

Report

6

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

Application no.	EK/17/0358
Planning proposal:	Erection of 219 residential dwellings, access road, associated infrastructure and landscaping

1 Summary application information

Application type:	Detailed planning application
Applicant:	BDW Trading Ltd & Philipshill Retirement Village Ltd
Location:	Former Philipshill Hospital Barbana Road/Grado Avenue East Kilbride G74 5PG

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) Detailed planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the provision of affordable housing, educational facilities and community facilities.

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 Other information

- ◆ Applicant's Agent: Barratt & David Wilson Homes West Scotland
- ◆ Council Area/Ward: 09 East Kilbride West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

POL6- General urban area/settlements
POL5- Community infrastructure assessment
POL4- Development management and placemaking
POL17- Water environment and flooding
DM1- Design
POL12 – Housing Land
POL13- Affordable housing and housing choice
POL14 – Green Network and Greenspace
POL15- Natural and historic environment
DM13- Development within general urban area/settlement
POL16- Travel and transport
POL1- Spatial strategy

- ◆ **Representation(s):**

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

- ◆ **Consultation(s):**

CER Play Provision Community Contribs

Jackton And Thorntonhall Community Council

Countryside And Greenspace

Arboricultural Services

Roads Development Management Team

SEPA West Region

SP Energy Network

Transport Scotland

Scottish Water

Housing Planning Consultations

Environmental Services E-consult

RT Flood Risk Management Section

Education Resources School Modernisation Team

SPT

National Grid UK Transmission

Forestry Commission

Planning Application Report

1 Application Site

- 1.1 The application site extends to 12.8 hectares located to the west of Barbana Road and Grado Avenue, on the north western edge of East Kilbride. It is bounded to the north by the main East Kilbride to Busby dual carriageway (A726), to the northwest by Braehead Road, Thorntonhall, to the southwest by farmland and a property known as Craigpark and to the east and southeast by Grado Avenue and Barbana Road and beyond to an established business park and the Glasgow Southern Orbital. The eastern part of the site formerly accommodated part of Phillipshill Hospital which was demolished in 1992. The former hospital chapel, a Grade 'B' Listed Building, remains and is located just outwith the site at the northeast corner.
- 1.2 The site is predominantly enclosed with established hedgerow field boundaries and mature trees together with some semi-mature plantation woodland situated within the site. An existing field access is visible from Barbana Road and there is currently an informal access to the site from Grado Avenue, used by dog walkers. The site topography comprises a relatively level eastern section which then slopes downwards to the north and west, with a level area in the south eastern and south western sections.
- 1.3 A low/medium/ intermediate gas main crosses the northwestern half of the site. Within this area no buildings would be constructed. Due to the proposal being located within at least one of the consultation distances, the Planning Service has considered the location of the proposed development, using the Health and Safety Executive's (HSE) planning advice web app. This exercise concluded that HSE would not advise, on safety grounds, against the granting of planning permission in this case. An existing SUDS pond, which serves the adjacent business park, is located centrally at the lowest point of the site. This SUDS area would be enlarged to serve both the residential development and the business park.
- 1.4 No core paths cross through the site.
- 1.5 The site forms part of the Council's 2014 Housing Land Supply, being identified within the local development plan for mainstream housing.

2 Proposal(s)

- 2.1 The applicant is seeking detailed planning permission for 219 private dwellinghouses comprising of a mixture of house types. In addition a generous open space parkland will be provided incorporating extensive tree and hedge planting and a trim trail, together with a smaller area of open space to the northeast of the 'Craigpark' property. Some mature woodland is to be retained along part of the northern boundary as well as the northeastern boundary adjacent to Barbana Road.
- 2.2 Two vehicular accesses are proposed to the site, one from Barbana Road and one from Grado Avenue. An emergency vehicle access is proposed on the western boundary onto the existing rural road. In addition, a small cul de sac parking court is accessed directly from Barbana Road to serve ten terraced units.

