

Report to:	Planning Committee
Date of Meeting:	20 September 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CL/11/0278
Planning Proposal:	Residential development and associated upgrade of road (planning permission in principle)

1 Summary Application Information

- Application Type : Permission in principle
- Applicant : Marchstone Bellefield Ltd
- Location : Land off Bellefield Road
Lanark
ML11 7R

2 Recommendation(s)

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

- (1) Grant Planning Permission in Principle (subject to conditions – based on conditions listed overleaf)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: 929 Design Ltd
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
Policy STRAT4: Accessible Rural Area
Policy CRE1: Housing in the Countryside
Policy ENV4: Protection of the Natural and Built Environment
Policy ENV29: Special Landscape Area

- ◆ Representation(s):

- ▶ 17 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comment Letters

- ◆ Consultation(s):

Countryside & Greenspace

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

Roads and Transportation Services (Clydesdale Area)

Lanark & District Civic Trust

The Royal Burgh of Lanark Community Council

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application site consists of vacant grassland to the north of Lanark on Bellefield Road. The site extends to 4 hectares in size and levels drop by approximately 20m from Bellefield Road until the ground levels out. The site is enclosed by trees along the frontage with Bellefield Road and by a dense belt of trees to the north-west and south-west. The area of trees to the north-west is classified as Ancient Woodland. The site of the former Bellefield Hospital sits beyond the trees to the south, where new-build dwellinghouses have been developed by Cala Homes. The site is bounded to the north-east by a number of dwellinghouses situated on the former Jerviswood Nursery. Bellefield Road bounds the site to the south-east with agricultural land beyond. One of the Lanark marchstones associated with the annual Lanimer perambulation of the marches event is located within the site, on the western boundary. The adjacent site to the north-east also contains a marchstone.
- 1.2 Bellefield Road is a designated right of way and is lined by trees along its length. At one time it served a number of nurseries, with their associated greenhouses and a vegetable packing business with associated sheds. In general, these uses have ceased and have now been replaced by dwellinghouses. The Clyde Valley Woods Special Area of Conservation (SAC), the Cleghorn Glen Site of Special Scientific Interest (SSSI) and the Clyde Valley Woodlands Nature Reserve (NNR) lie approximately 220 metres to the north-west of the main part of the application site.

2 Proposal(s)

- 2.1 Planning permission in principle is sought for a residential development on the site. Vehicular access would be taken from Bellefield Road at the southern part of the site. The boundary of the application site includes Bellefield Road along the frontage of the site and extends to the junction with Bellefield Crescent. The submitted plans show that this section of road would be upgraded to 5.5 metres in width along with the installation of a footway along the western side of the road. The footpath would join the existing public footway which terminates adjacent to 2 Bellefield Crescent. Traffic calming would be implemented on the bend on Bellefield Road between the Cala Homes site and the application site by the formation of a single passing point.
- 2.2 The existing approach of the Marches route to the marchstone is currently along the north-western boundary of the site. The submitted plans show the position of the marchstone and the indicative, alternative route that the Marches would take once the site is developed. This would enter from the western point of the site as at present and then would run directly through the site to the north-eastern boundary where it would then follow the boundary to the point it meets Bellefield Road. From there the marchstone in the adjacent site could be accessed. It is intended that the marchstone within the site would become a landscape feature.
- 2.3 The applicants originally submitted a proposed site plan which showed the layout of 33 house plots within the site. Given that this is an 'in principle' application the applicants have now amended the plan by removing the layout of the plots.
- 2.4 The applicants have submitted a Design Statement and Bat and Badger Survey in support of the application. The Design Statement notes that the key philosophy of the proposed development is to retain its landscape setting and to use this to contain the development. It explains that the development would have no impact on the Lanark horizon from any direction. It notes that this site is a gap site and is the only remaining undeveloped site along the length of Bellefield Road. The applicants highlight benefits that the development would bring in the form of the upgrade of

Bellefield Road and the installation of a continuous footpath along the site frontage and up to the existing public footway. In addition they advise that the nature of the site in its present condition renders the existing marchstone inaccessible to all but a few principal participants during the course of the annual Marches. Therefore it is intended, through the course of the development, to enhance the public access to the marchstone.

