

Report

Report to:	Planning Committee
Date of Meeting:	30 April 2024
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/24/0076
Proposal:	Erection of 126 dwellinghouses, associated infrastructure and landscaping (approval of matters specified in conditions 1(a-r), 3, 4, 6, 8, 9, 10 and 12 of planning permission in principle EK/09/0218)
Site Address:	East Kilbride Community Growth Area (CGA) - Cala Phase 3 Newhouse Road East Kilbride
Applicant:	Cala Management Limited
Agent:	N/A
Ward:	9 - East Kilbride West
Application Type:	Approval of Matters Specified in Condition
Advert Type:	Schedule 2: East Kilbride News 21 February 2024
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. The application is required to be determined by the Planning Committee as it relates to a housing proposal comprising 50 or more units.

2. Site Description

- 2.1. The site, which has an area of approximately 8 hectares, is located on the eastern edge of the East Kilbride Community Growth Area (CGA). To the west is Phase 2 of the Cala Homes development within the CGA, which is currently under construction. To the south is a section of the CGA currently being developed by Bellway Homes. To the north is an area of greenfield land and to the east is Annan Avenue and Kirtle Place, which are established residential streets within the Gardenhall area of East Kilbride.
- 2.2. The site slopes significantly from south to north, predominantly comprises greenfield land but also contains an approximately 20-metre-wide strip of mature trees along the eastern boundary, adjacent to the existing residential properties on Annan Avenue and Kirtle Place.

3. Description of Proposed Development

- 3.1. Approval is sought for matters specified in conditions of planning permission in principle EK/09/0218 for the East Kilbride Community Growth Area, insofar as they relate to the Cala Homes Phase 3 section of the overall site. Cala Homes propose to construct 126 dwellinghouses, comprising 89 detached dwellings, 12 semi-detached dwellings and 25 terraced dwellings, with associated roads, infrastructure and landscaping. Given the slope of the site, an element of regrading is proposed to ensure that the site can be appropriately developed for residential purposes.

4. Relevant Planning History

- 4.1. EK/09/0218 - Mixed use development comprising residential, retail and education uses, and associated engineering works for site infrastructure, new access and distributor road, formation of open space framework with landscaping works (Planning Permission in Principle) (granted October 2019)
- 4.2. P/23/1195 - Erection of 107 dwellinghouses, associated infrastructure and landscaping (approval of matters specified in conditions 1(a-r), 3, 4, 6, 8, 9, 10 and 12 of planning permission in principle EK/09/0218 (withdrawn January 2024)

5. Supporting Information

Tree Survey Report
Site Investigation Report
Flood Risk Assessment
Ecological Assessment
Drainage Statement
Design and Access Statement

6. Consultations

- 6.1. Environmental Services – offered no objection subject to a condition relating to dust management.
Response: Noted. The requested condition would be attached to any consent issued.
- 6.2. Roads, Transportation and Fleet Services (Development Management) – offered no objection subject to conditions relating to access, parking and road safety considerations.
Response: Noted. The requested conditions would be attached to any consent issued.

- 6.3. Estates Services – offered no objection to the proposed development.
Response: Noted.
- 6.4. Scottish Water – offered no objection to the proposed development.
Response: Noted.
- 6.5. West of Scotland Archaeology Service – the archaeological matters imposed on the original Planning Permission in Principle consent for the site should be adhered to as part of the proposed development.
Response: Noted.
- 6.6. Jackton and Thorntonhall Community Council – offered no objection but sought that the existing mature trees to the east of the site be adequately protected as part of the proposed development.
Response. Noted. The trees in question are not proposed to be altered as part of the proposed development.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 4 objections have been received. The issues raised are summarised as follows:-

- ◆ Overlooking/loss of privacy
- ◆ Noise
- ◆ Disturbance during construction
- ◆ Anti-social behaviour
- ◆ Loss of green space
- ◆ Archaeological impact
- ◆ Impact on wildlife
- ◆ Tree protection
- ◆ Lack of amenities
- ◆ Insufficient connectivity
- ◆ Non-compliance with Council's sustainable development policies

Other non-material issues were also raised; however, these are not planning related and do not form part of the assessment of the proposal. These letters are available for inspection on the planning portal.