- 2.3 Twelve different two storey housetypes, together with a three storey townhouse type, are proposed providing 3 and 4 bedroom accommodation. The majority are detached however, some terraced and semi detached are also proposed.
- 2.4 In terms of house design, the dwellings proposed are of two storey form with pitched roofs and traditional materials such as white/stone coloured render and feature cast stone detailing and surround. A concrete slate/tile to reflect the character of properties in the local area would be used.
- 2.5 The development is classified as a Major development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was the subject of pre-application consultation. A number of documents have been provided in support of the application, namely a Pre-application Consultation Report, a Design and Access Statement, Tree Survey Report, Site Investigation study, Transport Statement and Flood Risk Assessment, Drainage Strategy, Noise Impact Assessment, Air Quality Assessment, Archaeological Assessment and a Habitat Survey.

3 Background

3.1 Relevant Government Advice/Policy

- 3.1.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 which confirms the requirement for the Council to maintain a five year supply of effective housing land and also provides policy guidance relating to the provision of affordable housing. Planning authorities are required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, to make effective use of existing infrastructure and services

3.2 Planning Background

- 3.2.1 The site was previously consented for large scale residential development with a Planning Permission in principle application being approved in March 2014 for a retirement village comprising a mixed number of housetypes including a care home. This permission has since lapsed.

3.3 Local Plan

- 3.3.1 In determining this planning application the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.3.2 The site is located within the designated settlement boundary of East Kilbride. In land use terms, the application site is identified, within the adopted SLLDP, as forming part of the 2014 housing land supply (Policy 12) and as forming part of a Green Network area (Policy 14). Policy 6 (General urban area/settlements) requires that new proposals should not adversely impact on the amenity and character of such areas. Policy 14 advises that the partial loss of such areas may be considered acceptable where the retention and enhancement of any remaining network area can be assisted by the redevelopment proposal.
- 3.3.3 With regard to normal development management criteria, a number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely Policy 4 - Development Management and Placemaking, Policy 5 - Community Infrastructure Assessment, Policy 13 - Affordable Housing and Housing

Choice, Policy 15 - Natural and Historic Environment, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding.

3.3.4 These principle policies are supported by its specific policy guidance provided through approved Supplementary Guidance on the following topics,

- Development Management, Place Making and Design SG 3
Policy DM 1 – Design and Policy DM13 – Development within General Urban Area/Settlement),
- Affordable Housing and Housing Choice SG 7
- Green Network and Greenspaces
- Natural and Historic Environment SG 9
Policy NHE18 - Walking, Cycling and Riding Routes and Policy NHE19 - Protected Species
- Community Infrastructure Assessment (CIA) SG 5
- Sustainable Development and Climate Change SG 1
Policy SDCC 2 - Flood Risk, Policy SDCC 3 - Sustainable Drainage Systems, Policy SDCC 4 - Water Supply and Policy SDCC 5 - Foul Drainage and Sewerage.
- Green Networks and Greenspaces SG 8

The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and result in no adverse impact.

3.3.5 In addition, the Council has prepared a Residential Design Guide. The aim of the associated policies and guidance is to seek well designed development which is located in appropriate locations and is appropriately serviced.

3.3.6 An assessment of the proposal against these specific policies is contained in Section 6 of this report.

4 Consultation(s)

4.1 **Community Resources** – In accordance with the CIA SG5, a financial contribution is sought to enable improvement to community facilities within the local area.

Response: Noted. Developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.

4.2 **Jackton and Thorntonhall Community Council** – seeks assurance that in terms of the pedestrian/emergency vehicle access onto Braehead Road, that the Council has the power to restrict the use of the access to pedestrians and emergency vehicles only and that if it has such powers that it will undertake to use them.

Response: The emergency vehicle access will be designed to a specification with deep kerbs and or bollards to ensure that standard vehicles cannot use this access. As part of the Roads Construction Consent (RCC), the Roads Service will agree an appropriate specification and if necessary a vehicle prohibition order can be imposed on this access.

