

# Report

# 11

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 June 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/18/0478
Planning proposal:	Formation of 18 house plots together with associated access road

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Neil Pringle
Location:	Land Adjacent To Holm Road Crossford Carluke South Lanarkshire

## 2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) If planning consent is granted, the decision notice should be withheld until a financial contribution of £27,000 has been paid towards the provision of appropriate community facilities in the area.

This may take the form of a one-off payment or an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, being concluded between the Council, the applicants and the site owner(s).

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable. If, however, this matter is being progressed satisfactorily, the applicant will be offered the opportunity to enter

into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the developers.

- (3) If Committee is minded to grant planning permission, it should be noted that consent cannot be granted and issued at present. As SEPA has advised against the grant of planning permission by objecting in principle on the basis of potential flood risk, in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 the application must be formally notified to Scottish Ministers for the opportunity to consider whether to call in the application for their own determination.

### 3 Other information

- ◆ Applicant's Agent:
  - ◆ Council Area/Ward: 01 Clydesdale West
  - ◆ Policy Reference(s): **South Lanarkshire Local Development Plan:**
    - Policy 2 Climate change
    - Policy 3 Green belt and rural area
    - Policy 4 Development management and placemaking
    - Policy 5 Community infrastructure Assessment
    - Policy 14 Green network and green space
    - Policy 15 Natural and historic environment
    - Policy 17 Water environment and flooding
    - Supplementary Guidance 1: Sustainable development and climate change
    - Policy SDCC2 Flood risk
    - Supplementary Guidance 9: Natural and historic environment
    - Policy NHE 16 Landscape
- Strategic Development Plan: Schedule 14  
Strategic Scales of Development (Greenfield Housing)  
Strategic Development Plan: Diagram 10  
Assessment of Development Proposals  
Strategic Development Plan: Policy 8 Housing  
Land Requirement

#### ◆ Representation(s):

▶	1	Objection Letters
▶	1	Support Letters
▶	0	Comment Letters

#### ◆ Consultation(s):

Community Services

The Coal Authority

United Clyde Angling Protection Association Ltd

Environmental Services

WOSAS

Scottish Water

SEPA West Region Flooding

Roads Development Management Team

Roads Flood Risk Management

## **Planning Application Report**

### **1 Application Site**

1.1 The application site (1.60 hectares) is situated on vacant agricultural land to the north of Crossford between the River Clyde and Holm Road. It is accessed at two points, one at the eastern end of Holm Road and the other at the western end. The site is bounded to the north by the Clyde (on the northern side of the river is the route of the Clyde Walkway), to the west by the Nethan (beyond is a promontory of semi natural marshland and scrub and a residential estate). Two large ponds have been formed in the centre of the site and excavated soil from the pond has been used to raise the land around the ponds. There are several piles of stone and soil, containers and portacabins within the site and a track has been formed around the ponds. Most of the ground consists of bare soil although there are signs of vegetation regrowth on the pond banks. Topographically the site is relatively level.

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

2.1 The applicant seeks detailed planning permission for the formation of 18 house plots located around the ponds and served by an access loop with two vehicular access points onto Holm Road. At the western end of Holm Road, the access utilises an existing access between recently completed dwellings which also serves a Scottish Water plant and from plots 1 – 13 the access road follows round the edge of the pond banks with the plots situated between the Rivers Nethan and Clyde and the proposed road. Plots 14-18 will be situated between the ponds and the access road which continues long the eastern boundary and thereafter joins the established access road serving the Clydegrove residential development (approval for 7 dwellings) which joins Holm Road at its eastern end. Details of the proposed house types have not been provided at this stage and would be subject of further applications.

2.2 As supporting information the applicant has submitted a Design and Access Statement and Flood Risk and SUDS Assessments.

### **3 Background**

#### **3.1 Relevant Government Advice**

3.1.1 SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. In terms of development in the rural area, SPP states that most new development should be guided to locations within or adjacent to settlements. Planning should take every opportunity to create high quality places and direct development to the right places, in particular by encouraging the re-use of brownfield sites.

