

Report

Report to:	Planning Committee
Date of Meeting:	12 July 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0302
Planning Proposal:	Erection of 14 Dwellinghouses, 11 Flatted Dwellings, Formation of Vehicular Access and Associated Landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Highline Construction/Clydesdale Housing Association
- Location : Carnwath Road
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)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) A financial contribution of £6,250 is required from the developer towards upgrading recreational provision in the area, to be lodged prior to the issue of consent.
- (3) If Committee are minded to grant consent, a Footpath Diversion Order will have to be promoted by the Council, with the applicant bearing the cost.

3 Other Information

- ◆ Applicant's Agent: D Stewart Toy
- ◆ Council Area/Ward: 10 Carluke/Whitehill
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
- Policy RES1: Residential Areas
- ◆ Representation(s):
 - ▶ 3 Objection Letters
- ◆ Consultation(s):

Environmental Services

Economic Development (Estates & Asset)

Education Resources

Leisure Services (Horticulture & Landscape Development)

Roads and Transportation Services (South Division)

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

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The site extends to 0.7 hectares and consists of a maintained, grassed, open area of ground with the southern part of the site consisting of overgrown scrub. The ground slopes steeply from the road level up towards the rear gardens of the dwellinghouses on Miller Street. There are a number of young trees within the site. A footpath runs through the site from the corner of Stanistone Road/Carnwath Road to Miller Street and is partially lit by street-lighting.
- 1.2 The site is bounded to the west and north by dwellinghouses, to the east by dwellinghouses and Stanistone Road, and to the south by Carnwath Road and a number of dwellings. The application site is partly owned by South Lanarkshire Council.

2 Proposal(s)

- 2.1 The applicant, Clydesdale Housing Association, seeks consent for the erection of 14 dwellinghouses, 11 flatted dwellings, the formation of a vehicular access from Carnwath Road and associated landscaping. The submitted plans show a range of accommodation comprising 10 semi-detached dwellings, 11 flatted dwellings and a terraced block of 4 dwellinghouses. Within the proposed block of flats a disabled flatted unit has been designed to accommodate two disabled patients who are part of the Hospital Discharge Programme. The semi-detached dwellinghouses are located to the rear of the site with a buffer landscaping strip between the proposed dwellings and the existing properties on High Mill Road, Stanistone Road and Miller Street. At the front of the site, the block of flats and the terraced block sit either side of the vehicular access, with associated parking and landscaping areas situated to the rear and a wide landscaping strip at the south-east corner of the site. All of the properties are proposed at two storeys in height and the external finishes would be a mix of brick, render, timber cladding and concrete roof tiles.

3 Background

3.1 Local Plan Status

In the adopted Lower Clydesdale Local Plan, the site is covered by Policy RES1: 'Residential Areas'.

3.2 Relevant Government Advice/Policy

Scottish Planning Policy 3: Planning for Housing, affirms that the planning system should encourage the creation of attractive, sustainable residential environments. New residential development must make efficient use of resources, reusing previously developed land wherever possible, supporting the aim of reducing energy consumption, and being accessible by forms of transport other than the private car. The Scottish Executive looks to planning authorities to maintain the effectiveness of existing greenbelts, safeguard the character and amenity of the countryside and protect the setting of towns. SPP3 advocates that most housing requirements, therefore, should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and public services, helping to conserve natural heritage and protect rural amenity.

3.3 Planning Background

Outline planning permission was granted on 1 March 2005 for residential development of this site (CL/04/0821).

4 Consultation(s)

4.1 **Estates Service** – no objections.

Response: Noted.

4.2 **Education Resources** – are concerned about the narrowness of the pavement that runs from the school into Carluke. This runs past the proposed development and they consider it would be helpful if the width of the pavement in this area is widened.

Response: The Council's Roads Service were consulted and offer no objections subject to various conditions, one of the conditions relates to the provision of a 2 metre wide footway. This is the standard width of a footway and they consider this to be acceptable.

4.3 **Environmental Services** – advise that audible construction noise should comply with current standards and relevant conditions should be attached to any consent granted requiring the applicant to submit a desk study to determine any types of contamination likely to be encountered on the site.

