

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/1176
Planning proposal:	Erection of dwellinghouse, formation of associated vehicular access, erection of a 2.5m high gate and 1.8m high boundary fence and erection of temporary storage building.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Velina Georgieva
Location:	77 Carlisle Road Crawford ML12 6TP

## 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: Burrell Design Studio
- ◆ Council Area/Ward: 03 Clydesdale 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 (2015)**  
Policy DM13 Development within General Urban Area/Settlement

**Proposed South Lanarkshire Local  
Development Plan 2**

Policy 3 - General Urban Areas and Settlements  
Policy 5 - Development Management and  
Placemaking

◆ **Representation(s):**

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

◆ **Consultation(s):**

Roads Development Management Team

SEPA

Scottish Water

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site, extending to approximately 690 square metres, is located within an established residential area of Crawford village, at 77 Carlisle Road. It is a rectangular area of sloping ground with a frontage width of approximately 16.2 metres and a depth of approximately 43.55 metres. The site previously formed part of the garden ground of the neighbouring dwellinghouse, at 79 Carlisle Road.
- 1.2 The site is bounded on all sides by housing, the majority of which are traditionally designed properties. Two modern designed, detached single storey dwellings are located approximately 20 metres to the south east of the proposed site. The dwellings located at the rear of the site, on Caledonian Avenue, are sited close to the rear boundary of the properties adjoining them on Carlisle Road, with rear garden depths of approximately 3 metres in some cases. The front garden depths of the existing dwellings on this section of Carlisle Road vary from 7.5 metres at the former Church at 69 Carlisle Road to 17 metres at numbers 71 to 75 Carlisle Road.

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

- 2.1 The applicant seeks detailed planning permission for the erection of a 4 bedroom detached dwellinghouse, with accommodation arranged over three levels. In addition, the applicant seeks retrospective consent for the erection of a temporary storage shed for materials and the erection of a 2.5m high gate and 1.8m high boundary fence.
- 2.2 An integral double garage element would be formed and the garage's front elevation projection would be set back 11.5 metres from the public footpath on Carlisle Road with the upper storey of the dwelling set back 13.8 metres. To the rear, basement accommodation would be formed.
- 2.3 The footprint of the proposed dwellinghouse is 162 square metres, providing a plot ratio of 23% dwelling to 77% garden ground. Vehicular access to the proposed plot would be taken directly from Carlisle Road, over the existing public footpath. The external materials proposed are painted wet dash render and brick base course, with a flat grey concrete roof tile. The submitted plans indicate that the front elevation of the dwelling would be two storey in height and form. Thereafter, the applicant proposes to utilise the sloping garden ground to form a three storey element at the rear, similar to the shape and form exhibited at the neighbouring dwellinghouse which adjoins the site.
- 2.4 The current application has been submitted following the expiry of consent for a previous application for the same dwellinghouse on the site (planning ref: CL/15/0281). However, retrospective planning consent is now also sought for the erection of a 2.5m high gate to the front of the property and a 1.8m high boundary fence to the side of the property adjacent to 79 Carlisle Road. Whilst planning consent is not required for the erection of a temporary building in connection with development while construction work is taking place, the applicant has also applied for consent to erect a storage shed within the front garden of the

application site in order to store materials. This shed has already been constructed.

### **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 settlement boundary of the village of Crawford, subject to assessment against Policy 4 - Development Management and Place Making and Policy 6 - General Urban Area/Settlements. The proposals also require to be assessed against the guidance contained within the associated supplementary guidance documents, namely the Development Management, Place Making and Design SG and the Residential Design Guide. These policies and guidance seek to promote the principles of sustainability in development and seek to make a positive contribution to the character and appearance of the environment in which they are located, taking account of and being integrated with the local context and built form. Proposals which integrate successfully with their surroundings and which are well related to existing development, public transport, local services and facilities are also encouraged.

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. 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. Therefore, Policy 3 - General Urban Areas and Settlements and Policy 5 - Development Management and Placemaking are relevant to this application.

#### **3.2 Planning background**

3.2.1 The land, subject of the current application, has been subject to a number of previous planning applications. In October 2002, Outline Planning Permission was granted for a single dwellinghouse on the site (ref: CL/02/0431). A further application for Outline Planning Permission for a single dwellinghouse was approved in March 2009 (ref: CL/08/0510). A detailed planning application was submitted for a detached garage/workshop building on the site in September 2014 (ref: CL/14/0399). That application was withdrawn by the applicant in November 2014. In September 2015, planning permission was granted for the erection of a dwellinghouse and formation of associated vehicular access. (CL/15/0281). The consent for this dwellinghouse has expired and the applicant seeks to renew this consent.