3.1.2 The SPP states that the purpose of the Green Belt designation is to;

- Direct planned growth to the most appropriate locations and support regeneration
- Protect and enhance the quality, character, landscape setting and identity of towns and cities

- Protect and give access to open space within and around towns and cities.

3.1.3 In terms of flood risk, SPP states that the planning system should promote a precautionary approach by preventing development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity. Land raising should only be considered in exceptional circumstances where it is shown to have a neutral or better effect on flood risk outside the raised area.

## 3.2 Strategic Development Plan

3.2.1 In the Strategic Development Plan (SDP) Policy 8 Housing Land Requirement stipulates that Planning Authorities should allocate and identify housing sites as a means of meeting demand and ensuring an effective 5 year land supply. Shortfalls in housing supply can be addressed by granting planning permission subject to the character of the local area being respected and Green Belt objectives not being undermined. Schedule 14 Strategic Scales of Development clarifies development likely to impact on the SDP Vision and Spatial Development Strategy. For Greenfield housing this includes 10 or more units outwith the Community Growth Areas or sites outwith those identified in the Local Development Plan. Diagram 10 Assessment of Development Proposals sets out criteria that should be considered to justify departures from the SDP.

## 3.3 Local Plan Status

3.3.1 The application site is identified in the adopted South Lanarkshire Local Development Plan as being outwith the settlement boundary of Crossford and within the Green Belt where Policy 3 - Green Belt and Rural Area applies. Policies 2 – Climate Change, 4 - Development Management and Place Making, 14 Green Network and Greenspace, and Policy 15 -Natural and Historic Environment Natural are also relevant as is Policy 17 - Water Environment and Flooding. The associated Supplementary Guidance on Development Management, Placemaking and Design, Green Belt and Rural Area, Natural and Historic Environment, Green Network and Greenspace and Sustainable Development and Climate Change are also applicable.

## 3.4 Planning History

3.4.1 Planning application CL/17/0090 for the erection of a dwellinghouse in the northwest corner of the site at the confluence of the Nethan and Clyde was refused by the Planning Committee on 15 August 2017 on grounds that the proposal represented a flood risk. A subsequent appeal was lodged by the applicant, however, this was withdrawn by letter dated 29 November 2017. Planning Permission CL/17/0436 for an amended application at the same site was approved in February 2018 after referral to Scottish Ministers because of an outstanding objection from SEPA.

3.4.2 Other land in the applicant's ownership in this part of Holm Road has been the subject of the following decisions.

- CL/15/0040 – Planning Permission for the formation of 4 house plots on the frontage of Holm Road was refused in March 2015 on the grounds that the proposed development would encroach into the floodplain. A subsequent appeal to Scottish Ministers was upheld and planning permission granted by decision letter in June 2015. It should be noted three of the houses are complete and the fourth is under construction.
- CL/15/0393 – Planning permission for the extension of the garden areas of the 4 plots the subject of the above decision was refused in February 2016 on

the grounds that that the proposed development would encroach upon a flood plain, reduce flood storage capacity and potentially transfer the flood risk elsewhere. A subsequent appeal to Scottish Ministers was upheld and planning permission granted by decision letter in September 2016.

- CL/15/0426 – Planning Permission for the formation of 2 house plots on land adjacent to the River Nethan refused in February 2016 on the grounds that the proposed development would encroach upon the functional flood plain and reduce its flood storage capacity and therefore increase the flood risk elsewhere. A subsequent appeal to Scottish Ministers was upheld and planning permission granted by decision letter in September 2016. It should be noted that both houses are complete.
- CL/17/0377 – Approval of matters specified by condition (following Planning Permission in Principle CL/17/0128) for a detached dwelling was granted in October 2017. This has now been completed.

3.4.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance Policies 2 'Climate Change', 4 'Green Belt and Rural Area', 5 'Development Management and Placemaking', 7 'Community Infrastructure assessment', 13 'Green network and greenspace', 14 'Natural and historic environment' 16 'Water environment and flooding' GBRA1 'Rural design and Development', DM1 'New Development Design' and SDCC2 'Flood Risk' are relevant.