- 2.5 The applicants provide further justification for the development by examining the current housing land supply in the Lanark area and note that two large housing sites at Winston Barracks and the former St Mary's Hospital site have not been brought forward by the house builders. The applicants argue that the current application would be successful due to the small-scale nature of the development and the proximity of the site to local amenities. The proposal would also not be inhibited by major infrastructure costs.
- 2.6 The Bat and Badger Survey confirms that badgers are present on and around the site. A single sett is present on the site and as such a license from Scottish Natural Heritage would be required in order to work within 30 metres of the sett. In term of bats, the Survey confirms that no bat roosts were present.
- 2.7 It should be noted that in terms of the hierarchy of development, this proposal is classed as a major development due to the area of the site. Planning legislation therefore required the applicant to undertake public consultation prior to the submission of the planning application. This included a public event in the Harry Smith Centre in Lanark on 2 December 2010. The proposal was also discussed at meetings of the Royal Burgh of Lanark Community Council, Lanark Community Development Trust and the Lord Coronet's Club, in addition a letter was issued to the Lanimer Committee outlining the proposal. The applicants have submitted a pre-application report which sets out details of the consultation. It reports that 22 members of the public visited the public event and that no adverse comments were received other than concern from one individual about traffic safety in relation to visibility at the exit of the Cala Homes development. The applicants respond to this in the report by advising that they have discussed the proposal in detail with the Council's Roads Service and give assurances that they will comply with the Council's standards.

3 Background

3.1 Local Plan Status

The adopted South Lanarkshire Local Plan identifies the site as being located within the Accessible Rural Area, outwith the settlement boundary of Lanark where Policy STRAT4: Accessible Rural Area applies. This policy then directs the assessment of housing proposals within this area to Policy CRE1: Housing in the Countryside. The site is also located within a Special Landscape Area where Policies Policy ENV4: Protection of the Natural and Built Environment and Policy ENV29: Special Landscape Area apply.

3.2 Relevant Government Advice/Policy

One of the overarching aims of Scottish Planning Policy (SPP) is to support the diversification and growth of the rural economy. The planning system therefore has a significant role in supporting sustainable economic growth in rural areas. The SPP encourages Councils to take a positive approach to new development, and the aim should be to enable development in rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. The Policy states that development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups and

extensions to existing clusters and groups. New development should respond to the specific character of a location and fit into the landscape. Developments which provide economic or community benefits should be encouraged.

3.3 **Planning History**

3.3.1 No previous planning applications exist for the application site itself.

3.3.2 Detailed planning permission was granted in 2004 for the erection of 42 dwellinghouses on the site of the former Bellefield Hospital which lies adjacent to the site, to the south-west (CL/04/0555). This development is now complete.

Consent for the formation of two house plots was granted on the site of the former Jerviswood Nursery which lies adjacent to the site to the north-east in 2004 (CL/03/0578), followed by a detailed consent for the dwellinghouses on these plots in 2005 (CL/04/0848).

Planning permission in principle was granted for a residential development on the site of a former vegetable packing business which is situated adjacent to the former Jerviswood Nursery, to the north-east of the site. Further consents have been granted for individual dwellings at the end of Bellefield Road and at the entrance to Jerviswood House.

4 **Consultation(s)**

4.1 **Roads & Transportation Services (Clydesdale Area Manager)** – advise that the stretch of Bellefield Road between the site and the Cala Homes site entrance (Bellefield Crescent) will require to be widened and upgraded to 5.5 metres wide, or thereby, with a 2 metre wide footway, along with associated lighting and drainage. The traffic calming is acceptable. They advise that the developer must widen and upgrade Bellefield Road to a standard suitable to them prior to commencing works to allow large delivery vehicles and construction traffic to arrive on site without impeding other road users. They also provide a list of requirements in relation to adequate vehicular access, visibility splays, internal road layout, parking standards and provision of grit bins which should be attached as conditions to any consent granted. **Response:** Noted. Appropriate conditions and informatives can be attached if consent is granted.

4.2 **Roads & Transportation Services H Q (Flooding)** – recommend that a Flood Risk Assessment (FRA) is submitted and that prior to any work commencing on site the culverted watercourse which lies within the site boundary should be surveyed to establish its condition and location. Any required improvement works to it should be identified and carried out as part of the development. In addition they advise that the site should be served by a Sustainable Drainage System (SUDS). **Response:** Noted. Appropriate conditions and informatives can be attached if consent is granted.

