

	<h1>Report</h1>	Agenda Item <h1>9</h1>
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Report to: **Planning Committee**
 Date of Meeting: **19 June 2007**
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/07/0233
 Planning Proposal: Erection of 22 Dwellinghouses and Associated Roadworks

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Clydemill Homes Ltd
- Location : Heathland Terrace & Skylaw Terrace
Forth

2 Recommendation(s)

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

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

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application
- (2) A financial contribution of £5500 will be required from the developer towards upgrading recreational provision in the area, to be lodged prior to the issue of consent.

3 Other Information

- ◆ Applicant's Agent: Aitchison Architects
- ◆ Council Area/Ward: 2 Clydesdale North
- ◆ Policy Reference(s): **Upper Clydesdale Local Plan (Adopted)**
 - Policy 3: Existing and New Housing
 - Policy 8: Existing Housing – Ancillary Development
 - Policy 70: Residential Priority Land Use Area

South Lanarkshire Local Plan (Finalised Draft - as modified)

- STRAT5: Rural Investment Area
- RES2: Proposed Housing Site
- RES6: Residential Land Use

- ENV30: New Housing Development
- ENV11: Design Quality
- DM1: Development Management

◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Roads & Transportation Services H.Q. (Flooding)

Roads and Transportation Services (South Division)

Education Resources

Environmental Services

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

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site, extending to approximately 0.74 hectares, is located within the settlement boundary of Forth. The site relates to vacant ground to the east of the Main Street, which formerly contained a number of two storey four in a block houses which were owned by South Lanarkshire Council. The topography is level although the ground does slope slightly downwards towards the northern boundary of the site. The site is owned by the Council and has been marketed as suitable for new residential development.
- 1.2 The surrounding area is residential in nature and comprises two storey semi-detached and four in a block properties, with a number of single storey houses along Reid Street on the western boundary of the site. The site is bounded by Skylaw Terrace to the south east, to the north of the site the redevelopment of a similar former local authority housing area at Carmuir has been completed and now consists of good quality detached and semidetached private dwellings. A range of local shops and services are located in close proximity to the west of the site along Main Street as well Forth Primary School and sports and community centre. There is an existing public road that joins onto Reid Street which served the former houses.

2 Proposal(s)

- 2.1 The proposal involves the erection of 22 dwellinghouses with associated road works. The proposal predominately involves a mixture of 2 storey semi-detached and detached dwellings with 8 directly fronting onto Skylaw Terrace, and 12 within a new cul-de-sac with access taken from the existing public road onto Reid Street. On both sides of the entrance into the development from Heathland Terrace the applicant proposes two single storey bungalows.
- 2.2 The design and layout of the houses reflect a modern suburban form with driveways and front and back gardens. The 2 storey house types have front porch entrances and no garages are proposed.
- 2.3 There is no communal/amenity space within the site, however, the applicant has agreed to contribute £250 per dwelling towards the cost of upgrading recreational facilities in the locality.

3 Background

3.1 Local Plan Status

- 3.1.1 In the adopted Upper Clydesdale Local Plan, the site falls within the Forth settlement boundary and is identified as being within a Residential Priority Land Use Area where Policy 70 applies. Also of relevance are Policy 3: Existing and New Housing and Policy 8: 'Existing Housing – Ancillary Development' which indicates that residential developments are acceptable and will be considered on their merits.
- 3.1.2 The finalised draft South Lanarkshire Local Plan (as modified) identifies the application as being within the Rural Investment Area and within a residential land use area within the settlement of Forth, where policies STRAT5, RES2, RES6, ENV11 and DM1 apply. The overriding aim of these policies is to support sustainable communities within this area through such measures as redressing housing type provision, particularly where this involves renewal proposals. In

addition any development should respect the local context and ensure that the proposal does not have a detrimental impact on residential amenity and contributes positively towards the character of the surrounding area.

- 3.1.3 The Council's 'Residential Development Guide' (Revision No 1, October 2001) recommends that density rates should be limited to 20-29 dwellings per hectare. As a general guide, rear gardens for each individual dwelling should have a minimum depth of 10m and a 2m gap between the side gable and side boundary should be maintained. Also to protect privacy, the minimum distance between windows of directly facing habitable rooms should be no less than 20m. In addition adequate parking provision for each dwelling should be provided in accordance with Roads and Transportation standards.

3.2 **Relevant Government Advice/Policy**

- 3.2.1 Scottish Planning Policy 3: Planning for Housing, states that where possible, most housing requirements should be met within or adjacent to existing settlements. This prevents the sprawl and coalescence of settlements and helps conserve rural amenity. The re-use of urban brownfield sites is encouraged in preference to greenfield sites.

3.3 **Planning History**

- 3.3.1 There have been no relevant planning applications over the last five years.
- 3.3.2 A Development Brief was produced prior to the marketing of the site and the subsequent detailed planning application being submitted.

4 **Consultation(s)**

- 4.1 **Scottish Water** - has no objections towards the proposal.
Response: Noted.
- 4.2 **Roads & Transportation Services** – do not object to this proposal subject to detailed requirements regarding parking provision, footpath provision and construction consent being obtained by the applicant.
Response: Noted. If consent is granted, conditions would be attached to safeguard these matters. In addition, an informative would be attached to make the applicant aware of the need to obtain construction consent before any work on site commences.
- 4.3 **Environmental Services** – do not object to this proposal.
Response: Noted.
- 4.4 **SEPA** – do not object to this proposal.
Response: Noted.
- 4.5 **Education Resources**: do not object to this proposal.
Response: Noted.
- 4.6 **Flooding Unit** – to date no response has been received.
Response: Noted. I would intend to attach a condition requiring that surface water drainage is dealt with by measure of a SUDS scheme.