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

4.1 **Roads and Transportation Services** – have no objections to the proposal subject to conditions covering access arrangements, parking provision, driveway length, turning facilities, land drainage provision and the proposal adhering to the requirements of the visibility splay for the site.

**Response:** Noted. Appropriate planning conditions can be applied if consent is granted.

4.2 **SEPA** - no site specific advice given.

**Response:** Noted.

4.3 **Scottish Water** – No objection to the proposal.

**Response:** Noted.

## 5 **Representation(s)**

5.1 Statutory neighbour notification was undertaken, 9 letters of representation have been received

a) **A fence erected along my boundary wall has not been removed despite no permission.**

**Response:** The applicant stated a temporary boundary fence was erected along the boundary to 75 Carlisle Road to allow privacy and prevent any overlooking. After discussions with the landowner, the temporary fence has now been removed.

b) **The plans are a revamp of previous lapsed version. The frontage should be brought back in line with other dwellinghouses.**

**Response:** There is no rigid, established building line in this part of Crawford and the existing dwellings located to the north west of the site all have generous front garden depths of 17 metres, far in excess of the minimum requirement of 6 metres stipulated in the Council's Residential Development Guide. The proposed positioning of the new dwelling at 11.5 metres front garden depth is an appropriate distance in terms of acceptable visual integration with the existing streetscape character and in terms of potential impacts on the residential amenity of the adjacent properties. Notwithstanding, it should be noted that this planning application is identical to that previously approved in 2015.

c) **The huge shed will block my view and the term 'temporary' in regard to the storage building is vague. Therefore the length of time needs to be limited.**

**Response:** The shed has been reduced in size since the application was submitted. Consent is sought for a temporary period only. If approved, a condition will be attached limiting the period of time the shed can remain on site to during construction works.

d) **The plans as they stand will devalue my property**

**Response:** The property value of neighbouring properties is not a material consideration.

e) **What will be the noise impact and working hours.**

**Response:** Any excessive noise issues should be reported to the Council's Environmental Services.

f) **The design of this property in its current form is not consistent with the other properties within the village. This cumbersome, out of scale,**

**modern property with its front double garage, painted wet dash render and concrete roof tiles is not in keeping with the rural village streetscape.**

**Response:** There are a number of different house types and sizes within this part of Crawford, reflecting the varying age of those Victorian, Edwardian and modern properties. The submitted application seeks consent for a dwelling of an appropriate design that would not detract from the local vernacular character in terms of scale, mass, storey height and external finishes. Comments have been raised that a dwelling with an integral double garage on the front elevation is inappropriate in terms of the local streetscape character. The scale and design of the proposed dwelling will have no notable adverse impact on the existing streetscape character. The site is not within a designated Conservation Area and will not affect the setting of any Listed Building within the village. The proposed dwelling would be located on a large plot and accommodate 23% of the total plot area. Furthermore, it should be noted that the principle of a dwellinghouse on the site has been approved on previous occasions. The design of the proposed dwellinghouse is exactly the same as that most recently approved (CL/15/0281).

- g) Road safety, parking and traffic generation. The access point is proposed to be positioned directly across from an existing access point serving a dwelling on the western side of Carlisle Road. Increased traffic and on street parking will be created by approval of the development, both during the construction phase and possibly following occupation of the dwelling. This is the only route for children to walk to the local primary school.**

**Response:** Roads and Transportation Services have confirmed that the proposed access onto Carlisle Road is acceptable. The site has been subject to a site visit by officers from both Planning and Roads and Transportation Services to assess the existing road layout, the achievable levels of vehicular visibility, existing access/driveway locations, pedestrian provision and existing traffic levels/speeds. Following these visits, no adverse issues or concerns have been raised, so long as appropriate planning conditions are imposed. With regard to the issue of construction traffic, this element will only be an issue for a temporary period. The concerns over increased traffic following occupation of the dwelling are also noted, however, the anticipated levels of noise and activity associated with a 4 bedroom dwelling on the site does not warrant refusal of the application.

- h) As a large development in a small village undoubtedly this will lead to unpleasantness in terms of noise, dust, traffic and disturbance during any building work.**

**Response:** It is recognised in order for developments to progress some disruptions will occur. However they will be temporary.

- i) The height of the fencing and gate appears to be excessively above SLC guidelines for fencing. The height and material for the fence and gate are not in keeping with the other dwelling houses or the character of the village.**

**Response:** The Council does not issue any specific guidelines regarding gates or fences. This matter will be fully considered within the assessment and conclusion section of the report.