Response: Environmental Services have separate legislation to control noise emissions. A condition can be applied if planning permission is granted ensuring the relevant information in relation to contamination is submitted.

4.4 **Leisure Services** – no response to date.

Response: Noted.

4.5 **Roads & Transportation Services** – no objections subject to conditions relating to a 5.5m wide access onto Carnwath Road, adequate visibility splays, footway provision and parking.

Response: Conditions can be placed on any consent granted in relation to these requirements.

4.6 **Scottish Water** – offer no objections. They state that they are currently in discussions with the developer regarding the infrastructure problems constraining this development. They advise that if agreement can be reached on implementing a suitable implementation scheme, then a connection to their network will be granted.

Response: Noted. The onus is on the developer to ensure that the development can be served by a suitable sewerage system and water supply. I note that the developer is currently in discussion with Scottish Water and it would be my intention to attach a relevant condition to any consent granted in relation to this issue.

4.7 **SEPA** – offer no objections to the proposal, however they do ask that any planning permission granted includes a condition requiring the applicant to treat surface water from the site in accordance with the principles of Sustainable Urban Drainage (SUDS).

Response: The applicant has submitted plans showing a SUDS scheme. Conditions can be placed on any consent granted in relation to these requirements.

5 Representation(s)

5.1 Following neighbour notification, three letters of representation have been received, one of these letters has been signed by four individuals. The grounds of objection are summarised as follows:

(a) **Concerns regarding overlooking.**

Response: I am satisfied that the proposal complies with the Council's Residential Development Guide and does not cause overlooking.

(b) **Concerns over pruning/removal of existing shrubs which form a boundary to the site and assist in screening.**

Response: A condition can be attached to any consent granted for this site to ensure that existing shrubs which are located between the boundary of the application site and existing dwellinghouses are not removed without the prior consent of the Planning Authority.

(c) **Concerns over the existing poor drainage and the further demand on the system as a result of the new properties.**

Response: Treatment of surface water on the site will be the subject of a SUDS scheme.

(d) **Concerns over whether or not a boundary fence will be erected.**

Response: The proposed boundary treatment can be covered by means of conditions.

(e) **Concerns over the loss of the existing lay-by which is used as a drop-off point and for parking.**

Response: I do not consider that the loss of the lay-by will have a detrimental impact on the area. Roads and Transportation Services have offered no objection to the loss of the lay-by.

(f) **The proposed layout does not allow for vehicular access to the rear of the existing properties on Carnwath Road.**

Response: The applicant was asked to consider amending the layout to accommodate private driveways to the rear of the properties on Carnwath Road. After due consideration the applicant has advised that this alteration is not possible due to the internal layout of the site.

(g) **The footpath shown on the objector's title deeds pertaining to 67 Carnwath Road is not shown on the plans. It appears that the path was blocked off on High Mill Road by the owner of a private residence some time ago. The objector was not aware of this at the time they purchased their property, normally the objector would have had access via this path.**

Response: This is a legal matter and is not a material planning consideration.

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

6 Assessment and Conclusions

6.1 The principle of residential development of this site is established by virtue of the existing outline planning permission. Therefore the determining issues, which require to be addressed when assessing this application relate to compliance with the Council's Residential Development Guide and traffic impact.

