generate a shadow of some description and, therefore, it is the extent and duration of shadow that is important. Given the position/relationship of the existing dwellings, the location of the proposed extension (south of the property), the size of gardens and the travel path of the sun, it is considered that any impact on neighbouring properties will not be of a significant or material degree in terms of overshadowing/loss of daylight that would justify refusal of this application. An assessment of the shadowing effect has been carried out which demonstrates that any overshadowing will be minimal, primarily due to the sloping roof design which reflects the transformation of the extension from two storey to single storey.

### **(b) Layout, density and appearance of the extension would be out of keeping with the surrounding buildings.**

**Response:** The immediate area consists of terraced properties with the wider surrounding area being a mixture of residential properties. It is not a conservation area or other recognised environmentally sensitive location and, on this basis, every house has the potential to extend providing that all detailed planning considerations are satisfactory. Indeed, a number of properties in Hamilton and throughout South Lanarkshire have already been extended to the rear including the addition of 2 storey rear extensions, some of which include a single storey element. This has been highlighted by the applicant.

The proposed extension will have a pitched roof and will be subservient to the existing dwellinghouse in that it would sit lower than the ridge of the house. Further, it is considered that the bespoke design and layout does not, in itself, provide sufficient grounds to refuse planning consent in this instance.

It is considered that there would be sufficient garden ground remaining for the extension to be accommodated within the plot. In addition, it is considered that it will not be excessively overbearing in relation to neighbouring properties. The impact of the proposal on the character or visual amenity of the house and surrounding area will be within acceptable limits.

A planning condition, should consent be granted, would ensure 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. It should be noted that this is a frequently used and appropriate planning condition for developments.

**(c) Loss of privacy – Juliette balcony in close proximity to neighbouring properties.**

**Response:** The application site and neighbouring properties are within an established residential area where a degree of mutual overlooking already occurs. Consequently, the critical aspect is whether or not the proposed upper floor glazed double door (Juliette balcony) associated with the bedroom of the extension will materially intensify any overlooking/loss of privacy. The proposed extension will be located approximately 7 metres from the rear boundary of the application site which is located approximately a further 13 metres from the footprint of the original house at 10 Ormiston Drive, Hamilton. Given the distances and juxtaposition of the extension and all neighbouring properties (including the adjacent properties), it is considered that the proposal will be within acceptable parameters, all aspects considered, and will not result in a material loss of privacy that would merit refusal of the application.

**(d) Further investigation of rainwater discharge and gutter size relative to the extensive mono pitch roof is needed. Further drainage details and discharge of surface water should be provided. Proposal will exacerbate existing drainage issues.**

**Response:** Given the nature of the proposal and the fact that the extension will result in less water draining naturally to the ground (the water that falls on the roof of the extension will be captured and drained to the public sewer), it is likely that the proposed extension would not have an adverse or material impact on land drainage that would justify refusal of the application. In addition, the gutters will be of a standard size and are used extensively at housing residential development without capacity issues.

**(e) Loss of view/outlook onto a brick wall.**

**Response:** The loss of view/outlook does not constitute a material planning consideration in the assessment of a planning application.

**(f) Potential noise, dust, upheaval.**

**Response:** The erection of an extension is likely to result in some form of disruption for a temporary period only. This is not unusual or unreasonable. Any

issues of inconvenience including noise, dust and upheaval associated with a development will not be permanent and, with appropriate site management, can be minimised. In any event, the possibility of temporary inconvenience is not sufficient grounds to justify the refusal of planning consent. Whilst it is not anticipated that noise nuisance would occur once the development is complete, any such noise issues during construction would be a matter initially for Environmental Services to address.

**(g) Detrimental impact on future sale of adjacent properties.**

**Response:** It should also be noted that the future sale of neighbouring properties is not a valid planning consideration.

- 5.3 The letters of objection have been copied and are available for inspection in the usual manner and on the Planning Portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning consent for the erection of a two storey rear extension with integral single storey element at 146 Neilsland Road, Hamilton. The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on surrounding amenity. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan framework against which the proposal requires to be assessed is the South Lanarkshire Local Development Plan (adopted 2015), its associated supplementary guidance and the Proposed South Lanarkshire Local Development Plan 2 (2018).
- 6.2 With regard to adopted planning policy as set out in the South Lanarkshire Local Development Plan (adopted 2015), Policy 4 – Development Management and Placemaking requires all proposals to take account of and be integrated with the local context and built form. The policy advises that proposed developments should not have any significant adverse impact on adjacent buildings or the surrounding streetscape in terms of layout, scale, massing, design, materials or amenity. Policy DM2 - House Extensions and Alterations of the associated supplementary guidance relating to development management, placemaking and design expands on Policy 4 and, in particular, advises that proposals should have no significant amenity impact in terms of overlooking or loss of privacy, daylight or sunlight. In addition, Policy 6 – General Urban Area/Settlements is also of relevance and states that, while the principle of residential developments will be supported within the general urban area, ‘bad neighbour’ developments will not be permitted if they are detrimental to the amenity of existing residents.
- 6.3 It is considered that the proposed development, from a land use perspective, raises no issues. In relation to policies 4 and 6 of the South Lanarkshire Local Development Plan and DM2 of the Development Management, Place Making and Design Supplementary Guidance it is noted that:
- It is considered that the proposed rear extension will be sympathetic to the existing dwellinghouse and will not have a negative impact on the visual quality and amenity of neighbouring properties and the local environment. The

imposition of a planning condition, should consent be granted, would ensure 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

- The extension would be more than 20 metres from the rear elevation of the house that adjoins the site to the rear which accords with guidelines on window to window distances on new housing development. It is, therefore, considered that the proposal will not result in a material loss of privacy that would merit refusal of the application
- Given the position of the existing dwellings and the proposed extension, along with the travel path of the sun, it is considered that there will not be a significant or material impact in terms of overshadowing/loss of sunlight/daylight and this has been confirmed by a shadowing analysis that has been carried out

6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that the proposal accords with Policies 3, 5 and DM2 in the proposed plan.

6.5 Statutory neighbour notification was undertaken and 8 letters of objection have been received. The points of representation have been summarised in Section 5 above. It is considered that the concerns raised, either individually or collectively, are not of sufficient weight or merit from a planning perspective that could justify the refusal of consent.

6.6 In conclusion, following detailed consideration of the proposed extension as set out above, it has been determined that the proposal complies with Policies 4 and 6 of the South Lanarkshire Local Development Plan (adopted 2015) and with Policy DM2 of the associated supplementary guidance relating to development management, placemaking and design. The proposal is also considered to be compliant with the relevant policies of the Proposed South Lanarkshire Local Development Plan 2, specifically Policies 3, 5 and DM2. It is, therefore, recommended that planning permission is granted for the proposed extension in this instance.

## **7 Reasons for Decision**

7.1 The proposal would have no significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan and Supplementary Guidance (Policies 4, 6 and DM2) as well as the Proposed South Lanarkshire Local Development Plan 2 (Policies 3, 5 and DM2). There are no additional material considerations which would justify refusing consent.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 23 July 2019

**Previous references**

- ◆ None

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 13 May 2019
- ▶ Shadow analysis for agent (e-mail dated 11 July 2019).

Representations	Dated:
Mrs Joan Byrne, 7 Tweedsmuir Park, Hamilton, ML3 8AT	07.06.2019
Mr Gordon Mather, 150 Neilsland Road, Hamilton, South Lanarkshire, ML3 8EX	31.05.2019
Mr Scott Miller, 148 Neilsland Road, Hamilton, South Lanarkshire, ML3 8EX	02.06.2019
Mr Alastair R Brodie, 152 Neilsland Road, Hamilton, South Lanarkshire, ML3 8EX	04.06.2019
Gordon Mather, 150 Neilsland Road, Hamilton, ML3 8EX	21.05.2019
Scott Miller, 148 Neilsland Road, Hamilton, ML3 8EX	21.05.2019
Mrs Joan Byrne, 7 Tweedsmuir Park, Hamilton, South Lanarkshire, ML3 8AT	05.06.2019
A Anderson, 8 Ormiston Drive, Hamilton, ML3 8AS	05.06.2019

**Contact for further information**

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

Murray Reid, Planning Officer, Montrose House, 154 Montrose Crescent,  
Hamilton, ML3 6LB  
Phone: 01698 453625  
Email: [murray.reid@southlanarkshire.gov.uk](mailto:murray.reid@southlanarkshire.gov.uk)



Detailed planning application

Paper apart – Application number: P/19/0676

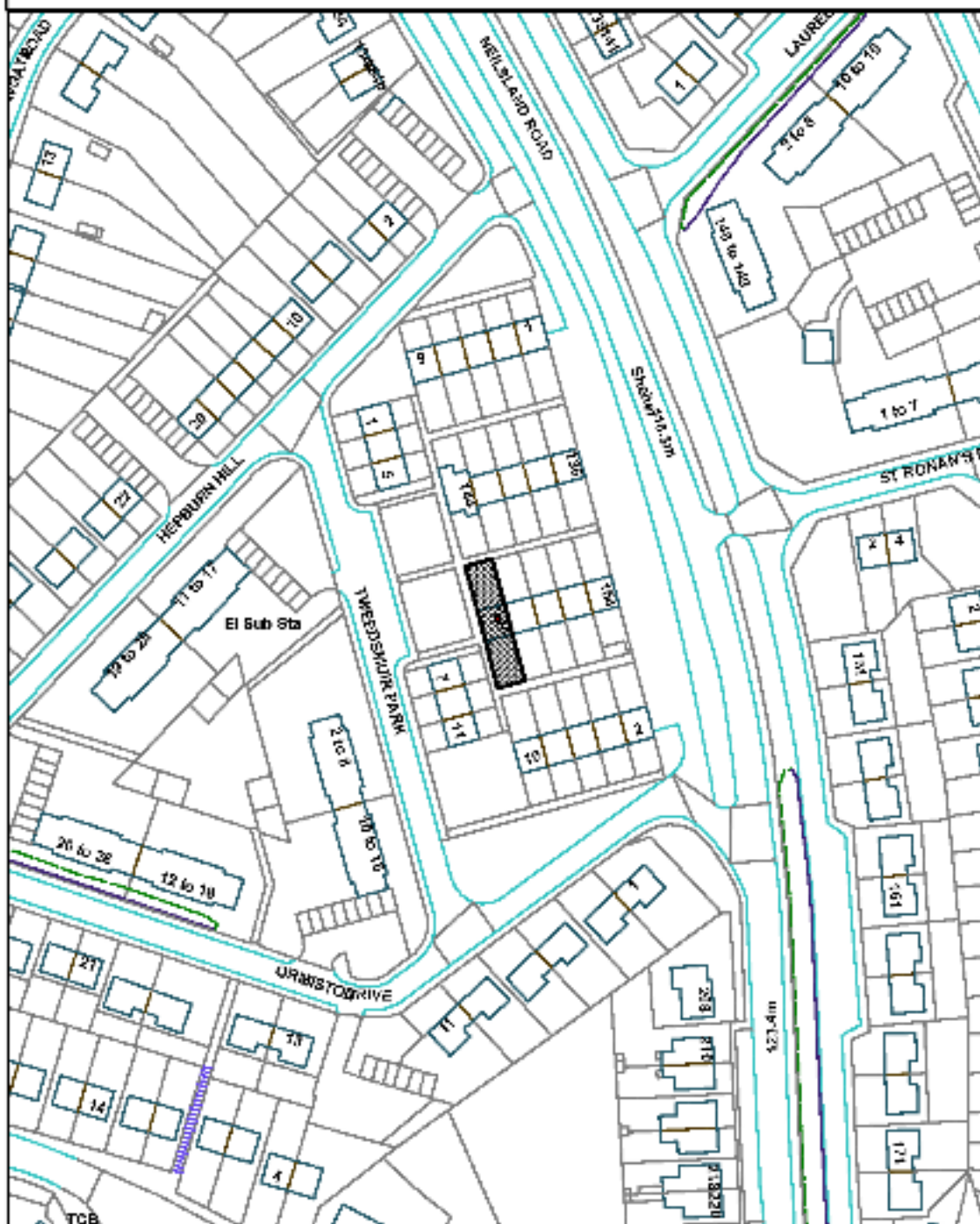
**Conditions and reasons**

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

P/19/0676

146 Neilsland Road, Hamilton



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Scale:  
1:1,200  
Date:  
10/10/19



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development

# Report

8

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	EK/17/0291
Planning proposal:	Erection of a Retail Warehouse Park including Class 1 Bulky Goods Units, Class 1 and 3 Pod Units and 2 No. Freestanding Class 3 Restaurants with Drive-Through Facilities, associated Access, Servicing, Landscaping and Car Parking

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	SC East Kilbride Limited
Location:	Land At Redwood Crescent Peel Park 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 conditions attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) The application will be subject of a Core Path Diversion requiring advertisement of a notification of the intention to divert in the local newspaper at the applicant's expense.

## 3 Other information

- ◆ Applicant's Agent: Pritchett Planning Consultancy
- ◆ Council Area/Ward: 09 East Kilbride West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 1 Spatial Strategy  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements Policy 8 Strategic and town centres

Policy 7 Employment  
Policy 10 New retail/commercial proposals

Policy 14 Green network and green space  
Policy 16 Travel and Transport  
Policy 17 Water environment and flooding  
**Development Management, Placemaking and Design Supplementary Guidance (2015)**  
DM1 - Design  
DM13 - Development within general urban area/settlement

**Sustainable Development and Climate Change Supplementary Guidance (2015)**  
SDCC 2 - Flood risk  
SDCC 3 - Sustainable drainage systems  
SDCC 4 - Water supply  
SDCC 5 - Foul drainage and sewerage

Policy NHE19 Protected species

**Proposed SLDP2**

Policy 1 Spatial Strategy  
Policy 3 General Urban Areas  
Policy 5 Development  
Policy 7 Employment  
Policy 8 Employment  
Policy SDCC2 Flood risk  
Policy 9 Network of Centres and Retailing  
Policy 13 Green Network and Greenspace  
Policy 15 Travel and Transport  
Policy 16 Water environment and flooding

**Supplementary Guidance 1: Sustainable development and climate change**

Policy SDCC2 Flood risk  
Policy SDCC3 Sustainable drainage systems  
**Supplementary Guidance**

♦ **Representation(s):**

▶	4	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Roads Flood Risk Management

Transport Scotland

SEPA West Region & SEPA Flooding

SP Energy Network

Scottish Water

Environmental Services

Countryside and Greenspace

National Grid UK Transmission

Network Rail

SPT

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site (approximately 12 hectares) relates to a vacant site within Peel Park Industrial Estate at Redwood Crescent, East Kilbride. The site is bounded to the north by a recently approved residential development site, currently under construction, to the northwest by Redwood Crescent, to the south by the East Kilbride to Glasgow railway line and to the west by Redwood Drive. To the east is an area known as K Wood, used as informal open space with a network of footpaths, grassland and clusters of mature woodland and shrubs.
- 1.2 The site is accessed via a roundabout from Redwood Crescent and generally comprises rough grassland scrub with some shrubs and small scrubby trees. The site is irregular in shape and slopes gradually north to south towards its boundary with Redwood Drive. In the context of the surrounding landscape, the southern half of the site sits lower, and existing scrub exists along its southern boundary with Redwood Drive.

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

- 2.1 This is a detailed planning application seeking consent for development of a retail park for the sale of mainly 'bulky goods' together with two drive-through restaurants. In total, 17,187 square metres (185,000 square feet) of retail floorspace is proposed.
- 2.2 It should be noted that originally, the applicants lodged a proposed layout with a different combination of size of units including one large anchor store of 4963sqm (anticipated for bulky goods/DIY use) together with associated garden centre of 2555sqm. The other retail floorspace proposed (which totalled 12,264 sqm) was to be mainstream retail (Class 1). In addition, two drive through restaurants and a family pub/restaurant were also proposed.
- 2.3 The current layout comprises a range of unit sizes including ancillary works of car parking, customer vehicular access, service access and landscaping. More specifically the proposal entails:
- 1) - 1 X 2137 sqm (23,000sqft) retail unit (bulky goods)
  - 2) - 2 X 1393.5 sqm (15,000sqft) retail units (bulky goods)
  - 3) - 4 X retail units (over two floors) with varying floorspace from 1858 sqm to 3716 sqm (20,000sqft to 40,000sqft) (bulky goods)
  - 4) - 2 X small retail units (pod 1 – 372 sqm (4000 sqft) and pod 5 – 186 sqm (2000 sqft) for general comparison goods sales.
  - 5) – 3 X small units or kiosks (pods 2,3 and 4, each 186 sqm (2000 sqft) for Class 3 café/restaurant uses to serve shoppers at the retail park.
  - 6) - 2 x drive-through restaurants (one 2-storey, 545 sqm (5866 sqft) and one 1-storey, 241.5 sqm (2600sqft))

7) - Car parking provision for the overall development – 750 car parking spaces in total, including 35 disabled bays, 12 parent/child spaces and 26 staff spaces.

The term bulky goods generally refers to: DIY goods, home furnishings, carpets and flooring, electrical and gardening goods. Also, the restricted range of goods being sought specifically includes toys and nursery equipment, pet goods and motor vehicle accessories.

- 2.4 In respect of the position of the buildings on the site, the two drive through restaurants are located in the north and north western section of the site adjacent to the vehicular access road. The larger retail units accommodate the eastern half and southern section of the site, and together with the smaller pod units wrap around the large shared car parking area which has a smaller overflow car park within the western section of the site. The bulk of the landscaping is located on the periphery of the site which provides setting for the retail park.
- 2.5 A separate service access road is proposed from the existing roundabout and runs around the eastern elevation of the larger retail units to the rear. This service road also provides access to the staff car parking spaces. To the east of the service access road, an existing recreational path (core path) is shown re-routed within the site to provide linkage to 'K' Wood.
- 2.6 The development is classified as a Major development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was the subject of pre-application consultation. A number of documents have been provided in support of the application, namely a Pre-application Consultation Report, a Design and Access Statement, Planning Statement, Ecological Assessment, Summary Investigation and Quantitative Risk Assessment Report, Geo-technical and Environmental Report, Retail Impact Assessment, Transport Assessment, Drainage Assessment, Flood Risk Assessment, Noise Assessment and Air Quality Assessment.
- 2.7 A Screening Opinion was undertaken in respect of the site. It was concluded that, given the size and scale the development is unlikely to have significant environmental effects on sensitive habitats and any watercourses within and around the site, or a significant visual impact on the surrounding area or a significant impact on the local road network from traffic generated by the development. On this basis an Environmental Impact Assessment was not required.

### **3 Background**

#### **3.1 Relevant Government Advice/Policy**

- 3.1.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 which confirms the requirement for the planning system to proactively support development that will contribute to sustainable economic growth and to high quality sustainable places. Planning Authorities should take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth. Planning authorities are required to promote the efficient use of land by directing

development towards sites within existing settlements, where possible, to make effective use of existing infrastructure and services.

### **3.2 Development Plan Status**

3.2.1 The proposed development requires to be considered against the Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP – Clyde Plan). In particular, Schedule 2 of Policy 4 is relevant. Policy 4 Network of Strategic Centres states that to support the Vision and Spatial Development Strategy, all strategic development proposals should:

- Protect and enhance the development of strategic centres in line with their role and function, challenges and future actions set out in Schedule 2;
- Protect and enhance the long-term health of Glasgow City centre to ensure there is no detrimental impact on its role and function, as set out in Schedule 2 and in support of Joint Strategic Commitment – Glasgow City Centre;
- Recognise that, whilst the network of Strategic Centres is the preferred location for strategic scale development, such proposals are subject to the sequential approach set out in Scottish Planning Policy and the assessment of impact on the other Strategic Centres in the network and town centres to ensure that there is no detrimental impact on their role and function.

### **3.3 Local Planning Policy**

3.3.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP. The Council must also have regard to its emerging proposed South Lanarkshire Local Development Plan 2 (SLLDP2).

3.3.2 The application site is located within the designated settlement boundary of East Kilbride. Within the adopted plan, in land use terms, the application site is identified as a retail/commercial out of centre site where Policy 10 – New Retail/Commercial Proposals is relevant. An eastern section of the site is designated as Green Network and Priority Greenspace where Policy 14 is relevant.

3.3.3 A number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely:

- Policy 1 – Spatial Strategy,
- Policy 4 - Development Management and Placemaking,
- Policy 6 – General Urban Areas/Settlements,
- Policy 7 Employment,
- Policy 10 – New retail/commercial proposals,
- Policy 14 – Green Network and Greenspace,
- Policy 16 - Travel and Transport,
- Policy 17 - Water Environment and Flooding.

3.3.4 The following approved Supplementary Guidance documents support the policies in the SLLDP and also require assessment:

- Supplementary Guidance 3: Development Management, Placemaking and Design
- Supplementary Guidance 6: Town Centres and Retailing



- Supplementary Guidance 8: Green Networks and Green Spaces

The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and result in no significant adverse impact.

3.3.5 These policies and guidance are examined in the assessment and conclusions section of this report.

3.3.6 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:

- Policy 1 - Spatial Strategy
- Policy 2 – Climate Change
- Policy 5 – Development Management and Placemaking
- Policy 10 – New Retail/Commercial Proposals
- Policy 13 – Green Network and Greenspace
- Policy 15 – Travel and Transport
- Policy 16 – Water Environment and Flooding
- Policy SDCC2 – Flood Risk
- Policy SDCC3 – Sustainable Drainage Systems
- Policy SDCC4 – Sustainable Transport
- Policy DM1 – New Development Design
- Policy NHE18 – Walking, Cycling and Riding Routes
- Policy NHE20 - Biodiversity

3.3.7 These policies and guidance are examined in the assessment and conclusions section of this report. It should be noted that the LDP2 policies are only referenced if they do not reflect the existing policy context in SLLDP.

## 3.4 Planning Background

3.4.1 The application site forms part of a larger area where historically a planning permission in principle application (EK/10/0056) was granted by the Planning Committee in October 2010 for a mixed use development which included a food superstore, petrol filling station, Class 3 uses and a hotel together with other associated works. Following the Masterplan approval a Matters Specified in Conditions (MSC) application (EK/12/0231), relating to the superstore and Petrol Filling Station was approved in September 2012. Thereafter, a revised scheme comprising a large scale retail/commercial development including a food superstore, garden centre and petrol filling station was approved in June 2014, EK/14/0057. The floorspace of this development extends to 15,482 sqm: superstore - 9250 sqm and garden centre - 6232 sqm. Currently, planning application EK/17/0228 to renew this consent is with the Council for determination.