8. Development Plan

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the climate and nature crises
- ◆ Policy 2 - Climate mitigation and adaptation
- ◆ Policy 3 - Biodiversity
- ◆ Policy 14 - Design, quality and place
- ◆ Policy 15 - Local living and 20 minute neighbourhoods

- ◆ Policy 16 - Quality homes
- ◆ Policy 22 - Flood risk and water management

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 1 - Spatial Strategy
- ◆ Policy 2 - Climate Change
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 7 - Community Infrastructure Assessment
- ◆ Policy 11 - Housing
- ◆ Policy 12 - Affordable Housing
- ◆ Policy 15 - Travel and Transport
- ◆ Policy 16 - Water Environment and Flooding

SLLDP2 Volume 2 Policies

- ◆ Policy DM1 - New Development Design
- ◆ Policy SDCC2 - Flood Risk
- ◆ Policy SDCC3 - Sustainable Drainage Systems

9. Guidance

9.1. The South Lanarkshire Council Residential Design Guide (2011).

10. Assessment and Discussion

10.1. Introduction

Approval is sought for matters specified in conditions of planning permission in principle consent EK/09/0218 for the East Kilbride Community Growth Area, insofar as they relate to the Cala Homes Phase 3 section of the site. As the principle of residential development of the site has been previously established through the wider Planning Permission in Principle consent the main issues to be addressed in the determination of this application relate to the layout, siting and design, and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations.

10.2. Principle of Development

Planning application EK/09/0218 established the principle of residential development across the wider Community Growth Area development, including the land subject to this application. This is reflected in Policy 1 – Spatial Strategy of the South Lanarkshire Local Development Plan 2, which directs larger developments to sustainable urban locations including East Kilbride and which identifies the East Kilbride Community Growth Area as a priority area for new residential development within South Lanarkshire. As such, the principle of the residential development of the site has already been established through the existing consent and this is reflected within the provisions of the adopted development plan.

10.3. Climate Change

Policies 1 and 2 of NPF4 and Policy 2 of the South Lanarkshire Local Development Plan 2 seek to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis, and which minimises emissions and adapts to the current and future impacts of climate change. The wider CGA development includes local retail and education provision, on site play provision, open space, pedestrian links and public transport connections to ensure that the overall development is of a high quality, is sustainable and integrates appropriately with existing surrounding development. Given that the principle of development has already been established at this location, this application is not considered to raise any issues which conflict with the aims of Policies 1 and 2 of NPF4 and Policy 2 of the South Lanarkshire Local Development Plan 2.

10.4. Layout, Siting and Design

Policies 14 and 15 of NPF4 relate to liveable places. Policy 14 sets out that all development should be designed to improve the quality of an area and be consistent with the six qualities of a successful place: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy 15 seeks to encourage, promote and facilitate the application of the Place Principle. Policy 16 of NPF4 relates to Quality Homes. The policy supports proposals for new homes on allocated sites for housing in the local development plan. Similarly, Policy 11 – Housing of the adopted South Lanarkshire Local Development Plan supports housing proposals on designated sites, while Policies 5 – Development Management and Placemaking and DM1 – New Development Design seek the provision of high quality proposals that do not significantly adversely impact on surrounding amenity.

10.5. In this instance a residential development of 126 dwellinghouses is proposed to be constructed, comprising a suitable mix of detached, semi-detached and terraced dwellings to meet with current market demands. Detailed level and section drawings have been provided to demonstrate how the development would account for existing levels within the site, with an element of regrading works requiring to be undertaken to ensure an end development that is accessible and provides usable garden areas and other spaces to residents. The proposed layout of the development is considered to fully comply with the relevant provisions of the Council's Residential Design Guide (2011).

10.6. Regarding concerns raised by objectors in respect of layout, siting and design issues, it is noted that the development would be separated from existing established residential properties in the Gardenhall area of East Kilbride by an area of mature trees, which would not be impacted by the proposed development. As such, there would be no significant issues in this case in terms of overlooking or loss of privacy, or in terms of other amenity considerations such as noise, disturbance, anti-social behaviour, dust or pollution.