- j) **The planning permission for the land lapsed last year. The plot has been marked out and fencing and oversize gate has been erected. The work has completed without consent.**

**Response:** This planning application has been submitted to renew the consent for the dwellinghouse, to erect a temporary storage shed and for the fencing and gate.

- k) **The site has been fenced off and is now in an unsatisfactory state with rubbish lying about, posing a potential health and safety risk and possibly attracting vermin.**

**Response:** This is not a planning matter. However Environmental Services can be contacted if they suspect the rubbish is attracting vermin.

- l) **The objector states they have been advised by Scottish Water there is a fractured water pipe close to the boundary of the site and there is no room to connect to the sewage system. The objector also states that Scottish Water have advised they are normally consulted on developments prior to commencement.**

**Response:** Scottish Water were consulted and have no objection to the proposal. The responsibility of connecting to the Scottish Water Network lies with the applicant.

- m) **These builders have shown no regards for their neighbours and are lighting fires, smoking out my property and within range of my flammable gas tank. They are also urinating in full view. A chemical toilet should be provided.**

**Response:** This is not a planning matter. However the Health and Safety Executive can be contacted if these behaviours continue.

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 detailed planning permission for the erection of a detached dwellinghouse, formation of associated vehicular access, erection of 2.5m high gate and 1.8m boundary fence and erection of temporary storage building, located within Crawford village. The determining issues in consideration of this application are its compliance with local development plan policy, impacts on both the residential and visual amenity of the surrounding area and compliance with the Council's Residential Design Guide.

6.2 The application site lies within the settlement boundary of Crawford and has had the benefit of 2 previous outline planning consents and one detailed planning consent granted for a single dwellinghouse, the most recent of which expired in September 2018. The principle of constructing a single dwellinghouse on the site has, therefore, been established by the previous consents. The site is identified in the adopted South Lanarkshire Local Development Plan as being subject to Policy

4 - Development Management and Place Making and Policy 6 - General Urban Area /Settlements. The proposals also require to be assessed against the guidance contained within the associated supplementary guidance documents, namely that within the Development Management, Place Making and Design SG and its Residential Design Guide (Appendix 2). These policies seek to promote the principles of sustainability in development and seek proposals to make a positive contribution to the character and appearance of the environment in which they are located, taking account of and being integrated with the local context and built form. Proposals which integrate successfully with their surroundings and which are well related to existing development, public transport, local services and facilities are also encouraged. Following a detailed assessment, the application site is of a sufficient size (690 sq. metres) to accommodate the proposed dwelling without having any detrimental impact on the amenity of the existing adjoining houses. The rear of the dwelling would be located a sufficient distance from the properties on Caledonian Avenue to ensure that their amenity and privacy is not compromised. In addition, subject to the approval and use of appropriate external materials which are in keeping with the streetscape character of the immediate area, the new development can be constructed on the site in an acceptable manner. There are no infrastructure constraints and the site can be served by an acceptable private vehicular access. In view of all of the above, the proposals comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan. The proposals are also considered to comply with the relevant policies and guidance contained in the Development Management, Place Making and Design SG and that of its Residential Design Guide. In addition, the proposal accords with Policy 3 - General Urban Areas and Settlements and Policy 5 - Development Management and Placemaking of the Proposed SLLDP2. The proposal has been considered against the relevant policies in the proposed plan and these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan.

- 6.3 The proposal also seeks retrospective planning permission for a temporary storage shed. The storage shed is 9.6m in length, 3.6m wide and is 2.4m in height and it has been erected adjacent to the front boundary wall and is within the required visibility splay. Revised drawings now show that the building will be set back 2.5m from the front boundary thus allowing it to be sited outwith the visibility splay. The storage shed is constructed from timber with a corrugated tin roof. The shed will be used for storing materials and allowing contractors an area to take breaks. Whilst planning consent is not required for the erection of a temporary building while construction work is taking place, the applicant in this case has constructed the shed prematurely. In order to accord with permitted development rights for this type of development, if approved, a condition limiting the time period for the shed until completion of the construction work would be applied to the planning permission.
- 6.4 Retrospective consent is also sought for a 2.5m high gate and 1.8m high boundary fence. The gate is constructed from wrought iron and would be painted black with gold finials. The 1.8m high side boundary fence is located between the boundaries of the application site and 79 Carlisle Road. The fence would replace a wooden boundary fence similar in height. The fence is constructed from iron and is similar in design to the gate. In terms of design, scale and materials the gate and fence do not have significant adverse impact on the amenity of the area. However, it is noted that, in order to comply with Roads and Transportation

requirements, the gate and some of the fencing would require to be repositioned outwith the visibility splay. Plans have been provided to demonstrate that this can be achieved and, should planning consent be granted, this matter will be controlled further with appropriate planning conditions. Therefore in view of all of the above, the gate and the fence can comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan and that of the relevant policies and guidance contained in the Development Management, Place Making and Design SG. In addition, the proposal accords with Policy 3 - General Urban Areas and Settlements and Policy 5 - Development Management and Placemaking of the Proposed SLLDP2. The proposal has been considered against the relevant policies in the proposed plan and these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan.

