

	<h1>Report</h1>	Agenda Item <h2>3</h2>
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Report to:	Planning Committee
Date of Meeting:	26 September 2006
Report by:	Executive Director (Enterprise Resources)

Application No	CL/06/0258
Planning Proposal:	Residential Development with Supporting Neighbourhood Facilities, Bing Reclamation and Amenity Landscaping (Outline)

1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : Commodore Homes (Lanarkshire) Limited
- Location : Area of ground to Bellfield Farm, surrounding area and Muirburn, Coalburn

2 Recommendation(s)

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

- (1) Grant Outline Planning Permission – (Subject to Conditions – Based on Conditions Listed Overleaf)
- (2) Prior to the release of the consent, it is recommended that a Section 75 Agreement is concluded between the Council and the applicant relating to the Heads of Terms detailed in paragraph 6.11 of the report.

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application
- (2) The application is contrary to the Development Plan and objections have been received. In accordance with Council procedures, a hearing may be required prior to determining the application.
- (3) If Committee is minded to grant consent, in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997, the application must be referred to the Scottish Ministers because the proposal constitutes a significant departure from the approved Development Plan.

3 Other Information

- ◆ Applicant's Agent: Cooper Cromar
- ◆ Council Area/Ward: 09 Douglas
- ◆ Policy Reference(s): Glasgow & Clyde Valley Joint Structure Plan 2000 (Approved)
 - Strategic Policy 1(d): Rural Investment Area
 - Strategic Policy 9: Assessment of

- Development Proposals
- Strategic Policy 10: Departures from the Structure Plan

Glasgow & Clyde Valley Structure Plan 2006 (Finalised)

- Strategic Policy 1(d): Rural Investment Area
- Strategic Policy 9: Assessment of Development Proposals
- Strategic Policy 10: Departures from the Structure Plan

Lower Clydesdale Local Plan (Adopted)

- Policy ENV2: Rural Area
- Proposal ENV20: Bellfield Bing, Coalburn
- Policy RES11: Housing Opportunity Sites
- Policy RES1: Residential Areas
- Policy LR1: Open Space/Community Facilities

South Lanarkshire Local Plan (Finalised Draft)

- Policy RES6: Residential Land Use
- Policy RES2: Proposed Housing Sites
- Policy RES3: Residential Masterplan Sites

◆ Representation(s):

► 21 Objection Letters

◆ Consultation(s):

Sports Scotland

Coalburn Community Council

Education Resources

Environmental Services

Glasgow and Clyde Valley Structure Plan Joint Committee

Leisure Services

Roads and Transportation Services

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

Scottish Natural Heritage

TRANSCO (Plant Location)

Scottish Water

West of Scotland Archaeology Service
ScottishPower

Planning Application Report

1 Application Site

- 1.1 The application site consists of an extensive area of ground in the north-eastern part of Coalburn. The site extends to 41 hectares in size and primarily consists of farmland and former mining land. In particular, the site encompasses Bellfield Bing, a former railwayline, farmland associated with Bellfield Farm and two playing fields. A burn runs parallel to the former railwayline and also through the southern portion of the site. The northern part of the site is generally level and featureless whereas the southern part of the site consists of gently sloping ground and a number of tree belts mainly located in the vicinity of the Bellfield Farm steading.
- 1.2 The site is bounded to the north and east by open agricultural land and to the south by Bellfield Road and the rear gardens of the dwellinghouses on Park Street and other dwellinghouses situated on Bellfield Road. The site is bounded to the west by the rear gardens of dwellinghouses situated on Coalburn Road and School Road and by open space to the rear of Manse View.

2 Proposal(s)

- 2.1 The applicant refers to the proposal as the Coalburn Urban Community Expansion and seeks outline planning consent for a residential development with supporting neighbourhood facilities, bing reclamation and amenity landscaping. The applicant submitted various documents in support of the application, one of which was a masterplan for the development. This document outlines the aspirations of the proposal; which would include a mix of uses (residential, local shops and community leisure uses). It would incorporate a public transport route with strong pedestrian routes and cycleways, a sustainable urban drainage system (SUDS) integrated into the proposal, a wide range of house types; and the incorporation of innovative building designs.
- 2.2 The masterplan shows a primary spine road dissecting the site with a new traffic light controlled junction created at the north-west of the site between 152 and 156 Coalburn Road with a roundabout junction created at the southern end of the site at Bellfield Road. The former railwayline which runs through the application site would be formed into a linear park with landscaping, SUDS water features, paths and cycleways. It is also proposed to convert the former Bellfield Farm steading into a family bar/restaurant. Structural planting is proposed around the edges of the application site with 8 separate areas for housing development shown accessed from the central spine road. The applicants indicate that between 438 and 658 dwellings could be incorporated within the total site area.
- 2.3 It is proposed to locate new amenities at the north-western edge of the site immediately adjacent to the existing leisure centre, games court and play area and this would ultimately form a neighbourhood centre. The applicant's also propose to improve the existing games court within this area. In the centre of the site the applicant proposes to remove and regrade the bing to form a viewing gallery, two full size football pitches with changing facilities, a pond water feature and a site for a memorial to Bellfield Miners.