4.3 **Countryside And Greenspace** - offered comments in respect of tree cover, access, biodiversity and landscape issues in relation to the proposed development. In terms of the outdoor access component of the scheme, which should include connectivity to adjacent neighbourhoods for walking and cycling, it is recommended that an access plan is prepared. In respect of biodiversity issues, there is an opportunity to enhance the biodiversity value of the site through the creation of new habitats and

the protection of exiting features of biodiversity value. Finally, in terms of the landscape plans lodged, generally the planting specification is acceptable, however, some specifications should be amended to introduce plants of native origin and pollinator friendly.

Response: Through further discussions with the developer, additional information was requested by way of a landscaping and planting statement. This explained that the landscape proposals include biodiversity improvements, high quality replacement and compensatory planting, native and pollinator friendly plant species, and, accessible, high quality open space. The Suds area has been designed to create a diverse wildlife corridor with three separate native meadow mixes all of native origin to enhance biodiversity and create varied habitats to different types of wildlife. Native Riparian mixes, suited to the areas of wetland, have been provided to further enhance this area together with emergent planting within the Suds basin area. The landscape drawings have been revised to reflect the landscaping and planting statement. In addition the layout has been designed to encourage pedestrian through routes to the open space parkland and there is a pedestrian/cycle ingress/egress to Braehead Road on the western boundary of the site which would connect with the wider core path/cycle network and would provide a walking route to Thorntonhall railway station.

- 4.4 **Arboricultural Services** – has commented that whilst the existing trees on the site are not formally designated, they are of value to the local area. Therefore, the applicant should give a clear indication of the area and number of trees required for any associated compensatory planting.

Response: After considerable discussion regarding this issue, it is concluded that due to the levels of the site and the engineering works required, together with other constraints, the central block of woodland requires to be removed to enable a satisfactory layout to be achieved. However, as mentioned above, additional information was sought from the developer and a landscaping and planting statement was submitted. Significant areas of trees on the periphery of the site are being retained and the developer also proposes numerous native parkland trees as compensatory planting within the parkland area and on the periphery of the site. Species include Lime, Field Maple, Alder, Oak and Birch. These trees will help create a green central corridor between the northern and southern parts of the site and facilitate the movement of wildlife by serving as a wildlife corridor, whilst creating an attractive area of open space for residents. It is noted that the woodland to be lost, which was planted at the time of development of the adjacent business park, has no formal designation, nor does a Tree Preservation Order exist.

- 4.5 **Roads Development Management Team** – No objections to the proposed development subject to minor changes to the layout in respect of surfacing parking spaces and the imposition of conditions relating to construction traffic management.

Response: Noted

- 4.6 **SEPA West Region** – Initially objected to the proposal, however having sought clarification from the developer on a number of matters, SEPA are satisfied and have withdrawn their objection.

Response: Noted.

- 4.7 **SP Energy Network** – No response to date.

Response: Noted.

- 4.8 **Transport Scotland** – No objections

Response: Noted.

- 4.9 **Scottish Water** – No Objections
Response:
- 4.10 **Housing Planning Consultations** – In accordance with the CIA SG5, an off-site financial contribution is sought to enable affordable housing to be provided within the local area.
Response: Noted. A developer contribution would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.11 **Environmental Services E-consult** – has no objections to the proposal subject to a condition regarding noise validation testing on the basis of the Noise Impact Assessment which was undertaken by the developer's consultant. In addition, standard conditions and advisory notes relating to construction noise, dust control and radon gas are recommended.
Response: Noted. Appropriate conditions and advisory notes would be attached to any approval.
- 4.12 **RT Flood Risk Management Section** – have no objections to the proposal, subject to compliance with the Council's SUDS Design guidance and completion of the Self Certification appendices.
Response: These requirements can be addressed, where appropriate, through the use of condition/advisory note on any approval.
- 4.13 **Education Resources School Modernisation Team** – In accordance with the CIA SG5, a financial contribution is sought to enable improvement to education accommodation.
Response: The developer would be required to enter into a S75 legal agreement to secure the payment of financial contributions to the upgrade of education facilities in the local catchment area.
- 4.14 **SPT** – no response to date.
Response: Noted.
- 4.15 **National Grid UK Transmission** – verbally advised no objection in principle.
Response: Noted. As part of the assessment of the proposal the Planning Service has considered the location of the proposed housing in relation to the presence of the gas main which crosses the site. The developer is fully aware of the presence of the gas main and a condition would be attached to any approval requiring control of excavation works within the vicinity of low/medium/intermediate gas main on the site.
- 4.16 **Forestry Commission** – has commented that, whilst there are no formal designations in respect of the existing trees, they are of value to the local area. Therefore, the applicant should give a clear indication of the area and number of trees required for any associated compensatory planting. The applicant should consider if there are any opportunities to link the development to existing public access works at the nearby K Wood.
Response: Noted. It is concluded that, due to the levels of the site and the engineering works required, together with other constraints, the central block of woodland requires to be removed to enable a satisfactory layout to be achieved. However, significant areas of trees on the periphery of the site are being retained and the developer also proposes extensive compensatory tree planting within the parkland area and on the periphery of the site. The layout has been designed to encourage pedestrian through routes to the open space parkland and there is pedestrian/cycle ingress/egress which would connect with the wider cycle and footway network. Although this is a private housing development, there is no