4.3 **Scottish Water** – offer no objection, they confirm that at the current time Camps Water Treatment Works and Lanark Waste Water Treatment Works have capacity to service the proposed development. They advise that in some circumstances it may be necessary for the developer to fund works to mitigate the effects of the development on existing customers. A SUDS drainage system will also be required. **Response:** Noted. I would propose to impose a condition requiring confirmation that the site can be served by a public sewerage system and water supply before work starts on site. In addition an appropriate condition can be attached in relation to the provision of a SUDS scheme.

4.4 **SNH** – offer no objections and confirm that the proposal will not impact on the SAC, SSSI or the NNR. They advise that access to the NNR along Bellefield Road should be kept free for pedestrians and vehicles during and after construction. In terms of bats they recommend that a further study is undertaken and a Badger Protection Plan (BPP) should be submitted and pre-start checks undertaken on site. Given that the site lies immediately adjacent to an ancient woodland they advise that development work should be carried out in accordance with the provisions of an Environmental Management Plan (EMP) and the layout should incorporate a landscape buffer zone between the site and the woodland.

Response: Noted. Appropriate conditions and informatives can be attached if consent is granted.

4.5 **West of Scotland Archaeology Service** – offer no objection. They note that the site has been largely undisturbed for at least the last 150 years, therefore there is some potential for unrecorded archaeological deposits to be present within the site. They also note that a curling pond existed immediately to the north of the marchstone. It is possible that elements associated with its construction may survive below ground level. They therefore recommend that an archaeological evaluation of the proposed development area should be carried out. They also offer comment on the marchstone within the site and agree with the applicants plans to preserve it *in situ*. They generally support the provision made by the developer to maintain the route of the Marches through the new development, though they suggest that it would be preferable if individual plot boundaries and access roads could be amended to allow the access to stick as closely as possible to the historic boundaries of the Burgh rather than being altered to conform to modern road layouts.

Response: Noted. Appropriate conditions and informatives can be attached if consent is granted. It is noted that the proposal may result in an amended route for the Marches, however no objections have been received to this route from the community or the relevant community bodies. The amended route would result in better access to the marchstone itself and through the site to the marchstone on the adjoining site. A condition can be attached to any consent granted to ensure the development layout of the future application allows for access to the marchstone and an appropriate route through the site which will accommodate the annual Marches event. Consultation with the appropriate community organisations will take place at that time.

4.6 **Community Resources (Countryside and Greenspace)** – advise that a considerable amount of ground modeling would be required to accommodate the proposed plot and road layout which would be detrimental to the special landscape characteristics of the area and potentially have an adverse impact on the immediately surrounding natural habitats. They further advise that the adjacent woodland is a component element of the local green/habitat network and development up to the boundary of the woodland may have a detrimental effect on the functional and landscape effectiveness of the woodland and potentially lead to incremental fragmentation of the local habitat network, contrary to the aspirations of the South Lanarkshire Biodiversity Strategy. They recommend that habitat and tree surveys are undertaken to evaluate the current site conditions and suggest that development up to the boundary of the site is inappropriate as it does not allow for a buffer zone to be established. They also recommend that account should be taken of the route of the Marches and the fact that Bellefield Road is identified in the South Lanarkshire Core Paths Plan.

Response: Noted. An assessment of the impact of the development on the special landscape area is undertaken under section 6.0. The issue of the inclusion of a landscape buffer zone, the submission of habitat and tree surveys and access to the marchstone can be covered by conditions if consent is granted.

4.7 **Lanark and District Civic Trust** – no response to date.

Response: Noted.

4.8 **The Royal Burgh of Lanark Community Council** – offer no adverse comment and confirm that they fully support the development.

Response: Noted.

5 Representation(s)

5.1 Following the carrying out of statutory neighbour notification and the advertisement of the application in the local press due to Non-notification of Neighbours and as Development Contrary to the Development Plan 17 letters of objection were received. The contents are summarised below:

(a) **In order to develop the site the topography would be modified and trees and bushes would need to be removed. The proposal would therefore contravene the Local Plan objective to protect and enhance biodiversity and the natural environment.**

Response: The application is in principle and no details of changes to ground level or tree removal have been submitted at this stage. If consent is granted conditions could be attached to ensure that this information is submitted with the future detailed planning application. It is noted that alterations to the topography at the entrance to the site will be necessary to accommodate the vehicular access, however conditions can be attached to ensure the retention of the trees along the frontage of the site which would assist in screening the development. An assessment of the proposal in relation to the impact on the natural environment is made under section 6.0 of this report.