10.7. Furthermore, while the proposal relates to a greenfield site, the land forms part of the wider Community Growth Area which has been designated as a residential development site both in the adopted Local Development Plan and through the existing Planning Permission in Principle consent for the wider site. Whilst this individual site is proposed to be developed for housing only, as part of the wider Community Growth Area, the development will benefit from access to the new retail, education, open space and play facilities that form part of the wider development of the site. As such, the development is considered to be appropriate in this case and fully complies with the relevant provisions of Policies 14, 15, and 16 of NPF4 as well as Policies 5, 11 and DM1 of the adopted South Lanarkshire Local Development Plan.

10.8. Natural and Historic Environment

Policy 3 of National Planning Framework 4 relates to Biodiversity and seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. The area proposed to be developed is currently greenfield land, however, the site has previously been designated for housing through the adopted Local Development Plan and through the existing Planning Permission in Principle that is in place for the wider site. An ecological assessment has been submitted in support of the proposed development which has confirmed that, subject to adherence to the recommendations of the report, there should be no adverse impact on ecology or species as a result of the proposed development. A condition would be attached to any consent issued requiring the recommendations of the report to be adhered to in full as part of the development.

10.9. The area of mature trees along the eastern boundary of the development would not be affected by the development proposals. On this basis, the proposals are considered to fully comply with the provisions of Policy 3 of National Planning Framework 4. In terms of historic environment considerations, the site was fully assessed as part of the planning permission in principle application previously approved. A condition was attached to that consent relating to archaeological matters and this would also require to be adhered to by the applicants as part of their proposed development of the site.

10.10. Transport

Policy 15 of the South Lanarkshire Local Development Plan 2 seeks to ensure that all proposed developments fully account for traffic and travel considerations. In this case, it is noted that the Council's Roads, Transportation and Fleet Services have confirmed their satisfaction with the proposals subject to conditions relating to parking, access and road safety, which would be attached to any consent issued. It is further noted that the development would be well connected to other parts of the Community Growth Area, including retail, education, open space and play facilities, as well as onwards to the wider area through the provision of appropriate footpath connections throughout the development. The proposals are considered to be fully compliant with the relevant provisions of Policy 15 of the adopted plan.

10.11. Technical Matters

Policy 22 of National Planning Framework 4 as well as Policies 16, SDCC2 and SDCC3 relate to matters associated with flood risk management and seek to ensure that proposed developments do not pose any significant risk in terms of flood risk considerations. An addendum to the wider Flood Risk Assessment has been provided in respect of Phase 3 of the development, to which this application relates. It is not considered that there are any specific matters of concern in relation to flood risk in this instance and that detailed design matters in this regard can be dealt with through planning conditions that would be attached to any consent issued. The proposals are therefore considered to fully comply with the relevant provisions of Policy 22 of National Planning Framework 4 and Policies 16, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2.

10.12. Policy 7 – Community Infrastructure Assessment of the adopted South Lanarkshire Local Development Plan 2 seeks to ensure that appropriate financial contributions are provided in respect of capital works or other works or facilities required to enable the development to proceed. Policy 12 – Affordable Housing seeks to ensure the provision of affordable housing as part of all new residential developments of 20 units or more. For the East Kilbride CGA, a holistic approach is being taken with these matters being dealt with through the provision of specific affordable housing sites within the wider development and the payment of developer contributions as part of

the legal agreement that was concluded at the Planning Permission in Principle stage. The proposals do not raise any issues of concern in respect of Policies 7 and 12 of the adopted plan.

10.13. Conclusion

In summary, it is noted that the principle of residential development of this site is supported by development plan policies and the existing Planning Permission in Principle consent, including the masterplan associated with the site. Given that the proposal will not result in any significant adverse amenity, environmental or safety impacts, it is considered that the proposed development is in compliance with all relevant policies as set out in National Planning Framework 4 and the South Lanarkshire Local Development Plan 2. It is therefore recommended that the relevant conditions outlined above can be discharged, subject to the additional conditions listed.

11. **Recommendation and Conditions**

11.1. The Committee is asked to agree the following recommendation:-

Grant subject to the following conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That no development shall commence until drainage and flood risk details to include signed appendices A to E are submitted to and approved in writing by the Planning Authority. The development shall not be occupied until the surface drainage works and any required flood mitigation 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.

03. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 3, shall be erected to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That prior to commencement of any works on site the applicant shall submit, for the written approval of the Council as Roads and Planning Authority, details of the electric vehicle charging (EVC) facilities. Where EVC points are not located within a private driveway then details shall also include arrangements for siting of charging posts taking account of parking bays/boundary features/pedestrian movement. All information shall be submitted for the written approval of the Council as Roads and Planning Authority. Thereafter the agreed EVC provision shall be installed and commissioned in accordance with the approved plans and specifications prior to that property which it serves being occupied.

Reason: To ensure the appropriate provision of electric vehicle charging facilities within the site.

06. That before any dwellinghouse within the development hereby approved is brought into use, a dropped kerb access to serve the dwellinghouse shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

07. That, prior to commencement of works on site, details of the provision of a turning area within the site shall be submitted to and approved in writing by the Council as Roads and Planning Authority. Thereafter, the turning area shall be put in place within a timescale to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

08. That before any dwellinghouse within the development hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided to serve that dwellinghouse and the first 2 metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

Reason: To prevent deleterious material being carried onto the road.

09. That, prior to commencement of any works on site, amended details showing the provision of a remote footpath at plots 468/470 to 477/478 shall be submitted to and approved by the Council as Roads and Planning Authority. The footpath shall be 3m wide with street lighting and pedestrian barriers provided to the satisfaction of the Council. Thereafter the footpath shall be put in place to a standard and within a timescale to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

10. That, prior to the commencement of any works on site, details of the provision of a hard standing area for the storage of refuse bins for plots 339/341, 343/345, 346/401, 402/404, 427/430, 433/439, 452/454, and 509/511 shall be submitted to and approved by the Council as Roads and Planning Authority. The hardstanding shall be large enough to accommodate all refuse bins associated with that area, be located behind the heel kerb of the footway, no more than 10m from the public road and will not be adopted or maintained by the Council. Thereafter the hardstanding shall be put in place to a standard and within a timescale to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

11. That, prior to commencement of any works on site, a drawing shall be submitted to and approved by the Council as Roads and Planning Authority detailing the off-street parking requirements for each property. One bedroom properties shall have a minimum of one car parking space, two and three bedroom properties shall have a minimum of two car parking spaces and properties with four or more bedrooms shall have a minimum of three car parking spaces. Each of these spaces shall be in units of 6m x 3m, excluding pedestrian access. Thereafter, before any house within the development is completed or brought into use, all of the approved parking spaces shall be laid out and constructed to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

12. That before any dwellinghouse within the development hereby approved is completed or brought into use, a visibility splay of 2 metres by 20 metres (where traffic calming features are provided) or otherwise 2 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular access serving that dwellinghouse and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas. Prior to commencement of any works on site a plan shall be submitted to and approved by the Council as Roads and Planning Authority showing the provision and layout of these splays.

Reason: In the interests of traffic and public safety.

13. That before any dwellinghouse within the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access serving that dwellinghouse and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas. Prior to commencement of any works on site a plan shall be submitted to and approved by the Council as Roads and Planning Authority showing the provision and layout of these splays.

Reason: In the interests of public safety.

14. That before any dwellinghouse within the development is completed or brought into use, the surface of the associated access shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the road.

Reason: In the interests of traffic safety and to prevent deleterious material entering the road.

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

Reason: In the interests of traffic and public safety.

16. Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

Reason: To safeguard the environmental amenity of the area.

17. That all trees to be retained within and adjoining the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

18. That, before any of Plots 343-349 inclusive are completed or brought into use, the pedestrian link shown on drawing PL_01 Revision D of the approved plans shall be put in place and brought into use to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate pedestrian connections within the site.

19. That the recommendations set out in the ecological assessment submitted in support of the application, prepared by JDC ecology and dated December 2023, shall be fully adhered to at all times on site to the satisfaction of the Council as Planning Authority.

Reason: To ensure that ecological matters are appropriately dealt with at all times on site.