restricted access to the public using the parkland area and existing local footway network enables the public to walk between K Wood and this development.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the East Kilbride news for neighbour notification purposes. In response, four letters of representation and one comments letter were received in respect of the proposals, the points of which are summarised below:

- a) **All flora and fauna should be afforded all possible protection.**
Response: The applicant lodged a habitat survey which identified negligible wildlife within the site. However, advisory notes would be attached to any approval to require that vegetation removal takes place outwith the bird breeding season and to monitor for bats and badgers.
- b) **Concern by the local industrialist of the proximity of the development and its impact on EDF Energy's business and staff during the operational and construction phases of the development through increase in traffic congestion.**
Response: While it is recognised that the development of this site adjacent to the EDF business is likely to result in disruption, the developer will require to keep this to a minimum and any consent would be subject to the developer submitting an appropriate construction traffic and construction management plan to the Council for written approval.
- c) **Potential future constraints arising from the new development that may affect the operation of the GSO Business Park.**
Response: It is considered that the layout design has taken cognisance of the presence of the EDF buildings and in this respect I am satisfied that there is an acceptable buffer of planting and rear garden boundary fencing to protect amenity.
The vehicular accesses to the site are not directly opposite the vehicular access to EDF's car park and therefore it is considered that the conflict of vehicular movement from both land uses has been mitigated once the development is completed.
- d) **Construction traffic sharing the same access as staff and visitors at the GSO Business Park.**
Response: Roads Management are satisfied that the sharing of Barbana Road is acceptable with a requirement on the developer to submit a construction traffic and construction management plan for the site, to the satisfaction of the Council.
- e) **Existing concern of parked cars in Barbana Road arising from overspill parking working at the nearby HMRC facility and the recent introduction of traffic restriction order along this road. The increase in traffic will further exacerbate the situation.**
Response: Roads Management are satisfied that the sharing of Barbana Road is acceptable with a requirement on the developer to submit a construction traffic and construction management plan for the site, to the satisfaction of the Council.

