

# Report

|                  |  |
|------------------|--|
| Report to:       | <b>Planning Committee</b>                                      |
| Date of Meeting: | <b>19 December 2017</b>  |
| Report by:       | <b>Executive Director (Community and Enterprise Resources)</b> |

|                    |  |
|--------------------|--|
| Application No     | CL/17/0457   |
| Planning Proposal: | Demolition of Offices and Garage and Erection of 18 No. Flatted Dwellings, Formation of 18 Car Parking Spaces and Landscaping. |

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : 11 Kirkton Street and 9 Union Street  
Carluke

## 2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions – based on conditions listed overleaf)

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application

## 3 Other Information

- ◆ Applicant's Agent: Hypostyle Architects
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 2 - Climate Change  
Policy 4 - Development Management and Placemaking  
Policy 8 - Strategic and Town Centres  
Policy 12 - Housing Land

**Development management, placemaking and design supplementary guidance (2015)**

**Town Centres and Retailing supplementary guidance**

- ◆ Representation(s):
  - ▶ 4 Objection Letters
  - ▶ 0 Support Letters

◆ Consultation(s):

Roads & Transportation Services

Scottish Water

Environmental Services

Roads & Transportation Services (Flood Risk Management Section)

WOSAS

# **Planning Application Report**

## **1 Application Site**

- 1.1 The application site comprises two distinct areas of land separated by Union Street in Carluke. All land within the application site is within the ownership of South Lanarkshire Council. The application site is located within Carluke Town Centre where there is a mixture of uses including retail, residential, food and drink, and professional services.
- 1.2 The western portion of the site fronts onto Kirkton Street, and currently consists of the former South Lanarkshire Council offices which included a range of services available to members of the public. The offices are closed and now surplus to requirements. The building on site is 1.5 storeys in height on the Kirkton Street frontage, with a flat roofed single storey extension to the rear. The building is of simple modern design; however the pitched roof consists of natural slate tiles with coping stones on the gable ends. The vehicular access and car parking is provided to the rear from Union Street. There is also a small electrical substation within the car park with a right of access utilising the existing vehicular access. The rear of the site onto Union Street is defined by a stone boundary wall with metal railings.
- 1.3 The remaining land is bounded by Union Street to the west Park Street to the east. A former redundant building has been demolished and that part of the site cleared and fenced off. The area also includes a former garage which extends to approximately 1.5 storeys in height. The building consists of red brick walls and cement panel roof. The building is showing signs of deterioration. The garage is disused and now surplus to requirements. The site is bounded to the south by 2 storey flatted dwellings and associated parking, and to the north by a 2 storey building which has an office use and associated storage yard.

## **2 Proposal(s)**

- 2.1 The applicant seeks detailed consent to erect 18 No. flatted dwellings with associated car parking and landscaping. This involves the demolition of the former offices and garage. The development is split into 3 No. blocks each containing 6 flats. One block would be sited in the western part of the site with a frontage onto Kirkton Street. Access would be from Union Street and a car park comprising 12 spaces (including one bay for disabled drivers) would be formed to serve these flats. The two remaining blocks would be in the eastern part of the site with access from Park Street to a parking court with 6 spaces (including one bay for disabled drivers). Each block would be 3 storeys in height with a pitched roof, and of high quality modern design using composite materials on the external walls. It is proposed that PV panels are installed on the roofs. Each block will have access to a sheltered bin store, useable garden and drying area.
- 2.2 The proposed housing will be developed and managed by the Council to provide amenity housing for the elderly. The flats have been designed for disabled access and also contain a lift.

## **3 Background**

### **3.1 Local Plan Policy**

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the application site as being located within Carluke Town Centre. The relevant policies in terms of the assessment of this application are Policy 2 – Climate Change, Policy 4 – Development Management and Placemaking, Policy 8 – Strategic and Town Centres,

and Policy 12 – Housing Land. The relevant associated guidance are Development Management, Placemaking and Design supplementary guidance, and Town Centres and Retailing. The content of the above policies and how they relate to the proposal is addressed in detail in Section 6 of this report.

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

- 3.2.1 Relevant Government guidance is set out within Scottish Planning Policy (SPP) which confirms the requirement for the Council to maintain a five year supply of effective housing land. 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 service capacity.
- 3.2.2 In terms of new housing developments, Scottish Planning Policy states 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 across all tenures. New streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development.
- 3.2.3 The SHIP (Strategic Housing Investment Plan) is a key part of South Lanarkshire Council's Local Housing Strategy (LHS) process which links the strategic priorities and outcomes in the LHS to a strategic plan for the delivery of new affordable housing. The Scottish Government has identified the SHIP as the key document for identifying strategic housing projects to assist the achievement of the Scottish Government's target of 50,000 new affordable homes during the life of the current Parliament. The Council has a target to deliver 1000 additional homes by 2021, and has a range of Services working together to identify opportunities to increase housing stock in town centres. The application site is identified as a site within the SHIP that will contribute towards the Council New Build Programme.