- 3.4.2 As mentioned above under paragraph 2.2, in the original submission for this current planning application, the applicants lodged a proposed layout with a different combination of size of units including one large anchor store of 4963sqm (anticipated for bulky goods/DIY use) together with associated garden centre of 2555sqm. The other retail floorspace proposed (which totalled 12,264 sqm) was to be mainstream retail (Class 1). In addition, two drive through restaurants and a family pub/restaurant were proposed. After consideration, the applicants were advised of officers' concerns of the impact this particular mix of retail development might have on the viability and vitality of East Kilbride Town Centre. Therefore, the applicants reviewed their original submission and lodged a revised scheme proposing a different mix of units comprising different floorspace and significantly proposing that the retail provision would principally be bulky goods. The family pub restaurant was also omitted at this stage from the layout.

#### **4 Consultation(s)**

- 4.1 **Roads Development Management Team** – Having assessed the submitted Transport Assessment, the Roads Service has no objections to the proposal subject to conditions being attached in respect of provision of off-site road improvements including the introduction of controlled pedestrian crossing facilities, car parking standards being met including electric charging points and the provision of swept path analyses in respect of service vehicles.  
**Response:** Noted. Appropriate conditions will be added to any consent issued.
- 4.2 **Roads Flood Risk Management** - have no objections subject to conditions in relation to the detailed submission, approval and implementation of a Sustainable Drainage Design which has been independently checked in accordance with the Council's SUDS Design Criteria Guidance, provision of sign appendices, an updated flood risk assessment and provision of confirmation from Scottish Water of Technical Approval of the SUDs design.  
**Response:** Noted. Appropriate conditions will be added to any consent issued.
- 4.3 **Transport Scotland** – Having assessed the Transport Assessment, Transport Scotland offer no objections to the proposed development.  
**Response:** Noted.
- 4.4 **SEPA West Region and SEPA Flooding** - have no objections to the proposed development.  
**Response:** Noted.
- 4.5 **SP Energy Network** - have no objections in respect of the proposed development, however note that they have an underground cable within the vicinity of the site.  
**Response:** Noted. A condition has been attached in respect of statutory undertaker's apparatus. Arrangements in respect of SP apparatus are a matter between the applicant and SP Energy Networks.
- 4.6 **Scottish Water** - have no objections to the proposed development.  
**Response:** Notwithstanding this, conditions will be attached to any consent issued ensuring the protection of the water environment and water supply, in particular, in respect of the requirement for the approval and implementation of a Construction and Environmental Management Plan and the detailed SUDs arrangements for the proposed development.

- 4.7 **Environmental Services** – No objection subject to standard conditions relating to noise control, commercial waste control and dust mitigation and monitoring.  
**Response:** Noted. Appropriate conditions and informatives will be added to any consent issued.
- 4.8 **Countryside and Greenspace** - have no objections to the proposed development subject to the existing recreational path network being linked with the site and the adjacent K Wood area.  
**Response:** Noted. The proposed layout plan shows the re-routing of a core path within the site and linking with K Wood area.
- 4.9 **National Grid UK Transmission** – No response to date  
**Response:** Noted
- 4.10 **Network Rail** – No objections subject to conditions to safeguard safety in relation to the adjacent East Kilbride to Glasgow railway line.  
**Response:** Noted conditions have been attached in respect of these matters.
- 4.11 **SPT** – No objections.  
**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken, and the proposal was advertised in the local press due to the nature and scale of development, non-notification of neighbours and development contrary to development plan. Following this, 4 letters of representation and 1 comments letter were received. These representations included two detailed objection letters from CBRE on behalf of the East Kilbride Town Centre and Kingsgate Retail Park owners, Orion Group. The issues raised have been summarised as follows:

**a) There is inadequate and outdated survey data to support the retail assessments lodged with the application. In addition a new household survey to establish up-to-date shopping patterns followed by a new retail impact assessment is required.**

**Response:** It is noted that the National Survey of Local Shopping Patterns (NSLSP) survey data is dated 2012, however, it is considered that it remains valid. The reason for this view is that the shopping patterns relating to East Kilbride are well established and understood from impact assessments relating to previous retail applications in East Kilbride. While it is accepted that some elements of the retail expenditure data were sourced a number of years ago, this, in itself, does not mean that another retail assessment for this application is required. While a telephone shopping interview survey may provide further data, it is considered that this is not essential to determine this current application. The reason being is as the proposed site is a new location with no associated shopping patterns and any new survey would not record data associated with this proposed development. Notwithstanding this, it is important to highlight that through the assessment process account has been taken of the change in shopping behaviours in relation to on-line shopping and the effect of this on expenditure patterns. While representations have been received from CBRE, on

behalf of the town centre owners, it is noted that no Retail Impact Assessment has been prepared by them and there is no separate substantive information to support their views.

- b) The UK retail market is changing with high street and retail park store closures. East Kilbride Town Centre is highly exposed to these market changes and has significant and rising levels of vacant floorspace, despite the town centre owners continuing to invest. A health check on East Kilbride Town Centre is needed to interpret the retail impact assessment for the site.**

**Response:** The issues facing East Kilbride town centre are mainly a consequence of two factors: (1) a shift in the retail market where multiple retailer demand is increasingly concentrated in the very largest centres, (2) internet retail spending on comparison goods is now a large proportion of total spend and it is forecast to increase further. While the issues facing East Kilbride Town Centre, in terms of its scale, layout and current vacancies are well understood, the proper consideration of this application is the assessment of whether the proposed development will attract significant trade away from East Kilbride Town Centre to an extent that it will or would likely to have an adverse impact on the vitality and viability of the town centre. The assessment undertaken supports the view that provided the new development is restricted to bulky goods and the other limited categories as set out in the application, the proposed development will not or would not be likely to have an adverse impact on the vitality or viability of that town centre. Accordingly, as the impact on East Kilbride Town Centre has been given consideration, it is not considered that an additional assessment of that town centre would assist so a health check of East Kilbride Town Centre is not required.

- c) CBRE provided information which indicates the commercial pressures on the town centre. CBRE dispute that there would be no material impact on the town centre by a new retail park at this site.**

**Response:** The application is for mainly bulky goods sales which accords with the generally accepted view that this range of goods has the least impact on town centres. The applicants have defined the proposed range of goods on which they are willing to accept restrictions: DIY goods, home furnishings, carpets and flooring, electrical and gardening goods, toys and nursery equipment, pet goods and motor vehicle accessories and no other uses. The last four categories are not classified as bulky goods. From the recent tenant information provided by CBRE, they advise that the following retailers in the town centre which are relevant to the range of goods proposed at the Redwood site are: Olympia Pet Shop, Warhammer Toys and Games, Toytown and Game.

In recognition of this issue, it is proposed to further restrict the range of goods to exclude toys and nursery equipment, as this would further reduce any potential impact on the East Kilbride Town Centre. Therefore, it is considered that negligible trade diversion from the town centre to the proposed development would occur.

- d) Information was provided on occupied units and the extensive levels of vacant space at Kingsgate Retail Park. Orion continues to invest in the Retail Park, but development of the Redwood Crescent site would threaten the commercial viability of Kingsgate under the market circumstances.**

**There is evidence of very limited/ negligible market interest by bulky goods retailers to locate in East Kilbride, therefore, this proposal cannot be justified.**

**Response:** CBRE provided evidence on market demand. It points to a lack of known bulky goods-related retailer requirements to locate in East Kilbride, combined with significant voids in Kingsgate Retail Park. While Kingsgate has been affected by closures with resulting void space, it is considered that potentially this situation could be changed with further investment, as evident in other retail parks in Scotland, for example Fife Central Retail Park in Kircaldy. Where units in retail parks become void, they can be reconfigured/ redeveloped to accommodate new tenants. In respect of Kingsgate, in recent times, the floorspace in some units has been reconfigured, for example the Next/Costa unit and the redevelopment of the Pizza Hut site to introduce a small Class 1 unit (Greggs), Class 3 drive through restaurant/hot food unit and a drive through coffee outlet. Also, a view could be taken that it is inconsistent for those making representations to argue that there is no market demand for the proposed development on the one hand, while at the same time expressing concern about potential retail impact on the town centre.

- e) The development would massively increase the traffic on Redwood Drive and at the roundabout. It is extremely difficult to cross Redwood Drive. A pedestrian crossing at Redwood Drive has been enquired about.**

**Response:** Any approval would require the developer to install three pedestrian controlled crossing facilities including one on Redwood Drive. This would be a condition of any approval and these would require to be installed prior to any part of the proposed development being brought into use. It should also be noted that Roads Services and Transport Scotland have not objected to the application.

- f) Maximum protection should be given to all wildlife, flora, fauna etc.**

**Response:** The applicant lodged a habitat survey with the application which identified negligible presence of wildlife within the site. An informative would be attached to any approval to require that any vegetation removal should take place outwith the bird breeding season and to monitor for the presence of bats and badgers during construction.

- g) Landscaping to be to the benefit of butterflies and moths.**

**Response:** A landscape scheme has been submitted which will support habitat for insects.

- h) Storage facility of ethanol which is on an adjacent site, separated by the railway line, and speculation that a petrol station is proposed. Reassurances are requested that the distance between the two facilities is sufficiently wide and safety measures are in place to mitigate risk in the unlikely event of an incident occurring.**

**Response:** The development proposal no longer comprises a petrol filling station and therefore it is considered that potential conflict in terms of hazardous materials would not arise.

- i) Reassurance is sought that increase in traffic volume resulting from the development will not create congestion that could lead to interruption of**

**routine deliveries to the industrial facility adjacent, which operates a day and night shift manufacturing pattern.**

**Response:** The applicant submitted a Transport Assessment and this has been carefully considered by the Council's Roads Service together with Transport Scotland. It is considered that the existing road network has the capacity for this scale of development.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) etc. 2006 Act, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan framework comprises the Strategic Development Plan 2017 and the adopted South Lanarkshire Local Development Plan 2015. In addition, the Council has approved the Proposed South Lanarkshire Local Development Plan 2 and, therefore, this is also a material consideration.
- 6.2 The determining issues in the assessment of this application are compliance with national and development plan policy, its impact on East Kilbride New Town's retail hierarchy, on the amenity of adjacent premises and its impact on the surrounding road network.
- 6.3 To assist the Council in determining the application, the Council commissioned Roderick MacLean Associates Ltd (RMA) to produce an independent report titled East Kilbride Retail Capacity and review of Applications, March 2018. Following the changes to the proposal to principally bulky goods, the Council re-commissioned RMA in October 2018, who produced a second independent report titled Redwood Retail Park: Retail Impact Assessment-with bulky and restricted goods, dated November 2018. It should be noted that Roderick MacLean (RMA) has been advising the Council on East Kilbride retail matters since 2008.
- 6.4 In assessing planning applications, it is also necessary to evaluate the proposals against the most up to date policies and criteria contained in the relevant national planning policy. Scottish Planning Policy (SPP) states that the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places. Planning authorities should take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that could contribute to economic growth. The proposed development can be considered to support the Scottish Government's wider strategy for economic growth by bringing into productive use a site which has been vacant for over 25 years and has the potential to deliver both full and part time jobs.
- 6.5 This development is outwith the network of strategic centres as detailed in the Strategic Development Plan July 2017 (Clydeplan) Schedule 2 of Policy 4. The Clydeplan has maintained the previous Structure Plan approach to support and enhance existing network centres. Those proposals which are considered to do so are supportive of the Clydeplan. In this case, it is considered that, given the scale

and nature of the proposal which is principally for bulky goods, it would improve the qualitative retail offer for the catchment area but would not have an adverse impact on East Kilbride Town Centre. In that context, the proposal is broadly consistent with the aims of the Clydeplan.

- 6.6 Under the adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and associated Supplementary Guidance (SG), the application site is allocated as an out of centre retail/commercial location (Policy 1). The proposed development is a retail park for the sale of mainly bulky goods. Also included are two small pod units (pods 1 and 5) for general comparison goods sales, plus three small pod units or kiosks (pods 2, 3 and 4) for Class 3 café/restaurant uses to serve shoppers at the retail park, plus two drive-through restaurants. The proposed development is therefore consistent with the Out of Centre Retail zoning within the SLLDP, subject to compliance with normal development management criteria and assessment of retail impact. These matters are considered in the following paragraphs below.
- 6.7 The proposed development is also considered to be consistent with Policy 7 Employment which details the Council's support for sustainable growth and regeneration of business through the identification of employment land. The redevelopment of this vacant site would provide future employment, local retail facilities and commercial facilities. It should also be noted that the applicant has advised that redevelopment of this site would create around 260 new Full Time Equivalent jobs.
- 6.8 Policy 10 –New Retail/Commercial Development sets out the criteria to assess new retail development proposals and reflects the national (SPP) and strategic policy framework for assessing new development. In particular, Policy 10 ii, which requires that new retail development shall not undermine the vitality and viability of town, village or neighbourhood centres, and Policy 10 iii, which requires that development can be supported by the area's catchment population, are relevant to this application.
- 6.9 With regard to Policy 10 criteria (iii), the main catchment area for the proposed development covers East Kilbride and Strathaven, as previously defined within a technical report associated with the former Glasgow and Clyde Valley Structure Plan. An assessment based on the National Survey of Local Shopping Patterns (NSLSP) (2012 shopping survey) confirms that the area is still an appropriate definition of the main comparison shopping catchment area of East Kilbride.
- 6.10 The applicant has submitted a Retail Assessment together with a supplementary report (RA) which includes both a qualitative and quantitative assessment of the impact of the proposal on existing and consented retail developments in the East Kilbride area. In terms of retail, the RA lodged states that the application site is already allocated for retail development in the local development plan, this is reflected in the previous consent on the site, and therefore passes the sequential approach. It also states that the Council has confirmed in its consideration of a previous bulky goods retail scheme on a site opposite, that the sequential approach to site selection had been satisfied and that bulky goods is not a town centre format of retailing. Therefore, the applicant states that the same conclusion can be reached in respect of this current proposal. In addition, the applicant states that the following points should be noted and considered:

- a) The applicant has increased the minimum size of bulky goods unit to 1,394sqm (15,000 sqft) which is of the same scale of development assessed as not being capable of development within the town centre. The bulky goods retail warehouses have similar operational requirements to Lidl in that they require easy access by car due to the type of goods for sale such as DIY, furniture, floorcoverings, kitchens and bathrooms. The proposal is for a retail warehouse park rather than for individual units and the applicant draws attention to the fact that the Council has accepted in the application to the north that co-location of units is an important locational consideration in encouraging linked trips to a variety of similar units.
- b) It has been established and is agreed that there is substantial leakage of retail expenditure to centres beyond the East Kilbride catchment. The Council also instructed an independent retail assessment which confirmed that there is scope in the town to reclaim some of this leaked expenditure. Currently, leakage of bulky goods expenditure is directed towards Paisley, Hamilton and Birkenshaw which leads to unsustainable shopping journeys which are unnecessary. This leaked expenditure also means that jobs are not being created in the retail sector and the East Kilbride economy is smaller and less robust than it should be.
- c) The applicant states that bulky goods operators cannot afford the costs of accommodation in the town centre and that this is one of the main reasons why bulky good operators are located in purpose-built, larger units in accessible peripheral locations which complement the town centre function. The applicant notes that the Council has accepted that bulky goods operators complement the town centre function. The scale of car parking is over 700 spaces which is not capable of being accommodated in the town centre and has to be situated in close proximity to store frontages due to the nature of goods sold.
- d) The applicant states that the site is allocated for unrestricted retail development and so the applicant does not require to justify the principle of retail development, particularly given the favourable local development plan policy position. This current application offers an opportunity for the Council to provide a purpose-built bulky goods retail warehousing with agreed restrictions on trading which is a substantial benefit compared to no restrictions on the type of goods that can be sold.
- e) Commercial agents acting on behalf of the applicant have established that there is strong unmet market demand for bulky goods retailing in East Kilbride. It has a catchment of over 170,000 people, which is not currently catering for a large established bulky goods market with only five bulky goods retail warehouses in the catchment. This proposal is designed to fill this substantial gap in the bulky goods market.
- f) The applicant states that there is no reason why East Kilbride should not have similar ranges of goods being sold in retail park locations as towns like Livingston, Falkirk, Dundee, Dunfermline, Kirkcaldy, Paisley and Hamilton. East Kilbride also has fewer bulky goods retailers than smaller towns like Ayr, Stirling and Perth. The applicant states that the proposed retail warehouse park would be restricted to bulky goods and would therefore complement the town centre and Kingsgate retail park which are not reliant to any extent on the sale of bulky goods. Major benefits of the scheme would be job creation, the establishment



of new retailers in East Kilbride and so a substantial reduction in leaked expenditure.

- g) The applicant mentions that the Council's own retail consultant (Roderick MacLean Associates Ltd (RMA)) estimated that an unrestricted comparison goods retail park would not have a significant impact on East Kilbride town centre. The applicant claims that the impact suggested is less than that calculated for the Lidl development which the Council supported. (Note that RMA did not in fact assess the impact of the comparison floorspace element of the proposed Lidl because it was too small to be meaningful). The applicant intimates that it would be entirely inconsistent for the Council to conclude that the impact of this restricted, bulky goods proposal would harm the town centre.

- 6.11 The comments made by the applicant are noted and have been taken into account in assessing the proposed development. As noted above, to assist in determining the planning application, the Council commissioned RMA to undertake an independent retail impact assessment of the potential impact of the proposal. The conclusions of this assessment are set out below.
- 6.12 In terms of the sequential approach, as it relates to the application site, the site is zoned in the adopted South Lanarkshire Local Development Plan for retail/commercial use at this location. Therefore, the principle of this development accords with local plan zoning. In addition, as submitted by the applicants, it is acknowledged that a proposal of this scale along with the associated infrastructure and car parking, could not be accommodated in the town centre.
- 6.13 The RMA report concluded that there is forecast spare comparison expenditure capacity to support new retail developments in East Kilbride to 2021 and beyond. This spare expenditure will support the scale of the proposed development and at the same time would not have a significant adverse impact on the Town Centre.
- 6.14 As previously noted, the current retail proposal was revised by the applicant to principally Bulky Goods and in October 2018, the Council commissioned another report from RMA to assess the retail impact of the current variant of the Redwood application. The RMA report concluded that the proposed retail park at Redwood, restricted to mainly bulky goods sales, could be accommodated without undermining the vitality and viability of town centres and local centres in the network of centres, including East Kilbride Town Centre.
- 6.15 As set out under the response to the objectors point (c) above, it is proposed to further restrict the range of goods to exclude toys and nursery equipment. It is acknowledged that the applicant could apply for a relaxation at a later date to this restriction and also the bulky goods restriction. While any such application(s) would require to be assessed on their own merits at the time of submission, it is considered appropriate and necessary to impose these restrictions to ensure that the development accords with planning policy.

Therefore, I am satisfied that the proposed development accordingly complies with SLLDP Policy 10 (ii).

- 6.16 In terms of other Local Development Plan policies, an element of the site (eastern section) is also identified as a Green Network area (Policy 14). The loss of such

areas will generally not be supported, however, policy guidance advises that the partial loss may be acceptable where it is considered that the enhancement of the environment can best be achieved by the redevelopment of part of the site which would not affect its function and that there is no significant adverse impact on the character and amenity of the surrounding area. This is the case in this instance, the proposed development includes peripheral landscaping, enhanced planting and can link into the established open space and wooded area to the east known as 'K' Wood. The site has lain vacant for many years and has an unkempt appearance. When read as a whole, the overall layout will be an enhancement to the area with appropriate landscaping to soften the edge of the site and will link it with the green network area lying to the east. The site is considered acceptable in terms of these principle land use designations with the adopted SLLDP.

- 6.17 Policy ENV30 - New Development Design is also relevant to the assessment of the proposal. The policy requires that new development supports quality and sustainability in its design and layout and should enhance or make a positive contribution to the character and appearance of the urban or rural environment. The development proposal has been designed to fit into the landscape with the built and landscaped elements of the development proposal complementing the setting of the site on the edge of Peel Park. The architectural design of the warehouses is standard format and is, therefore, acceptable in planning terms.
- 6.18 The matters considered relevant from a development management perspective, are set out within Section 3.3 above. Principally, these policies seek to ensure that any development within an area which is predominantly urban in character does not adversely impact on the amenity of such areas, that any such proposal can be adequately served by appropriate services and has been designed in a manner which takes cognisance of appropriate guidance. Policy DM 1- Development Management generally requires all development to take into account the local context and built form of the area and require that new developments support quality and sustainability in its design and layout and enhance or make a positive contribution to the character and appearance of the environment. It requires the provision of suitable access arrangements and appropriate infrastructure provision for all developments. In this instance, the buildings are of a contemporary warehouse design taking cognisance of the topography of the site. The application site is to be served by a customer vehicular access from the roundabout in Redwood Crescent, and will have a separate service access road running around the rear of the units. Adequate car parking provision is proposed. Given the above, it is considered that the proposed development complies with the aims of Policy DM1 of the adopted local plan. Having considered the design and layout of the development, I am satisfied that the development is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable development management policies and guidance. Although the proposal was advertised as development contrary to the development plan prior to it being assessed, based on the assessment set out above, it is considered that the proposal accords with planning policy.
- 6.19 In summary, the proposal is considered to be acceptable for the reasons set out below:
- The site has local development plan zoning for retail/commercial out of centre development

- A detailed policy and retail assessment has been undertaken which concluded that sequentially, the proposed development is acceptable at this location
- The proposed development would not undermine the vitality and viability of East Kilbride town centre
- A condition would be imposed to restrict the retail warehousing to bulky goods
- Approval of the proposed development would bring a vacant site into productive use
- The proposed development would realise over 260 full time equivalent jobs
- All the development management and infrastructure issues have been resolved.

6.20 In conclusion, the proposed development has satisfied the criteria and guidance set out in the relevant policies of the approved strategic plan and the adopted and proposed local development plan. On this basis and having regard to the evidence lodged and the restriction to bulky goods, it is considered that the proposed retail park at Redwood Crescent can be accommodated without adversely affecting the vitality and viability of the established centres, including East Kilbride Town Centre. In addition, it will add improved choice to consumers for bulky goods shopping and reduce expenditure leakage outwith the East Kilbride area.