- 6.5 Whilst it is noted that a number of objections have been submitted in relation to this planning application, it is not considered that any of the concerns raised warrant refusal of the development. The proposed dwellinghouse is the same design as that previously approved in 2015. The retrospective shed is temporary to allow for storage of building materials and it will be removed on completion of the dwelling. The retrospective gate and fencing, subject to its repositioning outwith the visibility splay of the plot, is also considered to be acceptable in terms of impact on amenity and it is considered that appropriate planning conditions can be imposed to control these matters should planning consent be granted.
- 6.6 In view of the above, the proposed development represents an appropriate form of development for the site that is in accordance with the local development and would not have adverse impact on amenity subject to the attached planning conditions. The recommendation is, therefore, to grant consent.

## **7 Reasons for Decision**

- 7.1 The proposals will have no adverse impact on amenity and comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Local Plan, Policy DM13 of the Development Management, Place Making & Design Supplementary Guidance and Policies 3 and 5 of the Proposed South Lanarkshire Local Development Plan 2.

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

Date: 24 October 2019

### **Previous references**

- ◆ CL/02/0431
- ◆ CL/08/0510
- ◆ CL/14/0399
- ◆ CL/15/0281

### **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 1 August 2019 & 14 October 2019
  
- ▶ Consultations
 

Roads Development Management Team	13.08.2019
SEPA West Region	05.08.2019
Scottish Water	23.08.2019
  
- ▶ Representations
 

	Dated:
Mr And Mrs Brady, 86 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	13.08.2019
Mr E And Mrs A Tysler, 84 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	19.08.2019
Vivienne Shaw, 75 Carlisle Road, Crawford, Biggar, ML12 6TP	08.08.2019
Ms Marian Kayes, 7 Caledonian Avenue, Crawford, Biggar, South Lanarkshire, ML12 6TX	20.08.2019
Mr & Mrs Brady, 86 Carlisle Road, Crawford, South Lanarkshire, ML12 6TW	16.08.2019
Mr Greg Bashford, 4 Woodside House, Upper left, Alloa Rd, Cambus Clackmananshire, FK10 2NT	18.08.2019
Mr And Mrs Brady, 86 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	23.08.2019
Vivienne Shaw, 75 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TP	21.10.2019
Mr And Mrs Brady, 86 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	28.10.2019

**Contact for further information**

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

Mohammed Hussain, Planning Officer, Montrose House, 154 Montrose Crescent,  
 Hamilton, ML3 6LB  
 Phone: 01698 455269  
 Email: mohammed.hussain@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/19/1176

### **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 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 2 above, shall be erected and thereafter maintained to the satisfaction of the Council.

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

04. That before the dwellinghouse hereby approved is brought into use, a minimum 3 metre wide dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interest of public safety.

05. That before the dwellinghouse hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided and the first 2 metres of this access from the heel of the existing footway on Carlisle Road shall be hard surfaced across its full width, to prevent deleterious material being carried on to the road.

Reason: To prevent deleterious material being carried into the highway.

06. That before the 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 interest of public safety

07. That before the dwellinghouse hereby permitted is occupied, 2 car parking spaces shall be provided within the curtilage of the plot and out with the public road or

footway and shall thereafter be maintained to the specification of the Council as Planning Authority.

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

08. 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: In order to retain effective planning control

09. That before the dwellinghouse hereby approved is 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.

Reason: To ensure the provision of a satisfactory drainage system

10. That the window(s) hatched on the side elevation of the dwellinghouse hereby approved shall be glazed in obscure glass and thereafter shall be maintained as such to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

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 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 the provision of a satisfactory system to treat surface water.

12. The temporary storage shed hereby approved shall be removed from the site within 28 days from the date the house is completed.

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 2.5m metres by 35 metres measured from the road channel shall be provided on both sides of 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 interests of traffic and public safety.

14. That no development shall commence on site until a detailed sewerage scheme is submitted and approved by the Council as the Planning Authority.

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

- 15 That no development shall commence on site until details of existing and proposed ground levels of the rear garden and any retaining structures are submitted and approved by the Council as Planning Authority.

Reason: In the interest of public safety

P/19/1176

77 Carlisle Road, Crawford



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Scale:  
1:1,250  
Date:  
28/10/2019



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development