#### 4 Consultation(s)

4.1 **Roads and Transportation Services (Flood Risk Management Section)** – no objections subject to the provision of a Flood Risk Assessment and SUDS scheme.

**Response:** These matters can be covered by condition if consent is granted.

4.2 **Scottish Water** – There is currently sufficient capacity in the Daer Water Treatment Works. However, further investigations may be required to be carried out once a formal application to connect into the public water supply has been submitted. Scottish Water is unable to confirm capacity at the Crossford Waste Water Treatment Works and, therefore, a full appraisal will have to be undertaken. It should be noted that a combined sewer runs across the site which could result in restrictions.

**Response:** Noted. Conditions will be attached requiring confirmation from Scottish Water that connection to the public water and sewerage networks will be approved and that the developer will be responsible for the diversion of any infrastructure apparatus.

4.3 **United Clyde Angling Protective Association Ltd** – no objection as the proposal is no threat to salmon fishing in the River Nethan and the River Clyde.

**Response:** Noted.

4.4 **Community Services**– A financial contribution of £27,000 is requested for the improvement of community facilities in the area. This may be used for maintaining/upgrading the Clyde Walkway and the Nethan Walkway both of which are in close proximity to the site and will inevitably be used by new residents. Also

nearby is the Smugglers Brig Road play area which although in a satisfactory condition could benefit from additional items.

**Response:** Any decision to grant permission will be subject of a requirement to make the requested payment.

4.5 **Environmental Services** – no objections.

**Response:** Noted.

4.6 **The Coal Authority** – awaiting response.

**Response:**

4.7 **SEPA** – The Flood Risk Assessment (FRA) is based on a previously reviewed model however it remains un-calibrated with inherent model uncertainties. The FRA only considers the development of one additional plot at the site whereas the development is for 18 plots. Since the FRA was updated (December 2017) SEPA are aware of high river levels being recorded on the River Nethan in January 2018. These levels were recorded at the SEPA's river gauging station on the River Nethan at Kirkmuirhill upstream of the development site. In addition it is unclear whether the FRA takes into account changes arising from the re-engineering of the River Nethan channel. The modifications to the river channel could also influence the conclusions of the FRA. In the interim period some post event analysis suggests this was not an extreme event but rather a fairly commonplace 1 in 2 year return. The FRA submitted for the site does not take into account the outcomes of the January 2018 storm event. The loss of plain storage associated with previous development at the site is factors which have increased the potential flood risk upstream. There is concern that floodplain conveyance will be affected by the existing and proposed development particularly given the higher upstream water levels in the River Clyde relative to the existing site levels. The proposed dwellings will have an increased impact on the flow conveyance conditions post development. They also advise that the development site is located in a catchment area that is relatively sensitive to potential climate change influences and in this regard future higher climate changes are potentially forecast for this area leading to increased concerns with regards flood risk. For these reasons SEPA object as the site is at flood risk and could potentially further increase flood risk elsewhere.

**Response:** The Flood Risk Assessment, dated April 2018, is substantially the same as previous flood risk assessments produced for this development. As previous FRAs demonstrated, the development site lies outwith the functional floodplain (the 1:200yr storm event). As per Council Guidelines, 20% allowances for projected impacts of climate change have been included in the hydraulic modelling. To take account for any inaccuracies in the hydraulic model, a 1m freeboard above the predicted flood levels has been incorporated in the proposed finished floor levels for the development in accordance with Council guidelines. The development complies with the Council's flood risk requirements, e.g is outwith the functional floodplain and the finished floor levels are at least 1m above the high water level of the 1:200yr + climate change critical storm event.

SEPA have made reference to the high water level which occurred on 23 January 2018 and have assessed this as a fairly commonplace 1:2yr flood event. The Flood Unit disagree with this opinion and have asked SEPA to review their comments based on the following information;

1. Heavy rainfall, combined with a widespread rapid snowmelt, caused flooding to many locations across the Council area on that date.
2. As well as other flooding incidents, the River Clyde rose to inundate properties and infrastructure at Rosebank on that date.