6.21 In recommending approval of this application, officers are aware of the wider issues facing town centres and specifically East Kilbride Town Centre. Reaching this recommendation has been a finely balanced judgement that recognises the economic benefits arising from this development proposal in terms of employment opportunities, the additional retail offer it would bring to the East Kilbride area and in turn retain expenditure to the local area. At the same time, to ensure compliance with planning policy and to mitigate possible impact on the East Kilbride town centre, there is a need to control the nature of the retail offer to mainly bulky goods. It is considered that recommending the approval of this development proposal subject to conditions as set out strikes that balance. I, therefore, recommend that the application is approved, subject to the conditions attached.

## **7 Reasons for Decision**

7.1 The development proposal as a bulky goods retail park will not undermine the vitality and viability of East Kilbride Town Centre, has no adverse impact on residential or visual amenity and raises no road safety concerns. The development complies with the provisions of the adopted South Lanarkshire Local Development Plan (adopted 2015) and the Proposed South Lanarkshire Local Development Plan 2 and, in addition, the proposal accords with the relevant Development Plan Supplementary Guidance.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

**Previous references**

- ◆ EK/10/0056
- ◆ EK/12/0231
- ◆ EK/14/0057
- ◆ EK/17/0228

#### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated
  
- ▶ Consultations

Roads Development Management Team	19.06.2019
Roads Flood Risk Management	08.08.2018
SP Energy Network	22.08.2017
Scottish Water	31.08.2017
SEPA West Region & SEPA Flooding	25.05.2018 & 24.07.2018
Environmental Services	15.08.2018
Transport Scotland	26.09.2018
Countryside And Greenspace	18.08.2018
Network Rail	30.08.2017 & 26.07.2018
SPT	30.07.2019

► Representations	Dated:
The Mentholatum Company Ltd, Rob Yateman, Managing Director, The Mentholatum Company Ltd, 1 Redwood Avenue, Peel Park Campus, East Kilbride, G74 5PE	07.09.2017
CBRE Limited on behalf of Orion, Sutherland House, 149 St Vincent Street, Glasgow, G2 5NW	21.09.2017
CBRE on behalf of Orion, Sutherland House, 149 St Vincent Street, Glasgow, G2 5NW	13.04.2018
J E Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS	01.08.2018
Colette Mansbridge, 30 Ocein Drive, East Kilbride, G75 8RJ	23.05.2019

### **Contact for further information**

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

Maud McIntyre, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455043

Email: [maud.mcintyre@southlanarkshire.gov.uk](mailto:maud.mcintyre@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That before works start on the development or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: These details have not been submitted or approved.

02. That before works start on the development, details of all boundary treatment(s) 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.

Reason: These details have not been submitted or approved.

03. That before works start on the development, 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., including, where appropriate, the planting of fruit/apple trees; (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.

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

04. 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 hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of amenity.

05. That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: In the interests of amenity and traffic safety.

06. 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.

Reason: To retain effective planning control.

07. That between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90 (1/2hour)) by more than 4dB (A) when measured in accordance with BS4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 2000 and 0800 the noise rating level emitted from the premises (LAeq (15mins) ) shall not exceed the pre-existing background noise level (LA90 (1/2hour)) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Reason: In the interests of amenity.

08. Detailed sound insulation calculations should be undertaken at the appropriate detailed design stage to ensure that internal noise levels comply with the internal noise levels contained in BS8233:2014/WHO Guidelines. The business operator shall submit to the Local Planning Authority a proposed independent consultant who shall undertake these detailed sound insulation calculations. This shall demonstrate that the projections as detailed within Sharps Redmore noise assessment of proposed mixed use development and residential development at Redwood Crescent, East Kilbride prepared on 12th May 2017 (5.0 Proposed residential development) are reliable.

Reason: In the interests of amenity.

09. In relation to construction noise, the applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228, 'Noise control on construction and open sites'. Prior to commencement of construction activities a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be provided in accordance with the standard. The emissions at the NSR shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. Corrections shall be made for variables such as the operating time and the relative cumulative impact value. This shall be corrected for attenuation shall be provided as an LAeq.1hr to be compared with either the pre-existing background level or using the ABC table within the British Standard. The applicant shall further ensure that audible construction activities shall be limited to, Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. No audible activity shall take place during local and national bank holidays - without the prior written approval of the planning authority. Under exceptional conditions the above time restrictions may be further varied subject to written agreement with the council as Planning Authority.

Reason: In the interests of amenity.

10. 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.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

11. 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 drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority. (Appendices 1, 2, 3, 4 +5).

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

12. That prior to any work starting on site, a Flood Risk/Drainage Assessment and Independent Check shall be carried out, submitted to, and approved in writing by the Council as Planning Authority. This Assessment shall include confirmation that a suitable FFL is provided and procedures are considered to ensure access/egress can be obtained should flooding occur. The Assessment and Independent Check shall be carried out in accordance with the latest industry guidance listed within Section 4.0 of the Council's SuDS Design Criteria Guidance Note. (Appendices 3 + 4).

Reason: To ensure that the risk of flooding to the application site from any source is at an acceptable level as defined in the SPP and that there is no increase in the future flood risk to adjacent land as a result of the proposed development.

13. That the development hereby approved is restricted to seven non-food retail warehouse units to be used only for the sale of DIY goods, home furnishings, carpets & flooring, electrical & gardening goods, pet goods and motor vehicle accessories and for no other uses within Class 1 of the Town & Country Planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council.

Reason: To safeguard the retail hierarchy including East Kilbride town centre and to retain effective planning control.

14. That the seven retail warehouse units hereby approved, Class 1 retail (mainly bulky goods), will not exceed the total of 16,073 sq. metres gross floor area. The proportion of floorspace devoted to the sale of the specified restricted goods categories (pet goods and motor vehicle accessories) is limited to 30% of the total (bulky goods and restricted goods combined). The five pod units will not exceed the floor areas shown in the application and supporting documentation.



Reason: In order to retain effective planning control and protect the town centre.

15. For the avoidance of doubt and notwithstanding the proposed provision in the Planning etc. (Scotland) Act 2006 that subdivision of the approved bulky goods retail units shall require planning permission.

Reason: In order to retain effective planning control.

16. Prior to the retail development hereby approved being brought into use the developer shall include provision for 30 No. electric charging bays on the retail site to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

17. That the Travel Plan Framework contained within the Transport Assessment Addendum (dated July 2018) shall be developed following the opening of any part of the retail development.

Reason: In the interests of sustainability.

18. That prior to the bulky goods retail units being operational a Staff Travel Plan shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure sustainability in terms of reduction in staff vehicular journeys.

19. Further details regarding the specification and alignment of the existing footpath shaded green on Drawing No 2164-308 Rev C shall be submitted for consideration and approval. Thereafter the footpath shall be constructed in accordance with the approved details, to the satisfaction of the Council as Planning Authority.

Reason: This information has not been submitted.

20. Prior to development commencing on site, a dust management and monitoring scheme shall be submitted to and approved 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.

Reason: In the interests of amenity.

21. Before the food businesses are brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The proposed development shall not be brought into use until the ventilation systems are operational in accordance with the approved details. All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.  
The ventilation systems shall:  
a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.  
b) Be constructed to by employing best practical means to minimise noise and vibration transmission via plant and the building structure.

c) Noise associated with the businesses shall not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.

d) The discharge stack shall:

1. Discharge the extracted air not less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen.
2. If 1 cannot be complied with for planning reasons, then the extracted air shall be discharged not less than 1m above the roof eaves or dormer window of the building housing the commercial kitchen. Additional control measures may be required.
3. If 1 or 2 cannot be complied with for planning reasons, then an exceptionally high level of odour control will be required.

Reason: In the interests of amenity.

22. Details for the storage and the collection of waste arising from the proposed development shall be submitted to, and approved in writing by the Planning Authority. The agreed details shall be in place prior to the development being brought into use and thereafter be satisfactorily maintained.

Reason: This information has not been submitted and in the interests of amenity.

23. That controlled pedestrian crossing facilities shall be introduced at the following locations prior to any part of the development being brought into use. The aforementioned facilities will require to connect to the existing footway network where required. A design must be approved by Planning and Building Control Services and Roads and Transportation Services prior to commencement on site.
- Eaglesham Road east of Greenhills Road at the extension of the existing remote footway from Blaeshill Road; and
  - Redwood Drive approximately 130m north of the north road channel line of Eaglesham Road.
  - Greenhills Road at the existing remote footways which provide a link between Berriedale and Blaeshill Road.

Reason: In the interests of pedestrian and traffic safety.

24. That cycle parking shall be introduced in accordance with the National Development Guidelines, location and detailed specification of which shall be submitted and approved by the Council as Planning and Roads Authority prior to the commencement of site works.

Reason: In the interests of sustainability and to encourage cycling.

25. That a bus service strategy be submitted to and approved by the applicant prior to commencement on site. The strategy should progress with the potential to extend or divert the existing bus services to Redwood Crescent. The strategy should also include detailed plans showing the locations of the bus stop facilities which should include; shelters, power source for lighting, flag pole, road markings. The bus stop infrastructure must be introduced before the opening of any part of the development.

Reason: In the interests of sustainability.

26. That the Travel Plan Framework contained within the Transport Assessment Addendum (dated July 2018) be developed following the opening of any part of the retail development.

Reason: In the interests of sustainability.

27. That the improvement to Stewartfield Way exit and approach only as shown on drawing number 15033\_014 shall be designed and introduced prior to the opening of the retail park.

Reason: In the interests of traffic safety.

28. All parking bays shall be dimensioned as per National Roads Development Guide, 2.5m x 5.5m with aisle width of 6m, to the satisfaction of the Council as Planning and Roads Authority.

Reason: In the interests of traffic safety.

29. That all surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).

Reason: In the interests of railway network safety.

30. That the development hereby approved shall not be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water scheme constructed to the specification and satisfaction of Scottish Water as the Water Authority, unless otherwise agreed.

Reason: To ensure that the development is served by an appropriate water supply.

31. That the retail units hereby approved shall not be merged into larger units or subdivided into smaller units for sale, lease or otherwise without being the subject of a further planning application to the Council as Planning Authority.

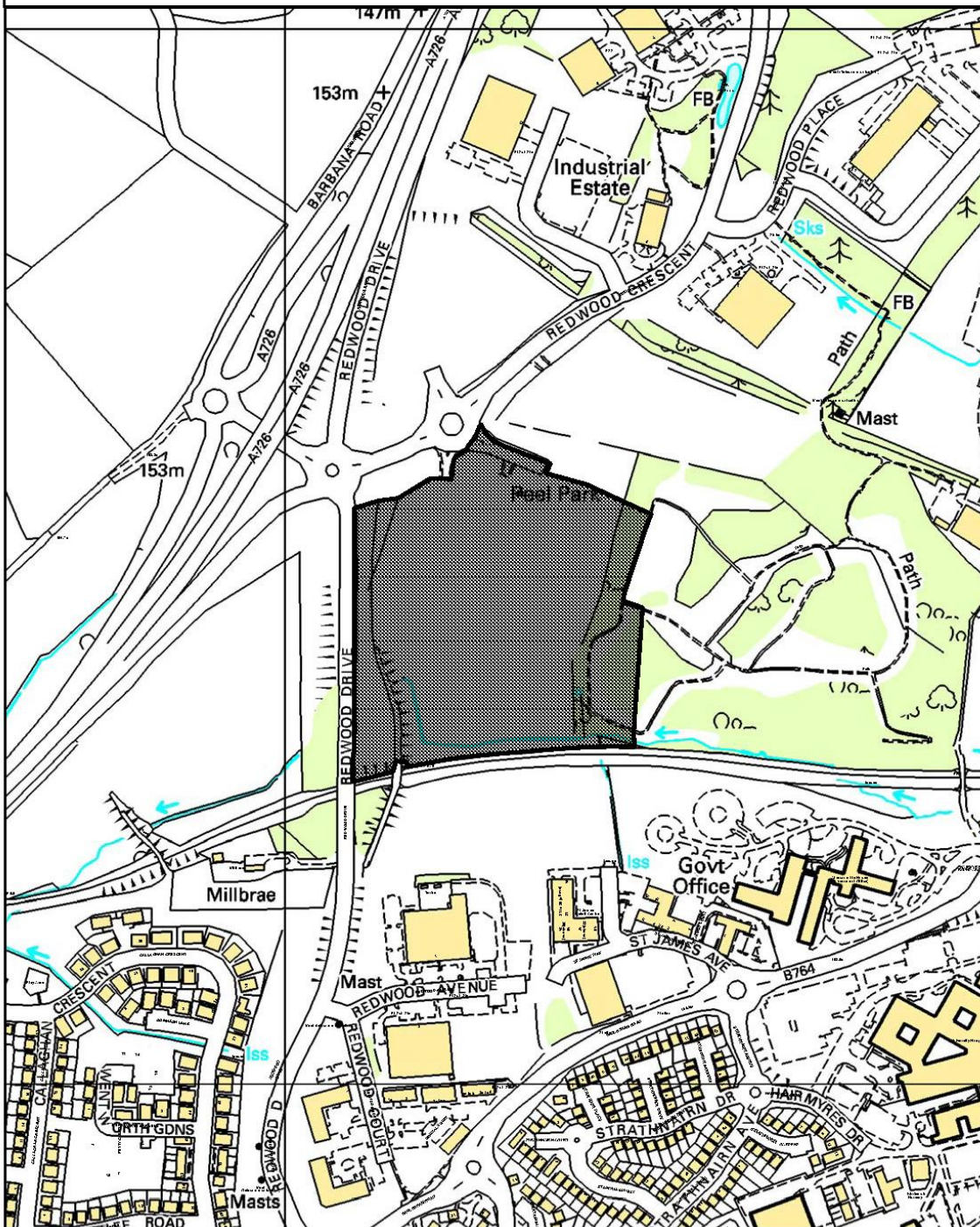
Reason: To safeguard the retail hierarchy including East Kilbride Town Centre and to retain effective planning control.

32. That the improvements on Redwood Crescent at its junction with Redwood Drive as shown on drawing number 155033\_019\_A be designed and introduced prior to the opening of the retail park.

Reason: In the interests traffic safety.

EK/17/0291

Land at Redwood Crescent, Peel Park, East Kilbride



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Scale:  
1:5,000  
Date:  
10/07/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development

# Report

9

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0514
Planning proposal:	Erection of single storey dwellinghouse with associated parking and landscaping

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr J Robertson
Location:	Land 41M WSW Of Righead United Reformed Church Mungo Park East Kilbride South Lanarkshire

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent: DTA Chartered Architects
- ♦ Council Area/Ward: 07 East Kilbride Central South
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements  
  
**Supplementary Guidance 3 Development Management, Placemaking and Design**  
Policy DM1 Design

**Proposed South Lanarkshire Local  
Development Plan 2**  
Policy 3 General Urban Areas and Settlements  
Policy 5 Development Management and  
Placemaking  
Policy DM1 New Development Design

◆ **Representation(s):**

▶	22	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site covers an area of 520 square metres and sits between an existing three storey block of flats and Righead United Reform church and associated hall. The site would be accessed from Mungo Park which runs parallel to Murrayhill.
- 1.2 The site is at a lower level to the adjacent flats and the proposed dwellinghouse would be positioned on the grassed area to the rear of the church and hall. The site is bounded to the rear by a mature hedge and this sits between the site and Murrayhill. Opposite the site, there are two blocks of flats.

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

- 2.1 The applicant seeks detailed planning permission for the erection of a single storey, flat roofed two bedroomed dwellinghouse. Access would be taken directly from Mungo Park and in curtilage parking for two cars would be provided to the front of the site. A landscaped, garden area, approximately 8 metres in depth would be formed along the north-west boundary of the site closest to the block of flats. The garden to the rear of the proposed dwelling would be approximately 9 metres in depth.
- 2.2 The proposed dwelling has been designed to ensure there is no overlooking of the adjacent flats and the side elevation adjacent to the flats has no windows within that elevation. The proposal would be finished in facing brick similar to the finish on the adjacent church. There would be one bedroom window on the other side elevation of the proposal and this would look on to the blank wall of the church.

### **3 Background**

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

- 3.1.1 In determining this planning application, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and its associated Supplementary Guidance (SG).
- 3.1.2 In land use terms, the application site is identified within the SLLDP as being within a general residential area. Policy 6 (General Urban Area/Settlements) is applicable and states that residential developments and those of an ancillary nature may be acceptable within urban areas and settlements, provided they do not have a significant adverse impact on the amenity and character of the area. Developments that will be detrimental to residential amenity will not be permitted.
- 3.1.3 Policy 4 (Development Management and Place Making) of the SLLDP and Policy DM1 (Design) of Supplementary Guidance 3: Development Management, Place Making and Design are also considered relevant and require all development proposals to take account of, and be integrated with, the local context and built form of the area.

3.1.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:

- Policy 3 – General Urban Areas and Settlements
- Policy 5 – Development Management and Placemaking
- Policy DM1 – New Development Design

## 3.2 Planning Background

3.2.1 There have been a number of applications on the site previously:

- EK/06/0392 – Erection of 6 flats (refused)
- EK/07/0524 – Erection of detached dwelling (refused)
- EK/09/0171 – Erection of detached dwelling (Planning Permission in Principle) (refused and dismissed at appeal).

## 4 Consultation(s)

4.1 **Roads and Transportation Services (Development Management)** – no objections subject to provision of the appropriate parking.

**Response:** Noted. Should planning permission be granted, planning conditions can be imposed to control this matter.

4.2 **Roads and Transportation Services (Flood Risk Management)** – no objections subject to the provision of a suitable drainage scheme which takes account of flood risk.

**Response:** Noted. This condition has been attached.

## 5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised for the non-notification of neighbours in the East Kilbride News. Following this, twenty two letters of objection and one letter of comment have been received. The points raised are summarised as follows:

a) **Provision of the access to the new plot will create a major parking problem in the vicinity. On street parking is already at a premium and the proposal will remove two on-street spaces.**

**Response:** Roads and Transportation Services have confirmed that they are satisfied that the proposed house will provide sufficient off-street parking (2 spaces). Mungo Park is a public road which operates without permits and therefore on-street parking is provided on a first come, first served basis.

b) **The proposal will result in the loss of privacy to the properties in the flats adjacent. This is contrary to the Human Rights Act and will create**



**a sense of enclosure for the properties adjacent. In addition, the proposal will result in the loss of light to the properties adjacent.**

**Response:** There are no windows provided on the closest elevation to the flats. An 8.3 metre wide landscaped area will be provided between the flats and the house and garden proposed. This is in addition to the 3.3m wide grassed area between the flats and the application site. The site is also lower than the adjacent flats and is level with the existing church hall. The house has also been designed with a flat roof and is single storey in height in order to reduce loss of daylight and privacy.

- c) The construction could take up to 2 years and will cause significant amount of congestion in the locality and noise and upheaval for the residents adjacent.**

**Response:** The proposed house has been reduced in scale from previous designs and is relatively small. In this regard, I am satisfied that the construction period would not require to be excessively long. Construction is an accepted part of any development and the applicants will be required to adhere to a traffic management plan to ensure public safety at all times.

- d) The proposed house is out of keeping with the locality.**

**Response:** The proposed development has been designed to reflect the site's positioning adjacent to the church and hall. The proposal's flat roof, single storey design and proposed finishing materials are in keeping with the church's buildings. This will ensure that the house remains relatively low to the adjacent flats and that existing levels of privacy are maintained.

- e) The levels of the site will create drainage problems and will result in flooding on site and contamination entering the watercourse.**

**Response:** Should planning permission be granted, an appropriate condition can be imposed to ensure that an appropriate drainage scheme is provided on site.

- f) Wildlife should be protected at all times.**

**Response:** Noted. No trees will be removed as a result of the development and additional landscaping will be provided.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks consent for the erection of a single storey dwellinghouse with associated parking and landscaping. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local development plan policy and if there are other material considerations which are relevant to the consideration of this application.

- 6.2 Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan seek to protect the character and amenity of residential areas while supporting, in

principle, compatible uses. In summary, Policy 4 states that proposals which will detract from the character and amenity of the area will be resisted and development is required to satisfy certain criteria, including:

- (a) The proposed development relates satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use;
- (b) The character and amenity of the area is not impaired by reason of traffic generation, parking, visual intrusion,
- (c) There is no resultant loss or damage to spaces, trees, bushes or hedgerows that made a significant contribution to the character or amenity of the area;
- (d) The development is adequately serviced in terms of cycle, pedestrian and vehicular access, parking and accessibility to public transport.
- (e) There is no detrimental effect on public safety.

6.3 Policy DM1 – Design of Supplementary Guidance 3 Development Management, Placemaking and Design states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

6.4 In terms of the adjacent and surrounding development, the proposal will result in the erection of a single storey, flat roofed dwellinghouse. The site forms a gap site between a three storey flatted block and an existing church. The house has been designed to respect the locality in terms of where windows have been located, the distance set back from the boundary to the flats and the proposed finished floor level. The proposed dwellinghouse would also provide ample garden ground and appropriate parking for a dwelling of this size and would meet the requirements of the Council's Residential Development Guide. The materials to be used for the proposed dwelling would be modern and the facing brick used would reflect that used on the adjacent church. The layout and design of the proposal has taken account of the requirement to protect privacy. There are no windows on the side elevation facing the flats and the plot has been set back to allow for an 8 metre wide landscaped area to be formed between the proposed house and flats.

6.5 In terms of character and amenity, with specific regard to traffic generation, visual intrusion and noise, given that the proposal relates to one dwelling, I am satisfied that the associated construction period would be limited. In addition, for this reason, I consider that a residential development of this scale will not have a significant adverse impact on the character and amenity of the area or generate a level of noise significantly detrimental to the amenity of neighbouring residents.

6.6 As regards open space and landscaping, landscaping will be provided throughout the site and the garden provision will be in excess of that required by the Council's Residential Design Guide. Any proposed fencing can be controlled by planning condition should planning consent be granted.

6.7 I am, therefore, satisfied that the proposal is in accordance with Policies 4, 6 and DM1 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance. The proposed development also complies with the requirements of the Council's Residential Development Guide.

