

	<h1>Report</h1>	Agenda Item <h1>10</h1>
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Report to:	Planning Committee
Date of Meeting:	26 September 2006
Report by:	Executive Director (Enterprise Resources)

Application No	CL/06/0414
Planning Proposal:	Erection of Thirty Dwellinghouses, Associated Roads and Landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Meridian Residential
- Location : Land behind 53 Goremore 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 £15,000 will be required from the developer for works upgrading open space and recreation provision in the surrounding area, to be lodged prior to the issue of consent.

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 11 Carluke/Crawforddyke
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
- Policy RES1: Residential Areas

South Lanarkshire Local Plan (Finalised Draft)
- Policy RES6: Residential Land Use Policy

- ◆ Representation(s):
 - ▶ 2 Objection Letters
- ◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

Scottish Water

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

Roads & Transportation Services H.Q. (Flooding)

Planning Application Report

1 Application Site

- 1.1 The application site is located to the south of Carluke off Goremire Road. A dwellinghouse occupies the small part of frontage on Goremire Road where the site is to be accessed and agricultural land makes up the remainder of the site.
- 1.2 The site is bounded by existing dwellinghouses to the north, a new housing development, currently being constructed by Persimmon Homes, to the south, with dwellings and agricultural land to the east and west. The site extends to some 1.5 hectares, is irregular in shape and rises from Goremire Road to the south.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the demolition of the dwellinghouse on the Goremire Road frontage, formation of new access road, erection of 30 dwellinghouses, and landscaping. All dwellings are two storey with the exception of the replacement dwelling fronting Goremire Road which is single storey. There are 23 detached dwellings with integral garages and 6 semi detached dwellings and a replacement bungalow, fronting Goremire Road with a detached double garage to the rear, to be accessed off the new access road. In the absence of play provision within the application site, a financial contribution of £15,000 will be paid by the developer towards the improvement of recreational facilities in the area.

3 Background

3.1 Local Plan Status

The Lower Clydesdale Local Plan identifies the site as being within the residential area where Policy RES1 applies. Within the Finalised Draft South Lanarkshire Local Plan, the site falls within the settlement boundary of Carluke and is covered by Policy RES6: Residential Land Use Policy.

3.2 Relevant Government Advice/Policy

Policy SPP3: Planning for Housing, indicates that most housing development should be contained within or adjacent to existing settlements where advantage can be taken of service provision and problems associated with sprawl and impact upon environmental resource can be avoided.

3.3 Planning History

There is no relevant planning history.

4 Consultation(s)

- 4.1 Scottish Water – no objections, however they advise the applicant must agree water/sewer connection with the provider.
Response: Noted. A condition requiring these details to be agreed with Scottish Water before any house is occupied would be attached to any consent granted.
- 4.2 Environmental Service – no objections, subject to condition that phase 1 or desk study is undertaken to determine the presence or not of contaminants and that audible construction activity should be limited to certain times.

Response: Noted. Conditions can be attached to any consent regarding the phase 1 or desk study. However audible construction activity is not a planning matter but is covered by Environmental Health legislation.

- 4.3 **Roads and Transportation Service** – no objection subject to standard conditions being met.

Response: Noted and agreed.

- 4.4 **SEPA** – no objection provided that all foul drainage is connected to the public sewer and that a Sustainable Urban Drainage System is implemented on the site.

Response: Noted and agreed. It should be noted that surface water drainage proposals have been approved by the Councils Flooding Unit.

5 Representation(s)

- 5.1 Following neighbour notification, two letters of objection were received. Details of the objections and my comments thereon are summarised below.

- (a) **Access to the site will inevitably lead to a large volume of cars moving every day throughout the site. Goremore Road could not deal with this volume of traffic.**

Response: Roads and Transportation Services offer no objection to the proposals, therefore it is considered that the current road network will not be adversely affected.

- (b) **Loss of Privacy**

Response: I do not consider that the development has any privacy implications for adjacent dwellings and it complies with the principles of the Council's adopted Residential Development Guide.

- (c) **The development will effectively alter the area from being a semi-rural area to an urban area.**

Response: Although the site comprises grassed open space, the application site is identified in the adopted and finalised local plans as lying within the settlement boundary of Carluke where there is a presumption in favour of development. There are a large number of dwellings being constructed on Boghall Road, to the south of Goremore Road, such that the character of the area is now that of an urban environment.

- (d) **Construction work/traffic would be detrimental to amenity by way of noise and disturbance.**

Response: Construction traffic/noise is an element of part of the development process. It is therefore unavoidable that there will be construction traffic noise for the period of development. There is, however, adequate legislation governing noise that can be implemented should the occasion arise.