(b) **The proposed site lies within a Special Landscape Area surrounded by a NNR and SAC. No permanent injury to the Special Landscape Area should be permitted.**

Response: An assessment of the proposal in relation to the impact on the Special Landscape Area is made under section 6.0 of this report

(c) **Concerns that the development may be subject to flooding or result in the increased risk of flooding of adjacent dwellings. A FRA should be carried out. Concern is raised that previously installed drainage solutions will be affected by the proposed upgrade of Bellefield Road.**

Response: Noted. If consent is granted conditions would be attached requiring the applicant to carry out and submit a FRA. In addition a survey of the culverted stream will need to be undertaken and any required improvements undertaken prior to work starting on site. A condition would also be attached requiring the developer to install a SUDS scheme to treat surface water appropriately. Any alterations to Bellefield Road would have to meet Roads guidelines.

(d) **Concerns that the removal of trees at the bottom of a steep hill leading away from Bellefield Grange may cause subsidence to the existing homes at the edge of this steep slope.**

Response: The current application is 'in principle' at this stage and no details of tree removal have been submitted. If consent is granted a conditions would be attached requiring the submission of a tree survey and to ensure no trees are removed from site without the Council's approval. It appears that the trees which the objector refers to are situated between the application site and

the Cala Homes development. This woodland sits outwith the application site boundary and as such the trees will not be removed as part of this proposal.

- (e) **There will be significant adverse changes to the noise and pollution levels due to the increased traffic generation.**

Response: I do not consider the proposal will significantly increase noise or pollutions levels.

- (f) **Increased traffic generation will have an adverse impact on road safety and safety of pedestrians and children as there is no adequate space to build necessary pavements along a stretch of the access road.**

Response: The Council's Roads Service was consulted on this application and offer no objections. Conditions could be attached to any consent granted to ensure the applicant installs a footway joining onto the existing footway which terminates at the entrance to the Cala Homes development. The footway would then continue along the full frontage of the application site. Plans have been submitted showing that the widening of the road and the creation of the footpath can be achieved in the land controlled by the applicants.

- (g) **The proposal would be contrary to the local plan as it would constitute unjustified residential development in an accessible rural area.**

Response: An assessment of the proposal against the relevant local plan policies is made under section 6.0 of this report.

- (h) **Regeneration should be considered prior to building new houses in green areas.**

Response: An assessment of the proposal against the relevant local plan policies is made under section 6.0 of this report.

- (i) **If approved, this proposal would create a precedent and encourage further similar applications of this nature.**

Response: An assessment of the proposal against the relevant local plan policies is made under section 6.0 of this report. Nevertheless each application is treated on its merits.

- (j) **The proposed road widening will include part of our side garden and the removal of trees.**

Response: The applicant has submitted a detailed plan of the proposed alteration to the road at this location. The plan shows that the land affected does not fall within the boundary of the objector's legal boundary.

- (k) **Objector is concerned that they did not receive a neighbour notification notice as they consider they are within 20 metres of the application site.**

Response: The objector's dwellinghouse falls just outwith the 20 metre neighbour notification zone and this is the reason why the objector was not issued with a notice. It should be noted that the application was also advertised in the local press.

