

# Report

# 11

Report to: **Planning Committee**  
 Date of Meeting: **29 May 2018**  
 Report by: **Executive Director (Community and Enterprise Resources)**

Application no. P/18/0220  
 Planning proposal: Application for Approval of Matters Specified in Conditions Numbered 8 and 9 (Bus Service Strategy) and 13 (Scottish Water Approval) of Planning Permission in Principle Consent HM/10/0052

## 1 Summary application information

Application type: Detailed planning application  
 Applicant: Stewart Milne Homes  
 Location: Land At Brackenhill Farm  
 Meikle Earnock Road  
 Hamilton

## 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.

## 3 Other information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 18 Hamilton West And Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
 Policy 1 - Spatial Strategy  
 Policy 4 - Development Management and Place Making  
 Policy 12 - Housing Land  
 Policy 17 - Water Environment and Flooding

**South Lanarkshire Local Development Plan:  
 Supplementary Guidance**

- Sustainable Development and Climate Change**  
 Policy SDCC3 - Sustainable Drainage Systems  
 Policy SDCC4 - Water Supply  
 Policy SDCC5 - Foul Drainage and Sewerage  
 Policy SDCC10 – Sustainable Transport

- ◆ Representation(s):

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

◆ **Consultation(s):**

Roads & Transportation Services (Development Management Team)

Roads & Transportation Services (Flood Risk Management)

Scottish Water

SEPA

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to an area of land which is currently being redeveloped for residential purposes in connection with the delivery of the Hamilton Community Growth Area. The land was formerly associated with Brackenhill Farm, located to the north of Meikle Earnock Road to the west of Hamilton.
- 1.2 The land surrounding the application site is largely agricultural in character, however, it is noted that these areas form part of the application site for the proposed Hamilton Community Growth Area (Application HM/10/0052 – Planning Permission in Principle) and will also be the subject of future residential development.

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

- 2.1 This Matters Specified in Conditions (MSC) application has been submitted to address the terms of specific conditions attached to planning permission in principle application (HM/10/0052) relative to the development of the Hamilton Community Growth Area (HCGA). These conditions relate to the provision of a bus strategy associated with the development (Condition 8 and 9) and confirmation of Scottish Waters permission to connect to their system (Condition 13) and relate solely to the site identified above. Further applications will require to be submitted in respect of the remainder of the HCGA area and the conditions attached to the Permission in Principle approval.
- 2.2 The overall development proposals relate to the delivery of a residential development comprising approximately 118 units (a mix of detached, semi-detached and terraced properties) and associated roads, infrastructure and landscaping, approved in May 2017 (Application HM/16/0022).
- 2.3 In support of the application at Meikle Earnock Road – Bus Service Strategy Report and copies of correspondence from Scottish Water have been submitted.

### **3 Background**

#### **3.1 Local Plan Policy**

- 3.1.1 In determining planning applications, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and associated Supplementary Guidance (SG) produced in support of the SLLDP. The principle of development of the Hamilton Community Growth Area was established through the approval of HM/10/0052. This approval was consistent with the aims of Policy 1 – Spatial Strategy Policy 4 - Development Management and Place Making and Policy 12 - Housing Land.
- 3.1.2 The nature of the ‘Matters Specified in the Conditions’ which are the subject of this application require assessment against Policy 17 - Water Environment and Flooding of the SLLDP and Policies SDCC3 - Sustainable Drainage Systems, SDCC4 - Water Supply, SDCC5 - Foul Drainage and Sewerage and SDCC10 – Sustainable Transport of its supporting Sustainable Development and Climate Change Supplementary Guidance. The aim of these policies and guidance is to ensure that the development is appropriately serviced.

## 3.2 **Relevant Government Advice/Policy**

3.2.1 Scottish Planning Policy (2014) (SPP) highlights that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision-making and advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements.

## 3.3 **Planning Background**

3.3.1 An application for the Development of Community Growth Area, Comprising Housing, Neighbourhood Centre, Community Facilities, Access Roads, Open Space and Landscaping (Planning in Principle application HM/10/0052) was granted in 2017 following the conclusion of a legal agreement, to ensure that appropriate financial contributions are made at appropriate times during the development towards education provision, roads infrastructure improvements, community facilities, open space/landscaping and recreational provision, affordable housing.

3.3.2 A previous MSC application relative to a number of conditions attached to PIP, as they relate to the above site, was approved in May 2017 (Application HM/16/0022). In addition further MSC application have been approved for other sites with the HCGA (Applications HM/16/0486, HM/17/0063 HM/17/0047 and HM/18/0014).

## 4 **Consultation(s)**

4.1 **Roads and Transportation Services (Development Management)** – have advised that they have no objections to the proposal.

**Response:** Noted.

4.2 **Roads and Transportation Services (Flood Risk Management)** – have offered no objections to the proposal.