- 6.8 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is, therefore, considered that the proposal also accords with Policies 3, 5 and DM2 in the proposed plan.
- 6.9 In terms of site history it is noted that planning permission has previously been refused on the site and a subsequent appeal dismissed however, the current proposal does differ substantially from previous proposals. The new design is modern, flat roofed, single storey and reflects the existing church hall building adjacent. Furthermore, no windows are proposed on the elevation facing the existing flats and a new landscaped area will be formed between the flats and the proposed house.
- 6.10 Twenty two letters of objection to the application have been received, raising concerns over the scale and design of the proposal, loss of light/overshadowing, parking, noise, loss of privacy, impact on amenity, and impact on the existing development character. All of the issues raised have been considered above, however, it is not considered that they are of sufficient weight or merit either individually or collectively to justify the refusal of consent.
- 6.11 In view of all of the above, and noting that the proposal accords with the policies and guidance of the adopted South Lanarkshire Local Development Plan, its associated supplementary guidance and the policies of the emerging Proposed South Lanarkshire Development Plan 2, it is recommended that planning permission is granted subject to the attached planning conditions.

## **7 Reasons for Decision**

- 7.1 The proposed development will not be detrimental to either residential or visual amenity and complies with Policies 4, 6 and DM1 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance. The proposals are also considered to comply with Policies 3, 5 and DM2 of the proposed South Lanarkshire Local Development Plan 2. There are no additional material considerations which would justify refusing planning permission.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

### **Previous references**

◆ None

### **List of background papers**

▶	Application form	
▶	Application plans	
▶	South Lanarkshire Local Development Plan 2015 (adopted)	
▶	Proposed South Lanarkshire Development Plan 2	
▶	Neighbour notification letter dated 8 April 2019	
▶	Consultations	
	Roads Development Management Team	24.04.2019
	Roads Flood Risk Management	23.07.2019
▶	Representations	Dated:
	Mr And Mrs Fyfe, 17 Mungo Park, East Kilbride, G75 0AJ	29.04.2019
	Pheona Lynn, 23 Mungo Park, East Kilbride, G75 0AJ	07.05.2019
	Garry McKechnie, 27 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Julie McAneny, 40 Mungo Park, East Kilbride, G75 0AJ	29.04.2019
	Thomas Campbell, 30 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Mr David Harris, 25 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Isabel McGregor, 38 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Ian Main, 36 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Allan and Edna Brownlie, 34 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Harry Levy, 28 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Emma Boyle, 26 Mungo Park, East Kilbride, Glasgow, South Lanarkshire, G75 0AJ	24.04.2019
	Jamie Gallacher, 24 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Darren Young, received via e-mail	30.04.2019
	George Nelson, 33 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Emma Boyle, 26 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Ross Miller, 29 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	The Occupiers, 37 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Julie McAneny, 40 Mungo Park, East Kilbride, G75 0AJ	01.05.2019
	Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75	29.04.2019

8LS

Roderick And Frances Montgomery, Received Via E-mail	29.04.2019
Julie Ann McAneny, 40 Mungo Park, Murray, East Kilbride, G75 0AJ	29.04.2019
Colin Reid, Received via e-mail	25.04.2019
Mary And Paul Gallagher, 43 Mungo Park, East Kilbride, G75 0AJ	07.05.2019

**Contact for further information**

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Phone: 01698 455048  
Email: [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That before any work commences on the site, 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., including, where appropriate, the planting of fruit/apple trees;
  - (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.

Reason: To ensure the appropriate provision of landscaping within the site.

02. That the landscaping scheme required by condition 1 above shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

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

03. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

04. 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.

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

05. That before the dwellinghouse 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 4 above;, shall be erected and thereafter maintained to the satisfaction of the Council.

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

06. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

07. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

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

08. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: To safeguard the residential amenity of the area.

09. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no buildings or outhouses; ancillary to the enjoyment of the dwellinghouse hereby approved; shall be erected within the application site without the submission of a further planning application to the Council as Planning Authority.

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

10. 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.

Reason: 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.

11. That prior to development commencing, a traffic management plan shall be submitted to and approved in writing by the Council as Planning Authority. The plan will include a compound layout, car parking facilities, wheel washing facilities and times of operations.

Reason: In the interests of public safety.

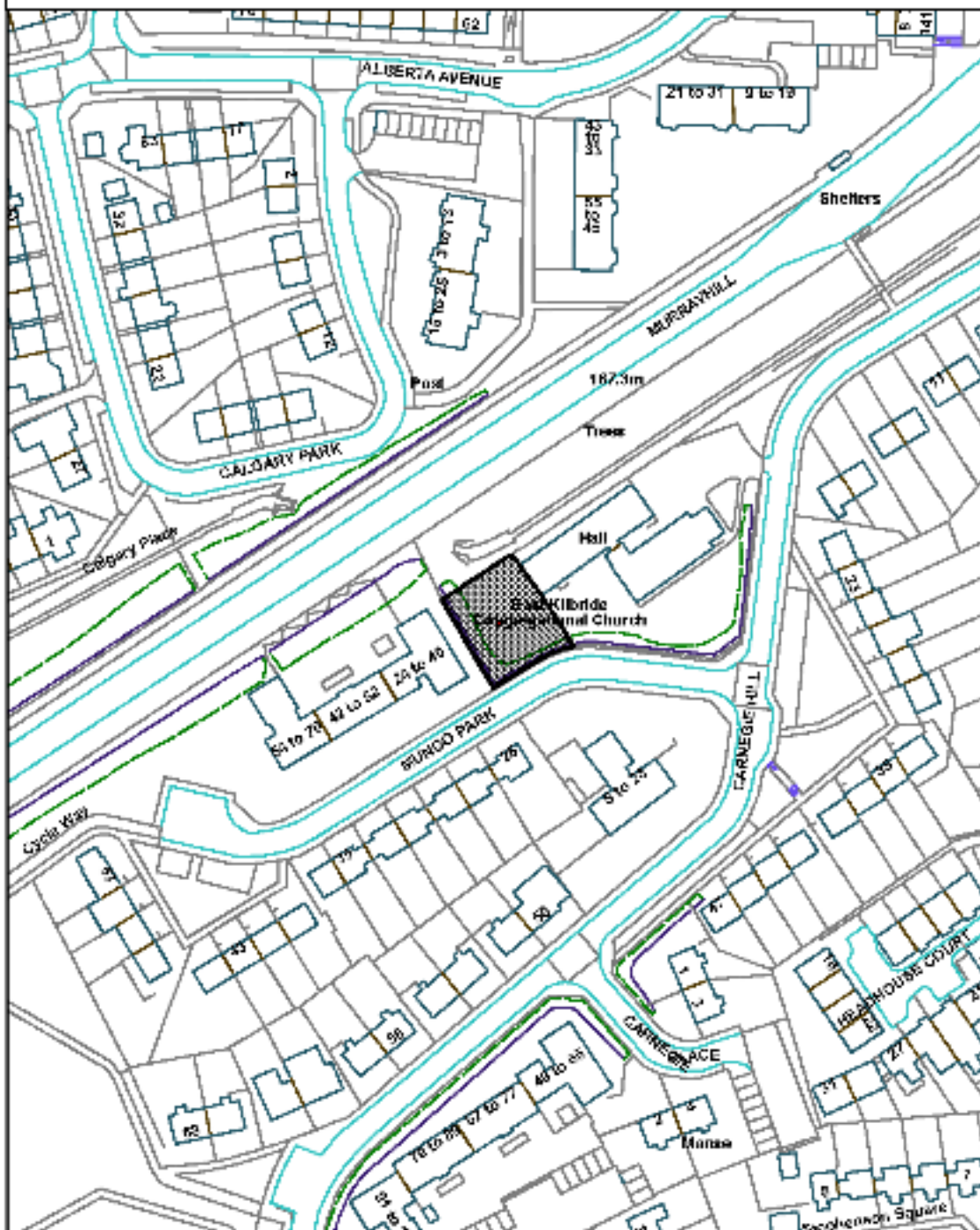
12. That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees and other landscape features within the site.



P/19/0514

Land 41m WSW of Righed United Reformed Church, Munga Park, East Kilbride



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Scale  
1:1,000  
Date  
10/07/2015



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development



# Report

10

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0723
Planning proposal:	Erection of 3 no detached dwellinghouses, associated groundworks and formation of associated vehicular access

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Woodside Developments Ltd
Location:	Gillfoot Nursery Waygateshaw Road Carluke ML8 5PY

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent: Iain Harley
- ♦ Council Area/Ward: 01 Clydesdale West
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 3: Green Belt and Rural Area  
Policy 4: Development Management and Placemaking

### **Supplementary Guidance 2: Green Belt and Rural Area**

Policy GBRA7: Redevelopment of Previously Developed Land

### **Proposed SLDP2**

Policy 4: Green Belt and Rural Area  
Policy 5: Development Management and  
Placemaking  
Policy GBRA5: Redevelopment of Previously  
Developed Land Containing Buildings

◆ **Representation(s):**

▶	7	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):** None requested

## **Planning Application Report**

### **1 Application Site**

- 1.1 The L shaped, gently sloping application site extends to 4588 sq metres and is located on land previously associated with a horticultural business operated from the former Gillfoot Nursery in the Clyde Valley, approximately 500 metres to the north of the village of Crossford. Part of the application site, until recently, comprised a brick built boiler house and other sheds/outbuildings with storage tanks, all previously used to service Gillfoot's glasshouses, plus the previously cleared site of a glasshouse which lay on the northern half of the site. The remainder of the site is a grassed area lying between this and the site of a recently demolished garage/packing shed which sat at the roadside. It should also be noted that the site currently benefits from detailed planning permission for 3 no. detached dwellinghouses (P/18/1272, approved Nov 2018). Groundworks and the associated installation of infrastructure for this approved development are currently being undertaken on site.
- 1.2 Due to the topography and mature vegetation of the local area, views into the former nursery site are mainly restricted to the immediate area around Orchard Farm, Hill of Orchard, Gillfoot House and Gillfoot Cottage. The enclosed nature of this locality is further enhanced by the architectural style and positioning of buildings being set back from the public road.

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

- 2.1 The applicant seeks planning consent to alter and amend the siting and positioning of the 3 recently approved dwellings on the site effectively moving them 3.5 metres to the west, and bringing 2 of the units closer together by 2 metres. All 3 dwellings would, therefore, gain between 2 and 4 metres of additional rear garden ground depth, with an associated reduction in front garden depth. The reason given for the proposed changes is to slightly increase the space within the rear gardens and to bring the dwellings further down the site in terms of ground levels, reducing their overall visual impact. These proposed changes to the house positions require the application boundary to be increased to the west by 3.5 metres, to include land not previously included in the site, and, therefore, the amended proposals require to be the subject of a fresh planning application. It should also be noted that the detailed house scale, mass and design recently approved for the proposed dwellings is to remain generally the same, with some minor changes to window and door fenestration.
- 2.2 The detailed plans submitted indicate that the site is proposed to be served by an upgraded private vehicular access and that foul drainage will be treated by utilising a bio-disc sewage treatment plan. SEPA have previously given consent for the proposed sewage disposal measures now being implemented on site (under application P/18/1272).

### **3 Background**

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

3.1.1 The 2015 adopted South Lanarkshire Local Development Plan identifies the application site as being within the Green Belt, subject to assessment against Policy 3 – Green Belt and Rural Area and Policy 4 - Development Management and Place Making. In addition, the proposals require to be assessed against the guidance contained within the associated supplementary guidance documents, namely that within the Green Belt and Rural Area SG. Policy GBRA7 – redevelopment of previously developed land, is considered to be relevant to the assessment of the application.

3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. Policies 4, 5 and GBRA5 are relevant to the assessment of the current application.

#### **3.2 Relevant Government Advice/Policy**

3.2.1 The Scottish Planning Policy document consolidates and updates previous Scottish Government advice, containing a section on promoting rural development. This document states that ‘the planning system should, in all rural and island areas, promote a pattern of development that is appropriate to the character of the particular area and the challenges it faces, and encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.’ It also states that ‘Plans should set out a spatial strategy which makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities.’

#### **3.3 Planning Background**

3.3.1 Planning permission in principle was first approved for a single dwellinghouse on part of the current application site in 2012 (ref: CL/12/0063). That application was renewed under a further Section 42 application in 2015 (ref: CL/15/0066). Detailed planning permission for the formation of 3 no. residential plots within the physical confines of the current application site was then granted in 2017 (ref: CL/17/0485). A further detailed planning application for 3 no. detached dwellinghouses, of the same overall type as currently proposed, was approved in October 2018 (ref: P/18/1272). This live consent is currently being implemented by the developer. As stated above, the current application has only been submitted to enable the developer to move the approved dwellings further off the rear boundaries of the site, in order to provide more useable rear garden areas.

### **4 Consultation(s)**

4.1 None requested.

## 5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local paper as non-notification of neighbours, following which 7 letters of representation have been received, and are summarised as follows:

- a) **The application site is within a sensitive rural area, protected by Green Belt legislation from overdevelopment. Additional housing approvals relax this protection, can lead to urbanisation and result in the local area losing its unique character. No specific locational need has been shown for the proposal and it therefore does not comply with local, regional or national planning policy. The site was not included in the proposed South Lanarkshire Local Development Plan 2 (SLLDP) revision, which would have provided an opportunity for fuller scrutiny of the speculative development's impacts. Approval would in fact form a new, consolidated development/settlement of an inappropriate scale.**

**Response:** The current application essentially replicates the previous application covering the site, albeit increasing its physical limits by 3.5 metres to the west. The principle of residential development on the majority of the site has been established by the various previous applications approved at Gillfoot and the detailed design is essentially the same as the most recent approval for the site. This Service is satisfied that the small scale of the additional land proposed to be incorporated into the site is appropriate and does not alter the original approval to an extent that warrants refusal of the amended proposals.

- b) **Potential adverse impact on existing infrastructure, including issues with the existing water pressure in the area. Additional housebuilding will worsen existing infrastructure issues.**

**Response:** Noted, however these concerns are not considered to constitute grounds to refuse the current application. Consideration should be given by the relevant infrastructure provider to upgrade and improve local infrastructure.

- c) **The application site is served by a single track road with no pavements, street lighting, has poor drainage and is starting to subside. Any development which increases the volume of traffic should be discouraged.**

**Response:** As stated above, the current application essentially replicates the previous application granted for 3 new dwellings on the site (ref: P/18/1272). The Council's Roads and Transportation Services offered no objections to the previous application and the current application is not seeking to further intensify the use of the site.

- d) **The style of the houses proposed is uniform and standard in appearance, and is not in keeping with existing houses and buildings in the vicinity.**

**Response:** Noted, however the scale, mass and detailed design of the proposed houses was assessed under the recent, previous approval for the site (ref: P/18/1272) and found to be acceptable. The current application

proposes minimal changes to the design of the recently approved house types.

- e) **The application site has already been cleared by the developer and work is continuing on the site, without the relevant planning permission or conditions being discharged. Are these works permitted and do they comply with building regulations?**

**Response:** A number of site visits to the area has established that works have indeed commenced on site, including the provision of new services and infrastructure. These works are, however, approved under the terms of the previous application granted for the site (ref: P/18/1272) and are also subject of a current building warrant. With regard to the pre start conditions covering the site, it should be noted that the applicant has submitted various relevant information to the planning service, to enable the conditions to be discharged.

- f) **The developer has been utilising noisy, heavy machinery on the site, including in the evenings. This shows a lack of consideration for those who live in close proximity to the site. Further, health and safety issues should be considered in the assessment of the application.**

**Response:** Noted, the applicant has, however, been advised to cease operating heavy machinery outwith normal site construction hours. Notwithstanding this, should complaints continue to be received, the Council can consider taking appropriate action against the developer. With regard to health and safety issues, the site is subject to continued compliance with relevant Health and Safety Legislation. Any alleged breaches of this legislation are a matter for the Health and Safety Executive.

- g) **The application, if approved, must not create a precedent for further developments in the local area. The proposed layout currently sought may allow for further development.**

**Response:** Noted, however every application is assessed on its individual merits.

- h) **Additional sewage discharge through septic tanks into the River Clyde is undesirable.**

**Response:** Noted, however SEPA have already granted consent for the proposed means of sewage disposal from the site, under the most recent planning consent for the site.

- i) **A lack of sensitivity to the local environment and wildlife, as the developer has bulldozed waste close to an existing badger sett and has cut down established beech hedging, the style and height of which are characteristic of this area. Further, the completed development will increase light pollution in what is now a predominantly dark area, which could affect bats.**

**Response:** These concerns are noted, however, the area covered by the proposed 3 plots is considered to constitute formerly developed land on which redundant, vacant buildings stood. These types of buildings had limited ecological value. The works undertaken in proximity to the badger setts, outwith the application site, are noted and these concerns have been



relayed to the developer. He is aware of the need to take due cognisance of all wildlife issues both on the site and in the surrounding area, and of the need to seek a licence from SNH if working in proximity to a badger sett. With regard to the reduction of the height of the existing beech hedge fronting the site, this is a requirement of the original Roads consultation response and is deemed to be necessary in the interests of road safety. The alternative to reducing the height would be to remove the entire hedge from the site, resulting in a more visually prominent alteration to the site frontage. With regard to light pollution affecting bats, historically the site had many buildings upon it, the majority of which would have had associated lights, potentially resulting in more light pollution from the commercial nursery activities previously undertaken at the site.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks planning consent to amend the detailed design, siting and positioning of three recently approved dwellings on land at Gillfoot Nursey in the rural area just outside Crossford.
- 6.2 As noted above, the site already benefits from detailed planning consent for three dwellinghouses of a broadly similar scale and design (P/18/1272), and, as such, the principle of residential development on the majority of the site has been established. The policies in the adopted South Lanarkshire Local Development Plan and its associated Supplementary Guidance, policies against which the earlier application was assessed, remain relevant in the consideration of this further application for the minor repositioning of the three dwellinghouses, namely Policy 3: Green Belt and Rural Area and Policy 4 – Development Management and Placemaking. The policies of the replacement proposed South Lanarkshire Local Development Plan 2 are also material to the assessment, as they were to the original P/18/1272 application.
- 6.3 Policy 3 – Green Belt and Rural Area states that proposals which involve the redevelopment of derelict or redundant land and buildings, and those of limited development within clearly identifiable infill, gap sites and existing building groups will be considered. As stated in the officer report for the previous 2018 application, part of the application site comprises the ground of a recently cleared glasshouse and had planning permission for the erection of one dwelling (CL/15/0066); part comprises redundant boiler and tank buildings and infrastructure associated with the former use of the nursery; and a third of the site is an identifiable gap site adjacent to the public road. Policies 4 and GBRA 7 - Redevelopment of Previously Developed Land requires development proposals to take account of and be integrated with the local context and built form. It is considered that the low height of the dwellings, now further reduced due to their proposed repositioning further west within the site, is reflective of the agricultural steadings and cottages in the area, while the grouping to the rear of Gillfoot continues to reflect the historical expansion of the horticultural business. It is also considered that the bespoke nature of the proposal's style and the proposed mixture of materials on the exteriors are of a standard worthy of the unique character of this rural area. The application continues to take full cognisance of the existing landscape character

by including additional tree planting and hedging to provide an appropriate, adequate level of screening. The sought inclusion of an additional 3.5 metres wide strip of land to the west of the approved site is not considered to alter this previous view. It is, therefore, considered that these further proposals also comply with Policy 3 – Green Belt, 4 – Development Management and Place Making and GBRA7 – Redevelopment of previously developed land.

- 6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and it is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that these further proposals continue to accord with Policies 4, 5 and GBRA5 in the proposed plan.
- 6.5 In summary, the changes proposed to the site by repositioning the 3 dwellings in the manner proposed are considered to be appropriate for the rural location and will have no notable adverse impact on any of the existing surrounding residential properties. A number of objections to the current application have been submitted, however, the majority of the grounds of objection were considered under the broadly identical application recently approved for the site (ref: P/18/1272). Notwithstanding this, all comments and representations to the current application have been considered and none are considered to raise any matters that constitute grounds for refusal of the application.
- 6.6 In view of all of the above it is, therefore, recommended that planning permission be granted for the proposed development.

## **7 Reasons for Decision**

- 7.1 The amended proposals will not adversely affect the landscape character or impact upon the residential amenity of the local area. It does not raise infrastructure or environmental issues, and complies with Policy 3 - Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan and its related supplementary guidance. It is considered that the siting, design and massing of the proposed dwellinghouses continues to be appropriate for the rural character of the locality, and complies with Policies 4 - Development Management and GBRA7 - Redevelopment of Previously Developed Land. The proposal also complies with Policies 4, 5 and GBRA5 of the proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 16 July 2019

### **Previous references**

◆ CL/12/0063, CL/15/0066, CL/17/0485, P/18/1272

### **List of background papers**

► Application form

- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Supplementary Guidance 2: Green Belt and Rural Area
  
- ▶ Neighbour notification letter dated 06.06.2019
  
- ▶ Newspaper advert, Lanark Gazette, dated 29.05.2019
  
- ▶ Representations
 

	Dated:
Mrs Ursula Laing, Ellerburn Cottage, Burnside Orchard, Crossford, Carluke, ML8 5PX	06.06.2019
Peter Booth, Hill Of Orchard, Hillbrae, Carluke, South Lanarkshire, ML8 5PX	04.06.2019
Sandra Gunn, Hill Of Orchard, Orchard, Near Carluke, ML8 5PX	06.06.2019
Mr Ross Helmy, Gillfoot House, Waygateshaw Road, Carluke, South Lanarkshire, ML8 5PX	30.05.2019
Robin Laing, Ellerburn Cottage, Crossford, Carluke, ML8 5PX	06.06.2019
Mrs Pamela Hamilton, Linnside Orchard, ML8 5PY	06.06.2019
A J Boag, 1 Burnside Cottage, Waygateshaw Road, Carluke, ML8 5PX	07.06.2019

### **Contact for further information**

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

Stuart Ramsay, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
 Phone: 01698 453601  
 Email: [stuart.ramsay@southlanarkshire.gov.uk](mailto:stuart.ramsay@southlanarkshire.gov.uk)

### Conditions and reasons

01. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

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

02. That the type and distribution of external finishes shall be as shown on the approved plan, but prior to the commencement of any work on site, samples of the materials to be used shall be submitted to and approved by the Council as Planning Authority.

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

03. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

04. That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.

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

05. That before any of the dwellinghouses hereby approved are brought into use, a dropped kerb access to the site shall be constructed, and the first 4 metres of this

access shall be hard surfaced, all in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

06. That before the development hereby approved is completed or brought into use, visibility splays of 2.5 metres by 40 metres to the north, and 2.5 metres by 48 metres to the south, as measured from the road channel shall be provided at the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines. For the avoidance of doubt this will necessitate a reduction of the hedge height to the south and the removal of the building, and the reduction of the hedge height within the visibility splay to the north side.