5.2 These letters have been copied and made available in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks planning permission in principle for residential development on land at Bellefield Road in Lanark. Section 25 of the Town and Country Planning (Scotland) Act 1997 states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the proposal is required to be assessed against the adopted South Lanarkshire Local Plan. Other material considerations include the impact on the landscape character of the area, the planning history of land within the vicinity of the site, the road safety implications of the proposals and the economic circumstances affecting the housing land supply in the local area..
- 6.2 In terms of local plan policy the application site is located in the Accessible Rural Area where Policy STRAT4: Accessible Rural Area of the adopted South Lanarkshire Local Plan applies. This policy states that the strategy will be to build on the economic potential of the area's high quality natural and built environment. It directs development to within settlements and states that development outwith settlement boundaries will only be permitted where this forms part of a larger proposal for the rehabilitation of redundant traditional buildings. In circumstances where this scenario does not apply, new build development will only be permitted on gap sites within existing building groups. It further advises that any housing development within the Accessible Rural Area should conform to Policy CRE1: Housing in the Countryside which provides specific criteria against which all new housing proposals in the countryside should be assessed. Policy CRE1 states that in the countryside, new houses will only be permitted in the circumstances outlined in amongst others, Policy STRAT4.
- 6.3 The proposal is not required in association with agriculture or a rural business and it does not constitute rehabilitation of redundant traditional buildings. The local plan defines gap sites in the countryside as a site bounded on at least two sides by built development and fronted by a road which should generally be capable of accommodating one house but a maximum of two subject to design being appropriate to the scale and nature of the adjacent development. The application site cannot be classed as a gap site due to the scale of development proposed. As the proposal does not fall within any of the categories listed under Policy STRAT4 the proposal is contrary to this policy and subsequently Policy CRE1.
- 6.4 Bellefield Road stretches north-eastwards from the junction with Cleghorn Road to Jerviswood House. The first section of the road is within the settlement boundary. Beyond this it falls outwith the settlement boundary but it contains the Cala Homes housing development on the site of the former Bellefield Hospital and pockets of residential development on the site of former nurseries. Planning consent also exists for a residential development on the site of the former fruit and vegetable packing facility at the end of Bellefield Road. Development has progressed primarily on the north-western side of the road, the same side as the application site. The character of the area has therefore been altered as a result of this new development. The road itself is lined with trees and shrubs along with areas of woodland. The site is bounded on two sides by existing development albeit it is separated from the Cala development by a woodland. The proposed development would therefore consolidate the established development pattern in the locality that has emerged. The site is well screened and self-contained by existing woodland which further promotes visual integration and reduces the impact on the rural and landscape character of the surrounding area. In addition, views into the site from the wider area are limited.
- 6.5 In terms of housing land supply, three large-scale housing developments sites have been identified in the adopted local plan at Winston Barracks, the Beeches and the site of the former St Mary's Hospital. The current economic position with the housing

market, land ownership and infrastructure issues means that development of these sites has been limited in terms of the number of completions. The applicants consider that their site is well located in relation to amenities in Lanark and does not have the significant infrastructure costs that are associated with larger sites while the smaller scale of the site is likely to result in a higher quality of development which in turn will improve demand. I have sympathy with this view and this is reinforced by the recent start on a small housing development comprising 16 houses at Lockhart Drive in the town.

- 6.6 Policies ENV4 and ENV29 of the local plan aim to protect the landscape quality of the Special Landscape Area within which the site is located. The lower ground levels of the central part of the application site, the woodland area which surrounds the site to the north-west and south-west and the tree cover along the frontage of the site combine to visually contain the development site from the wider area. If consent is granted conditions can be attached to ensure the applicant submits an Environmental Management Plan, Badger Protection Plan, a tree survey and further habitat surveys. A landscape buffer would also be created between the built area of the site and the adjoining woodland to reinforce the setting of the site. In view of this it is considered that the proposal is not at odds with these policies.
- 6.7 Turning to Government Policy set out in the SPP, it is noted that the SPP encourages Councils to take a positive approach to new development, and the aim should be to enable development in rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. The Policy states that development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups and extensions to existing clusters and groups. New development should respond to the specific character of a location and fit into the landscape. It is considered, in this instance, given the characteristics of Bellefield Road, the relationship of the site to existing building groups/consented site and landscape setting of the site, that this proposal is broadly consistent with the SPP.
- 6.8 In terms of access and road safety, the applicant has agreed to carry out improvements to the road between the Cala Homes site and the application site, including the entire road frontage of the site. This involves the widening of the road to 5.5 metres with a 2 metre wide footway, associated lighting and drainage and a traffic calming measure. There have been no objections from statutory consultees and issues raised by them can be covered by suspensive conditions. The layout of the site and the detailed design of houses will be fully considered at the detailed stage, however it will be expected that a high quality development will be provided.
- 6.9 It has been concluded earlier that the application site is outwith the settlement boundary for Lanark and therefore the proposals are contrary to the development plan. The Planning Act does however allow for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. In considering whether this is appropriate, each application is considered on its merits and site specific circumstances can be taken into account. In this way, a precedent is not established for other site or development proposals. In this case, it is considered that an exception to policy has been demonstrated for the following reasons.
- a) The proposal would consolidate the established pattern of residential development that has emerged within the vicinity of the site
 - b) The woodland backdrop will visually integrate the site with its surroundings and prevent an adverse impact on the landscape character of the area..