- 6.2 The application entails the development of 14 dwellinghouses and 11 flatted dwellings. The submitted plans show a range of accommodation comprising semi-detached, terraced and flatted dwellings, all of which are two storeys in height. The applicant also proposes to create areas of landscaping. The outline consent for this site had a condition which restricted development on the south-east corner of the site to maintain its open nature. The layout which has been submitted under this application shows the building line of the block of flats extending into this area. However, a landscaping strip extending to 14 metres at the corner of Carnwath Road and Stanistone Road has been provided. Given the angled building line of the flats and this significant landscaped area I consider that the open nature of this part of the site has been maintained. I am also satisfied that the proposed layout of the overall site complies with the Council's Residential Development Guide. The proposed design and use of materials for the proposed dwellings accords with the surrounding properties. In addition, the Council's Roads Service has no objection to the proposal in terms of traffic safety.
- 6.3 A footpath link running from Miller Street to Carnwath Road/Stanistone Road exists on site at present. If Committee agree to grant consent for this proposal, I intend to attach conditions to the consent to ensure the continued provision of the link through the site during and after construction of the development so long as there is no threat to public safety. A Footpath Diversion Order will also have to be sought for the amendment to this footway link and it would be my intention to commence instigation of this order should Committee agree to grant consent for this proposal. The Council's costs in this respect will require to be borne by the applicant.
- 6.4 After carefully considering all relevant issues, I am of the view that this is an acceptable proposal and therefore recommend that planning permission be approved.

Iain Urquhart
Executive Director (Enterprise Resources)

4 July 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads and Transportation Services (South Division) 31/05/2005
 - Environmental Services 03/06/2005
 - Economic Development (Estates & Asset) 17/05/2005
 - Education Resources 19/05/2005

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

19/05/2005

Scottish Water

21/06/2005

► Representations

Representation from : Margaret McCallum , 7 Stanistone Road
Carluke
ML8 4DY, DATED 03/05/2005

Representation from : Mr A Allardyce, 79 Carnwath Road
Carluke
ML8 4DP, DATED 10/05/2005

Representation from : J L Bardsley, K Jackson & Mrs & Mrs F Devine
67 Carnwath Road
Carluke
ML8 4DP, DATED 06/05/2005

Contact for Further Information

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

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

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That 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 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.
- 5 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.; (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.
- 6 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.
- 7 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 5 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 8 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.
- 9 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 8 above, shall be erected and thereafter maintained to the satisfaction of the Council.

- 10 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.
- 11 That before any of the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 12 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.
- 13 That no development shall commence until the submitted details of surface water drainage arrangements have been approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems.
- 14 That before the last dwellinghouse hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 15 That no dwellinghouse shall be occupied until the access roads and footways leading thereto from the existing public road have been constructed to base course level.
- 16 That before the last dwellinghouse hereby permitted is occupied, all roads and footways within the development shall be completed to final wearing course level.
- 17 That before any of the dwellinghouses hereby approved are completed or brought into use, a visibility splay of 2.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 18 That before the development hereby approved is completed or brought into use, a 2 metre wide footway shall be constructed along the full frontage of the site and around the full perimeter and turning area at the end of the public road, to the specification and satisfaction of the Council as Roads and Planning Authority.
- 19 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants

in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.

- 20 That before any of the dwellinghouses hereby approved are completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.
- 21 That any alterations to the remediation plan may only take place with the written approval of the Council as Planning Authority.
- 22 That on completion of all remediation works, a completion report confirming that works have been carried out to the agreed plan shall be submitted to and approved by the Council as Planning Authority.
- 23 That before any work commences on site, further details shall be submitted and approved by the Council as Planning Authority for the continued provision of a safe pedestrian access through the site from between Nos 98 and 94/96 Miller Street and Carnwath Road.
- 24 That the ramp and stairway arrangement shown in purple on the approved plans shall be installed to the Council's satisfaction with a safe pedestrian route through the remainder of the site to Carnwath Road prior to major construction work commencing on site.

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 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 5 In the interests of the visual amenity of the area.
- 6 In the interests of amenity.
- 7 In the interests of amenity.
- 8 These details have not been submitted or approved.
- 9 In order to retain effective planning control
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 To ensure the provision of a satisfactory drainage system.
- 12 To ensure the provision of a satisfactory sewerage system.
- 13 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 off-site flooding.
- 14 In the interest of public safety
- 15 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 16 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 17 In the interest of road safety
- 18 In the interest of public safety
- 19 To ensure the site is free of contamination and suitable for development.
- 20 To ensure the site is free of contamination and suitable for development.
- 21 In order to retain effective planning control

- 22 In order to retain effective planning control
- 23 To ensure continued provision of footway work
- 24 To ensure continued provision of footway work

For information only

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