3. From their observations of flooding incidents across the whole Council area on this date, they suggest that this was a much higher return period event.

The SEPA objection raises previous concerns over loss of floodplain storage and backwater effect on upstream River Clyde. These concerns relate to the land-raising activities which have occurred on this site in previous years. This land-raising was carried out under Permitted Development Rights, and previous developments have been referred to the Scottish Government Reporter for review, therefore, these concerns have been assessed and overturned in the past, so have no bearing on the assessment of the current development.

Previous decisions from the Reporter have confirmed that the land-raising at this location was carried out lawfully, so SEPA's comments relating to loss of floodplain storage and backwater effects cannot be considered at this time. The references to the January 2018 water levels, and impact of this event upon the accuracy of the hydraulic model, require to be reviewed by SEPA as it is considered the statements do not reflect the actual flood event which took place.

- 4.8 **Roads and Transportation Development Management Team** – raised no objection subject to conditions.  
**Response:** Noted.

## 5 Representation(s)

- 5.1 In response to the carrying out of neighbour notification and the advertisement of the application in the local press as Development Contrary to the Development Plan and for the non-notification of neighbours, one letter of objection and one letter of support was received. The issues raised are summarised below:

- a) Delighted by the plan and if it's as good as previous development carried out at the site it can only enhance the area. Quality houses are preferable to an overgrown field.

**Response:** Noted.

- b) Increase in traffic along Holm Road will compromise public safety.

**Response:** Roads and Transportation Services were consulted on the proposal and have not raised any road safety concerns.

- 5.2 These letters has been copied and are available for inspection in the usual manner and on the planning portal.

## 6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for 18 house plots situated on vacant agricultural land between Holm Road and the River Clyde. The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan (and associated Supplementary Guidance), the Strategic Development Plan (2018) and national planning policy with particular reference to its impact on flood risk, amenity and road safety.

- 6.2 In the Strategic Development Plan (SDP) Policy 8 Housing Land Requirement stipulate that Planning Authorities should allocate and identify housing sites as a means of meeting demand and ensuring an effective 5 year land supply. Shortfalls in housing supply can be addressed by granting planning permission subject to the character of the local area being respected and Green Belt objectives not being



undermined. Although the development is not required to meet a shortfall in housing supply an assessment has concluded that the objectives of the Greenbelt would not be compromised (see para 6.4 below). As the proposal exceeds 10 dwellings in a Greenfield location which has not been identified in the Local Plan for housing, in accordance with Schedule 14 Strategic Scales of Development it is deemed to be a development which could potentially impact on the SDP Vision and Spatial Development Strategy. Diagram 10 Assessment of Development Proposals sets out criteria that need to be considered along with any other material considerations to justify departures from the SDP.

These criteria are as follows:

- makes a significant contribution to sustainable development;
- provides significant net economic benefit;
- responds to economic issues, challenges and opportunities, including the protection of jobs or the creation of a significant number of net additional permanent jobs to the city region;
- meets a specific locational need;
- protects, enhances and promotes natural and cultural heritage, including green infrastructure, landscape and wider environment;
- improves health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation; and,
- supports the provision of digital connectivity in new developments and rural areas.

The proposal relates to a semi-derelict site with piles of earth and stone which detracts from the setting and character of Crossford. The ponds, an attractive feature, in the centre of the site, will be enhanced by additional landscaping which will be subject of a maintenance schedule. The footpath around the pond will allow local residents to enjoy this feature and observe wildlife attracted to it thereby contributing to informal recreation and biodiversity. It is unlikely the site can be re-used for useful and productive agricultural purposes again and there are no obvious suitable, alternative uses other than houses that can be successfully integrated with the urban backdrop to the south. By extending Crossford to the River Clyde a more robust and definable boundary will be created. In view of this I consider the development to be an acceptable departure from the Strategic Development Plan.