- c) The upgrading of Bellefield Road will benefit the local community in terms of improved road safety.
- d) The proposal will bring forward a housing site in the absence of other identified sites being fully developed.
- e) There would not be an adverse impact on the amenity and character of the surrounding area.
- f) The access to the marchstones within and on adjoining land will be improved
- g) There are no significant infrastructure implications

I therefore recommend that planning permission be granted.

7 Reasons for Decision

7.1 For the reasons set out in 6.9 above.

Colin McDowall
Executive Director (Enterprise Resources)

9 September 2011

Previous References

- ◆ CL/04/0555
- ◆ CL/03/0578
- ◆ CL/04/0848

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Roads & Transportation Services H.Q. (Flooding)	29/08/2011
Roads and Transportation Services (Clydesdale Area)	31/08/2011
Scottish Natural Heritage	25/07/2011
The Royal Burgh of Lanark Community Council	25/07/2011
Countryside & Greenspace	29/06/2011
West of Scotland Archaeology Service	30/06/2011
Scottish Water	09/09/2011
- ▶ Representations

Representation from :	Mr Derek R Wilkie, 6 Bellefield Lane Lanark ML11 7AA, DATED 05/07/2011
Representation from :	Mr and Mrs Hamilton, 2 Chaplaud Cottage

Bellefield Road
Lanark
ML11 7RH, DATED 05/07/2011

Representation from : W & M L Gilbert, 4 Bellefield Way
Lanark, DATED 08/07/2011

Representation from : Christine Craig, 8 Bellefield Crescent
Lanark
ML11 7QY, DATED 14/07/2011

Representation from : Craig and Laura Anne McMahon, 6 Bellefield Way
Lanark ML11 7NW, DATED 13/07/2011

Representation from : Anne Hunt and Edward Poyner, 23 Bellefield Crescent
Lanark
ML11 7QY, DATED 13/07/2011

Representation from : John McDonald, 6 Bellefield Crescent
Lanark
ML11 7QY, DATED 13/07/2011

Representation from : Jeanette and Alan Castle, 2 Bellefield Crescent
Lanark
ML11 7QY, DATED 30/06/2011

Representation from : Jennifer M Holt, 1 Bellefield Crescent
Lanark, DATED 15/07/2011

Representation from : Malcolm Wells, 3 Bellefield Lane
Lanark
ML11 7AA, DATED 18/07/2011

Representation from : Owner/Occupier, 29 Bellefield Crescent
Lanark
ML11 7QY, DATED 19/07/2011

Representation from : Dr Ulrich Ixkes and Dr Doris Ixkes, 35 Bellefield Crescent
Lanark
ML11 7QY, DATED 04/07/2011

Representation from : Mr and Mrs Mark Beveridge, 19 Bellefield Road
Bellefield Grange
Lanark, DATED 04/07/2011

Representation from : Dr E Hughes and Capt. S Noonan, 10 Bellefield Way
Bellefield Grange
Lanark
ML11 7NW, DATED 04/07/2011

Representation from : James Paterson, 27 Bellefield Crescent
Lanark
ML11 7QY, DATED 15/07/2011

Representation from : Brian J Murphy, 17 Bellefield Crescent

Lanark, DATED 15/07/2011

Representation from : Mr B Scully, 1 Bellefield Way
Lanark
ML11 7NW, DATED 11/07/2011

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: planning@southlanarkshire.gov.uk