12. Reason for Decision

- 12.1. The proposal would have no significant adverse impact on amenity and complies with the relevant policies of National Planning Framework 4 (Policies 1, 2, 3, 14, 15, 16 and 22) and the adopted South Lanarkshire Local Development Plan 2 (Policies 1, 2, 5, 7, 11, 12, 15, 16, SDCC1, SDCC3 and DM1). There are no additional material considerations which would justify refusing to grant consent.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 22 April 2024

Background Papers

Further information relating to the application can be found online:-

[P/24/0076 | Erection of 126 dwellinghouses, associated infrastructure and landscaping \(approval of matters specified in conditions 1\(a-r\), 3, 4, 6, 8, 9, 10 and 12 of planning permission in principle EK/09/0218\) | EKCGA - Cala Phase 3 Newhouse Road East Kilbride \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

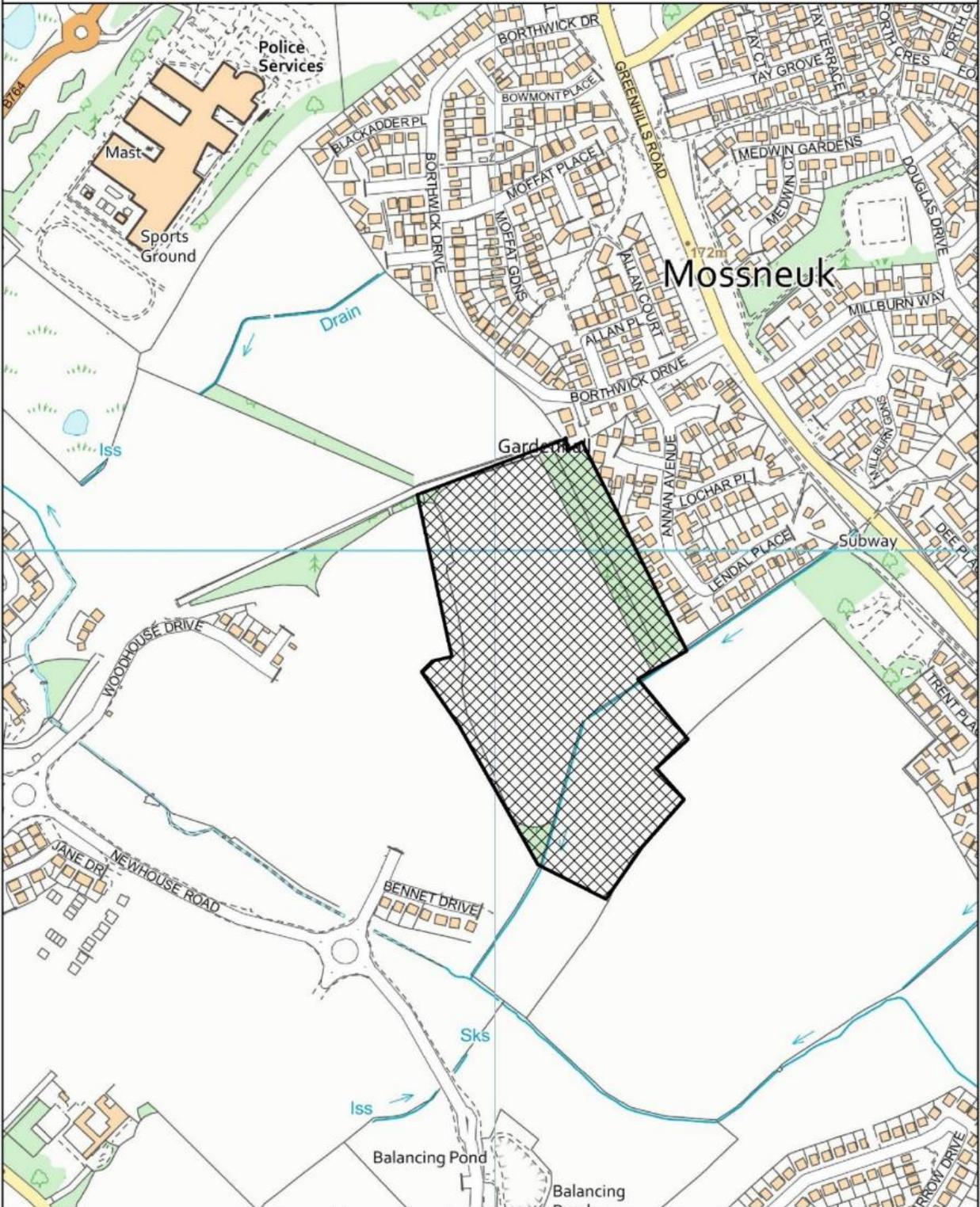
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/24/0076 East Kilbride Community Growth Area, Cala Phase 3



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Scale:
1:5,000
Date:
27/03/2024



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services