- f) **No consideration appears to have been given to the provision of alternative accesses to the site, e.g. from East Kilbride Road or from Braehead Road.**
Response: There was extensive pre-application discussions on this proposal and concluding from these discussions was the proposed vehicular accesses as per the layout plan. Roads Management are satisfied with the location and geometry of these accesses and were not support of a vehicular access to the site from Braehead Road.
- g) **Over provision of car parking within the housing development.**
Response: The on-curtilage car parking provision proposed is as per the requirement set out within the National Roads Development Guide.
- h) **The developer should be required to prepare a Travel Plan to explore options for reducing car trips and to provide incentives to encourage the use of public transport, cycling and walking.**
Response: A condition will be imposed on any planning consent to require the submission of a Travel Plan.
- i) **The developer should be required to pay a financial contribution to provide improved public transport infrastructure in the area.**
Response: Roads Management Team have assessed the Transport Assessment lodged and are satisfied that the existing public transport infrastructure in the area is adequate to serve this new development.
- j) **The landscape buffer between the housing and the EDF buildings provides limited screening and should be reinforced to improve privacy and to help attenuate noise. The Council should seek to minimise the number of habitable rooms facing the EDF buildings.**
Response: The layout has been carefully assessed in relation to the existing business park. It is considered that the buffer planting with trees and the vertical close boarded fencing is an adequate buffer and screen between the rear habitable windows and gardens of the dwellings and the EDF buildings.
- k) **EDF Energy requires details to explain how noise, traffic and health and safety issues will be mitigated during the construction phase of development. The developer should prepare a Phasing Plan and a Construction Development Plan.**
Response: The developer will address the above issues through their required submission of a Phasing Plan and a Traffic Management and Construction Management Plan prior to the commencement of site works. This document can be shared with EDF for information.
- l) **Barbana Road is a single track road during office hours due to parked cars. There is already difficulty turning in and out of Braehead Road.**
Response: The Roads Service has no objections in principle to the proposed accesses to the development. A Traffic Regulation Order would, however, be introduced to ensure an appropriate visibility splay on both sides of Barbana Road is protected.
- m) **Braehead Road is a single track road with zero passing places and blind corners. This is already a safety issue for pedestrians.**
Response: The proposal has no direct vehicular access onto Braehead Road other than to provide a restricted emergency vehicle access together with a pedestrian/cycle link. It will be a requirement of the approval that signage is

erected to highlight to drivers that there may be pedestrians in the carriageway ahead.

- n) **Proposed emergency vehicle access will be used by residents as a shortcut.**

Response: The emergency vehicle access will be designed in such a way to prevent standard vehicles from using it.

- o) **There is no footpath from the site to the local train station.**

Response: The developer is not in control of land outwith the site. Therefore, it is not feasible for a footpath link to the local railway station to be constructed.

- p) **There is a lack of capacity at the catchment primary school.**

Response: The Council's Education Resources School Modernisation Team was consulted and requires that a financial contribution towards the upgrade of education facilities is provided by the developer. This would be secured through the signing of a Section 75 Legal Agreement.

- q) **The distance to the catchment primary school is greater than 2.5 kilometres.**

Response: The Council's Education Resources School Modernisation Team were consulted and were satisfied with the location of the new residential development in relation to local school provision and catchments.

- r) **The number and density of the housing is not in keeping with the surrounding hamlet of Thornotnhall.**

Response: This development is located on the western edge of East Kilbride within the designated settlement boundary and does not 'read' as part of the hamlet of Thorntonhall, The majority of the units proposed are detached dwellings and the overall layout has a generous amount of openspace parkland proposed.

- s) **The immediate road network is not designed to accommodate the increased volume of traffic.**

Response: The developer lodged a Transport Assessment to support the application. This document has been considered carefully by Transport Scotland as well as the Council's Roads Service. It is concluded that the existing surrounding road network.

- t) **Is the development a proposed retirement village?**

Response: This current proposal is a detailed application for 219 private mainsteam dwellings. Originally Planning Permission in Principle was granted for a retirement village on the site in 2014, (Planning Ref No: EK/13/0050), however, this consent has lapsed.

- u) **The landscape buffer should continue all the way up past Craigpark to Barbana Road.**

Response: A large area of open space has been positioned adjacent to Craigpark House. This provides a setting for this existing property. On the house plots either side of this open space area, a generous landscape buffer is proposed and this tapers along the boundary towards Barbana Road. It is considered that this buffer is an acceptable boundary onto the Greenbelt.

- v) **Details of the fencing should be supplied.**

Response: Details of all the boundary treatments have been lodged by the developer.

w) **Clarification on window to window distances from the new houses to Craigpark.**

Response: In respect of the closest dwellings to Craigpark House, namely Plots 30 and 31, there is a distance of around 27 to 28 metres between the rear elevations of the new dwellings and the rear building line of Craigpark House.

x) **The existing temporary car park at EDF is being built upon. More car parking is needed, not less.**

Response: The temporary lease to EDF by the landowner, of the land upon which the temporary overspill car park was built, has been terminated. This is outwith the control of the Planning Authority. The on-curtilage car parking provision within the new development is satisfactory to the Council's Roads Service.

y) **The quality and residential concept of Thorntonhall should be maintained.**

Response: This proposed development is outwith the designated settlement of Thorntonhall and, therefore, the quality and residential concept of Thorntonhall remains unaffected.