5 Representation(s)

- 5.1 In response to statutory neighbour notification being carried out, no letters of objection have been received.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of 22 dwellinghouses and associated road works at an area of vacant land adjoining Heathland Terrace and Skylaw Terrace, Forth. The main issues in determining this application are its compliance with local plan policy and its impact on the residential and visual amenity on the surrounding area.
- 6.2 The proposal relates to a new housing development on a formerly developed site within the settlement boundary. The site is identified in both the adopted and finalised local plan as being within a residential land use area and therefore the principle of residential development is acceptable in land use terms. In addition, it would make efficient use of a vacant site and would contribute positively towards improving the character and visual amenity of the area. The development would provide good quality housing in terms of materials, design, scale and siting, and would help ease the pressure for isolated and sporadic housing in the countryside. The proposal would also result in a wider range of housing provision in the area and as such accords with the strategic aims of the finalised local plan.
- 6.3 The housing layout complies with the Council's Residential Guide in term of achieving the required window to window distance of 20m on all proposed dwellings except for the two single storey bungalows adjoining Heathland Terrace. These bungalows would have a minimum of 11m window to window distance with neighbouring properties to the west side of the site. The two windows on the west side elevations are however bathroom windows, and if consent is granted a condition would be attached to ensure these windows use obscure glazing. In view of this the development would not cause any overlooking or privacy issues. The proposal also meets the required 4m minimum distance between the side gables of neighbouring dwellings and guidance on plot ratios and provision of garden ground.
- 6.4 Although no open amenity space is provided, it is considered that in this instance a condition would be attached to ensure that the development remained open plan to the front of the dwellings to ensure the development created a sense of space and openness. Furthermore, a condition would be attached to ensure that tree planting is undertaken in both the front and rear garden of each dwelling. The applicant will also be required to provide a financial contribution towards the improvement of existing sport and recreational facilities within the locality in lieu of on-site provision. Finally, there have been no adverse comments from consultees.
- 6.5 I am satisfied that the proposal is an appropriate development for the site and complies with local plan policy. I therefore welcome this development which will significantly improve the amenity and appearance of the surrounding area and will widen housing choice within Forth.

7 Reasons for Decision

- 7.1 The proposal would contribute positively to the character and visual amenity of the surrounding area and complies with local plan policies 3, 8 and 70 of the adopted Upper Clydesdale Local Plan and policies STRAT5, RES2, RES6, ENV11 and DM1

of the finalised draft South Lanarkshire Local Plan (as modified). The layout also complies with the Council's Residential Development Guide.

Iain Urquhart
Executive Director (Enterprise Resources)

4 June 2007

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Scottish Water 25/04/2007
 - Environmental Services 23/04/2007
 - Roads and Transportation Services (South Division) 16/05/2007
 - Education Resources 30/04/2007

Contact for Further Information

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

Pamela Ashbridge, Planning Officer, South Vennel, Lanark
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CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That prior to the occupation of the dwellinghouses hereby approved, two standard trees shall be planted in the front and rear garden of each houseplot and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.
- 5 Notwithstanding Condition No.4 above, prior to commencement of the development hereby approved, details of tree planting within the site shall be submitted for approval to the Council as Planning Authority and no work shall commence until a letter of approval has been received from the Council.
- 6 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.
- 7 Notwithstanding Condition No.6 above, 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.
- 8 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 No.7 above, shall be erected and thereafter maintained to the satisfaction of the Council as Planning Authority.
- 9 That the bathroom windows of the dwellinghouses hereby approved shall be glazed in obscure glass and thereafter shall be maintained as such to the satisfaction of the Council as Planning Authority.
- 10 That before the development hereby approved is completed or brought into use, a 2.0 metre wide footway shall be constructed along the new carriageway, as shown on the plans approved, and along the entire frontage of plots 15 to 22 on Skylaw Terrace to the specification of the Council as Roads and Planning Authority.

- 11 That before any of the dwellinghouses hereby approved are brought into use, a 5.5 metre minimum wide dropped footway crossing shall be constructed at the ends of the adopted carriageway (adjoining the private road) in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 12 That before the dwellinghouses hereby approved are completed or brought into use, 2 no. parking spaces (2.5m x 5m modules) shall be laid out, constructed within each plot and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 13 That before the dwellinghouses hereby approved are completed or brought into use, a private vehicular access or driveway of at least 12.0 metres in length shall be provided and the first 2.0 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.
- 14 That before the commencement of house construction, the scheme proposed for drainage within the site shall be agreed in writing by the Planning Authority and shall be designed to comply with the principles of Sustainable Urban Drainage Systems and that this system shall be implemented in accordance with a timescale to be agreed with the Planning Authority.
- 15 That no dwellinghouse shall be occupied until the site is served by a sewerage system and water supply constructed to the specification and satisfaction of Scottish Water.
- 16 That before any of the dwellinghouse hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority at the applicant's expense.
- 17 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

(b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be

submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity.
- 5 In the interests of amenity.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 These details have not been submitted or approved.
- 8 In order to retain effective planning control
- 9 In the interests of amenity.
- 10 In the interest of public safety
- 11 In the interest of public safety
- 12 To ensure the provision of adequate parking facilities within the site.
- 13 To prevent deleterious material being carried into the highway.
- 14 To safeguard the amenity of the area and to ensure that the proposed drainage system complies with the latest SEPA guidance.
- 15 To ensure the provision of a satisfactory drainage/water supply system.
- 16 To ensure the provision of a satisfactory drainage system.
- 17 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

For information only

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