Permission in principle

PAPER APART – APPLICATION NUMBER : CL/11/0278

CONDITIONS

- 1 This decision relates to drawing numbers:929049-P-001, 929049-P-002 Rev C, 929049-P-003, 929049-P-004
- 2 Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority. These matters are as follows:
 - (a) the layout of the site, including all roads, footways, parking areas and open spaces;
 - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
 - (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
 - (d) the means of access to the site;
 - (e) the design and location of all boundary treatments including walls and fences;
 - (f) a tree survey and landscaping proposals for the site, including details of existing trees, trees to be removed, trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs;
 - (g) the means of drainage and sewage disposal;
 - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above)
 - (i) the layout to include the retention of the marchstone in its current position, the creation of a landscape feature around the stone, the means of access to the stone as well as a route through the site to accommodate the annual Marches in associated with the Lanimer celebrations,
 - (j) Flood Risk Assessment
 - (k) results of a CCTV survey of the culverted watercourse situated within the extents of the application site
 - (l) Bat and Badger Survey and Badger Protection Plan
 - (m) Environmental Management Plan
 - (n) provision of a landscape buffer zone along the north-western boundary of the site to protect the integrity of the adjacent Ancient Woodland
 - (o) Design and access statement
- 3 The application(s) for approval of these further matters must be made to the Council as Planning Authority before whichever is the latest of the following:
 - (a) expiry of 3 years from when permission in principle was granted
 - (b) expiry of 6 months from date when an earlier application for approval was refused, and
 - (c) expiry of 6 months from date on which an appeal against the refusal was dismissed.

Approval of the further specified matters can be made for -

 - (i) different matters, and
 - (ii) different parts of the development

at different times.

Only one application for approval of matters specified in conditions can be made after 3 years from the grant of planning permission in principle.
- 4 Unless development commences, planning permission in principle expires 2 years from approval of the specified matters being granted, or if different matters are approved on different dates, then 2 years from the date of the last approval.
- 5 That no consent is hereby granted for the internal access roads shown on the application

plan.

- 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 the further application(s) required under the terms of Condition 2 above, shall make reference to and incorporate the criteria specified within the approved South Lanarkshire Council 'Residential Development Guide' and the Scottish Governments 'Designing Streets Policy'.
- 8 That the further application required under the terms of Condition 2 above, shall be accompanied by a Design Statement which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site.
- 9 That notwithstanding the terms of Condition 2 above, the design and siting of any dwellinghouse on the site shall take due cognisance of the rural location, with particular regard being paid to scale, massing, roof pitch, fenestration and materials; and shall be in accordance with the Council's approved policy on new dwellings in the Countryside.
- 10 That the further application required under the terms of Condition 2 above shall include (a) plans showing the upgrade of Bellefield Road from the junction with Bellefield Crescent, continuing northwards along Bellefield Road, along the full frontage of the application site. This shall include widening of the road to 5.5 metres or thereby with a 2m wide footway, associated lighting and drainage and provision of a traffic calming measure at the 'pinchpoint' on Bellefield Road, (b) access road into the development site itself to be a minimum width of 5.5 metres and shall join Bellefield Road at right angles, (d) visibility splays at the entrance to the development site of 2.5 metres by 90 metres in both directions, (e) the provision of a 2 metre wide footway along the full frontage of the site linking into the existing footway network at the junction with Bellefield Crescent, (f) the provision of grit bins located at strategic locations and placed on properly constructed areas, all to the satisfaction of the Council as Planning Authority.
- 11 That before any development starts, the carriageway of Bellefield Road shall be upgraded and widened from the junction with Bellefield Crescent, continuing northwards along Bellefield Road, along the full frontage of the application site, at the expense of the developer, to at least Binder course level, all in accordance with the specification of the Council as Roads and Planning Authority.
- 12 That before the occupation of any dwellinghouse on the site, the developer must provide, place and fill grit bins located at strategic locations within the site to the satisfaction of the Council as Roads Authority. The grit bins must be placed on properly constructed areas and the developer must maintain these grit bins during the winter period until such times as the road is formally adopted as public by the Council.
- 13 That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. 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 Council as Planning Authority in agreement with the West of Scotland Archeology Service.
- 14 That the further application required under the terms of Condition 2 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