6.3 In the South Lanarkshire Local Development Plan, the application site is located within the Green Belt where Policy 3 - Green Belt and Rural Area applies. This advises that development which does not require to be located in the countryside will be expected to be accommodated within the settlements, other than in a number of circumstances. These include instances where there is a specific locational requirement or established need for a proposal; the proposal involves the redevelopment of derelict or redundant land or buildings where environmental improvement can be shown; the proposal involves the conversion of traditional buildings; or the proposals is for limited development within identifiable infill or gap sites and existing building groups. Supplementary Guidance on the Green Belt and Rural Area goes on to provide detailed guidance on these types of development in order to determine if a proposal is appropriate in the context of a Green Belt location. The proposal has been carefully assessed against the policy and guidance and, while there are elements that accord with some of the criteria (which are explored below), it does not fully comply with the local development or the SG. As a result, the proposed development in land use terms is contrary to the development plan.

6.4 In terms of national planning policy on development in the Green Belt Scottish Planning Policy states that the purpose of the Green Belt designation is to;

- Direct planned growth to the most appropriate locations and support regeneration
- Protect and enhance the quality, character, landscape setting and identity of towns and cities
- Protect and give access to open space within and around towns and cities.

- 6.5 The key considerations in determining the proposal is whether a departure from Local Plan policy can be justified. The application site is located at the settlement edge of Crossford. One of purposes of the Green Belt is to manage growth of settlements and prevent merging of nearby towns and villages. In this case the proposal has defensible boundaries marked by the Rivers Clyde and Nethan and therefore there is no potential for the inappropriate merging of settlements to occur. The character and landscape setting of Crossford is provided by the river corridors and wooded areas which would be unaffected by these proposals. In contrast the applicant's landholding comprises an open field whose character has been changed by the works carried out under permitted development rights. This land is in private ownership and there are no amenity/recreational facilities within it nor is it part of the Core Path Network. Overall it is considered that the objectives of Green Belt designation would not be compromised.
- 6.6 A further key issue in determining the application is the impact of the proposal on flood risk. Policy 17 - Water Environment and Flooding states that any development where flood risk cannot be appropriately managed to prevent a significant adverse increase in the risk of flooding either on the site or elsewhere will not be permitted. The avoidance principle of flood risk management must be met. The Council will not support any development in the functional floodplain except where a specific locational need is identified. Policy 2 - Climate Change states proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by avoiding areas of medium to high flood risk. Policy SDCC2 in the associated Sustainable Development and Climate Change Supplementary Guidance states that the storage capacity of the functional floodplain should be safeguarded. Avoidance of development within it is the most sustainable option for the long term management of flood risk.
- 6.7 SEPA have objected on grounds that the model used for the Flood Risk assessment needs to be re-calibrated taking account of recent data findings from a storm event in January 2018 which they consider to be only a 1 in 2 year event. High river levels in the Nethan could be attributable to bank engineering along the Nethan and land raising. As storm events could result in higher flood levels than originally anticipated the proposed dwellings on the site could now be threatened by flooding and cause the displacement of the flood risk. The Council Flood Unit dispute these findings as their observations of flooding incidents across the whole Council area suggest that the January storm event was a much higher return period event than 1 in 2 years. Landraising on the site was undertaken through permitted development rights for agricultural operations and, therefore, is not a relevant matter in the assessment of the proposal. The Council's Flood Management Team are satisfied that it has been demonstrated the land at Holm Road does not now form part of the functional flood plain and that the proposed development will not exacerbate flooding. Notwithstanding SEPA's response it is concluded that the proposals accord with planning policy on flood risk.
- 6.8 The proposed development has also been considered against Policy 4 Development Management & Place Making and associated Supplementary Guidance which requires development proposals to take account of and be integrated with the local context and built form. Proposals should not have a significant adverse impact on the

local area and address the six qualities of placemaking. These matters are more properly dealt with at the further application stage however; the development of the site for a housing development of the size and scale proposed would respect the local character of the area. A condition would be attached to the consent to ensure the submission of a Design Brief to justify the chosen house types and design and set parameters and guidelines for the future development of the site.