Reason: In the interests of traffic and public safety.

07. That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

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

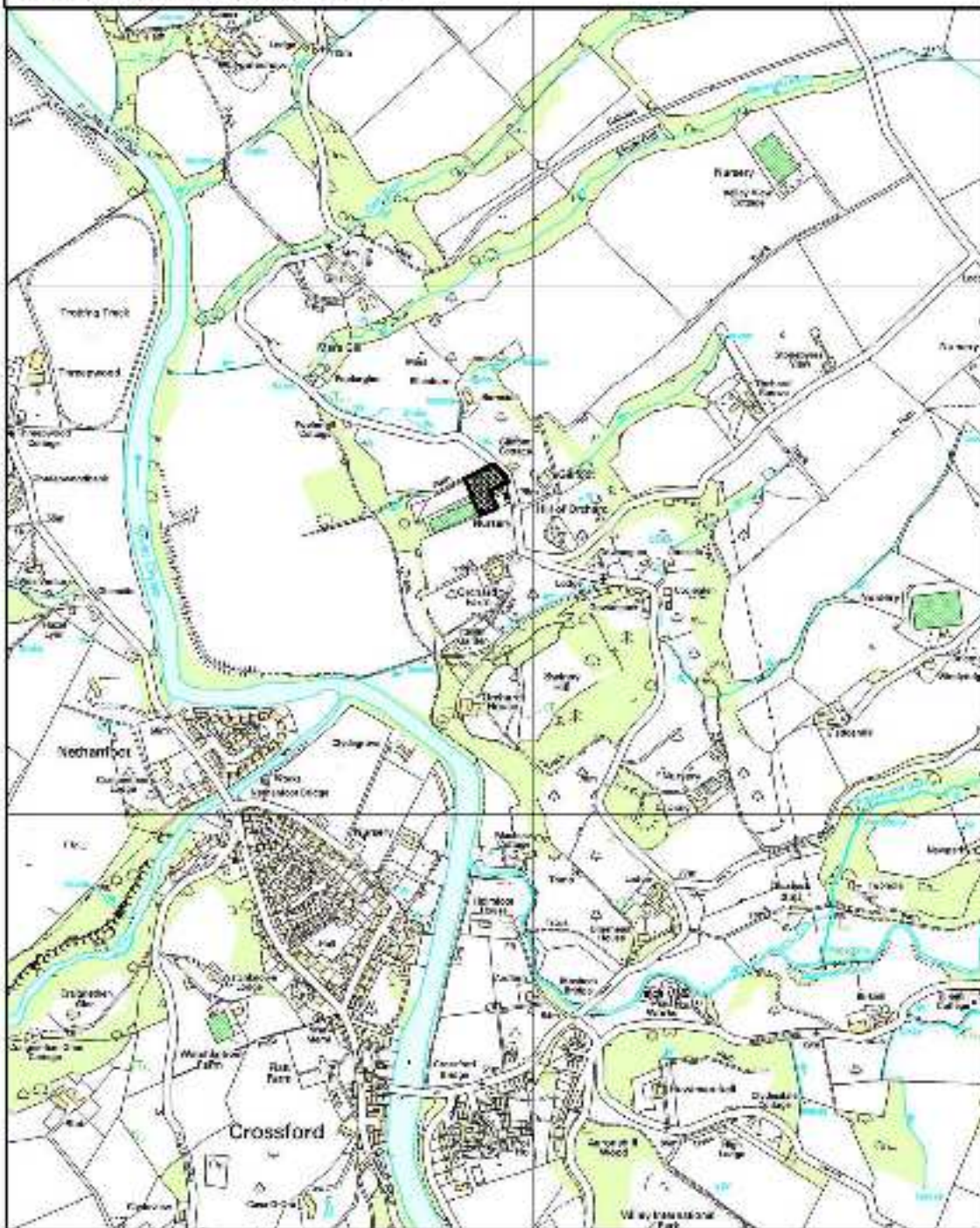
08. That before any dwellinghouse hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.

Reason: In the interests of traffic and public safety.

09. That notwithstanding the terms of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site without the prior written permission of the Council as Planning Authority, other than -
- i) post and wire fences up to 1 metre in height; or
  - ii) hedge rows planted with native species only.

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

Gillfort Nursery, Whygateshaw Road, Carlisle



1997). The authors also observed that the use of the 100% rule was not warranted for the data set used in the study. The authors concluded that the 100% rule is not a good indicator of the quality of the data set used in the study.



Name: \_\_\_\_\_  
 Date: \_\_\_\_\_



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development

# Report

**11**

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0304
Planning proposal:	Erection of a multi-level golf leisure facility (Class 11) and 2 drive-thru restaurants together with associated netting system enclosure (which varies in height up to a maximum height of 52 metres), infrastructure, access and landscaping.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Ashfield Land (Glasgow) Ltd
Location:	Proposed Redevelopment Of Duchess Place and Cunningham Road Cambuslang Road Rutherglen South Lanarkshire

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Approval for arrangements to promote a Stopping Up Order on a section of public road and contiguous footway at Duchess Place and Cunningham Road. Approval is sought to prepare the Order, carry out the necessary procedures and, if confirmed, stop up the public road and footway. This would include approval to refer the Stopping Up Order under Section 207 of the Town and Country Planning (Scotland) Act 1997 to the Scottish Government in the event of any objections being received. The applicant shall be responsible for the legal fees (including any reasonable costs incurred by the Council) associated with the above.

## 3 Other information

- ♦ Applicant's Agent: Kate Donald

- ◆ Council Area/Ward: 12 Rutherglen Central And North
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
  - Policy 1 - Spatial strategy
  - Policy 2 - Climate change
  - Policy 4 - Development management and placemaking
  - Policy 7- Employment
  - Policy 10 – New retail/commercial proposals
  - Policy 11 - Economic development and regeneration
  - Policy 14 - Green network and green space
  - Policy 16 - Travel and transport
  - Policy 17 - Water environment and flooding

**Supplementary Guidance 3: Development Management, Placemaking and Design**

DM1 – Design  
DM8 Hot food shops

**Proposed South Lanarkshire Local Development Plan 2 (2018)**

Policy 1 - Spatial Strategy  
Policy 2 – Climate change  
Policy 5 - Development Management and Placemaking  
Policy 8 Employment  
Policy 10 New retail and commercial proposals  
Policy 13 - Green Network and Greenspace  
Policy 15 Travel and Transport  
Policy 16 Water environment and flooding

Policy DM1 – New Development Design  
Policy DM9 - Hot Food Shops  
Policy DM17 – Air Quality  
SDCC2 – Flood Risk  
SDCC3 - Sustainable Drainage Systems

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters



**◆ Consultation(s):**

Countryside and Greenspace

BAA Glasgow

NATS

Network Rail

RSPB Scotland

SPT

Arboricultural Services

SEPA Flooding

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

WOSAS

SEPA West Region

SP Energy Network

Transport Scotland

British Telecom

CAA

Rutherglen Community Council

TRANSCO

Lanarkshire Access Panel

## **Planning Application Report**

### **1 Application Site**

- 1.1 The site is located off Cambuslang Road, approximately 1.5km to the east of Rutherglen. It is adjacent to Junction 2 of the M74 extension to the east and south of the site, which was completed and opened in 2011. The motorway runs on an embankment at this point, and there is a 4 way interchange linking into Cambuslang Road.
- 1.2 The site is a largely flat, irregular parcel of land, approximately 7.03 ha in size, the majority of which is currently vacant and derelict with a small section still in use for industry and business. Access can be gained from the north off Duchess Place and from the south off Cambuslang Road (A724).
- 1.3 The site is bounded to the south west by Cambuslang Road, and by the River Clyde and an industrial unit to the north. To the west of the site lie light industrial units leading to residential uses towards Farme Cross and Rutherglen and at the eastern boundary of the site there is open land and a high level power line. The site is within the area covered by the Clyde Gateway initiative.

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

- 2.1 This detailed application proposes a multi-level golf driving range facility combining eating and entertainment outlets, private event rooms and an open air roof terrace. In addition, two freestanding drive through units (one being a coffee outlet and the other a restaurant and hot food shop) are proposed to the west of the access road. More specifically, the proposal includes the following elements:
  - 72 hitting bays divided into multiple seating areas over three tiers
  - Large sports bar, seated eating area and restrooms (main level)
  - A lounge and casual seating area (48 seats) with large tv screens (lower level)
  - Event sales office (lower level)
  - Staff room/restrooms, main offices, maintenance/storage, computer room (lower level)
  - Event space/banquet hall seating approximately 96 seats
  - Open air Roof Terrace with bar and seating for 70
  - Drive through restaurant
  - Coffee Drive through
  - Large open outfield range with illuminated targets
  - Fenced/netting boundary enclosure ranging in height to a maximum height of 52 metres
- 2.2 In addition, an upgraded vehicular access is proposed from Cambuslang Road to serve the site with a redesigned junction from Duchess Place into Cunninghame Road. Ingress only from Duchess Place is proposed with all vehicles exiting from the other access to the north of the driving range car park. The proposed roads layout includes a spur to the northwestern corner of the application site boundary, to the edge of the developer's ownership. This would connect with the Downiebrae link road at the east end of Mathieson Road. It should be noted that the opening of the Downiebrae link road will be subject to other sections of the route being

upgraded in the future and, as a result, would not be opened as part of this development.

- 2.3 A footway/ cycleway is also to be constructed on the eastern side of Duchess Place which will connect to a point close to the Top Golf building's entrance.
- 2.4 Furthermore, a dedicated car parking area is proposed to the north of the main driving range. 336 spaces including 16 accessible spaces, and 8 electric vehicle charging points are proposed. An overspill carpark area is also proposed. Separate parking adjacent to the drive through facilities is detailed on the site layout, providing 58 spaces, including 4 disabled spaces.
- 2.5 A palette of modern building materials is proposed, including natural stacked stone, metal and timber panelling. A feature entrance point incorporates an entry glazing system with a cantilevered metal entrance canopy together with branded backlit signage. Masonry planters are tiered either side of the feature set of concrete stairs. Generally, the building would be flat roofed, formed in a composite panel roofing system.
- 2.6 A landscaped scheme has also been lodged as part of the proposals and this shows areas of open space, tree planting and grass to provide a setting and to soften the appearance of the building and the driving range outfield.
- 2.7 The development is classified as a Major development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was the subject of pre-application consultation. A number of documents have been provided in support of the application, namely a Pre-application Consultation Report, Planning Statement, Design and Access Statement, Tree Survey Report, Civil Engineering Design Statement, Transport Statement, Phase 1 Geo-Environmental Assessment, and Flood Risk Statement and Surface Water Management Strategy, Drainage Strategy and Flood Risk Statement, Noise Impact Assessment, Air Quality Impact Assessment and an Ecological Assessment.

### **3 Background**

#### **3.1 Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP)**

- 3.1.1 The proposed development requires to be assessed against the Glasgow and Clyde Valley Strategic Development Plan 2017(GCVSDP). The GCVSDP outlines a Spatial Vision for the city-region to 2035, the key components of which include economy, urban fabric, infrastructure, environment and energy. In order to meet the needs of the Spatial Vision, a Spatial Development Strategy is provided, which focuses on sustainable economic growth, regeneration, renewal of urban fabric, minimising carbon and development footprints, and enhanced sustainable transport links.

#### **3.2 Local Plan Status**

- 3.2.1 In terms of the adopted South Lanarkshire Local Development Local Plan (SLLDP), the application site is located within the settlement boundary of Rutherglen/Cambuslang and forms part of an overarching Clyde Gateway Development Framework Site (Policy1 – Spatial Strategy). This application site

was zoned as a Core Industrial Business Area within the adopted Local Development Plan with Policies 7 and 11 being relevant.

A section of the site is covered by new road infrastructure, namely the Downiebrae Road Upgrade (Policy 16). In addition Policies 1 – Spatial Strategy, 2- Climate Change, 4 – Development Management and Placemaking, 7 – Employment, 10 – New Retail/Commercial proposals, 11- Economic Development and Regeneration, 14 – Green Network and Greenspace, 16- Travel and Transport and 17 - Water Environment and Flooding are relevant.

3.2.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance the following policies are relevant. Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 5 - Development Management and Placemaking, Policy 8 Employment, Policy 10 New Retail and Commercial Proposals, Policy 13 - Green Network and Greenspace, Policy 15 Travel and Transport, Supplementary Guidance 3: Development Management Placemaking and Design Policy DM1 Design is also relevant.

3.2.3 In terms of South Lanarkshire Local Development Plan 2, the site remains part of the wider Clyde Gateway Development Framework Site and is identified as a priority development site for mixed use. The core industrial and business area zoning as well as green network remains.

### 3.3 **Relevant Government Advice/Policy**

3.3.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) which states that local authorities should support sustainable economic development in all areas by taking account of matters including the economic benefits of proposals, promoting development in sustainable locations, supporting development which will provide new employment opportunities.

### 3.3 **Planning History**

3.3.1 Planning permission in principle was granted on 10 March 2011 for the creation of a mixed use site comprising food and non-food retail, office/industrial, restaurants, hotel and cinema on the site (CR/08/0274). Thereafter, a Section 42 application, to extend the consent, was approved on 22 November 2013 (CR/13/0124). In 2013, another Section 42 application to extend the consent further was approved on 22 November 2013. More recently, in January 2017, a planning permission in principle proposal for a mixed use development comprising retail, family restaurants and drive through was approved (CR/15/0207). This consent has recently lapsed.

## 4 **Consultation(s)**

4.1 **Countryside and Greenspace** - advises that the site is strategically located on the banks of the River Clyde which is regionally and locally identified as a key component of green network infrastructure of the greater Glasgow conurbation. It

is noted that an asserted right of way, SC3, exists crossing through the northernmost section of the site. It is recommended that a formal link is created with Core Path No. SC3, as identified on the adopted South Lanarkshire Core Paths Plan. This link would enable access to the riverside for both recreational and functional use.

**Response:** The applicant has included a 2 metre wide footpath link to the Core Path SC3. A suitable condition would be added to any approval to ensure that the path is properly surfaced to the satisfaction of the council as Planning Authority.

- 4.2 **Glasgow Airport**– No objections as the proposal does not conflict with safeguarding criteria.

**Response:** Noted.

- 4.3 **National Air Traffic Services** – No objections as the proposal does not conflict with NATS safeguarding criteria.

**Response:** Noted.

- 4.4 **Network Rail** – No objections as the proposal will have no impact on railway infrastructure.

**Response:** Noted.

- 4.5 **RSPB Scotland** – No objections

**Response:** Noted.

- 4.6 **SPT** – No objections in principle subject to a planning condition requesting the production of a Travel Plan. In addition, safe pedestrian routes and cycle links within the site to access the drive through facilities should be provided together with the upgrade of bus stops adjacent to the site.

**Response:** Noted. Relevant conditions would be imposed on any consent issued.

- 4.7 **Arboricultural Services** – have commented that the applicant should give a clear indication through further submitted tree-related information in relation to trees affected by the proposal, and have recommended conditions to safeguard some established trees on the site.

**Response:** The applicant submitted a detailed tree survey and has identified the areas where trees would be affected. Generally, this is limited to the western section of the site where the drive throughs are proposed, together with some removal of trees near Cambuslang Road. A landscape plan has been lodged which identifies a substantial amount of woodland planting, together with new tree and hedge planting interspersed with native wildflower planting, a reinforced grass system and bulb planting. It is considered that this compensates for the relatively small amount of tree removal in the western section of the site. However, it is considered important that further tree planting is introduced adjacent to Cambuslang Road where a group of existing trees will be lost due to some new infrastructure. Therefore, any approval would be conditioned to introduce appropriate semi mature trees to provide setting for the development.

- 4.8 **SEPA Flooding** – Initially objected to the proposal on the basis that the Flood Risk Assessment lodged has been based on out of date information. Through detailed discussion with the developer's drainage consultants, it was agreed to remove the family pub restaurant element of the proposal due to its location in the northern section of the site in proximity to the River Clyde and within the flood

plain. This element was removed from the proposal and SEPA have now removed their objection.

**Response:** Noted.

- 4.9 **Roads Development Management Team** – No objections subject to conditions including a requirement that the design of roads be in accordance with National Roads Development Guide; that an area of land to the east of Duchess Place be reserved for a future approach lane (to be constructed at a later date); the submission of a construction traffic management plan; details of servicing to be submitted; details of cycle parking, mini bus parking and the submission of a travel plan.

**Response:** Noted. Any approval would have conditions attached to reflect the requirements of the Roads Service.

- 4.10 **Environmental Services** – No objections, having considered the supporting reports submitted in terms of noise impact, air quality, lighting, contaminated land.

**Response:** Noted. Appropriate conditions would be attached to any consent.

- 4.11 **Roads Flood Risk Management** – has assessed the proposal in detail taking cognisance of the flood risk information submitted in support of the application. It is intimated that this development generally satisfies the principles set out within section 263 of the SPP which provides guidance on the categories of development acceptable within various flood risk areas. This development is a sports facility with some commercial elements, is located within a built-up area and has appropriate evacuation routes available. It is also acknowledged that a planning application for a development at this location was progressed in 2015, where a freeboard of 600mm above the 1:200yr + climate change water level was agreed. Taking account of the information available at this time, the Flood team is comfortable with the 600mm freeboard being utilised at this location and does not require an updated FRA in support of this development. In conclusion, the team has no objections subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems and flood risk.

**Response:** Noted. Appropriate conditions can be attached to any consent granted.

- 4.12 **Scottish Water-** No objections. The response provided detailed advice for the applicant regarding Scottish Water assets.

**Response:** Noted.

- 4.13 **WOSAS-** intimated that they would normally request a programme of archaeological works to be undertaken within the site. However, due to previous consents being granted for the site without consultation to WOSAS, it would be difficult to attach an archaeological condition to a consent relating to this current application. WOSAS sought clarification regarding not being consulted on the previous planning applications.

**Response:** Noted. Having assessed the archaeological trigger zones within the Councils mapping information system, I would confirm that no trigger zone exists within the site. Therefore, it was not necessary to have consulted WOSAS. The Planning Service has clarified this matter with WOSAS.

- 4.14 **SEPA West Region** – Offered no objection to the proposed development.

**Response:** Noted.

- 4.15 **SP Energy Network** – Initially objected due to the proposed fencing system, given its position in relation to the location of the existing high power transmission lines.  
**Response:** Noted. Through detailed discussion between the developer and SPEN, the matter has been resolved. SPEN has removed its objection.
- 4.16 **Transport Scotland** – No objections subject to conditions regarding boundary fencing details, lighting and the requirement for a travel plan.  
**Response:** Noted. Conditions would be attached to address TS's requirements.
- 4.17 **British Telecom** – No response to date  
**Response:** Noted.
- 4.18 **CAA** – No response to date.  
**Response:** Noted.
- 4.19 **Rutherglen Community Council** – No response to date.  
**Response:** Noted.
- 4.20 **TRANSCO**: No objections.  
**Response:** Noted
- 4.21 **Lanarkshire Access Panel** – No response to date  
**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press for the nature and scale of development, non-notification of neighbours and development contrary to development plan. Following this, no letters of representation were received.

## **6 Assessment and Conclusions**

- 6.1 The developer seeks detailed planning consent for a 'state of the art' three storey high golf driving range facility combining eating and entertainment outlets, private event rooms and an open air roof terrace. In addition, two freestanding drive through units (one being a coffee outlet and the other a restaurant and hot food shop) are proposed to the west of the access road.
- 6.2 The determining issues in the assessment of this application are its compliance with Local Development Plan policy as well as its impact on the amenity of adjacent properties. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan framework against which the proposal requires to be assessed comprises the South Lanarkshire Local Development Plan (adopted 2015) and its relevant associated Supplementary Guidance documents.

- 6.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is also noted that the application site lies within the Clyde Gateway Development Framework site and is identified as a priority development within the proposed plan. It is, therefore, considered that the proposals accords with the relevant polices detailed in section 3.2.2 above.
- 6.4 In terms of national planning policy, Scottish Planning Policy (SPP) states that local authorities should support sustainable economic development in all areas by taking account of matters including the economic benefits of proposals, promoting development in sustainable locations and supporting development which will provide new employment opportunities.
- 6.5 In this instance, the application site has been lying principally vacant in recent years having benefited from previous planning permission in principle consents (PPP) for mixed use commercial and retail proposals for which, due to prevailing market conditions, the developer was unable to secure suitable occupants and, therefore, these developments have not been brought forward for development. The most recent PPP has now lapsed. A Planning statement has been lodged which describes the extent of the site and its surroundings and provides background on the proposed development, setting out key factors which should be taken into consideration when determining the application, including the fact that the planning history of the site confirms that the principle of commercial development on the site is established. It is argued that the loss of any employment land will not have an adverse effect on the overall supply of industrial/business land in this area, particularly as there has been a significant amount of work undertaken by the Clyde Gateway Urban Regeneration Company leading to an increase in industrial and commercial land. Therefore, commercial/recreational development of this site is justified at this location.
- 6.6 In terms of the adopted South Lanarkshire Local Development Local Plan (SLLDP), the application site is located within the settlement boundary of Rutherglen/Cambuslang and forms part of the Clyde Gateway Development Framework Site (Policy1 – Spatial Strategy). This development site was zoned as a Core Industrial Business Area within the adopted Local Development Plan with Policies 7 and 11 being relevant.
- 6.7 Policy 1 – Spatial Strategy states that the Council will encourage sustainable economic growth and regeneration, protect and enhance the built and natural environment and move towards a low carbon economy. This will be achieved by the delivery of certain development proposals identified within the adopted plan. In this instance, the Clyde Gateway Development Framework site is supported and prioritised and the development of this application site as a mixed use development has previously been established.
- 6.8 Policy 7 states that the Council will support sustainable economic growth and regeneration by encouraging the development of business in South Lanarkshire



through the identification of employment land use areas with categories of employment use areas and appropriate uses set out for each designation. In this instance, the land is designated within a Core Industrial and Business Area within the SLLDP. In Core Industrial and Business Areas, the SLLDP states that these areas are to be retained for industrial/ business use (Class 4/5/6) and any exceptions must meet the further criteria set out within Supplementary Guidance 5 'Industrial and Commercial Development' (SG5). In this instance, it is considered that through assessment of previous mixed use planning application proposals, the principle of a non-industrial development of this site is acceptable.