**Response:** Noted.

4.3 **Scottish Water** – have offered no objections to the proposal.

**Response:** Noted.

4.4 **SEPA** – have offered no objections to the proposal.

**Response:** Noted.

## 5 **Representation(s)**

5.1 Neighbour notification was undertaken in respect of the application and the proposal advertised in the local press due to the non-neighbour notification of neighbours. No letters of representations were received in response to this process.

## 6 **Assessment and Conclusions**

6.1 The applicants seek, through this “Matters Specified in the Conditions” (MSC) submission, the discharge of specific conditions attached to the “Planning in Principle” approval for the development of the Hamilton CGA. It relates solely to the land at Brackenhill Farm, Meikle Earnock Road, Hamilton and further applications will require to be submitted in respect of the remainder of the HCGA area and the conditions attached to the Permission in Principle approval.

6.2 It is noted that the applicants have already secured the discharge of some of the

other matters specified in condition through application HM/16/0022. The current MSC application has been submitted to address the terms of a number of remaining conditions which were not covered by the previous application. Furthermore, other sites within the Hamilton CGA have also been the subject of MSC applications, as they relate to those sites (HM/16/0486, HM/17/0047, HM/17/0063 and HM/18/0014).

- 6.3 The matters which are the subject of this application relate to:
- Conditions 8 and 9 – relative to the provision of a Bus Service Strategy.
  - Condition 13 – relative to Scottish Water’s approval for connection to their services.
- 6.4 Section 25 of the Town and Country Planning (Scotland) Act 1997, requires planning applications to be determined in accordance with the development plan unless other material considerations indicate otherwise. The proposal accords with primary local plan policies as it relates to matters associated with the delivery of an approved residential development within land designated as the Hamilton Community Growth Area in the adopted SLLDP (Policies 1 - Spatial Strategy, 4 - Development Management and Place Making and 12 - Housing Land apply).
- 6.5 In terms of the specific conditions which are the subject of this application, the policies considered relevant to its assessment are noted at 3.1.2 above. It is considered that sufficient details have been provided in support of the current application to allow for the assessment and determination of this application and these requirements and the matters set out within the relevant conditions.
- 6.6 The applicant has provided copies of written correspondence from Scottish Water to their consultants confirming that the proposed new water main and sewerage infrastructure complies with their guidelines. In addition, the submitted Bus Strategy report highlights that “there is currently good bus provision found to the north of the development with links to the wider area and beyond” and “that the existing bus facilities are considered to be within a reasonable walking distance for residents”. The report notes that both SPT and First Group have noted that there would be no opportunity to serve the initial phase of development at present. However, it is hoped that, as latter phases are developed, the new roads infrastructure and additional households will provide a more feasible environment to support buses serving the Hamilton CGA. To encourage sustainable travel, the report recommends that information provision, such as wayfinding signage be installed and the implementation of bus stops along Meikle Earnock Road to assist in the future implementation of a bus service to serve the community. Such requirements can be conditioned.
- 6.7 Neighbour notification was undertaken in respect of the application and the proposal advertised in the local press due to the non-neighbour notification of neighbours. No letters of representations were received in response to this process. Furthermore, no objections to the details submitted have been received from the statutory consultees and these can, therefore, be considered acceptable.
- 6.8 The discharge of the matters specified in the conditions attached to the approval of planning permission in principle for the Hamilton CGA (Application HM/10/0052) will assist in the delivery of a quality housing development in Hamilton and assist the Council in meeting its housing needs.
- 6.9 In summary, the submitted information satisfies the requirements of the Matters

Specified in the Conditions 8, 9 and 13 attached to consent HM/10/0052 and enables the determination of this submission. Additionally, there are no other planning aspects that are material to the assessment and determination of this application.

- 6.10 On the basis of the above assessment, I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The submitted information satisfies the requirements of the Matters Specified in the Conditions 8, 9 and 13 attached to application HM/10/0052 and raise no issues with regards to the requirements of applicable policies within the adopted South Lanarkshire Local Development Plan (Policies 1, 4, 12 and 17) and its supporting Supplementary Guidance (Policies SDCC3, SDCC4, SDCC5 and SDCC10). There are no other planning aspects that are material to the assessment and determination of this application.

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

17 May 2018

### **Previous references**

- ◆ HM/10/0052
- ◆ HM/16/0022
- ◆ HM/17/0047

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Neighbour notification letter dated 17 April 2018

### ▶ Consultations

Roads & Transportation Services (Development Management Team)

Roads & Transportation Services (Flood Risk Management Section) 19/04/2018

Scottish Water 13/04/2018

SEPA 17/04/2018

- ▶ Representations  
None

### **Contact for further information**

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

James Watters, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Ext: 4970 Phone (01698 454970)

Email: [james.watters@southlanarkshire.gov.uk](mailto:james.watters@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/18/0220

### **Conditions and reasons**

1. That the recommendations within Section 4 of the Meikle Earnock Road, Bus Strategy Technical Note (Jacobs dated 15 August 2017) shall be fully implemented prior to the occupation of any dwellinghouse within the site identified by Drawing No.: ARC-BFH-001 Rev.: D.