- 2.4 A Surface Water Drainage and Watercourse Regeneration Preliminary Assessment, Transportation Assessment (TA), and preliminary ground investigation report have also been submitted by the applicant in support of the proposal. A separate Minerals application will require to be submitted for the groundworks associated with the removal and remodelling of Bellfield Bing. The applicant intends to submit the application in due course.

3 Background

3.1 Structure Plan Status

Within the adopted Glasgow and Clyde Valley Joint Structure Plan 2000, the site is covered by Policy 1(d): Rural Investment Area, Policy 9: Assessment of Development Proposals and Policy 10: Departure from the Structure Plan. The Finalised 2006 version of the Structure Plan has not yet been adopted, however given that this plan is more up-to-date than the 2000 version, it forms a material consideration and should be given greater weight in the assessment of this proposal.

3.2 Local Plan Status

The application site is located partly within the settlement boundary of Coalburn and partly within the Rural Area shown in the adopted Lower Clydesdale Local Plan. Policies ENV2 : Rural Area, Proposal ENV20 : Bellfield Bing, Coalburn, Policy RES11 : Housing Opportunity Sites, Policy RES1 : Residential Areas, and Policy LR1 : Open Space/Community Facilities are all relevant. The finalised draft South Lanarkshire Local Plan constitutes a material consideration in the determination of this proposal and it identifies the majority of the site as a Proposed Housing Site covered by Policy RES2, and Policy RES3 Residential Masterplan Sites. A small portion of the site is covered by Policy RES6 Residential Land Use.

3.2 Relevant Government Advice/Policy

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: Planning for Housing 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 protecting rural amenity. Where there is a supply of previously developed land, planning authorities should normally give priority to its reuse, in preference to Greenfield development. It further states that some rural areas have suffered environmental damage from past industries, and well designed new housing developments can help in their rehabilitation and renewal.

3.3 Planning History

None relevant

4 Consultation(s)

4.1 Coalburn Community Council – no response to date.

Response: Noted.

4.2 Education Resources – offer no objections.

Response: Noted.

4.3 Environmental Services – have no objection, subject to conditions, including a fully intrusive survey.

Response: Noted. This can be controlled by means of condition.

- 4.4 **Glasgow and Clyde Valley Structure Plan Joint Committee** – consider the proposal is of strategic significance, represents a departure to the approved Structure Plan and requires to be assessed against the relevant policies of the Glasgow and the Clyde Valley Joint Structure Plan 2000, in this case Strategic Policies 9 and 10. It also needs to be assessed against the Third Alteration to the 2000 Structure Plan which has recently been approved by the Joint Committee. They advise that, in terms of Strategic Policy 9, the 2006 Alteration identifies a shortfall of housing land and allocates an additional supply of 1,000 units to the Clydesdale sub-market area to 2018. To meet this shortfall, the 2006 Alteration identifies Carluke as a Community Growth Area with a capacity for 500 units. The balance of the shortfall, 500 units, has been allocated to various rural villages within the Clydesdale sub-market area in the Finalised South Lanarkshire Local Plan. They further advise that no specific allocation has been made with regard to the settlement of Coalburn. In terms of Strategic Policy 10 A(ii), they note that the proposed additional capacity over and above the RES 3 finalised local plan allocation, namely the 200 units identified in the Housing Land Supply, does not have a strategic context for release as the Structure Plan does not make capacity assessments beyond 2018 and the Schedule 6(b)(ii) shortfall within Clydesdale housing sub-market area has been met by the identification of sites elsewhere in the sub-market area. With regard to Strategic Policy 10 B(ii) - (iii) they note the Council's observations with regard to the social and environmental benefits of the proposal. They conclude that the relative weight the Council seeks to attach to these benefits would be a matter for this Service, as local planning authority to determine in the context of Strategic Policy 10.

Response: Noted. Consideration of the above comments will be given under the Assessment and Conclusions section of this report.