- 6.9 Policy 2 (Climate Change) sets out a range of criteria which new development should consider in seeking to minimise and mitigate against the effects of climate change. The proposed development is consistent with many of these aims, particularly by including opportunities for active travel routes through on-site cycle path provision which provides links to the wider path network and the availability of public transport being directly adjacent to Cambuslang Road. The proposed development is considered to be consistent with Policy 2 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Sustainable Development and Climate Change.
- 6.10 Policy 4 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated with the local context and built form. Proposals should have no significant adverse impacts on the local community and include where appropriate measures to enhance the environment. It is considered that the overall benefits of the development proposal, including the upgrade and enhancement of a dated industrial site, improvements in road and pedestrian safety on the existing road network, together with the proposed upgraded footpath network and on-site cycle path provision, and enhanced landscape planting will have an overall positive impact on the wider community. The proposed development is, therefore, considered to be consistent with Policy 4 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Development Management, Placemaking and Design.
- 6.11 Policy 11 (Economic Development and Regeneration) states that proposals which support and maximise economic development and regeneration will be encouraged and supported. This proposal will redevelop a vacant, brownfield site, providing significant social and economic benefits through the creation of around 300 new jobs and increased local expenditure. It is, therefore, considered that the proposal accords with Policy 11.
- 6.12 A small section of the site is identified for New Road Infrastructure in terms of the Downiebrae Road upgrade, and the site is also identified as Green Network under Policy 14- Green Network and Greenspace.
- 6.13 The SLLDP (adopted 2015) aims to safeguard the local green network through Policy 14 (Green Network and Greenspace). As set out in paragraph 3.2.1 above, the site is designated as part of the Green Network. The proposed development of the site would include some landscaping and SUDS area, and would include the requirement to improve and maintain pedestrian and cycle links with the Clyde walkway. The existing Green Network in the northern section of the site will be maintained and, therefore, will be a material improvement to its present condition and appearance. It is therefore considered consistent with Policy 14. The proposal

is also considered to be consistent with the guidance set out in the Green Network and Greenspace Supplementary Guidance in respect of the principles of the Urban Green Network.

- 6.14 Policy 15 (Natural and Historic Environment) seeks to protect important natural and historic sites and features. There are no national or internationally designated sites within the development site. In terms of local designations, in relation to protected species, following assessment of the Ecological Report submitted in support of the proposal, it is not considered to have any adverse impact on protected species or habitats. Various protection measures can be put in place during the construction process in respect of any protected species and habitats.
- 6.15 In respect of the historic environment, there are no designated sites or buildings within the development site and WoSAS do not intend to request that any archaeological works are undertaken. Therefore, the proposed development is considered to be consistent with the various issues set out in Policy 15 and with the policy guidance set out within the associated Supplementary Guidance Natural and Historic Environment.
- 6.16 Policy 16 (Travel and Transport) requires the assessment of traffic impacts associated with new development proposals. The developer lodged a Transport Assessment which identifies no significant impacts upon the road network as a result of the proposed development. The assessment concludes that the proposed development has fewer impacts upon the road network than that which would have arisen from the previous commercial/retail proposals which had been granted Planning Permission in Principle. In addition, the proposed development is in close proximity to the public transport network and provides opportunities for both walking and cycling. The Roads Service has considered the Transportation Statement submitted by the applicant and has confirmed that it has no objection subject to alterations to the ingress and egress arrangements from the main car parking area. In addition, in order to future proof the development site in case of increased traffic flows once the Downiebrae Road Link is completed, an area of land is to be reserved to enable an additional exit lane onto Cambuslang Road to be constructed if there is a proven need. These changes have been incorporated in a revised plan.
- 6.17 The previous consent PPP for the site, which recently lapsed, included a Section 75 Legal Agreement which was to ensure a financial contribution was lodged towards the next phase of the Downiebrae Road upgrade. With this current application, it has been agreed that the developer will construct a section of road within the application site to the edge of their land ownership boundary. This will link to the Downiebrae Road when the remaining length of the road, outwith the application site, is upgraded at a date yet to be determined. The submitted plans show the length of road to be constructed on Duchess Place, and the road will require to be constructed, as part of this proposal, to the satisfaction of the Council as Planning and Roads Authority. If the Committee agrees to grant consent for this proposal, suitable conditions to control the timing of this road construction will be imposed. This obviates the need for any Legal Agreement in respect of this development.
- 6.18 In relation to SLC Core Path Plan, the existing section of Core Path which runs along the northern edge of the site will be retained and can be consolidated by a

footpath and cycle link within the site. Connections to the wider path network can be maintained and new connecting sections of cycle route can be provided to link to the existing wider cycle route network. These footpath and cycle route links form part of the proposed layout plan.

- 6.19 Policy 17 (Water Environment and Flooding) states that developments which have a significant adverse impact on the water environment will not be permitted and that consideration will be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment. The applicants have been required to submit a detailed Flood Risk Assessment which has had detailed scrutiny by the Council's Flood risk Management team and SEPA. Initially, SEPA issued an objection to the proposal in terms of flood risk. However through further detailed discussion, the developer agreed to remove a proposed commercial building previously located in the northern section of the site, nearer the River Clyde. By removing this building, which was a family pub/restaurant, SEPA has now withdrawn its objection. Standard conditions would be attached to any approval.
- 6.20 The proposal is for a commercial/ recreational development and falls within the Clyde Gateway Development Framework Site. Although the site is still identified as a Core Industrial and Business Area on the proposals map, it benefits from the wider Development Framework Site identification which is overarching in the context of the adopted SLLDP.
- 6.21 Any specific issues raised by the consultees have been discussed with the developer during the consideration of this proposal, and can be addressed through the use of conditions as appropriate. No representations were received in relation to the proposal.
- 6.22 The proposal was advertised as development contrary to the development plan due to the land use designation of the site as Core Industrial and Business (Policy 7) in the adopted South Lanarkshire Local Development Plan 2015 (SLLDP). However, as outlined above, the site forms part of the larger Clyde Gateway Development Framework Site and that this proposal complies with that overarching designation. On that basis it is considered that the proposal is not contrary to the terms of the SLLDP. Furthermore, as noted at paragraph 6.3 above, the proposal also complies in principle with the land use designation within the proposed Local Development Plan 2. The proposed development has also been assessed in terms of potential amenity impacts and is considered acceptable, subject to the imposition of conditions.
- 6.23 It is, therefore, recommended that planning permission is granted.

## **7 Reasons for Decision**

- 7.1 The proposal will provide substantial local employment opportunities and will have no significant adverse impact on amenity or public safety. It complies with the relevant policies of the adopted South Lanarkshire Local Development Plan and Supplementary Guidance (Policies 1, 2, 4, 7, 10, 11, 14, 16,17, DM1 and DM8,) and the proposed South Lanarkshire Local Development Plan 2 (Policies 1, 2, 5, 8,10, 13, 15, 16, DM1, DM9 and DM17).

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

**Previous references**

- CR/08/0274 -Demolition of Existing Buildings And Redevelopment of Site to Provide a Mixed Use Development Comprising Employment Units, Hotel, Cinema, Food Retail, Non Food Retail and Restaurant Units (Planning Permission in Principle) - Approved 10/03/2011.
- CR/13/0124 - Section 42 application to vary condition 3 of planning permission CR/08/0274 to extend the time period within which further matters shall be submitted from 3 years to 5 years – Approved – 22/11/13.
- CR/15/0207 - Demolition of existing buildings and construction of mixed use development incorporating: anchor retail store, retail terrace, drive thru restaurant, two family restaurants, formation of access and egress points, parking and ancillary development (planning permission in principle) - Approved - 06/01/2020.

**List of background papers**

▶ Application form	
▶ Application plans	
▶ South Lanarkshire Local Development Plan 2015 (adopted)	
▶ Proposed South Lanarkshire Development Plan 2	
▶ Neighbour notification letter dated 28 February 2019	
▶ Consultations	
Countryside And Greenspace	04.03.2019
BAA Glasgow	05.03.2019
NATS	05.03.2019
Network Rail	06.03.2019
RSPB Scotland	25.06.2019
Arboricultural Services	18.07.2019
SEPA Flooding	25.06.2019 & 07.07.2019
Roads Development Management Team	08.07.2019
Environmental Services	05.03.2019
Roads Flood Risk Management	02.04.2019
Scottish Water	02.04.2019
WOSAS	04.03.2019
SEPA West Region	22.03.2019

SP Energy Network	08.05.2019 & 18.07.2019
Transport Scotland	03.06.2019
TRANSCO	21.03.2019
SPT	26.07.2019

**Contact for further information**

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

Maud McIntyre, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton,  
ML3 6LB

Phone: 01698 455043

Email: [maud.mcintyre@southlanarkshire.gov.uk](mailto:maud.mcintyre@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. Unless otherwise agreed, the trees to be removed, shaded brown on the approved layout plan, must be replaced by semi mature trees of a similar species at an agreed locus to the satisfaction of the Council as Planning Authority.

Reason: To mitigate tree loss and safeguard the amenity of the area.

02. That within three months from commencement of site works, 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., including, where appropriate, the planting of fruit/apple trees;
  - (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.

Reason: To ensure the appropriate provision of landscaping within the site.

03. That the approved landscaping scheme, in accordance with Condition 02. above, shall be completed 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 in accordance with Condition 2(e) above.

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

04. That all trees to be retained as shown on the approved plan Drg No. 1492 02 Rev C shall be suitably protected during the construction phase of the development, and shall not be lopped, topped, pollarded or felled, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to retain effective planning control.

05. That prior to construction of the building superstructure for each part of the site, to which they relate, or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

06. All external colours shall be agreed in writing with the Council as Planning Authority prior to the installation of the relevant materials.

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

07. That before any part of the development is occupied, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority, in consultation with Transport Scotland insofar as the boundary to the trunk road is concerned, and thereafter all approved works shall be completed in accordance with the agreed details prior to the development hereby approved being occupied or brought into use.

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

08. That before each part the development hereby approved is operational details of the method of ventilating the food preparation and food sales areas for that part of the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.

09. That before the development is brought into use the ventilation system approved under Condition 08 above shall be installed and operative to the specification and satisfaction of the Council as Planning Authority.

Reason: To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.

10. That the land hatched blue on the approved plans shall be kept free of all buildings, structures and other works.

Reason: To ensure that the potential for a proposed future road widening is not prohibited.

11. That before the development hereby approved is completed or brought into use, the access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Planning and Roads Authority.

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

12. In accordance with the flood prevention measures agreed between the applicant, the Council as Planning Authority and SEPA, unless otherwise agreed, the development hereby approved shall be implemented to ensure that;

- a) All buildings within the development shall be located outwith the flood plain; and
- b) A freeboard of 600mm minimum to the proposed finished floor level shall be provided above the predicted floor level for a 1 in 200 year event with allowance for climate change.

Reason: To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.

13. That no buildings shall be occupied until the flood protection measures required under Condition 12 above have been completed in accordance with the approved scheme.

Reason: To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.

14. That prior to the development hereby approved being brought into use the developer shall include the provision for 12 No electric charging bays on the site to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

15. That the Core Path link, identified in green on the approve plan shall be installed prior to the development being brought into use to the satisfaction of the Council as Planning Authority.

Reason: In order to facilitate access to the existing core path network.

16. Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

17. No development shall take place until the fencing system has been erected in a manner and position to be agreed with the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority. The fencing system shall be provided and maintained by the developer or subsequent owner of the land along the boundary of the site with the trunk road.

Reason: To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

18. No part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority. In particular this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.



Reason: To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.

19. That details of safe pedestrian routes within the site to serve the drive through facilities shall be submitted for approval prior to the commencement of site works relating to that part of the development.

Reason: In the interests of public safety.

20. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing drainage network is not affected and that the standard of construction is commensurate with that required within the road boundary.

21. 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 drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority. (Appendices 1, 2 + 5).

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

22. That prior to any work starting on site, a Flood Risk/Drainage Assessment and Independent Check shall be carried out, submitted to, and approved in writing by the Council as Planning Authority. This Assessment shall include confirmation that a suitable FFL is provided and procedures are considered to ensure access/egress can be obtained should flooding occur. The Assessment and Independent Check shall be carried out in accordance with the latest industry guidance listed within Section 4.0 of the Council's SuDS Design Criteria Guidance Note. (Appendices 3 + 4).

Reason: To ensure that the risk of flooding to the application site from any source is at an acceptable level as defined in the SPP and that there is no increase in the future flood risk to adjacent land as a result of the proposed development.

23. That the development hereby approved shall not be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water scheme constructed to the specification and satisfaction of Scottish Water as the Water Authority, unless otherwise agreed.

Reason: To ensure that the development is served by an appropriate water supply.

24. That prior to the commencement of development a Construction Traffic Management Plan shall be submitted to the Council for consideration and approval. This should include, but not be limited to, appropriate wheel wash facilities within the site, phasing, construction staff parking, routing of construction vehicles, to the satisfaction of the Council as Planning and Roads Authority.

Reason: In the interests of traffic and public safety.

25. 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.

Reason: To retain effective planning control.

26. That prior to the commencement of site works, a badger protection plan (BPP) for the site shall be produced and submitted for consideration and approval. This should include all requirements as set out in the submitted Ecological Assessment dated November 2018 by JDC Ecology.

Reason: To ensure compliance with legislative and industry standards in relation to European Protected species.

28. All recommendation as set out in the submitted Ecological Assessment dated November 2018 by JDC Ecology shall be adhered to.

Reason: To safeguard and protect to protected species of wildlife.

29. Unless otherwise agreed, that prior to the commencement of the development, the design details of the proposed new road from Duchess Place to Mathieson Road and from the end of the existing Cunningham Road to the proposed turning head (see Drawing No. M741-CCA-EX-XX-DR-A-00-0001S4 Rev P09), together with details of the boundary treatment between Duchess Place and Mathieson Road to prevent through traffic, shall be provided to the Council for approval.

Reason: In the interests of traffic and public safety and to retain effective planning control.

30. That the approved design of the new road and boundary treatment described in Condition 29 above shall be constructed prior to the operation of any use.

Reason: In the interests of traffic and public safety and to retain effective planning control.

31. That prior to the implementation of the relevant works, the design for the construction of a new footway/cycleway and a reserved area of verge along the eastern side of Duchess Place, that will enable a 40 metres full width approach lane (see Drawing No. M741-CCA-EX-XX-DR-A-00-0001S4 Rev P09) to be implemented at a later date, shall be submitted for approval of the Council as Planning and Roads Authority.

Reason: In the interests of traffic and public safety

32. That the approved design described in condition 31 above shall be constructed prior to the operation of any use.

Reason: In the interests of traffic and public safety.

33. That the southernmost access to the Top Golf facility shall be signed and operational as an entrance only. Signage shall also be required to prevent drivers from exiting the access. This must be in use following completion of the access.

Reason: In the interests of traffic and public safety.

34. That details of the cycleway provision from Cambuslang Road to Mathieson Road shall be submitted and approved prior to the implementation of these works on site.

Reason: These details have not been submitted.

35. That any construction works or modifications required as a result of condition 34 above shall be introduced prior to the opening of any part of the development.

Reason: In the interests of traffic and public safety.

36. That details of the servicing of any part of the development shall be submitted and approved prior to the start of the respective works on site and thereafter implemented.

Reason: These details have not been submitted.

37. That any construction works or modifications required as a result of condition 36 above be introduced prior to the opening of any respective part of the development.

Reason: In the interests of traffic and public safety.

38. That details of the cycle parking for each part of the application be submitted for approval prior to any respective works starting on site.

Reason: These details have not been submitted.

39. That the introduction of cycle parking as a result of condition 38 above shall be introduced prior to the opening of any respective part of the development.

Reason: to ensure provision of adequate cycle parking facilities.

40. Unless otherwise agreed, that notwithstanding the layout plans hereby approved, the detailed design of the car park shall be submitted for approval. The design should include details of minibus spaces for the TopGolf complex.

Reason: To ensure that satisfactory parking provision including cars, electric vehicle charging points, coaches, mini buses is provided.

41. Unless otherwise agreed in writing, a stage 2 & 3 safety audit shall be undertaken prior to any works on site.

Reason: In the interests of traffic and public safety.

42. That the 52 metre high fencing system including netting, support towers, cables restraints shall be constructed in accordance with the detailed specification supplied in drawing no. M741-CCA-EX-XX-DR-A-00-0001; correspondence dated

24 May 2019 confirming measures which prevent impact on our infrastructure (Foresportfencing to Luddon Construction Ltd);· Report detailing fencing tower specification (Site One report); Ball stop fencing layout report.

Reason: In the interests of public safety and to safeguard SP Energy Networks' access to their infrastructure.

43. Should the development proposals change from that approved under Condition 42. above, alternative proposals shall be submitted for consideration and approval by the Council as Planning Authority in consultation with SP Energy Networks.

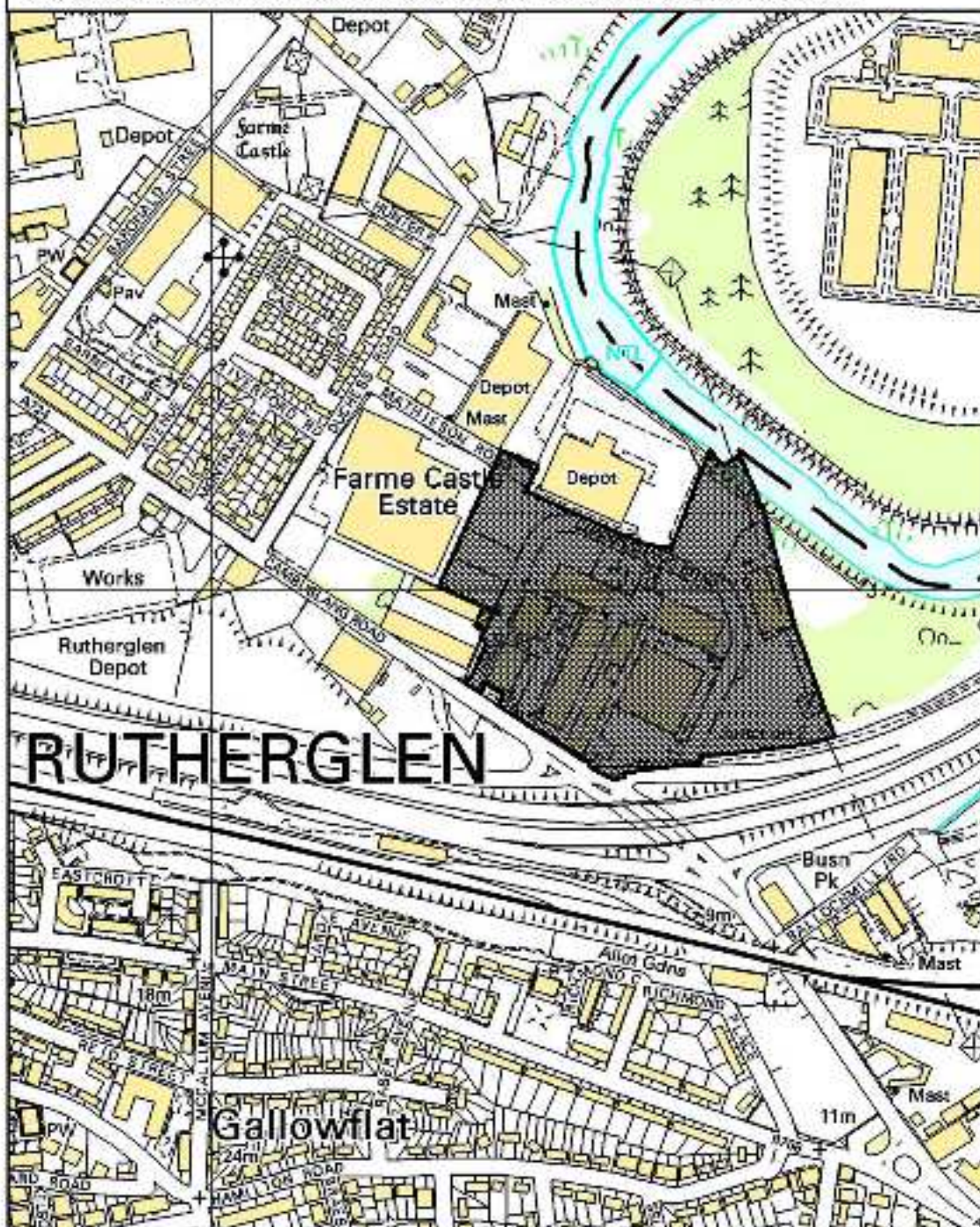
Reason: In the interests of public safety and to safeguard SP Energy Networks' infrastructure.

44. That the provision of high access kerbs to bus stop reference numbers 6150519 and 6150520 on Cambuslang Road shall be undertaken prior to the golf facility operating.

Reason: In the interests of public safety.

P/19/0304

Proposed re-development of Duchess Place and Cunningham Road, Cambuslang Road, Rutherglen



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Scale  
 1:1,000  
 Date  
 15/07/2019



South Lanarkshire Council  
 Community and Enterprise Resources  
 Planning and Economic Development



# Report

12

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0299
Planning proposal:	Demolition of existing dwellings and redevelopment consisting of the erection of 311 unit mixed tenure residential dwellings with associated access roads, car parking and landscaping

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	CCG (Scotland) Ltd
Location:	East Whitlawburn Redevelopment Area Western Road Cambuslang South Lanarkshire

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent: Stallan Brand
- ♦ Council Area/Ward: 13 Cambuslang West
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**  
Policy 4 – Development Management and Placemaking  
Policy 6 – General Urban Area/Settlements  
Policy 12 – Affordable Housing and Housing Choice  
Policy 14 - Green Network and Greenspace

**Supplementary Guidance 1: Sustainable**



**Development and Climate Change**  
Policy SDCC3 – Sustainable Drainage Systems

**Proposed South Lanarkshire Local  
Development Plan 2**

Policy 1 Spatial Strategy

Policy 3 General Urban Areas

Policy 5 Development Management and  
Placemaking

Policy 11 Housing

Policy 12 Affordable Housing

Policy 13 - Green Network and Greenspace

Policy SDCC3 Sustainable Drainage Systems

♦ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	2	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Roads Flood Risk Management

Environmental Services

Scottish Water

WOSAS

SEPA West Region

Estates Services - Housing and Technical Resources

Cambuslang Community Council

Educ Res School Modernisation Team

Housing Planning Consultations



## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to the regeneration of East Whitlawburn, Cambuslang and proposes new residential development incorporating open space, landscaping parking and new road layout. The site, which currently consists of 380 houses, is generally irregular in shape and generally flat although it rises to the rear (south) and changes level gradually through the centre. This site is bounded to the north by the residential properties on Western Road, to the south by housing on Tiree Way and Jura Terrace. The site consists of Morven Road, Arkle Terrace, Gartmore Terrace, Buchan Terrace, Aron Terrace, Rona Terrace, Lorne Terrace and part of Staffa Road. All 380 properties are to be demolished. The site is primarily accessed from Western Road via Movern Road in the centre of the site but can also be accessed from Staffa Road at the east of the site.