- 6.9 Policy 5 - Community Infrastructure Assessment states that where development proposals would require capital or other works or facilities to enable the development to proceed, financial contributions towards their implementation will be required. These contributions will be appropriately assessed and developers will be required to ensure transparency in the financial viability of a development. In compliance with this the applicant has agreed to make financial contributions towards community facilities of £1500 per dwelling amounting to £27,000. The scale of development does not exceed thresholds in the policy that would require the making of a contribution towards education provision and affordable housing.
- 6.10 Policy 14 - Green Network and Greenspace states partial loss will only be considered where landscape enhancement can be achieved, there is no significant adverse impact upon natural/built heritage resources and compensatory provision can be provided elsewhere. The proposed development will incorporate a large pond which benefits wildlife and has added to the amenity value of the greenspace. Therefore the proposal will not compromise the policy objectives.
- 6.11 Policy 15 – Natural and Historic Environment and the associated Natural and Historic Environment Supplementary Guidance seeks to conserve those features which contribute to local distinctiveness. In this respect, the proposal will not impact upon the established field pattern, trees, hedgerows or distinctive boundary features. The setting of Crossford relative to the corridor of the Rivers Clyde and Nethan will remain largely unchanged. The policy also aims to ensure that the conservation status of protected species is not undermined. The Rivers Clyde and Nethan are a potential habitat for otters which are a European Protected Species. An otter survey has been carried out which found no field signs of this species and as a condition if planning permission is granted an updated survey shall be carried out prior to the commencement of development.
- 6.12 Following an assessment of the application it is concluded that the proposals do not accord with the adopted Local Development Plan. Section 25 of the Town and Country Planning (Scotland) Act 1997 does however allow for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. In this case, the applicant has demonstrated that a housing development can be integrated without impact upon residential amenity, the character of the area and the environment and will facilitate the provision of a more robust settlement edge. It is considered that an exception to local plan policy has been demonstrated for the following reasons:
- (i) The objectives of Scottish Planning Policy in terms of the purposes of the Green Belt would not be compromised
  - (ii) The proposal will enable the rounding off of the settlement edge and the creation of a robust and defensible boundary.
  - (iii) The scale of the development will not have an adverse impact on the character of the area
  - (iv) The established ponds have enhanced the landscape character and amenity of the area.

- (v) The proposed dwellings will be located around the established ponds which will form a central focal point and feature enabling visual integration.
- (vi) There would be no adverse impact on residential or visual amenity; infrastructure; or biodiversity.

It is therefore recommended that planning permission be granted. Although the reasons for SEPA's objection have not been supported in previous appeals and are not supported by the Councils Flood Risk Management team in respect of this application, SEPA has not withdrawn the objection. Accordingly, if Committee agree to this recommendation and propose to grant Consent, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 will apply and the Council must notify the application to the Scottish Ministers to allow them to consider whether to call in the application for their own determination.

## 7 Reasons for Decision

7.1 For the reasons set out in 6.12 above.

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

15 June 2018

### Previous references

- ◆ Planning Permission CL/17/0436

### List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Neighbour notification letter dated 8 May 2018
  
- ▶ Consultations
 

Community Services	29.05.2018
The Coal Authority Planning And Local Authority Liaison Dept	
United Clyde Angling Protection Association Ltd	22.05.2018
Environmental Services	29.05.2018
WOSAS	30.05.2018
Scottish Water	14.05.2018
SEPA West Region Flooding	31.05.2018
Roads Development Management Team	
Roads Flood Risk Management	21.05.2018

### Representations

Stuart Fleming, 25 Holmwood Park, Crossford, Carluke, 25.05.2018  
 South Lanarkshire, ML8 5SZ

Mr Thomas Pollok, 33 Holm Road, Crossford, Carluke, ML8 5RG 10.05.2018  
10.05.2018

**Contact for further information**

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Ext: 5174 Tel (01698 455174)

Email: [ian.hamilton@southlanarkshire.gov.uk](mailto:ian.hamilton@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/18/0478