### 3.3 **Planning History**

- 3.3.1 None relevant.

## 4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management Team)** – do not object to this application, and are satisfied with the level of car parking provision provided and the proposed vehicular access arrangements. A plan showing improved sightlines at the entrance to the car park on Union Street through the relocation of gate piers and reduction in the height of a wall on is considered acceptable.  
**Response:** Noted.
- 4.2 **Scottish Water** – do not object to this application, and advise the developer to contact Scottish Water to discuss a connection to the public infrastructure.  
**Response:** Noted.
- 4.3 **Environmental Services** – do not object to this application. Advise that while the overall bin store provision is adequate; the bin store for Block 2 should be accessed via Union Street to improve accessibility.  
**Response:** The applicant has submitted amended plans which show the bin store provision for Block 2 being accessed off Union Street.
- 4.4 **Roads and Transportation Services (Flood Risk Management Section)**– do not object to this application subject to any consent granted being conditioned to address the following: a Sustainable Drainage System (SUD's) provided to serve the site; a

drainage assessment to be carried out, and the relevant Appendices of the Council's Design Criteria Guidance being completed.

**Response:** Noted. Should consent be granted then conditions will be attached to address the above requirements.

- 4.5 **WOSAS** – do not object to this application, however should consent be granted then the developer is required to secure 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.

**Response:** Noted. Should consent be granted then a condition will be attached to address the above requirement.

## **5 Representation(s)**

- 5.1 Following the carrying out of statutory neighbour notification 4 letters of representation were received. The grounds of objection are summarised as follows:

- a) **The bin store for Block 2 contains 18 No. bins next to the adjoining property and its front door (7 Union Street). This could create smells and be a fire hazard.**

**Response:** The applicant has submitted amended plans showing 2 No. smaller bin stores for Block 2 – one sited adjacent to each gable end of the block. This has reduced the number of bins located near 7 Union Street. There are no window openings on the gable wall to the north, and the applicant has created a hard surfaced area for the bins to be placed for refuse collection. This area is outwith the public footpath and not adjoining the neighbouring property. The amended bin provision is considered acceptable. It should be noted that each bin store will be designed to meet Building Regulations. Should there be concerns of nuisance through smells then Environmental Services can be contacted to investigate.

- b) **The neighbouring property does not have any car parking provision. The proposed development will create more parking issues for Carluke Town Centre, and exacerbate on-street car parking issues. The proposed development may reduce car parking provision for local businesses. The increase in vehicular traffic will create road and public safety issues.**

**Response:** The proposal has incorporated a sufficient number of car parking spaces to serve the flatted dwellings. The Council's Roads and Transportation Service has no objections and are satisfied with the car parking and vehicular access arrangements. There is no requirement to provide car parking to private properties outwith the application site, including customer car parking for local businesses. It should be noted that the current car park to the rear of the former Council Office building on Kirkton Street was for primarily for visiting members of the public utilising the Council services. It is not considered that the proposal will have any impact on existing Carluke Town Centre car parking provision. Any illegal on street car parking is a Police matter.

- c) **Should the garage building be demolished then this would leave a side of the adjoining yard open to the public. There is no detail of the proposed new screen wall and this will affect the security of the yard and possessions. There is concern regarding the quality of any boundary fencing.**

**Response:** The applicant has confirmed that a boundary fence or wall will be erected along the site boundary to the north of the Block 2 car park. Should consent be granted then a condition will be attached to ensure that further details of boundary treatments are submitted for approval to the Council. It should be noted that the

responsibility for security of the neighbouring yard is on the relevant owner of the yard, and not the Council as developer.

- d) **Block 2 will create overlooking and privacy issues to the neighbouring yard to the north.**

**Response:** The rear elevation of this block faces south-east and would be parallel to the boundary with the yard. There is no direct overlooking of the yard or offices. The second block on this part of the site is sited a sufficient distance from the yard to prevent any significant overlooking issues to an unacceptable degree.