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

- 2.1 The application seeks detailed planning permission for the erection of 311 residential dwellings over the entire site with associated roads layout and landscaping. The residential provision will include a mix of new two storey detached, semi-detached and terraced houses, along with a number of cottage flats and 4 blocks of flats. 230 of the properties will be socially rented and 81 will be private. The development is being taken forward as a partnership between SLC Housing and CCG (who are the applicants). The proposed development will improve the mix of house types in the area by replacing the maisonettes which have dominated the housing provision until now. The development has been driven by the East Whitlawburn Masterplan established by SLC Housing Services in 2017 which has already been considered at a meeting of the Council. Initially, the planning application was for 330 units, however, 19 private dwelling units have been dropped from the proposal to allow for further open space and the required parking provision.
- 2.2 The site will have a relatively traditional road pattern, however this will be broken up in parts. All of the proposed houses will have their own back and front gardens and dedicated parking spaces. In terms of access, the proposal will remove the existing terraces but will retain Morven Road. The road will be laid out in a grid pattern allowing easy access for pedestrians and vehicles. In addition, the development will incorporate the principles of Sustainable Urban Drainage with respect to surface water drainage. All of the proposed dwellings will be finished in a mix of materials including facing brick, render, concrete roof tiles and UPVc windows and doors. The area for social rent will contain 4 flatted blocks of 3 storeys each. A proportion of the flats, bungalows and ground floor cottage flats will be for elderly residents. One of the main aims of the project is to make the development 'tenure blind' with no clear distinction between the public and private properties.
- 2.3 A centrally located landscape area will be retained within the development and will be improved with play facilities, tiered landscaping, benches and footpaths.

Further landscaping will be provided along the frontage of the site to soften the street following the construction of the flatted blocks.

- 2.4 The site will be developed in three phases starting with the central area. The second phase will be the private area and the final phase will be adjacent to the West Whitlawburn area.

### **3 Background**

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

- 3.1.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.1.2 The site is located within the designated settlement boundary of Cambuslang. In land use terms, the application site is identified as a residential land use area as per Policy 6. A small section of the northern boundary is designated as Green Network and Policy 14 is relevant.
- 3.1.3 A number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely Policy 4 - Development Management and Placemaking, Policy 12 – Housing Land, Policy 13 - Affordable Housing and Housing Choice. Policy SDCC3 specifically relates to the provision of Sustainable Drainage Systems. These principal policies are supported by specific policy guidance provided through approved Supplementary Guidance. The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and result in no adverse impact. In addition, the Council has prepared a Residential Design Guide which lays out advice on matters such as window to window distances, open space provision and use of materials.
- 3.1.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:
- Policy 1 - Spatial Strategy
  - Policy 3 – General Urban Areas/Settlements
  - Policy 5 – Development Management and Placemaking
  - Policy 11 – Housing Land
  - Policy 12 – Affordable Housing
  - Policy 13 – Green Network and Greenspace
  - Policy SDCC3 – Sustainable Drainage Systems
  - Policy DM1 – New Development Design

### 3.2 Relevant Government Advice/Policy

- 3.2.1 The Scottish Planning Policy (SPP) aims to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth. Provision for new homes should be made in areas where economic investment is planned or there is a need for regeneration.

### 3.3 Planning Background

- 3.3.1 No previous planning applications have been submitted in the recent past. The application was subject to a Pre-Application Notice which was submitted in November 2018. The public event took place on 16 January 2019 in the existing community hall within the site. A pre-application consultation report was submitted as part of the proposal.

## 4 Consultation(s)

- 4.1 **Environmental Services** – recommend conditions relating to traffic noise, air quality, dust mitigation and waste control.

**Response:** Noted. A number of these conditions have been attached, however, as the proposal is a redevelopment of an existing area with fewer units, it is deemed there is no requirement for a traffic noise survey.

- 4.2 **Roads and Transportation Services (Development Management)** – layout acceptable and parking provision suitable for house types. Recommend conditions for in relation to construction traffic and public transport advice to residents upon occupation.

**Response:** Noted. These details have been conditioned.

- 4.3 **SEPA (West Region)** – no objections.

**Response:** Noted.

- 4.4 **Roads and Transportation Services (Flood Risk Management)** – the applicant should adhere to the findings of the Flood Risk Assessment and provide a SUDs drainage scheme.

**Response:** Noted. The appropriate condition has been attached and SUDs will be provided.

- 4.5 **West of Scotland Archaeology Service (WOSAS)** – the proposal raises no archaeological issues.

**Response:** Noted.

- 4.6 **Cambuslang Community Council** – seeks clarification as to how the points raised in the Pre-application process will materialise into the application. It is assumed that the proposal will apply good practice in terms of master planning, energy efficiency and provision of facilities. What is the Council's policy in terms of rehousing in the site? An EIA should have been submitted with the application.

**Response:** All the points raised by the Community Council have been responded to by the applicant within the Pre-application Report submitted as part of the planning application. In summary, the report states how the Council has liaised with the local community. In addition, I am satisfied that the proposal is compliant with the relevant aims of Government advice and development plan

policy in terms of layout, open space provision, energy efficiency and sustainability. SLC Housing has confirmed that those residents wishing to return to East Whitlawburn will be given priority in terms of the new housing. The Council (as Planning Authority) is satisfied that no EIA is required in this instance and has done a screening to this effect. The proposal relates to the re-development of an existing housing area. Notwithstanding this, the applicant has submitted a number of supporting documents in support of their application.

- 4.7 **Housing Services** – the proposal meets the aims of the Council’s Strategic Housing Investment Plan and is part of the Housing Regeneration at East Whitlawburn and is prioritised for Scottish Government grant funding for social rented housing.

**Response:** Noted.

- 4.8 **Estates Services** – no objections.

**Response:** Noted.

- 4.9 **Education Resources** – no objections. There is sufficient capacity in the local schools.

**Response:** Noted.

- 4.10 **Scottish Water** – no objections.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the Rutherglen Reformer. The application was originally for 330 dwellings however this has now dropped to 311 dwellings and the layout revised. As a result of the changes, the proposal was re-advertised and the relevant neighbours re-notified. Following this, two letters of representation has been received. The points raised are summarised as follows:

- a) **There is the possibility of flooding from the burn running the length of Staffa Road therefore adequate maintenance of the burn and culvert at the Western Road end is required. Waste products have also been found in the burn.**

**Response:** As part of the development, a new drainage system will be installed together with a maintenance regime. This will be an improvement to the current system. The Roads Flood Risk Management Section has confirmed they are satisfied with the proposal.

- b) **There should be adequate security in place to prevent antisocial behaviour such as youths removing roof slates.**

**Response:** The redevelopment of the site will result in high quality buildings with all materials secured and with all communal areas overlooked. This will aid the security of the site. There is an increase in individual properties thereby preventing the type of access the current poor quality flats allow.

- c) **There is an opportunity through the development to slow down traffic in the locality.**

**Response:** The proposal involves the complete redevelopment of the site with traffic and road safety and its centre. This will result in slower traffic through the provision of road geometry and traffic calming. This will increase the ability for children to play on the road space.

**d) The recent demolition of the flats has resulted in airborne dust.**

**Response:** The developers are currently implementing a scheme of dust mitigation to which Environmental Services.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks consent for the redevelopment of East Whitlawburn through the erection of 311 residential dwellings. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local plan policy and if there are other material considerations which are relevant to the consideration of this application. The East Whitlawburn Regeneration Masterplan mentioned in paragraph 2.1 above addresses this local development plan. The current application will satisfy the requirement for a well-integrated residential development as per policy 12 and thus it is considered that the proposed development complies with this local plan policy together with Policy 13 in relation to affordable housing.
- 6.2 With respect to policies 4 and 6 of the adopted local development plan, this aims to protect the character and amenity of residential areas while supporting, in principle, compatible uses. Both policies are aimed at resisting proposals which will detract from their character and amenity and supporting development which satisfies the following criteria:
- (a) The proposed development relates satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use
  - (b) The character and amenity of the area is not impaired by reason of traffic generation, parking, visual intrusion
  - (c) There is no resultant loss or damage to spaces, trees, bushes or hedgerows that made a significant contribution to the character or amenity of the area
  - (d) The development is adequately services in terms of cycle, pedestrian and vehicular access, parking and accessibility to public transport
  - (e) There is no detrimental effect on public safety
- 6.3 In terms of the adjacent and surrounding development, the proposal will result in the redevelopment of an area of vacant and derelict properties and vacant/cleared ground located within East Whitlawburn. It will consist of the construction of modern detached, semi-detached, terraced and flatted dwellings. Each property will be offered garden ground in excess of what was provided in the previous properties and which will meet the requirements of the Council's Residential Development Guide. The materials to be used for the proposed housing will be modern, energy efficient and will allow the sites to develop their own identities.

The layout and design of the houses has taken account of the requirement to prevent privacy or overlooking problems within the new development.

- 6.4 In terms of character and amenity, with specific regard to traffic generation, visual intrusion and noise, given that the sites are currently derelict and largely vacant there will be an increase in the number of people using it, however, overall, the site will result in 69 units below which currently exist on site. Whilst there is a reduction in units, they are largely more individual houses and lower rise buildings which means that there is a bigger developable area than at present. Nevertheless, this has to be balanced against the significant increase in quality homes which will result from this development. As the majority of the new houses will have their own individual parking area within each plot, and the Roads Service have not objected to the development, there will be no significant adverse impact on amenity arising from traffic generation or parking. Finally I do not consider that a residential development will generate a level of noise likely to disturb the amenity of neighbouring residents.
- 6.5 As regards open space and landscaping, landscaping will be provided throughout the site with side garden fences for each dwelling incorporated into the development. New houses will have front and rear gardens thereby representing a major improvement. In addition, the level change between the east and west of the site will be achieved through a centrally landscaped area which will double as a play facility and will provide benches and places for the community to congregate.
- 6.6 The proposal is, therefore, in accordance with policies 4 and 6 of the adopted plan. Furthermore, in total, it will result in the major redevelopment of an existing residential estate providing 230 new high quality houses for rent and 81 for private sale replacing derelict and difficult to let maisonette flats. This presents an opportunity not only to enhance the quality of the environment for the residents but also to start the process of improving and regenerating their community. The proposed development also complies with the requirements of South Lanarkshire Council Residential Development Guide. A portion of the site along the front is within the Green Network as per Policy 14, however, a significant portion of this area is being maintained, including the centrally located landscaped area. In addition, the applicants will be establishing a SUDs scheme to deal with surface water as per Policy SDCC3.
- 6.7 Policy DM1 – Development Management Policy states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Development will require to have no significant adverse impact on the local environment and to enhance its quality and appearance. It also identifies various criteria to be considered by the Council when assessing applications. As the proposed development will take place on cleared sites, it is considered that they will create their own environment which accords with the criteria of this policy. In addition, the development will also be in keeping with the residential use of the neighbouring properties and the surrounding area and thus meet the requirements of and comply with this policy.

- 6.8 Overall, the proposal represents a positive change on the community of East Whitlawburn. The existing outdated and unsuitable housing will be cleared and replaced with modern housing specifically aimed at those requiring them. The entire site will be 'tenure blind' ensuring no differentiation between private and socially rented stock. A centrally landscaped area will provide an area which the community can share and which will cater for benches, play space and pedestrian access.
- 6.9 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. Policies 1, 3, 5, 11, 12, 13, DM1 and SDCC3 of the proposed plan are similar to those in the adopted plan and I am, therefore, satisfied that the proposal is compliant with these policies.
- 6.10 The proposal will result in a positive impact within the Cambuslang area, fundamentally improving housing stock to the local community. In view of this and the proposal's compliance with adopted and proposed local plan policy, approval of planning permission is recommended.

## **7 Reasons for Decision**

- 7.1 The proposal complies with policies 4, 6, 12, 13, DM1, DM13 and SDCC3 of the adopted South Lanarkshire Local Development Plan and policies 1, 3, 5, 11, 12, 13, DM1 and SDCC3 of the proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 1 August 2019

### **Previous references**

- ◆ P/18/0012/PAN

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 15 March 2019
- ▶ Consultations
 

Roads Development Management Team	.06.2019
Roads Flood Risk Management	15.04.2019
Environmental Services	08.04.2019
Scottish Water	02.04.2019

WOSAS	25.03.2019
SEPA West Region	25.04.2019
Estates Services - Housing And Technical Resources	25.03.2019
Educ Res School Modernisation Team	29.03.2019
Housing Planning Consultations	25.03.2019
Cambuslang Community Council	19.04.2019

► Representations

A Reynolds, 15 Greenlees Gardens, Cambuslang, Glasgow,  
South Lanarkshire, G72 8QR

Dated  
08.04.19 &  
22.07.2019

**Contact for further information**

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose  
Crescent, Hamilton, ML3 6LB  
Phone: 01698 455048  
Email: [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk)



### Conditions and reasons

01. That before any work commences on the site, 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., including, where appropriate, the planting of fruit/apple trees;
  - (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.

Reason: To ensure the appropriate provision of landscaping within the site.

02. That the landscaping scheme required by condition 1 above shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

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

03. That prior to development commencing, a detailed scheme of tree planting shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interests of amenity.

04. That before any work commences on the site, a scheme for the provision of equipped play area(s) within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include:
- (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
  - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed;
  - (c) details of the fences to be erected around the play area(s); and
  - (d) details of the phasing of these works.

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

05. That prior to the completion or occupation of the last dwellinghouses within the development, all of the works required for the provision of equipped play area(s) included in the scheme approved under the terms of Condition 4 shall be

completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

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

06. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

07. 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.

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

08. 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 7, shall be erected and thereafter maintained to the satisfaction of the Council.

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

09. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

10. That before any of the dwellinghouses hereby approved are occupied, details of the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority. Thereafter, prior to the occupation of any dwelling, the approved scheme shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: 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.

11. 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.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

12. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: To safeguard the residential amenity of the area.

13. That all new residents within the approved site shall be issued by the developer with a Residential Travel Pack.

Reason: To encourage use of public transport.

14. That prior to development commencing, a traffic management plan shall be submitted to and approved in writing by the Council as Planning Authority. The plan will include a compound layout, car parking facilities, wheel washing facilities and times of operations.

Reason: In the interests of public safety.

15. The applicant shall be required to undertake and submit an air quality impact assessment which satisfies the Planning Authority that the Local Air Quality Management Objectives for the pollutants specified in the Air Quality Regulations, made under Part IV of the Environment Act 1995, will not be exceeded at any location in the vicinity of the development where public exposure is relevant AND/OR residential properties in the vicinity of the development due to the impacts of the proposed development and to the increase in traffic associated with the development. The survey and report should use a method based on the principles set out in the Environmental Protection UK document Development Control: Planning for Air Quality (2010 Update) and Scottish Government publication "Local Air Quality Management Technical Guidance LAQM.TG (09)" or a method that has been agreed with the Planning Authority.

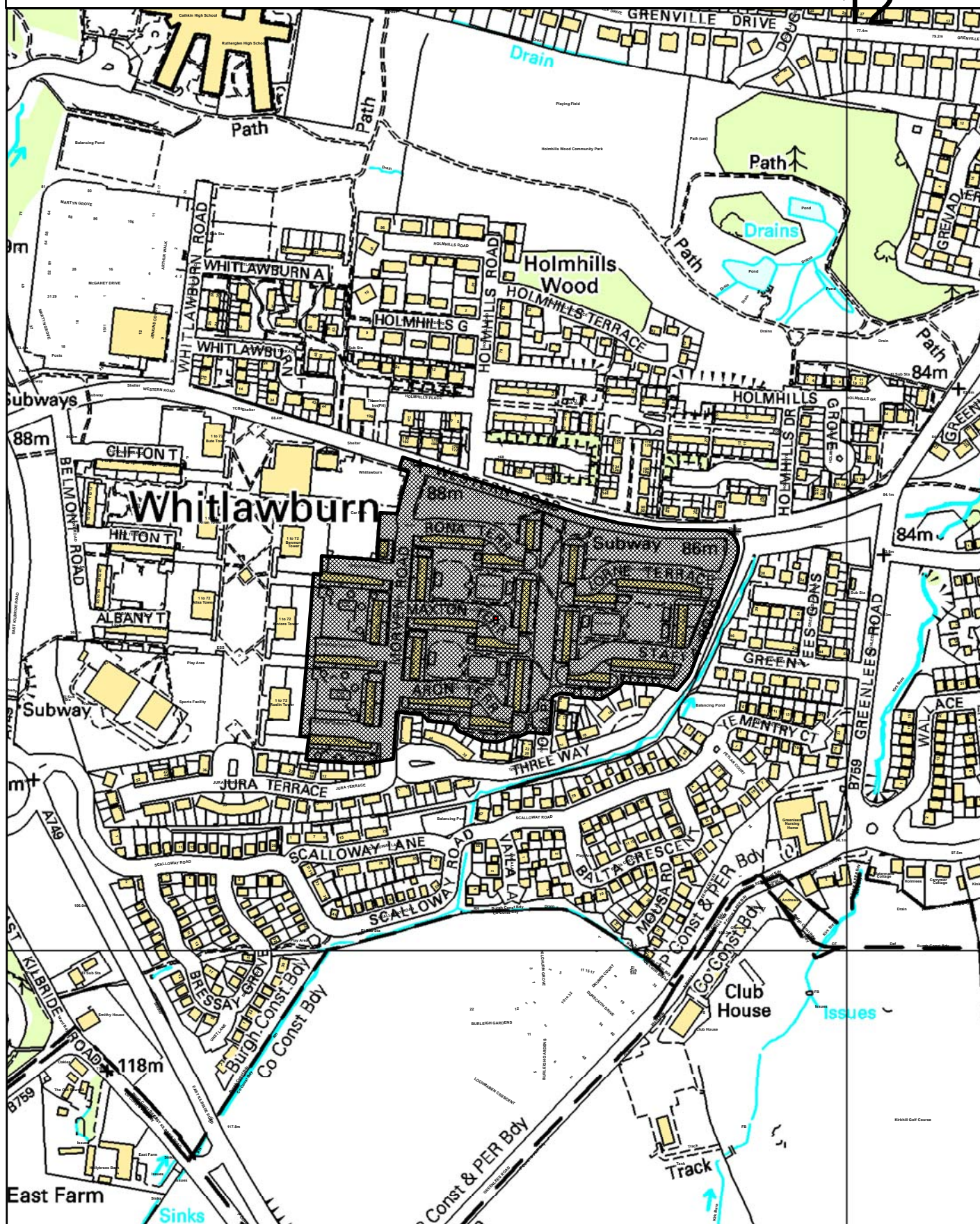
Reason: In the interests of amenity.

16. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

Reason: To ensure the provision of a satisfactory sewerage system









# Report

13

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0738
Planning proposal:	Erection of temporary sales cabin with associated parking.

## 1 Summary application information

Application type: Detailed planning application

Applicant: Westpoint Homes Ltd  
Location: Peel Road  
Thorntonhall  
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 conditions attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent: Sofia Michailidou
- ♦ Council Area/Ward: 09 East Kilbride West
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements

**Proposed South Lanarkshire Local Development Plan 2**  
Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
Placemaking

◆ **Representation(s):**

▶	10	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team



## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site covers an area of approximately 600sqm and relates to an area within an existing development site at the end of Baron Court and Baroness Drive, Thorntonhall. The site will be located adjacent to the proposed access road. To the north are 12 existing properties, constructed in 2011. There are a number of older properties to the east on Osbourne Crescent. To the west is farmland located in East Renfrewshire. To the south is the Glasgow to East Kilbride railway line. The site is undulating and slopes down from south eastern corner to the west and north towards a watercourse.

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

- 2.1 The application relates to the siting of a temporary sales cabin related to the construction of 28 flatted dwellinghouses which was granted at the Planning Committee meeting in May 2019. The sales cabin itself will cover an area of 36 square metres and will have 3 associated parking spaces and a footpath. The applicants have intimated that the cabin will be in situ for 16 months.

### **3 Background**

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

- 3.1.1 The site has been identified as an extension to the Thorntonhall settlement boundary as part of the South Lanarkshire Local Development Plan (as per Policy 12 – Housing Land) and the related flats have been granted in compliance with this.
- 3.1.2 Policies 4 - Development Management and Place Making, Policy 6 – General Urban Area/Settlements are relevant in this instance.
- 3.1.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 3 and 5 are relevant.

#### **3.2 Planning Background**

A previous applicant, Cala Homes, received approval in March 2015 for a development of 53 dwellings of which 42 dwellings have been constructed (EK/13/0338). A further approval of 28 flats was granted in March 2019 (EK/18/0001) for the current site which formed part of a larger site. The current applicants, Westpoint Homes, received consent in May 2019 for 28 flats which was an amendment to the 2018 application. (P/19/0392). All of these applications were approved by the Planning Committee.

#### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management)** – no objections subject to conditions relating to access and parking.  
**Response:** Noted. These conditions have been attached.

#### **5 Representation(s)**

- 5.1 Following statutory neighbour notification and advertisement in the East Kilbride News, 10 letters of objection and 1 comment letter have been received. The points raised are summarised as follows:

- (a) **This will impact on all residents of the phase 1 Cala homes on Peel Road, Baroness Drive and Baron Court. It is disingenuous of you to only notify 3 households and a dereliction of your responsibilities to us.**

**Response:** Only three properties are within the notifiable area of the site. The application was also advertised in the East Kilbride News for non-notification of neighbours.

- (b) **No indication is given of the size of the proposed temporary office, neither are the parking, appearance, design or materials.**

**Response:** All the relevant sizes, plans and elevations are on the planning portal and have been since the application was submitted.

- (c) **No details are given of the opening times of the office.**

**Response:** The opening hours will be limited to 11am to 5.30pm daily. This is also annotated on the elevational drawings.

- (d) **No indication is given of any advertising boarding which will accompany the proposed office.**

**Response:** Any advertisement would be subject to an advertisement consent application.

- (e) **No indication is given if the office will overlook numbers 5 and 6 Baron Court.**

**Response:** Due to the change in levels, the sales cabin will sit below the houses to the north and there will be no property overlooked.