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

6 Assessment and Conclusions

6.1 The applicant is seeking detailed planning permission for 219 private dwellinghouses comprising a mixture of house types. In addition, a generous open space parkland will be provided incorporating a trim trail. Two vehicular accesses are proposed to the site, one from Barbana Road and one from Grado Avenue. An emergency vehicle access and pedestrian footpath link is proposed on the western boundary onto the existing rural road. In addition, a small cul de sac parking court is accessed directly from Barbana Road to serve ten townhouse units.

6.2 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise.

6.3 Scottish Planning Policy highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted local plan as a housing site and, therefore, the proposed use raises no issues from a land use perspective and is, therefore, considered to accord with national planning policy.

6.4 The adopted South Lanarkshire Local Development Plan (2015) (SLLDP) identifies the application site as forming part of the Council's housing land supply (Policy 12). The principle of the use of the site for residential purposes is therefore acceptable, subject to compliance with normal development management criteria. It is noted that the application site is also identified as being part of the Green Network (Policy 14) within the adopted SLLDP. However, the proposed development layout has endeavoured to enhance the green network through the design of an extensive

parkland area and with quality landscaping involving significant tree and hedgerow planting it is considered that the proposal accords with the spirit of Policy 14 and its supporting guidance.

- 6.5 The matters considered appropriate, in terms of development management criterion, are set out within Section 3.3.4 above. Principally, the stated policies and guidance seek to ensure that any development does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in manner which takes cognisance of appropriate guidance and the area within which it is located. Having considered the design and layout of the development, I am satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance.
- 6.6 In terms of the detailed design of the development, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is further considered that the proposed development will be in keeping with existing residential development in the surrounding area. The proposal, therefore, accords with Policies 4, DM 1, DM13 of the SLLDP and supplementary guidance.
- 6.7 The site has been assessed in terms of flood risk and drainage and will be developed in accordance with the principles of sustainable urban drainage. The proposal is, therefore, acceptable in this respect. In addition, foul drainage will be treated in accordance with the specification and requirements of both Scottish Water and the Council's Flood Risk Management guidance. On this basis, it is considered that the proposal accords with Policies 17, SDCC 2, SDCC 3, SDCC 4 and SDCC 5 of the SLC LDP and supplementary guidance.
- 6.8 The proposal will result in the development of a site which is largely undeveloped. Given the nature of the proposed development it is inevitable that there will be some impact in terms of wildlife habitats. However, I am satisfied that the proposed development has been designed in such a manner that it takes cognisance of the surrounding area and has properly assessed any impact on wildlife species and habitats. Any requirement highlighted within the supporting documents can be conditioned as part of any consent issued, or if more appropriate, advisory notes can be attached. On this basis the proposal is considered to meet the requirements of Policies 14, 15, NHE18, NHE19 and NHE20. In addition, the site is capable of integrating well with the adjacent footpath network and amenity areas (Policy NHE18 applies), and with other development proposals within the area.
- 6.9 Furthermore, I am satisfied that the proposed development has been designed in such a manner that it takes cognisance of the surrounding area and has properly assessed any impact on the existing EDF Business and the adjacent listed building known as the Philipshill Chapel. The proposal, therefore, accords with Policies 15 and 16.
- 6.10 The Council's adopted policy on Community Infrastructure Assessment (Policy 5) advises that a financial contribution from developers will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. In this instance the community infrastructure contributions have been broadly agreed and staged payments will be secured through a Section 75 legal Agreement between the Council and the developer.

