

# Report

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Report to:	<b>Cambuslang/Rutherglen Area Committee</b>
Date of Meeting:	<b>5 October 2010</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CR/10/0142
Planning Proposal:	Amendment to CR/09/0167 to alter site 2 by changing house types, alteration to site layout and reduce number of units by 1.

## 1 Summary Application Information

- Application Type : Detailed Planning Application (Amend)
- Applicant : West of Scotland Housing Association
- Location : Fernhill Regeneration, Phase 2.  
Site 2 - Site bounded by Galloway Drive/ Merrick Way, Rutherglen.

## 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

The Area Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: John Gilbert Architects Ltd
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted) 2009**  
Policy RES6 – Residential Land Use  
Policy ENV30 – New Housing Development  
Policy DM1 – Development Management

### ◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

### ◆ Consultation(s):

## Roads and Transportation Services (Cambuslang/Rutherglen Area)

## Planning Application Report

### 1 Application Site

- 1.1 The original planning application, Planning Application No. CR/09/0167 relates to phase 2 of the Fernhill Regeneration Plan and proposes new residential development on three sites in Fernhill. This application is for a proposed amendment to Site 2 of this phase of the development which is an area bounded by Fernhill Road, Galloway Drive, Castlefern Road and Merrick Way and is currently occupied by four storey maisonettes which are to be demolished.

### 2 Proposal(s)

- 2.1 The applicants are seeking detailed planning consent to amend their previous consent for this site to allow them to make a minor remix of the previously approved house types. In particular it is proposed that Block 20 within site 2, which lies adjacent to Castlefern Road, will replace a terrace of three, three apartment (3 person) dwellings with a semi-detached block of two, five apartment (six person) dwellings. This will bring the overall number of units in site 2 down to nineteen. The applicants also intend to make minor alterations to the house types within site 2 but with no further change to the total number of dwellings.

### 3 Background

#### 3.1. Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Plan 2009 provides the development plan context for this application. The application site lies within an area covered by Policy RES6 – Residential Land Use. In terms of the proposed use Policies ENV30 – New Housing Development and DM1 – Development Management Policy are relevant.

#### 3.2 Planning History

- 3.2.1 This application is an amendment to the detailed planning consent CR/09/0167 which was for 97 new dwellinghouses over three sites at Fernhill and was granted by the Planning Committee at their meeting on 1 December 2009.

### 4 Consultation(s)

- 4.1 **Roads & Transportation Services** – has no objections to the proposed development.  
**Response:** Noted.

### 5 Representation(s)

- 5.1 Following statutory neighbour notification, no letters of objection have been received.

### 6 Assessment and Conclusions

- 6.1 The applicants have applied for a minor change to the approved plans for site 2 of the approved Fernhill phase 2 development. The net effect of the amendment is to reduce the total number of units in phase 2 by one to 96 in total, with 19 units in site 2. The applicants have also taken the opportunity to alter the previously agreed house types and layout within site 2. However it is noted that these changes utilise house types already agreed by the previous consent. The proposed changes are a result of matching the house types on offer to the needs of the Housing Association's waiting list.
- 6.2 In terms of the policies of the adopted local plan the acceptability of the proposed development was fully assessed through the original planning consent (CR/09/0167) which concluded that the proposed development complied with the local plan policies

covering the site. This amendment is minor in nature and it is not considered that it affects the principle of the acceptability of the proposal in terms of the site's local plan designation.

- 6.3 Statutory neighbour notification was undertaken and no representations were received.
- 6.4 The applicants are proposing to make a minor amendment to their previous consent for residential development at Fernhill. The proposed change will reduce the total number of houses by one and will not significantly alter the overall plans and layout for the development. The proposal would still accord with the requirements of Policies DM1 and ENV 30 and the layout and form of the proposed amendment is acceptable and therefore accords with local plan policy.
- 6.5 Given the scale and nature of the proposed development and as it accords with the local plan, this planning application would in normal circumstances have been a delegated decision. However, as the application site is in Council ownership the approved Scheme of Delegation requires that the application be considered at Committee.
- 6.6 Having regard to the above, I am satisfied that the proposal is an acceptable development which accords with the relevant policies of the adopted local plan and will allow the Housing Association to pursue the ongoing regeneration of the wider Fernhill area. It is therefore recommended that planning permission be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on residential or visual amenity and complies with Policies RES6, ENV30 and DM1 of the adopted South Lanarkshire Local Plan 2009. The proposal also meets the aims of the South Lanarkshire Council Residential Development Guide.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**10 September 2010**

## **Previous References**

- ◆ CR/09/0167 - Erection of 97 dwellings over three sites with associated roads and landscaping works; granted detailed planning consent 1 December 2010.

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan (adopted) 2009
  
- ▶ Consultations  
Roads and Transportation Services

14/09/2010

- ▶ Representations  
None

**Contact for Further Information**

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

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## CONDITIONS

- 1 This decision relates to drawing numbers: PP03 RevP; PP112.1 RevE; PP112.2 RevD; PE112 RevB; PP113.1 RevD; PP113.2 RevC; PE113 RevB; PP117.1 RevC; PP117.2 RevA; PE117 RevB; PP114.1 RevF; PP114.2 RevE; PP114.3 RevD; PE114 RevB.
- 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 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.
- 5 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.
- 6 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.
- 7 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained, shall be erected and thereafter maintained to the satisfaction of the Council.
- 8 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a water supply and sewerage scheme designed in accordance with Scottish Water's standards.
- 9 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 requirements.

- 10 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
  - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
  - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
- (c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.
- 11 (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.
- (b) On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.
- (c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

## REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 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 In the interests of the visual amenity of the area.

- 5 In the interests of amenity.
- 6 These details have not been submitted or approved.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 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.
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- 10 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
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