- (f) **There is an outstanding ecology inspection and report for the proposed area, this application should not proceed till that report has been produced and raised no concerns.**

**Response:** The ecology report relates to the construction of the houses and the submission of it will precede any construction work commencing. This will also precede the siting of the sales cabin.

- (g) **There is a small pond adjacent to the area which has been built by the residents. There is wildlife within this and it is our understanding that wildlife is a protected species.**

**Response:** This application relates solely to the siting of the sales cabin. No works to the sales cabin will have any impact to the pond.

- (h) **What do you propose the children should do who regularly play on this area and how will you guarantee the safety of the children playing in this area?**

**Response:** The area will be a construction site and will be subject to the relevant health and safety requirements.

- (i) **The residents use this area for social use. There are benches which belong to the residents. We will continue to use this area. How will you mitigate against traffic and noise generation which will impact the residents if you approve the proposal?**

**Response:** The site is owned by the applicants/developer and will be a working construction site. Use of the area by the residents of the properties to the north is a separate legal matter.

- (j) **The Westpoint website apparently states that 28 flats are due to be built in the near future. We ask that you inform Westpoint of the ongoing objections being made by the residents who will be impacted and that you are still to reach your conclusion about granting approval.**

**Response:** The sales cabin will not be sited until planning permission is in place, however, work on the flats can begin as planning permission is in place.

- (k) **This should not be a tick box exercise and the current application is another example of lack of consultation in a flawed Planning Process.**

**Response:** The applicant has submitted all the relevant plans and they have been available for inspection on the portal. The process is not flawed and has been followed appropriately as have all the other applications.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The determining issues that require to be addressed in respect of this application for detailed planning permission are the proposal's compliance with the adopted local development plan and its relationship with both the properties recently constructed in the vicinity and those previously consented on the site.

- 6.2 The adopted South Lanarkshire Local Development Plan classifies the site as Housing Land and the site was previously included as an acceptable settlement extension and benefits from planning permission for 28 flats. For the purposes of this application, policies 4 and 6 are relevant. Policy 4 – Development Management and Placemaking, Policy 6 – General Urban Areas and Policy DM1 – Design require that all planning applications take account of the local context and built form and are compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. All developments require to have no significant adverse impact on the local environment and to enhance its quality and appearance. The site is currently an area of open space which will shortly become a housing site. As the application relates to the siting of a temporary sales cabin, for the duration of the siting, the site will be a construction site. The cabin is proposed to be in situ for 16 months and will be removed once a sales flat has been constructed or the development has been completed, whichever is the sooner.

- 6.3 The development will raise no privacy issues and will take access from the existing Baron Court and Baroness Drive. Roads and Transportation Services are satisfied with the layout of the parking spaces and the retention associated with the cabin. A condition has been attached to ensure that the site will be returned to open space following removal of the cabin.
- 6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposals accords with Policies 3 and 5 in the Proposed plan.
- 6.8 None of the statutory consultees have objected to the proposal and none of the matters raised through representations would justify refusal of the planning application. The proposal solely relates to the siting of temporary sales cabin associated with an existing housing site which already planning permission. Given this, it is recommended that detailed planning permission be granted.
- 7 Reasons for Decision**
- 7.1 The proposal complies with Policies 4, 6, 12 and DM1 of the South Lanarkshire Local Development Plan 2015 and policies 3, 5, 11, and DM1 of the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 23 July 2019

**Previous references**

- ◆ EK/18/0001

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 3 June 2019
- ▶ Consultations
 

Roads Development Management Team	18.06.2019
	&
	23.07.2019
- ▶ Representations
 

Mrs Bernadette Sinclair, 5 Baroness Drive, Thorntonhall, G74 5BN	Dated: 18.06.2019
Mr Faisal Butt, 4 Baron Court, Thorntonhall, G74 5BP	18.06.2019

Sai Ding And Kun Zhao, 2 Baron Court, Thorntonhall, G74 5BP	18.06.2019
Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS	20.06.2019
Mr And Mrs Gordon, 3 Baroness Drive, Thorntonhall, G74 5BN	18.06.2019
Jill Hollinshead, 2 Baroness Drive, Thorntonhall, Glasgow, South Lanarkshire, G74 5BN	18.06.2019
Israr Chaudry, Received Via Email	18.06.2019
Paul And Karen Brooks, 4 Baroness Drive, Thorntonhall, Glasgow, G74 5BN	18.06.2019
Kenneth And Christina Webster, 1 Baroness Drive, Thorntonhall, G74 5BN	18.06.2019
Mr & Mrs McCarthy, 6 Baron Court, Thorntonhall, Glasgow, South Lanarkshire, G74 5BP	18.06.2019
Sabharwal Family, 5 Baron Court, Thorntonhall, Glasgow, South Lanarkshire, G74 5BP	18.06.2019

### **Contact for further information**

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455048

Email: [ian.morton@southlanarkshire.gov.uk](mailto:ian.morton@southlanarkshire.gov.uk)

**Conditions and reasons**

01. That the permission hereby granted is for a temporary period only and shall expire on 28 February 2021.

Reason: Temporary consent is granted.

02. That the access to the sales cabin hereby approved shall be formed via dropped kerbs and a surfaced crossing of the service strip. This will be returned to grass and kerbs raised, after the cabins are removed.

Reason: In the interests of road safety and in order to retain effective planning control.

03. That the parking spaces must be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the driveway and entering the carriageway and have gradients less than 8%.

Reason: In the interests of road safety and in order to retain satisfactory planning control.

04. That all parking spaces associated with the sales cabin hereby approved shall be 5.5m x 2.5m.

Reason: In the interests of road safety

05. That no consent is hereby granted for any of the signage shown on the application plans.

Reason: A separate advertisement consent will be required for all signage.

06. That opening hours of the sales cabin hereby approved are limited until from 11am to 5.30pm Monday to Sunday.

Reason: In the interests of amenity and in order to retain effective planning control

P/19/0738

Peel Road, Thorntonhall, East Kilbride



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Scale  
1:2,000  
Date  
1/07/2018



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development





# Report

14

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0542
Planning proposal:	Erection of 2no. detached dwellings with garages and associated access

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Brackenridge Homes Ltd
Location:	Laigh Brownmuir House Bents and Station Highway Glassford Strathaven ML10 6TX

## 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 attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ♦ Applicant's Agent: David Napier
- ♦ Council Area/Ward: 05 Avondale And Stonehouse
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 3 - Green belt and rural area  
Policy 4 - Development management and placemaking  
Policy GBRA5 - Development of gap sites

**Proposed South Lanarkshire Local Development Plan 2 (2018)**  
Policy 4 - Green Belt and Rural Area

Policy 5 – Development Management and  
Placemaking  
Policy GBRA8 - Development of Gap Sites

◆ **Representation(s):**

▶	7	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads Development Management Team

Roads Flood Risk Management

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is a vacant piece of land adjacent to Laigh Brownmuir House, off Bents and Station Highway, Glassford. The site, which extends to approximately 0.54 hectares, is located within land zoned as Greenbelt. The site is located approximately 1.5 km to the west of the village of Glassford and is bound to the north by agricultural land, to the south by the public road and open agricultural land beyond. Laigh Brownmuir House lies to the west and Station Cottage and a dismantled railway line sit to the east. The site is generally flat though it slopes down towards the south and east corners.

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

- 2.1 Detailed planning permission is sought for the erection of 2no detached dwellings with garages and associated access. The proposed access is to the west of the site where there is an existing gated access. Each dwelling would be 1.5 storeys in height and have a total floor area of approximately 276 square metres over two levels. Each dwelling would accommodate a dining room, living room, kitchen and TV room on the ground floor with 4no.bedrooms with associated bathrooms on the upper storey. The proposed double garages, approximately 38 square metres in floor area would be located to the rear/side of each dwelling. The plans indicate the proposed finishes for the development as a mixture of sandstone, white render, timber cladding, Spanish slate and UPVC windows.

### **3 Background**

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

- 3.1.1 In terms of the Adopted South Lanarkshire Local Development Plan (2015), the site is located within the Greenbelt and, as such, Policy 3 – Greenbelt and the Rural Area is applicable and Policy GBRA5 – Development of Gap Sites. These policies seek to protect the Greenbelt from inappropriate development and promote development that enhances the rural environment. Policy 4 - Development Management and Placemaking is also relevant and requires all development to take account of the local context and built form and should be compatible with adjacent buildings in terms of scale, massing, design with no significant adverse impact in the local environment.
- 3.1.2 In addition the Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy was approved at Planning Committee on 29 May 2018. As such, the SLLDP2 is now a material consideration in determining planning applications. In this case, the corresponding policies are Policy 4 – Green Belt and Rural Area, Policy 5 – Development Management and Placemaking and Policy GBRA8 – Development of Gap Sites.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Government Policy is set out in the Scottish Planning Policy (SPP) which encourages Councils to promote rural development, regeneration and the re-use of previously developed land. It stresses, however, that all new development should

respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards. The Policy also states that development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups and extensions to existing clusters and groups.

### 3.3 **Planning Background**

- 3.3.1 Permission in principle for a dwelling at this site was granted on 19 April 2013, reference EK/13/0021. Following this, detailed planning permission was granted at the site for a single dwellinghouse under EK/15/0009 on 12 May 2015. The repositioning of the dwellinghouse and minor alterations were subsequently approved under application EK/16/0394 on 16 January 2017.

## 4 **Consultation(s)**

- 4.1 **Roads Development Management Section** – no objections to the proposal subject to the attachment of conditions in relation to visibility splays and surfacing.

**Response:** Noted, any permission granted can include appropriate conditions.

- 4.2 **Environmental Services** – no objections to the proposal subject to the attachment of advisory notes in relation to acceptable working hours and contamination.

**Response:** Noted, any permission granted can include appropriate advisory notes.

- 4.3 **Roads Flooding Section** – no objections to the proposal subject to the attachment of conditions requiring the use of Sustainable Drainage System (SuDS) to prevent any increase to the natural run-off rates as a result of the development and compliance with drainage criteria.

**Response:** Noted, any permission granted can include appropriate conditions.

## 5 **Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was also advertised in the local press as not all neighbouring land could be identified. Seven letters of objection and one letter of comments were received, the points of which are summarised below:

- a) **The proposal raises concerns in relation to traffic generation and road safety. There have been a number of accidents on this road in recent years and this development has the potential for an additional 6no. vehicles attempting to regularly access and exit onto Bents and Station Highway in addition to vehicles required to service the property. It is considered that the volume of traffic on this road has increased in recent years due to developments in the Glassford area, therefore a further traffic survey should be undertaken as part of this new application.**

**Response:** The Council's Roads and Transportation Services were consulted as part of this application and have raised no issues with regards to road safety. In addition, Roads do not consider a further traffic survey necessary in this instance.

- b) **The applicant has not indicated how an adequate visibility splay at the proposed new access would be created. Furthermore, sightlines are**

not indicated on the plans. Objector considers vehicles exiting the development site would not be able to see vehicles exiting Low Brownmuir Farm.

**Response:** The applicant is not required to indicate the required visibility on the plan however, as per the previously approved application, Roads are satisfied the required visibility is achievable in this instance. Should permission be granted, an appropriate condition will be attached requiring it to be implemented prior to the dwellings coming into use.

- c) **How and when will the sightlines be maintained in perpetuity if and when Laigh Brownmuir House and the proposed new dwellings come under different ownership? Can it be assured that any new owners are legally bound to maintain these sightlines?**

**Response:** Should planning permission be granted, the visibility splays will be required, by condition, to be implemented and, thereafter, maintained to the satisfaction of the Council. Should it be brought to our attention that they have not been maintained, the Planning Service would take the necessary action to rectify this.

- d) **Concerns raised regarding the dangers associated with construction traffic entering and exiting the site and conflicting with existing users in the vicinity, primarily in relation to the operation of Low Brownmuir Farm. Will a turning area be provided within the site?**

**Response:** As noted above, Roads and Transportation Services have raised no road safety concerns in relation to this proposal. However, given the size of the site there will be adequate space within the site for construction vehicles to turn. Furthermore, each dwelling will have a driveway with turning space.

- e) **The proposed dwellings at one and three quarter storeys in height will be higher than the existing adjacent properties and therefore appear out of character with the area. Previous applications at the site restricted the height to only 1.5 storeys in height. Why is this now higher?**

**Response:** A streetscape elevation has been provided which indicates that whilst the dwellings will be higher than the adjacent properties, the properties are still considered as 1.5 storeys in height and are, therefore, of an appropriate scale for the rural area. Furthermore, it is noted that the proposed dwellings are similar in height to the dwelling previously approved at the site.

- f) **The application site bounds agricultural land owned by Low Brownmuir Farm which houses grazing accredited livestock. Objector advises this proposal will have an impact on the sheep due to the increase in noise as a result of construction traffic and the subsequent additional dwellings. Can the rear garden boundaries be designed to keep out dogs or other animals from worrying the sheep? Can the applicant have consideration to external lighting?**

**Response:** Any noise and disruption caused during the construction period is for a limited period only. This site has been assessed and considered suitable for residential purposes under previous applications for the site, therefore, this is not a valid reason for refusal of the application. In terms of

boundary fencing, should permission be granted, a condition will be attached to ensure details of all proposed fencing/walls within the site are submitted to and approved by the Planning Service. However, the Planning Service is unable to stipulate the level of any external lighting.

- g) No information has been provided as to the location of septic tanks serving the development and the extent of the soakaway.**

**Response:** A plan has been provided showing the location of the septic tank which will require to be in accordance with building regulations and will be assessed under an application for a building warrant.

- h) The supporting statement notes the site is susceptible to localised flooding however advises new drains have been implemented at the site. Is there any evidence that confirms this? The additional dwellings, loss of foliage, increased hard standings and associated septic tank and run-offs will negatively impact the area. Should any private property be damaged as a result of flooding it might be necessary to lodge a financial claim against the Planning Authority/developer. It's unacceptable that neighbours are being asked to accept two substantially larger properties with hard standing on this site. Please provide calculations of the proposed drainage scheme.**

**Response:** The applicant is not required to submit details of the drains already implemented at the site as they do not require planning permission. However, the Council's Roads Flooding section has been consulted on the proposal and, as per the previous application, they have recommended the use of a Sustainable Drainage System (SuDS) to prevent any increase to the natural run off rates as a result of the development. As such, they would have no objection to the proposal subject to the attachment of a suitable condition to any consent issued. This would provide details of surface water drainage arrangements and would require to be approved in writing by the Council prior to works commencing on site. Any damage to private property as a result of the development is a legal matter and would not involve the Council.

- i) The proposed development will result in increased noise and light pollution for existing residents.**

**Response:** The proposed development is not considered to be of a significant scale where there is likely to be any issues regarding noise and light pollution for existing residents.

- j) Full protection should be given to all flora and fauna throughout construction.**

**Response:** Whilst no habitat surveys were required in this instance, it is the developers' responsibility to comply with legislation should any protected species be present on site.

- k) This proposal will have a detrimental impact on the public aspect looking north and north-east from the public road. This view is currently characterised by an open, undulating country landscape.**

**Response:** It is inevitable that the proposed dwellings will alter the existing views from the public road, however, it is not considered this will be to the

detriment of the surrounding rural area. Furthermore, it is noted that loss of view is not a valid planning consideration.

- l) The officer report for previous application EK/15/0009 made reference to a modern building at the Glassford Water Treatment Works however this is not a dwelling and is some considerable distance from the proposed development site.**

**Response:** The Glassford Water Treatment Works was referred to under application EK/15/0009 in relation to there being a variety of building sizes and types in the vicinity of the site.

- m) The current application site together with Laigh Brownmuir House was sold in 2003 as a break-off from the agricultural holding Low/Laigh Brownmuir Farm. Consent for the agricultural worker's dwelling was granted in the 1970's. The original domestic curtilage of the property was surrounded by a brick wall delineating the residential plot from the agricultural field. Alterations to the dwellinghouse were granted permission in 2003 however it would appear that the residential curtilage of the plot was extended into the field to the rear at some point without obtaining the relevant planning permissions. These unauthorised works relate to the current proposal as they have been designed to emulate a residential plot size that was never approved in the first place. This is wrong and is an example of creeping urbanisation of the countryside. Without the unauthorised extension of the adjacent plot, would the proposed development site still have been considered as a gap site?**

**Response:** It is noted that there appears to have been some unauthorised works at Laigh Brownmuir House which will be looked into separately. However, as the application site is a clearly identifiable gap site between two properties, namely Laigh Brownmuir House and Station Cottage, then this would still have been considered as a suitable gap site regardless of whether there has been any unauthorised encroachment into the Greenbelt to the rear of Laigh Brownmuir House. As such, the above is not considered reason for refusal of the application.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 Detailed planning permission is sought for the erection of 2no. detached dwellings with garages and associated access on land adjacent to Laigh Brownmuir House, Glassford. The determining issues in the assessment of this application are compliance with local plan policy, its impact on the amenity of the adjacent properties and road safety matters.
- 6.2 As noted above, the application site and associated proposal is affected by Policy 3 – Green Belt and Rural Area of the Adopted South Lanarkshire Local Development Plan (2015). This policy directs development to within settlement boundaries and strongly resists the introduction of urban uses in the area unless it can be shown to be necessary for the furtherance of agriculture, horticulture, forestry, recreation, or other uses considered by the Council to be appropriate to

the Greenbelt. However, it also lists a set of circumstances where development may be acceptable which includes limited development within clearly identifiable gap sites, as such GBRA5 – Development of Gap Sites is also relevant. However, as the use of this site for residential purposes has already been accepted and justified as a gap site under the previous permission in principle and detailed applications (EK/13/0021 and EK/15/0009), the main assessment of the proposal is for its suitability for 2no. plots.

- 6.3 Policy 4 – Development Management states that all development proposals will require to take account of, and be integrated with, the local context and built form. Development proposals should have no significant adverse impacts on the local community and, where appropriate, should include measures to enhance the environment.
- 6.4 In this case, it is considered that the site is of sufficient size to comfortably accommodate 2no. dwellings. In addition, it is considered that the proposed siting and layout of the dwellings and their associated garages is acceptable and will have no adverse impact on the amenity of the adjacent properties in terms of overlooking or overshadowing. In terms of the proposed materials, these are considered to be high quality and appropriate for the rural area, however, a condition would be attached to any consent granted for samples of all materials to be submitted and approved by the Planning Service prior to works commencing on site. Should planning permission be granted, conditions requiring the submission of landscaping details for the site would be attached.
- 6.5 The Council's Roads and Transportation Service (Development Management Section) was consulted on this proposal and raised no objections subject to the attachment of conditions in relation to visibility splays and surfacing. The Council's Environmental Services also raised no objection subject to the attachment of advisory notes in relation to noise and contamination. In addition, the Roads Flooding Section also raised no objection subject to the attachment of conditions requiring the use of Sustainable Drainage System (SuDS). Should permission be granted, suitable conditions and advisory notes can be attached in relation to each consultee.
- 6.6 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that the proposal accords with Policies 4, 5 and GBRA8 in the proposed plan.
- 6.7 As detailed above, the statutory neighbour notification was carried out and the application advertised in the local press as not all neighbouring properties could be identified. As such, seven letters of objection and one letter of comments were received, the points of which are summarised in section 5 above. However, following consideration of the points raised, it is not considered they merit refusal of the application.



- 6.8 In conclusion, it is considered that the proposal complies with the relevant local plan policies and guidance and I, therefore, recommend planning permission is granted subject to the attached conditions.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on amenity or on the rural character of the area and complies with Policies 3, 4 and GBRA5 of the Adopted South Lanarkshire Local Development Plan (2015) and Policies 4, 5 and GBRA8 of the Proposed South Lanarkshire Local Development Plan 2 (2018).

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 23 July 2019

### **Previous references**

- ◆ EK/13/0021
- ◆ EK/15/0009
- ◆ EK/16/0394

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 30 May 2019
  
- ▶ Consultations
  - Environmental Services 13.06.2019
  - Roads Development Management Team 19.06.2019
  - Roads Flood Risk Management 20.06.2019
  
- ▶ Representations Dated:
  - Ms Heather R. Borland, Low Brownmuir Farm, Bents And Station Highway, Glassford, Strathaven, South Lanarkshire, ML10 6TX 11.06.2019
  
  - Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS 20.06.2019
  
  - Mr C Barclay, Annfield Cottage, Bents And Station Highway, Glassford Strathaven, South Lanarkshire, ML10 6TX 17.06.2019
  
  - Mr N Conte, Station Cottage, Station Road, Glassford, ML10 21.06.2019

Linda And Nico Conte, Station Cottage, Station Road, Glassford, Strathaven, ML10 6TX	21.06.2019
Mr Scott Martin, Low Brownmuir Farm, Glassford, ML10 6TX	18.06.2019
Craig And Pamela Buchanan, Glassford Filters, Bents And Station Highway, Glassford Strathaven, ML10 6TX	19.06.2019
H R Borland, Low / Laigh Brownmuir Farm, Station Road, Glassford, Strathaven, ML10 6TX	09.07.2019

**Contact for further information**

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

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
 Phone: 01698 455046  
 Email: [julie.pepper@southlanarkshire.gov.uk](mailto:julie.pepper@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

02. 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.

Reason: These details have not been submitted or approved.

03. 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 2 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

04. That before any work commences on the site, 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., including, where appropriate, the planting of fruit/apple trees; (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.

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

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

Reason: In the interests of amenity.

06. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.

Reason: In order to retain effective planning control.

07. That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garages.

Reason: To retain effective planning control and safeguard the amenity of the area.

08. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

09. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

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

10. That before the dwellinghouse hereby approved is occupied; details of the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority. Thereafter, prior to the occupation of the dwelling, the approved scheme shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: 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.

11. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this

permission without the submission of a further planning application to the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

12. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no walls and fences shall be erected within the curtilage of the dwellinghouse hereby approved without the submission of a further planning application to the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

13. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 70 metres on the eastbound carriageway and 2.5 metres by 120 metres on the westbound carriageway shall be provided at the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interest of road safety.

14. That the first 12m of the driveway from Bents and Station Highway shall be 5m wide, tapering down to 3m thereafter. The first 12m shall be trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.

Reason: In the interest of public safety.

P/19/0542

Laigh Broommuir House, Barts and Station Highway Glassford



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development



Scale  
1:10,000  
Date  
19/07/2014



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development