- 4.5 **Roads and Transportation Services** – offer no objections subject to the following:
- ◆ provision of a new roundabout on Bellfield Road and a new traffic signalised junction on Coalburn Road;
 - ◆ submission of an auto track assessment to shown that HGV's can negotiate the roundabout and junction;
 - ◆ the site layout shall be in accordance with the Council's Guidelines for Development Roads and the road which passes through the development requires to be of Local Distributor Road standard with no frontage access is to be taken from the road. Access to individual sites should be provided by means of roundabouts. The layout should also be designed to accommodate walking and cycling links;
 - ◆ a road condition survey should be undertaken from the proposed site access at Bellfield Road to the M74 to give an indication of the existing road conditions and highlight any improvements that are required to accommodate the generated traffic from the development;
 - ◆ provision of gateway signing at Bellfield Road and Coalburn Road;
 - ◆ provision of laybys and bus stops included within the design of the Local Distributor road, to provide suitable public transport links. Associated infrastructure such as bus shelters should also be provided;
 - ◆ prior to any work starting on site a programme indicating the phasing of construction of the scheme, together with the circulation of vehicles and pedestrians should be submitted;
 - ◆ prior to any work starting on site Roads Construction Consent approval will be obtained from the Council as Roads Authority; and

- ◆ submission of a drainage assessment for the site with the surface water drainage system serving the proposed development designed in accordance with the principle of SUDS.

Response: Noted. These issues can be conditioned.

- 4.6 **SEPA** – offer no objections and advise that future development at this site should be connected to the public sewer and that the surface water from the site should be treated in accordance with the principles of SUDS. They request further information on potential flood risk. In relation to contaminated land they would expect the local authority to require the developer to submit sufficient information on the site conditions

Response: Noted. These issues can be conditioned and or dealt with under the proposed Minerals application referred to earlier.

- 4.7 **Scottish Natural Heritage (SNH)** – object to the proposed development as they consider there is currently insufficient information available for them to advise on the impacts of the proposals on protected and important species and habitats. Notwithstanding this they recommend that any consent given for this proposal is subject to conditions which will ensure that the development aspirations expressed in the masterplan are adequately translated into any subsequent detailed proposals for the site. They also request that conditions in relation to landscaping, recreational facilities and maintenance are attached to any consent granted.

Response: The additional information in relation to bats and otters was submitted and assessed by SNH. They advise that they are now content that the proposal will not affect the conservation status of bats or otters. The other matters can be covered by conditions.

- 4.8 **Transco (Plant Location)** – offer no objections and confirm that they have no gas mains in the area.

Response: Noted. The applicant has confirmed that dialogue is presently ongoing to extend the medium pressure pipeline which terminates presently at Lesmahagow.

- 4.9 **Scottish Water** – advise that there are capacity issues at Coalburn Wastewater Treatment Works and at Daer Water Treatment Works, therefore they object to the proposal. However they advise that they would withdraw their objection if conditions are attached to any consent granted requiring the applicant to provide evidence that an agreement has been reached by the applicant with Scottish Water for the provision of drainage or water scheme to serve the development prior to work commencing on site.

Response: The applicant has been advised of Scottish Water's comments. In order to resolve the objection, discussions are ongoing between the applicant's engineers and Scottish Water. It would be my intention to attach a suspensive condition to any consent granted in relation to this issue.

- 4.10 **West of Scotland Archaeology Service (WOSAS)** – advise there are several recorded sites of possible significance directly affected by the proposals. They recommend that a prior archaeological evaluation be carried out before determination of the application.

Response: The applicant has submitted this information and it has been forwarded to WOSAS for their consideration. A condition can be attached to any consent granted to ensure that no work commences on site until the submitted information currently under consideration by WOSAS is accepted.

- 4.11 **Sportscotland** – note that the masterplan shows that both of the existing football pitches will be redeveloped, and that there will be re-provision of only one replacement pitch. They advise that the Council's adopted Sports Pitch Strategy informs that both the existing pitches are used. They consider that the increase in population that would result from the erection of the large number of dwellinghouses would increase demand for community facilities, including sports pitches. They therefore object to the proposal but advise they would be willing to reconsider this position in the light of any additional information that may be submitted.

Response: The applicant was advised of Sportscotland's concerns and they have now amended the proposal to show two football pitches within the central area of the application site. In light of this amendment Sportscotland confirm that they have no objection to the principle of the development subject to the imposition of a planning condition designed to ensure that prior to the commencement of any development on the existing pitches, a minimum of 2 full size grass pitches with appropriate drainage and margins are constructed and a four team changing pavilion is erected. Should Committee agree to grant consent then this issue can be conditioned. They recommend that the team generation rates contained in the Sports Pitch Strategy should be used to calculate the likely increase in demand for sports facilities to establish if the two proposed pitches would be sufficient.