- e) **The application site is within a commercial area and the impact of the yard on the flatted dwellings should be considered.**

**Response:** The context of the site within Carlisle Town Centre has been considered in assessing this application. It is noted that within the town centre a mixture of uses exist. Block 2 has been sited fronting onto Union Street with the car park area adjoining the boundary with the yard to reduce the impact of any commercial activities within the yard on the residential amenity of the users of the proposed flatted dwellings. In consideration of the Town Centre location where an element of increased disturbance is expected, the activity of the yard will not have an unacceptable impact on the residential amenity of the flatted dwellings which would merit a refusal of the application.

- f) **There is concern that should the residential proposal be approved then Carlisle Town Centre will appear to become more of a residential area rather than an expanding business area. The proposals are contrary to the objectives of the Carlisle Business Improvement District.**

**Response:** The principle of residential use within the application site is considered acceptable in accordance with adopted local development plan policy and supplementary guidance on development in town centres. This issue is addressed in section 6 of this report.

- g) **The scale of the development is inappropriate for the setting. It appears squeezed in between commercial properties.**

**Response:** The scale of the development is considered acceptable in accordance with adopted local development plan policy and supplementary guidance on new residential development. This issue is addressed in section 6 of this report.

- h) **The development will create noise, disruption, pollution, traffic issues, vehicular movement and commercial delivery restrictions during construction.**

**Response:** It is acknowledged that during the construction phase there is likely to be an element of disruption in terms of road access, traffic, noise and general increased activity. However, the period of disruption is temporary until the works are completed, and is not sufficient grounds which would merit the refusal of this application. Should the construction works create unacceptable noise or pollution then the Council's Environmental Services can be contacted to investigate and take action as necessary.

- i) **The Carlisle BID (Business Improvement District) raised concerns about the consultation process on planning applications that will have a material impact on the Carlisle BID area.**

**Response:** The Council is not required to statutorily consult the Carlisle BID on planning applications. However the organisation does now receive a copy of the list of new planning applications which will allow them to make comments on proposals in the town centre. The communication process on wider planning policies is not a material consideration in determining this application.

- 5.2 These letters have been made available for inspection in the usual manner and on the Planning Portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed consent to erect 18 No. flatted dwellings with associated car parking and landscaping at land on Kirkton Street, Union Street and Park Street, Carluke. The determining issues in consideration of this application are its compliance with national and local plan policy and in particular its impact on the amenity of adjacent properties and on the function of Carluke Town Centre.
- 6.2 The adopted South Lanarkshire Local Development Plan identifies the application site as being located within Carluke Town Centre where Policy 8 - Strategic and Town Centres applies. This policy states that within town centres the Council will allow a mixture of uses compatible with their role as commercial and community focal points. This will include shops, offices, leisure, community, civic, health, residential and other appropriate uses. This objective is reinforced by the associated Supplementary Guidance (SG) on Town Centres and Retailing which advises that town centre living will be promoted, with more people encouraged to live in town centres. Developing and creating opportunities for residential development will support the economic viability of towns. In view of this the Council will be in favour of residential development opportunities within town centres.
- 6.3 All three blocks are located adjacent to existing housing and the proposals involve development on previously developed land. The two Council buildings to be demolished to make way for the proposed development are currently redundant and surplus to requirements, and provide no positive contribution towards the function of Carluke Town Centre. The proposal will provide a development of high quality modern design which will improve the visual appearance of the streetscape. Furthermore the residential development will encourage use of local businesses through an increase in people residing within Carluke Town centre in close proximity to services. In view of the above it is considered that the proposal positively contributes towards meeting the Council's aims of encouraging an increase in housing stock within Town Centre locations, with the aim of improving the viability of the Town Centre through greater use of local business due to the close proximity and convenience of access. Furthermore the proposal incorporates sufficient car parking provision within the confines of the application site to serve the proposed flats, and will have no adverse impact on the public car parking provision within the wider Town Centre. The proposal satisfactorily meets the aims of policy 8 and the objective of the associated Supplementary Guidance (SG) Town Centres and Retailing.
- 6.4 Policy 12 - Housing Land in the adopted Local Development Plan requires the Council to maintain a five year effective supply of housing land provision. Furthermore, the provision of effective housing land within the existing settlement of Carluke on a previously developed site meets the aims of Scottish Planning Policy by providing a sufficient and sustainable supply of housing with good infrastructure links and access to services. Within the locality of the site there is access to both rail and bus services. The application site is identified as a site within the SHIP that will contribute towards the Council New Build Programme, and will provide a welcome addition to social housing provision within the Carluke area. The proposal satisfactorily complies with aims of Policy 12 of the adopted local plan.
- 6.5 Policy 4 Development Management and Place Making states 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. This objective is reinforced by the associated Supplementary

Guidance on Development Management, Place Making and Design. The removal of the redundant Council Offices and former garage, and erection of the modern designed flatted dwellings, would notably improve the visual appearance of the streetscape. The blocks are sited a sufficient distance from side boundaries and habitable windows in adjoining properties to prevent any unacceptable overlooking issues to existing properties. The applicant has submitted indicative streetscape elevations to demonstrate that 3 storey buildings can be satisfactorily integrated within the streetscape without adversely impacting upon the existing built character. The Council's Roads and Transportation Service is satisfied with the proposed car parking provision and vehicular access arrangement to serve the development. The proposals also comply with the Council's Residential Design Guide. In view of the above the proposal satisfies the aims of policy 4 and the associated Supplementary Guidance Development Management, Placemaking and Design.