- (e) **The site will be overdeveloped.**

Response: The site complies with the Council's Residential Development Guide, therefore the density and layout of the proposal is acceptable.

- (f) **The proposal is contrary to the adopted local plan for the area.**

Response: The site is located within the settlement boundary of Carluke and is affected by a residential land use zoning within the Lower Clydesdale Local

Plan. Therefore the principle of housing on the site is compliant with adopted local plan policy.

(g) **Part of the application site may be outwith the applicant's ownership.**

Response: I have received no evidence to date which suggests that the ownership certificate, as completed on the planning application form, is incorrect.

(h) **The development site would cause a loss of daylight to adjoining dwellinghouses.**

Response: The relationship of the proposed houses with existing properties is such that overshadowing would not occur to a detrimental extent.

(i) **The public sewer may not have capacity to accept further development.**

Response: Scottish Water, as stated in paragraph 4.1 above, have no objection to the development and are in discussion with the developer on providing a connection to the public sewer.

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

6 Assessment and Conclusions

- 6.1 The main determining issues in this instance are the extent to which the proposal complies with both the adopted local plan and finalised draft local plan, its effect on the amenity of the area and its compliance with the Council's Residential Development Guidelines.
- 6.2 The site lies within an existing residential area where Policy RES1 of the Lower Clydesdale Local Plan applies. Therefore the principle of housing on the site is acceptable in planning land use terms. Policy DC1 and Policy RES1 state that all planning applications should take fully into account the local context and built form – i.e. development should not take place in isolation and must take cognisance of scale, position and materials of adjacent buildings and surrounding streetscape. Proposals should also aim for the best possible quality of external materials. I am satisfied that the proposed layout is acceptable in terms of house to plot ratios, garden depths and distances from existing dwellinghouses, particularly in relation to the character and layout of the surrounding development. In addition, a suitable amount of open space has been shown on the layout while the boundaries of the site will be landscaped. Given the above, I am satisfied that the proposal conforms with the adopted local plan.
- 6.3 In terms of the finalised draft South Lanarkshire Local Plan, the site is affected by the Residential Land Use Policy area where Policy RES6 applies. This policy generally supports residential development subject to normal development control criteria. A sympathetic design, enhanced with suitable open space provision would result in the integration of the development with its surroundings without residential or visual amenity being adversely affected. I am therefore satisfied that the development complies with this plan.
- 6.4 In addition, the proposed development complies with the Council's Residential Development Guide while there are no adverse infrastructure implications. I therefore recommend that planning permission be granted for this development.

7 Reasons for Decision

- 7.1 The proposal complies with Policy RES1 of the adopted Lower Clydesdale Local Plan and Policy RES6 of the South Lanarkshire Local Plan (finalised draft), the development would not adversely affect residential or visual amenity and there are no infrastructure implications.

Iain Urquhart
Executive Director (Enterprise Resources)

11 September 2006

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads & Transportation Services H.Q. (Flooding) 02/08/2006
 - S.E.P.A. (West Region) 26/07/2006
 - Environmental Services 30/06/2006
 - Scottish Water 06/07/2006
- ▶ Representations
 - Representation from : Freelands , 139 Main Street
Wishaw
Lanarkshire
ML2 7AU, DATED

Contact for Further Information

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

Jim Lennon
(Tel: 01555 673126)
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 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.
- 5 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 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 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.
- 7 That the landscaping scheme, approved under the terms of Condition 6 above, shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the last dwellinghouse hereby approved and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 8 That no dwelling shall be occupied until the site is served by a sewerage scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.
- 9 That a Surface Water Drainage system, incorporating a SUDS scheme, shall be implemented simultaneously with the development hereby approved, to the satisfaction of the Council as Planning Authority and SEPA and shall be completed prior to the last dwellinghouse hereby permitted being occupied.
- 10 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.

- 11 That before the last dwellinghouse hereby permitted is occupied, all roads and footways within the development shall be completed to final wearing course level.
- 12 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.
- 13 That before any of the dwellinghouses hereby approved are 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.
- 14 That prior to development starting on site, details of finished floor levels for each property shall be submitted to the Planning Department for approval.
- 15 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.
- 16 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.

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 These details have not been submitted or approved.
- 5 In order to retain effective planning control
- 6 In the interests of the visual amenity of the area.
- 7 In the interests of amenity.
- 8 To ensure that an appropriate sewerage system is provided.
- 9 To ensure the provision of a satisfactory surface water drainage system.

- 10 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
- 11 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
- 12 In the interest of road safety
- 13 In the interest of public safety
- 14 To ensure that suitable floor levels.
- 15 To ensure the site is free of contamination and suitable for development.
- 16 In the interests of amenity and in order to retain effective planning control.

For information only

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