- 4.12 **Leisure Services** – offer no objections and provide advice on suitable landscaping, and recreational provision. They advise that the Sports Pitch Strategy highlights substantial usage with regard to the existing Coalburn sports pitches. They advise that the introduction of a formal synthetic grass training area (7-a-side pitch) and the careful management and maintenance of at least one good quality natural grass sports pitch would more than accommodate current demand in the Coalburn area. They anticipate the proposed development will generate a requirement to accommodate the equivalent of one additional team, therefore the introduction of a second quality pitch will more than accommodate any additional demand.

Response: Noted. These issues can be conditioned.

- 4.13 **ScottishPower** – advise that they have apparatus within the area of the proposed development and they therefore object to the development.

Response: The applicant has been advised of ScottishPower's objection, they advise that costs have been requested from ScottishPower for the diversion of their apparatus. They further advise that any costs associated with these works would be borne by the applicant and confirm that ScottishPower are presently engaged in an exercise to design diversionary works.

5 Representation(s)

- 5.1 The application was advertised as development potentially contrary to the development plan. Following this publicity and the statutory neighbour notification procedure, 21 letters of objection have been received. The grounds of objection are summarised as follows:

- (a) **The appropriate neighbour notification has not taken place.**

Response: The applicant declares on the application form that the relevant neighbour notification has taken place, however for the avoidance of doubt the applicant re-issued notification to the objector.

- (b) **Objector claims to own part of the application site and has not received the necessary notice as owner.**

Response: The applicant was advised of this issue and has chosen to remove the area of ground which the objector owns from the application site.

- (c) **Concerns about disruption to existing residents during construction.**

Response: The Council's Environmental Services have legislative powers to control construction noise.

- (d) **The increase in traffic from the proposed development will have a detrimental impact on the existing, inadequate, poorly maintained roads and traffic safety.**

Response: A TA has been carried out in relation to the proposed development of this site. The Council's Roads and Transportation Service has offered no objection to the proposal subject to various conditions listed under paragraph 4.5 above.

- (e) **Concern about loss of view.**

Response: This is not a material planning consideration.

- (f) **Concerns about the added burden the development will place on local doctors, dentists, hospitals, schools, and infrastructure.**

Response: In terms of schools, the Council's Education Service were consulted on this proposal and offer no objection. Conditions can be placed on any consent granted in relation to the provision of water and sewerage facilities. The applicant is currently in discussion with Scottish Gas in relation to extension of the gas pipeline which presently terminates at Lesmahagow. In term of other facilities, the masterplan proposes to locate new amenities at the north-western edge of the site immediately adjacent to the existing leisure centre, games court and play area and this would ultimately form a neighbourhood centre.

- (g) **The new development will increase crime rates in this peaceful area.**

Response: This is not a material planning consideration.

- (h) **Carbon emission rates for the area will increase both through the manufacture and heating of the houses and through extra traffic generation.**

Response: Noted. This is not a local planning issue as carbon emission rates are controlled by other government legislation.

- (i) **The local environment will be destroyed.**

Response: SNH were consulted on this application and subsequent to the submission of additional information no longer object to the proposal. Various conditions will be attached to any consent granted in relation to structure planting.

- (j) **The development will effectively double the size of Coalburn, destroying the village aspect.**

Response: Part of the application site has been identified in the adopted local plan for residential development. The finalised draft local plan identifies the whole site for residential development. A detailed assessment of the extent of the proposal can be found in the Assessment & Conclusions section of this report.

(k) **Concerns about drainage at the site.**

Response: The application is in outline only, if this application is approved, the subsequent detailed applications will include the relevant information regarding the proposed drainage.

(l) **The sports pitches and public park host the annual Gala Day, the loss of these pitches and the relocation of the Gala Day celebrations would be detrimental to the local community as they will have to walk a considerable distance.**

Response: The proposed community area may in fact be located closer for some individuals, in addition to this the future applications for the site will include proposed pedestrian links to the adjacent areas of Coalburn.

(m) **Concerns about loss of trees**

Response: If consent is granted for this outline application, a condition would be placed on the consent requiring the submission of a tree survey illustrating what trees will be retained and those to be removed under the further detailed applications.

(n) **Residents will lose their right to access the countryside as the proposal shows that several access routes will be built upon.**

Response: Two rights of way are located within the application site, however as the application is only in outline, an assessment cannot be made of how the routes would be affected. This would be determined during the processing of the further detailed applications. The proposed linear park through the development site will offer a suitable walking route and access to the countryside. In addition it would be my intention to ensure there are pedestrian links throughout the site as a whole.