- 6.11 Any specific concerns raised by the consultees have been discussed with the developer during the consideration of this proposal, and can be addressed through the use of conditions, when appropriate to do so. The third party representations received raised some pertinent issues and have been responded to above.
- 6.12 In conclusion, the proposed development has been considered against the relevant policies in the Adopted South Lanarkshire Local Development Plan and its appropriate supplementary guidance. In terms of detailed design and layout, the proposed dwellings are of a similar style and in keeping with those of previous recent developments in East Kilbride and within the wider South Lanarkshire area. In terms of the Council's Residential Design Guide (2011), each property/plot can meet the requirements in terms of window to window distances, plot ratios and parking requirements. I am, therefore, satisfied that the proposed scheme will integrate successfully with the surrounding area, assisted by a landscape scheme which includes biodiversity improvements, high quality replacement and compensatory planting, native plant species and accessible open space. It is, therefore, considered that the proposal accords with Policies 1, 4, 5, 6, 12, 13, 14, 15, 16 and 17, DM1 and DM13 of the adopted local development plan.
- 6.13 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 proposal will have no adverse impact on residential or visual amenity and raises no road safety concerns. The development complies with the applicable provisions of the South Lanarkshire Local Development Plan (adopted 2015) namely (Policies 1 - Spatial Strategy, 4 - Development Management and Placemaking, 5 - Community Infrastructure Assessment, 6 - General Urban Area /Settlements, 12 - Housing Land, 13 - Affordable Housing and Housing Choice, 14 – Green Network and Greenspace, 15 - Natural and Historic Environment, 16 - Travel and Transport and 17 - Water Environment and Flooding. In addition the proposal accords with the relevant Development Plan Supplementary Guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

17 May 2018

Previous references

- ◆ EK/16/X0164/NEW- Pan/Pac relating to this application
- ◆ EK/13/0050 – Proposed Retirement Village – approved 12 March 2014

List of background papers

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

- ▶ Consultations
CER Play Provision Community Contribs

22.03.2018

Jackton And Thorntonhall Community Council	30.04.2018
Countryside And Greenspace	20.10.2017
Arboricultural Services	22.03.2018
Roads Development Management Team	10.05.2018
SEPA West Region	10.05.2018
SP Energy Network	19.10.2017
Transport Scotland	30.11.2017
Scottish Water	20.10.2017
Forestry Commission	21.02.2018
Housing Planning Consultations	10.05.2018
Environmental Services E-consult	08.11.2017
RT Flood Risk Management Section	29.11.2017
Education Resources School Modernisation Team	26.10.2017
► Representations	Dated:
Barbara Rickard, Braehead Farm Court, Braehead Road, Thorntonhall	30.10.2017
Avril and Ian Galbraith, Craig Park, Thorntonhall, G74 5AJ	31.10.2017
Colin tait, 28 Braehead Road	07.11.2017
Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G74 8LS	22.11.2017
Nicola Foster, 67-69 George Street, London, W1U 8LT	12.03.2018

Contact for further information

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

Maud McIntyre, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Ext: 5043 Tel (01698 455043)

Email: maud.mcintyre@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: EK/17/0358

Conditions and reasons

1. 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.

Reason: In the interests of amenity and in order to retain effective planning control.

2. That before the dwellinghouses hereby approved are completed or brought into use, private vehicular accesses or driveways of at least 6m metres in length shall be provided and the first 2 metres of these accesses from the heel of the footway/service strip shall be hard surfaced across their full width to prevent deleterious material being carried onto the road.

Reason: In the interests of traffic and public safety.

3. That before the dwellinghouses hereby permitted are occupied, 2 car parking spaces for a 3 bedroom property and 3 parking spaces for a 4 bedroom property shall be provided within the curtilage of the plots and outwith the public road or footway and shall thereafter be maintained to the specification of the Council as Planning Authority.

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

4. The surface of the driveways and accesses shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.

Reason: To prevent deleterious material being carried into the highway.

5. That a suitable system of site drainage shall be required to prevent surface water flowing onto the public road, details of which shall be submitted for consideration and approval to the Council as Planning and Roads Authority.

Reason: In the interests of traffic and public safety.

6. That appropriate wheel wash facilities/road cleaning systems shall be introduced within the site to ensure that mud and debris is not deposited on the public road.