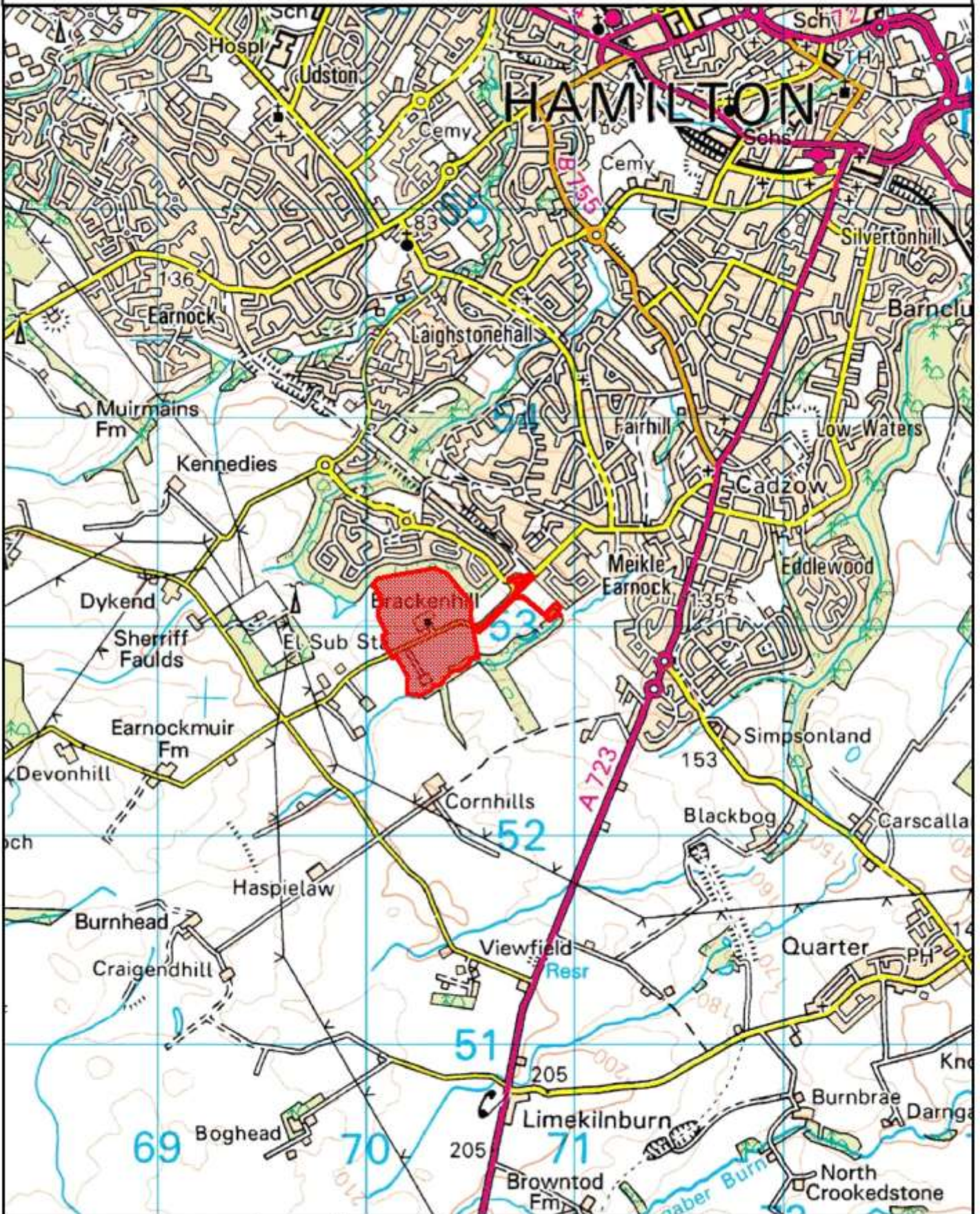
Reason: To ensure the provision of an appropriate bus infrastructure.

2. That prior to occupation of the first dwelling, a plan detailing the temporary arrangements to allow buses to turn within the development site shall be submitted to and approved in writing by South Lanarkshire Council as Planning and Roads authority in conjunction with SPT. Thereafter these arrangements will be implemented and maintained relative to each individual phase. Any further amendments to this approved arrangement shall be submitted to and approved in writing by the Council prior to its implementation.

Reason: To ensure the provision of an appropriate bus infrastructure.

P/18/0220

Land at Brackenhill Farm, Hamilton



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Scale:  
1:25,000  
Date:  
08/05/2018



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development