(o) **Areas for recreation, ie. football pitches, gala day will not be available during construction.**

Response: The timing of the development of the existing pitches and the creation of the proposed football pitches and central community area will be considered under the future phasing proposals and controlled by conditions and a Section 75 Agreement if consent is granted.

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

6 Assessment and Conclusions

6.1 The applicant seeks outline planning consent for a residential development with supporting neighbourhood facilities, bing reclamation and amenity landscaping. I consider the determining issues in this instance to be the proposal's compliance with local and structure plan policies and the impact on the amenity of the area.

6.2 The adopted Lower Clydesdale Local Plan identifies one half of the application site as a housing opportunity site (Policy RES11). The site is also covered by Proposal ENV20 – Bellfield Bing. A small part of the site is covered by Policy RES1 – Residential Areas and Policy LR1 – Open Space/Community Facilities. The remainder of the site is located outwith the settlement boundary of Coalburn in the Rural Area where Policy ENV2 applies.

- 6.3 The significant policies are Policy RES11, Proposal ENV20, Policy LR1 and Policy ENV2:

Policy RES11 – Housing Opportunity Sites - states that the Council will consider proposals for the development of the site and will encourage the provision of affordable housing and partnerships aimed at broadening housing choice. It also advises that all proposals will be expected to accord with the standards set out in the Council's Residential Development Guide.

Proposal ENV20 – Bellfield Bing - states that the Council will continue to work for the rehabilitation of Bellfield Bing, and will consider compulsory acquisition of the site if necessary.

Policy LR1 – Open Space/Community Facilities - states that the Council recognises the importance of and will seek to protect and enhance both private and public open space/community facilities within the Plan area. It further advises that the loss of such facilities for other uses will only be permitted where it can be demonstrated that participation levels and public enjoyment would be unaffected; or a replacement facility of comparable quality and accessibility is to be provided in the locality; or there is a clear long-term surplus in provision.

Policy ENV2 – Rural Area - which covers more than half of the site generally favours development of an appropriate form which should meet the needs of the rural community and support the rural economy. It further advises that proposals will be resisted that lead to an extension of a settlement, or which by virtue of their scale or design would change the established character of an area.

- 6.4 The principle of residential development of the portion of the site zoned as a Housing Opportunity Site in the adopted local plan is acceptable. The proposal would result in the removal of two sports pitches, however the developer proposes the formation of two full sized replacement pitches and the upgrade of the existing games court which is located just outwith the application site. The Council's Leisure Service have confirmed that this provision would be adequate to support the existing and proposed population of Coalburn. I am therefore satisfied that the proposal complies with Policy LR1.
- 6.5 The portion of the site which falls outwith the settlement boundary of Coalburn is contrary to Policy ENV2 of the local plan. However the finalised draft South Lanarkshire Local Plan is a material consideration in the determination of this proposal and it identifies the site as a proposed housing site where Policy RES2 applies. This policy states that the Council will support development for housing on those sites included in the Housing Land Audit which currently identifies the site as having a capacity of 200 residential dwellings. Policy RES3 Residential Masterplan Sites also applies and this policy states that the Council will support residential development of the sites where masterplans are brought forward for Council approval. In this instance the Local Plan requires the Masterplan to show development of new residential, recreation and local amenities incorporating the reclamation of Bellfield Bing and respecting the integrity of the nearby Coalburn Moss.
- 6.6 In strategic terms, the proposal requires to be assessed against policies within the Glasgow and Clyde Valley Joint Structure Plan (Finalised) 2006. A need for 500 houses to be provided in Clydesdale villages to 2018 has been identified within the

Structure Plan and this finalised local plan reflects this by identifying a number of villages to meet this shortfall. Coalburn has been identified as being suitable to contribute to this requirement. However, this development proposal is for a significantly larger housing release and as such could be considered contrary to the Structure Plan. Therefore the proposal requires to be assessed against Strategic Policy 9 - Assessment of Development Proposals, which sets out criteria that development proposals require to satisfy in order to accord with the Structure Plan and Strategic Policy 10 - Departures from the Structure Plan which requires the development to be assessed against particular considerations regarding housing.