### **Conditions and reasons**

01. That further applications shall be submitted to the Council as Planning Authority for the erection of individual dwellinghouses on the plots hereby approved, together with the requisite detailed plans and such plans shall include:-
- (a) Plans, sections and elevations of the proposed building together with the colour and type of materials to be used externally on walls and roof;
  - (b) Sections through the site, existing and proposed ground levels and finished floor levels;
  - (c) Detailed layout of the site as a whole including, where necessary, provision for car parking, details of access and details of all fences, walls, hedges or other boundary treatments; and,
  - (d) Existing trees to be retained and planting to be carried out within the site; and no work on the site shall be commenced until the permission of the Council as Planning Authority has been granted for the proposals, or such other proposals as may be acceptable.

Reason: To ensure that these matters are given full consideration.

02. That the further application(s) required under the terms of Condition 1, shall make reference to and incorporate the criteria specified within the approved South Lanarkshire Council 'Residential Design Guide'.

Reason: In the interests of amenity and to ensure that the Council's key residential design standards are met.

03. That before any of the further applications required under the terms of Condition 1 above are submitted a Design Statement and Design Brief 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 shall be submitted for the consideration and approval of the Council as Planning Authority. All of the applications submitted under condition 1 shall accord with the approved documents.

Reason: To provide an explanation of the design concept and to enable a greater understanding of the proposal.

04. That the further application required under the terms of Condition 1, 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.

Reason: To provide an explanation of the design concept and to enable a greater understanding of the proposal.

05. That before any work commences on the site, a scheme of landscaping for the area shaded green on the approved plans 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. including, where appropriate, the planting of fruit/apple trees;
- 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.

Reason: To ensure the appropriate provision of landscaping within the site.

06. That proposals for the maintenance of all areas of open space including the established ponds within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable. Thereafter the open space and ponds shall be maintained in accordance with the approved maintenance scheme.

Reason: In the interests of the visual amenity of the area.

07. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

08. That no dwellinghouse shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water and sewerage scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.

Reason: To ensure that the development is served by an appropriate effluent disposal system and water supply.

09. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include the following signed appendices : 1 'Sustainable drainage design compliance certificate' , 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure 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.

10. That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.

Reason: In order to retain effective planning control.

11. That before any works commences on site and within 6 months of the date of the approval a protected species survey and assessment report shall be submitted to and approved by the Council in consultation with SNH. All mitigation measures in the approved report shall be fully complied with.

Reason: In order to ensure the protection of the specified species.

12. The development shall adhere to recommendations outlined in para 4.2 of the Flood Risk Assessment (Terrenus, 16 April 2016) and letter from Terrenus, dated 05 June 2018, in particular that the final floor levels for Plots 11-18 shall be 48.8m OD and for Plots 1-10 48.4m OD and that the access road serving the approved plots shall be formed at a level of 48.0m OD.

Reason: To achieve a flood risk freeboard of 1.0 metres above the peak 1:200 years plus climate change water level.

13. That before the development hereby approved is completed or brought into use, a visibility splays of 2.4 metres by 43 metres measured from the road channel shall be provided at the junctions with Holm Road and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

14. That none of the driveways shall have a gradient in excess of 1:10.

Reason: In the interests of traffic and public safety.

15. Prior to the commencement of development on site a traffic management plan, detailing the compound, staff contractor car parking, wheel washing facilities, driveway area and access location, shall be submitted to and approved by the the Council as Planning and Roads Authority.

Reason: In the interests of public safety.

16. The prior to the commencement of development a dilapidation survey shall be undertaken and submitted to the Council as Planning and Roads Authority and any defect identified during the construction period which had not been identified at the time of the dilapidation survey shall be the responsibility of the developer to repair.

Reason: In the interests of traffic safety.