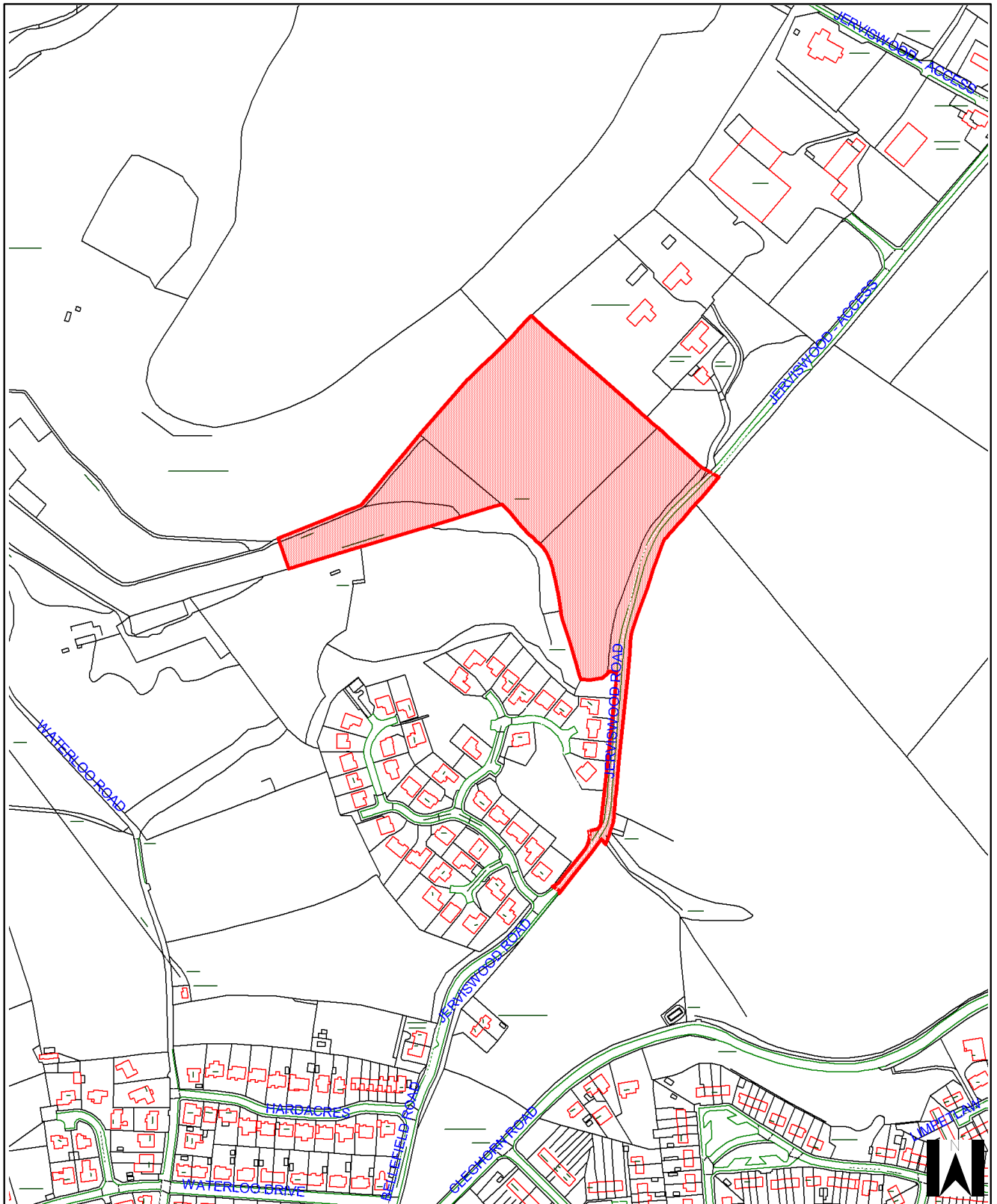
Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.

- 15 That before any work commences on site the developer shall provide written confirmation from Scottish Water that the site can be served by a water supply and drainage scheme constructed to the specification and satisfaction of Scottish Water.
- 16 That the further application required under condition 2 above shall include details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

REASONS

- 1.1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2.1 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3.1 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4.1 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 5.1 Permission is granted in principle only and no approval is given for these details.
- 6.1 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 7.1 In the interests of amenity and to ensure that the Council's key residential development standards are met.
- 8.1 To provide an explanation of the design concept and to enable a greater understanding of the proposal.
- 9.1 In the interests of amenity and to ensure satisfactory integration of the new dwellinghouse with the designated Countryside
- 10.1 In the interest of road safety
- 11.1 In the interest of road safety and to ensure appropriate access provision for delivery and construction vehicles without impeding other road users
- 12.1 In the interest of public safety
- 13.1 In order to safeguard any archaeological items of interest or finds.
- 14.1 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.
- 15.1 To ensure that the development is served by an appropriate water supply and drainage scheme
- 16.1 To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

For information only



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