- 6.7 Strategic Policy 9A requires the development to be assessed against demand and effective housing supply within the Clydesdale Housing Market Area (HMA), and the requirement for affordable housing. There is a shortfall in housing land supply within the Clydesdale HMA to 2018 and this is being addressed by the release of sites at Carluke for 500 units and a further release of 500 units across rural villages within the Clydesdale HMA. Coalburn itself has no particular shortfall and has not been identified as a neighbourhood management area by Housing Services. Given Coalburn's location, it could be argued that it would be unlikely that a particularly high rate of take-up would occur in the village. In normal circumstances, 200 units would be sufficient for at least 10 years' supply. However, there are specific circumstances outlined in this instance which require to be taken into account and I consider an exception to the release of unit numbers to 2018 is justified in this particular instance. Therefore, I consider 400 units to 2018 is acceptable, thereafter the remaining capacity on the site would need to be reassessed to judge where further release of housing on the site can be justified against demand. In terms of affordable housing, there is no justified requirement.
- 6.8 Strategic Policy 9B requires the location of the development to be appropriate in terms of need to:
- ◆ Give preference to the use of Brownfield urban land rather than Greenfield land or open space – as detailed above, the proposal seeks development beyond the boundaries of the RES 11 Housing Opportunity site and village boundary identified in the Lower Clydesdale Local Plan to incorporate a Greenfield site. The development could therefore be seen as a departure from the development plan, however as highlighted above it includes the redevelopment of the Bellfield Bing which is recorded in the Vacant and Derelict Land Register. Reclamation of this significant derelict rural site will enhance the village of Coalburn.
- 6.9 Strategic Policy 10 requires Development Plan Departures to be justified against the criteria set out in the Plan:
- ◆ Strategic Policy 10 A(ii) – clear evidence of a shortfall in the existing and planned housing development within the appropriate Market Area taking account of the need to provide for choice in terms of size and type of housing. There is a strategic need for housing in this area, albeit at a smaller scale than is being proposed, so it partly accords with the Structure Plan.
 - ◆ Strategic Policy 10 B(ii): Social Benefit, and 10B(iii): Environmental Benefit – Coalburn is identified in the Douglas Valley Rural Investment Area where the Structure Plan recognises the particular need to support the provision of local facilities and to address local housing and employment needs. The

range of action required includes support for local services, enhancement of housing quality and landscape renewal linked to derelict land restoration. Bellfield Bing has been present at Coalburn for a number of decades, causing significant visual blight to the area. For at least 20 years the removal of the bing has been promoted as a proposal in current and previous local plans, however no schemes for its removal have been successfully brought forward. The applicant proposes the reclamation of the bing and the formation of two full sized football pitches with changing facilities, the creation of a viewing banking, a pond water feature, and a memorial to Bellfield Miners within the central area of the site. In addition the former railwayline which runs through the application site would be formed into a linear park with landscaping, SUDS water features, paths and cycleways. It is proposed to locate new amenities at the north-western edge of the site immediately adjacent to the existing leisure centre, games court and play area and this would ultimately form a neighbourhood centre. The applicants also propose to improve the existing games court within this area. It is clear that approval of this proposal would benefit the community of Coalburn and the surrounding area both in environmental improvements and amenity provision. It has taken a number of years for a proposal of this nature to be brought forward and I consider that in order for the proposal to be viable, an exception to the release of unit numbers to 2018 is justified in this particular instance. I consider that the proposal and introduction of new households to the village will assist the support and economic viability of local services where the issue is about decline of services rather than over-capacity.

- 6.10 In conclusion, the site is identified in the Structure Plan as part of the Rural Investment Area and in the South Lanarkshire Local Plan as a masterplan site. This proposal meets many of the criteria outlined in the Structure and Local Plan and represents a significant regeneration opportunity for the village of Coalburn. It presents a long term strategy for the village's expansion which includes significant environmental and social benefits. The remaining issue is in relation to the overall capacity in relation to Structure Plan housing requirements. In this regard the following points should be noted: the adopted Local Plan has already accepted the principle of development on the portion of the site (north western section) covered by policy RES 11 in the Lower Clydesdale Local Plan, where 200 - 300 houses are proposed. This leaves the area most affected by the dereliction associated with Bellfield Bing where a further 200-300 houses are proposed. The redevelopment of this area conforms with the Structure Plan in terms of its fit with required actions in the Rural Investment Area and with the criteria of Strategic Policy 10.
- 6.11 After carefully considering all relevant issues, I am of the view that the proposal is acceptable and a departure from the finalised Glasgow & Clyde Valley Joint Structure Plan and the Lower Clydesdale Local Plan can be justified for the reasons set out below. The circumstances surrounding the proposal are, in my view, unique and are particular to this site and should not be viewed as setting a precedent. In addition, it is considered that the scale and nature of the development are sufficient that the applicants and landowners will be required to enter into a Section 75 Agreement with the Council. The Heads of Term for this Agreement will include construction phasing; provision of community facilities, play provision, sport pitches and improvement of games court; extent of retail development; and landscape phasing and maintenance including the provision of a landscape bond.
- ◆ the context is established in the finalised draft local plan and structure plan;

- ◆ the proposal will involve the reclamation of Bellfield Bing and the subsequent improvement to the environment;
- ◆ the proposal will result in the provision of new local facilities and support the viability of existing facilities;
- ◆ the proposal will create a village core with retail and community facilities as well as open space, walkways and cycle paths providing a quality environment for existing and proposed residents of Coalburn;
- ◆ the proposal will expand housing choice in the area;
- ◆ the proposal will assist in the regeneration of this part of the Rural Investment Area through the redevelopment of derelict land, provision of new local facilities and private sector housing; and
- ◆ there are no insurmountable infrastructure issues.