17. That before the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.

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

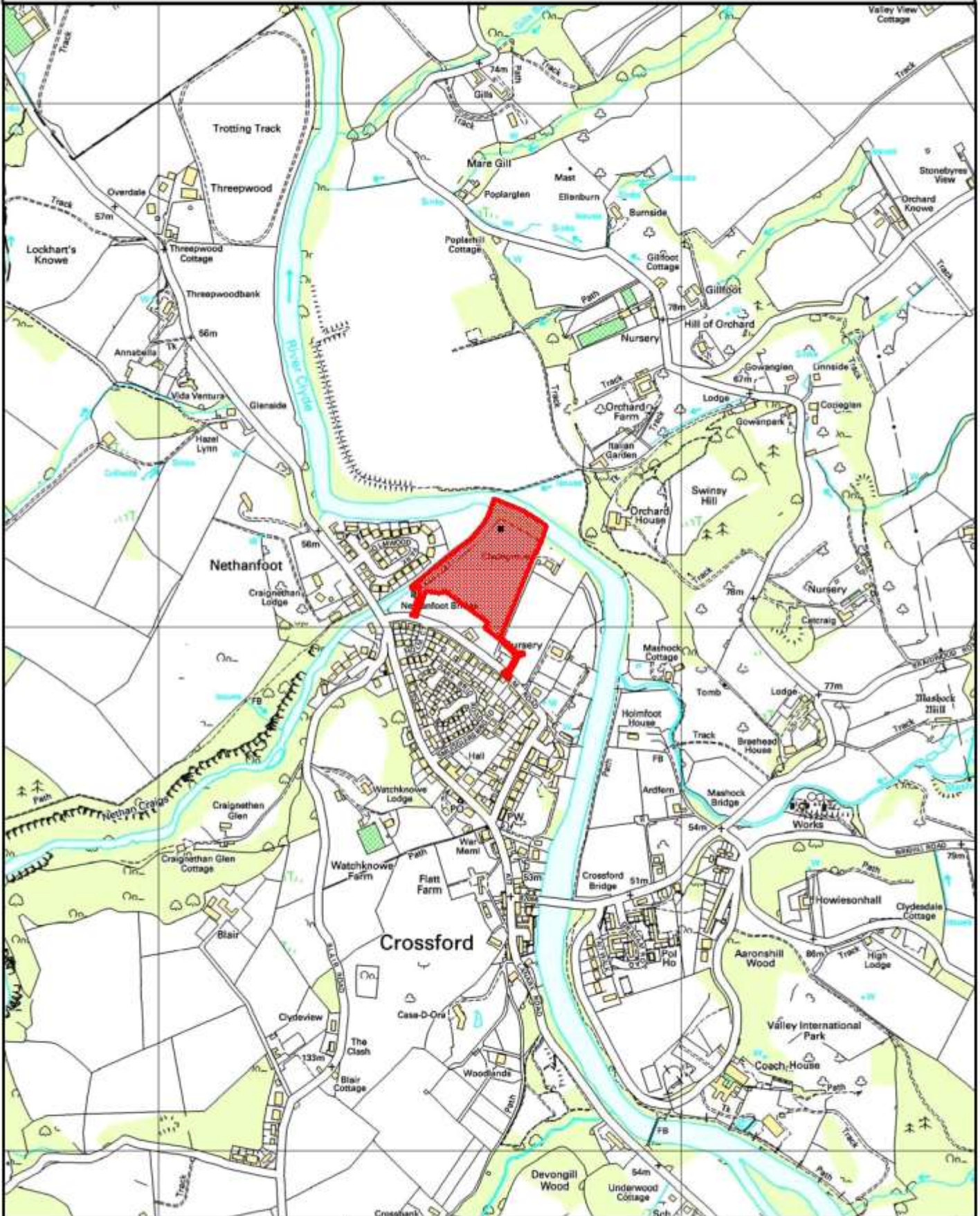


18. That prior to the commencement of development on site a Coal Risk Assessment shall be submitted to and approved by the Council as Planning Authority in consultation with the Coal Authority.

Reason: To ensure mineral stability and that the ground is suitable for residential development.

P/18/0478

Land Adjacent To Holm Road, Crossford, Carluke



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Date:  
04/06/2018



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development