- 6.6 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change by considering criteria, including being sustainably located, and utilising renewable energy sources. The proposal will reuse previously developed land within a central location of Carluke, with good network and infrastructure links. Furthermore each block of flatted dwellings will incorporate PV panels within the roof. The proposal is considered acceptable in line with the relevant criteria of policy 2.
- 6.7 Several objections have been received including a representation from the Carluke BID organisation who are concerned about the loss of land that could be used to support business creation in the town centre. In this case the proposals will provide accommodation for rent in an area where demand is high and will increase the resident population in the town centre which in turn can be expected to increase the vitality of the area. Other concerns raised by objectors are addressed above but are not considered to merit refusal of the application.
- 6.8 In summary, the residential proposal is a suitable form of development for the site and complies with local plan policy and national guidance. There would be no significant adverse impact on residential or visual amenity, and there would be no significant adverse impact on the function or viability of Carluke Town Centre. The development would provide a welcome addition to social housing accommodation in Carluke within a sustainable and central location in close proximity to transportation services. It is therefore recommended that detailed planning permission is granted.

## **7 Reasons for Decision**

- 7.1 The principle of residential development is acceptable on this site, and the proposed flatted dwellings will have no significant adverse impact on residential or visual amenity, or on the commercial character or viability of Carluke Town Centre. The proposal raises no environmental or infrastructure issues and complies with Policies 2, 4, 8 and 12 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance.

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

**11 December 2017**

## **Previous References**

- ◆ None.



## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Town Centres and Retailing supplementary guidance
- ▶ Neighbour notification letter dated 14.09.2017
  
- ▶ Consultations
  - Roads & Transportation Services 29/11/2017
  - Scottish Water 20/10/2017
  - Environmental Services 01/11/2017
  - Roads & Transportation Services (Flood Risk Management Section) 16/11/2017
  - WOSAS 10/11/2017
- ▶ Representations
  - Representation from : Carluke Business Improvement District, DATED 08/11/2017
  - Representation from : Marc Sutton, DATED 08/11/2017 15:02
  - Representation from: Marc Sutton, DATED 08/11/2017 14:45
  - Representation from : Lucy Beresford, DATED 08/11/2017

## Contact for Further Information

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

Pamela McMorran, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton  
ML3 6LB  
Ext 5170, (Tel : 01698 455170 )  
E-mail: [pamela.mcmorran@southlanarkshire.gov.uk](mailto:pamela.mcmorran@southlanarkshire.gov.uk)

## CONDITIONS

- 1 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.
- 2 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
- 3 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 proposed 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.
- 4 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.
- 5 That before any of the approved block of flatted dwellings are completed, the bin store relating to the completed block of flats shall be constructed and thereafter maintained to the satisfaction of the Council as Planning Authority.
- 6 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 7 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 6 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 8 That before any of the approved block of flatted dwellings are completed, all of the parking spaces and the associated access arrangement that relate to the

completed block of flatted dwellings shall be laid out as shown on the approved plans, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

- 9 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Roads and 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 Roads and Planning Authority.
- 10 That prior to any work starting on site, a Drainage Assessment shall be submitted together with an independent check of this document to the Council as Planning and Roads Authority for their approval, and no work shall commence until their written approval is given.
- 11 That prior to the demolition of the buildings on site, the recommendations of the bat survey report (16027-REP-006-02 July 2017) shall be carried out, and no demolition work shall commence until a written letter of approval has been given by the Council as Planning Authority.

## **REASONS**

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 In order to safeguard any archaeological items of interest or finds.
- 3.1 In the interests of the visual amenity of the area.
- 4.1 In the interests of amenity.
- 5.1 To minimise nuisance, littering and pest problems to nearby occupants.
- 6.1 These details have not been submitted or approved.
- 7.1 In order to retain effective planning control
- 8.1 To ensure the provision of adequate parking facilities within the site.
- 9.1 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.
- 10.1 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 11.1 To ensure there is no adverse impact on the habitat or roosts of bats.