7 Reasons for Decision

7.1 For the reasons stated in Paragraph 6.11 above.

Executive Director (Enterprise Resources)

15 September 2006

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Scottish Water	20/04/2006
Roads & Transportation Services	26/04/2006 & 05/09/2006
West of Scotland Archaeology Service	09/05/2006
Scottish Natural Heritage	04/05/2006 & 16/08/2006
Education Resources	03/05/2006
S.E.P.A. (West Region)	06/06/2006
Sportscotland	02/06/2006 &

	25/08/2006
Environmental Services	26/05/2006
Glasgow & Clyde Valley Structure Plan Joint Committee	08/09/2006
Leisure Services	08/08/2006 & 07/09/2006
Transco (Plant Location)	18/04/2006
ScottishPower	07/04/2006

► Representations

- Representation from : William Ross, 1 Park Street
Coalburn, DATED 07/08/2006

- Representation from : Steve Cox, Talamh Housing Coop
Birkhill House
Coalburn
ML11 ONJ, DATED 04/05/2006

- Representation from : Neil Gainford MRTPI, Planning and Development
Consultant
15 Silverdale Crescent
Lanark
ML11 9HW, DATED 05/06/2006

- Representation from : Charles MacDonald, 188 Coalburn Road
Coalburn
ML11 0LT, DATED 13/04/2006

- Representation from : Catherine MacDonald, 188 Coalburn Road
Coalburn
ML11 0LT, DATED 13/04/2006

- Representation from : D MacDonald, 188 Coalburn Road
Coalburn
ML11 0LT, DATED 13/04/2006

- Representation from : N Greenshields, 190 Coalburn Road
Coalburn
ML11 0LT, DATED 13/04/2006

- Representation from : Owner/Occupier, 190 Coalburn Road
Coalburn
ML11 0LT, DATED 13/04/2006

- Representation from : Betty Bell, 178 Coalburn Road
Coalburn, DATED 13/04/2006

- Representation from : D R Frampton, 172 Coalburn Road

Coalburn
, DATED 13/04/2006

Representation from : Helen Frampton, 172 Coalburn Road
Coalburn, DATED 13/04/2006

Representation from : A Gray, 5 Shoulderigg Place
Coalburn, DATED 13/04/2006

Representation from : Richard MacDonald, 14 Shoulderigg Place
Coalburn, DATED 13/04/2006

Representation from : Shannon MacDonald, 14 Shoulderigg Place
Coalburn, DATED 13/04/2006

Representation from : Mr and Mrs Clark, 16 Shoulderigg Place
Coalburn, DATED 13/04/2006

Representation from : B Graham and J Graham, 1 Shoulderigg Place
Coalburn, DATED 13/04/2006

Representation from : Mr and Mrs W McLaughlin, 9 Shoulderigg Place
Coalburn, DATED 13/04/2006

Representation from : Mrs M J Johnstone, 21 Railway Road
Coalburn, DATED 13/04/2006

Representation from : Elizabeth Bell, 178 Coalburn Road
Coalburn
ML11 0LT, DATED 11/04/2006

Representation from : J A Meikle, 22 Landsborough Drive
Kilmarnock
KA3 1RY, DATED 10/04/2006

Contact for Further Information

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

Gail Rae
(Tel: 01555 673205)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That before any work starts on any of the development parcels and within three years from the date of this permission, further written applications and plans in accordance with the masterplan hereby approved shall be submitted to and approved by the Council as Planning Authority for each of the development parcels in respect of the following reserved matters:
 - (a) a site layout plan at a scale of 1:500 showing the position of all buildings, roads, footpaths, parking areas (distinguishing where appropriate between private and public spaces), walls, fences, landscaping, open space and recreational provision;
 - (b) plans and elevations of each house and garage type showing their dimensions and type and colour of materials;
 - (c) a landscaping plan at a scale of 1:500 showing the location, species and ground spread of existing and proposed trees, shrubs and hedges;
 - (d) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
 - (e) detailed cross-sections of existing and finished ground levels and finished floor levels, in relation to a fixed datum, preferably ordnance datum.
 - (f) details and location of all boundary walls and fences;
 - (g) provision of drainage works and the disposal of sewage
 - (h) design statements for each development parcel
 - (i) plans and elevations of the proposed change of use of the existing farmsteadings to pub/restaurant
- 2 Details of the phasing of each of the development parcels shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. These details shall include information of those responsible for carrying out specific works within each phase and each part of the site. Following approval, the development shall be implemented in accordance with the approved scheme.
- 3 That the development hereby permitted shall be started either within five years of the date of this permission or within two years of the date on which the last of the reserved matters are approved, whichever is the later.
- 4 That the total number of dwellinghouses within the site up to the year 2018 shall not exceed 400 houses.
- 5 Details of the timescales of the reclamation of Bellfield Bing shall be submitted to the Council for approval, and no work shall begin until the works have been approved in writing. Following approval, the reclamation of the bing shall be implemented in accordance with the approved scheme.
- 6 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.
- 7 That within 3 months of the date of consent, a detailed tree survey covering the entire site, together with proposals for structural planting within the site, and future

maintenance and management proposals for these areas, shall be submitted for the written approval of the Council as Planning Authority and no work shall commence on site until these details have been approved. The approved planting proposals shall be carried out to the satisfaction of the Council in a timescale to be agreed with that Authority, but in any case shall be within three years of the date of this consent. The details to be submitted shall include information on those responsible for carrying out the new planting.

- 8 That within 3 months of the date of this consent, detailed proposals for the 2 sports pitches, changing facilities, viewing area, Bellfield Miners memorial, footpath, cycleway provision, and linear park within the site shall be submitted for the written approval of the Council as Planning Authority, and the existing sports pitches shall not be developed upon until the two replacement pitches have been constructed and brought into use, to the satisfaction of the Council as Planning Authority. In any case the approved scheme shall be set out and available for use prior to the occupation of the 50th house on the site, to the entire satisfaction of the said Authority.
- 9 That the play provision and amenity open space for each of the proposed development parcels shall comply with the standards contained in the Council's Residential Development Guide, to the satisfaction of the Council as Planning Authority.
- 10 That all rights of way presently crossing the site shall be retained, or other suitable routes formed to the satisfaction of the Planning Authority.
- 11 That the commercial facilities to be provided within the site shall be the subject of a further detailed planning application for approval by the Council as Planning Authority, and shall be submitted within three years of the date of this consent. The approved scheme shall be constructed and occupied before the occupation of the 100th dwellinghouse on the site. The site reserved for the commercial facilities shall be maintained as a grassed area to the satisfaction of the Council until the land is developed.
- 12 That the further application required under the terms of Condition 1 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 13 That the development as a whole shall accord with the principles of the Masterplan hereby approved, to the satisfaction of the Council as Planning Authority.
- 14 That prior to the occupation of any dwellinghouse within the site, the roundabout junction from Bellfield Road, a new traffic signalised junction on Coalburn Road and the central Local Distributor Road with associated roundabouts shall be completed, all to the satisfaction of the Council as Planning Authority.
- 15 That before the development starts, a report from a professionally qualified source describing the soil and ground conditions prevailing over the application site (including details of the nature, concentration and distribution of any contaminants), shall be submitted to and approved by the Council as Planning

Authority and the development shall not be commenced until such action as is recommended by this report to remove or render harmless any such contaminants, has been implemented and completed to the full specification and entire satisfaction of the Council. The developer shall give the Council at least 7 working days notice in writing prior to the commencement of any decontamination works on the site.

- 16 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.
- 17 That no development shall take place within the development site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, this scheme to be submitted for approval by the Council as Planning Authority following consultation and agreement with West of Scotland Archaeology Service. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 18 That no more than 6 months before work commences on site a further habitat survey shall be undertaken and approved in writing by the Planning Authority and thereafter the appropriate mitigation measures shall be implemented to the satisfaction of the Council as Planning Authority.

REASONS

- 1 Consent is granted in outline only.
- 2 In order to retain effective planning control
- 3 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 4 In order to retain effective planning control
- 5 To safeguard the amenity of the area.
- 6 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 7 In the interests of amenity.
- 8 In order to retain effective planning control
- 9 In order to retain effective planning control
- 10 To retain effective planning control and safeguard the amenity of the area.
- 11 In order to retain effective planning control
- 12 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.
- 13 In the interests of amenity.
- 14 In the interest of road safety
- 15 To ensure the site is free of contamination and suitable for development.
- 16 To ensure the provision of appropriate infrastructure
- 17 To ensure the protection of archaeological remains within the site
- 18 To ensure the protection of wildlife and habitat interests within the site.

For information only

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