Reason: In the interests of traffic and public safety.

7. That all construction and/or other vehicles shall be able to access and exit the site in forward gears, therefore a turning area must be provided, together with sufficient parking within the site boundary to accommodate all site staff/operatives parking requirements, details to be submitted for approval in writing by the Council as Planning and Roads Authority.

Reason: In the interests of traffic and public safety.

8. That the developer shall submit a Travel Plan for written approval and thereafter all new residents within the approved site shall be issued by the developer with a Residential Travel Pack which will outline where all means of sustainable travel can be accessed. Details of timetable and routes to train stations (including Hairmyres) shall be provided.

Reason: To encourage the use of public transport, walking and cycling.

9. That the surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria (or any subsequent updated version of this guidance) and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.

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. Details of facilities for the storage of refuse within the proposed development, including the design, location and access for uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwellings shall be occupied until the facilities for the storage of waste have been provided within the proposed development, in accordance with the approved scheme.

Reason: To ensure that suitable refuse facilities are provided.

11. That the applicant shall adopt and implement the Flood Risk Management measures as outlined in the submitted Flood Risk Assessment Report dated September 2017 (Sections 6.6 and 7). These measures shall be implemented prior to the completion of the site.

Reason: To alleviate any potential for on-site and off-site flooding.

12. That prior to any work commencing on the site, a development phasing plan including a landscape phasing plan shall be submitted to and agreed in writing by the Council as Planning Authority.

Reason: In the interests of amenity and to retain effective planning control.

13. Notwithstanding Condition 12 above, the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

14. That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 13 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.

Reason: In the interests of amenity and to retain effective planning control.

15. 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 the interests of amenity.

16. 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 sewerage scheme designed in accordance with Scottish Water's standards.

Reason: In order to retain effective planning control.

17. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.

Reason: In order to retain effective planning control.

18. That the developer/applicant shall carry out validation testing to demonstrate that the proposed mitigation and noise attenuation measures described in the Noise Impact Assessment are effective in ensuring that the external amenity areas of the noise sensitive properties does not exceed 55dB(A) and that the internal noise levels are achieved as per BS8233 "*Guidance on sound insulation and noise reduction for buildings*", in that the noise level in bedrooms during the night does not exceed 30dB(A) and, does not exceed 40dB(A) in internal living spaces during the day. To this end, a representative sample of properties will require to be identified and tested which could be carried out in conjunction with sound insulation testing as per ISO 140-5 "*International Standard ISO 140-5, Acoustics — Measurement of sound insulation in buildings and of building elements — Part 5: Field measurements of airborne sound insulation of facade elements and facades*".

Reason: In the interests of residential amenity.

19. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228, 'Noise control on construction and open sites'. Prior to commencement of construction activities a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be provided in accordance with the standard. The emissions at the NSR shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. Corrections shall be made for variables such as the operating time and the relative cumulative impact value. This shall be corrected for attenuation shall be provided as an LAeq.1hr to be compared with either the pre-existing background level or using the ABC table within the British Standard.

The applicant shall further ensure that audible construction activities shall be limited to, Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday – No audible activity. No audible activity shall take place during local and national bank holidays - without the prior written approval of the planning authority.

Under exceptional conditions the above time restrictions may be further varied subject to written agreement with the council as Planning Authority.

Reason: In the interest of amenity.

20. 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: In the interests of amenity.

21. Prior to development commencing on site, a dust management and monitoring scheme shall be submitted to and approved 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: In the interests of amenity.

22. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1992 'Evaluation of human exposure to vibration in buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

Reason: In the interests of amenity.

23. (a) Prior to commencement of any works on site, a comprehensive risk assessment for radon gas shall be carried out, and approved in writing by the Council as Planning Authority. Whilst radon is specifically excluded from Part IIA of the Environmental Protection Act 1990 the investigation should follow:

- Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995)

If the risk assessment identifies unacceptable risks posed by radon gas 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.

(b)The remediation plan will consider guidance contained in:

- BRE 376 Radon: Guidance on protective measures for new dwellings in Scotland (1999), with supplementary guidance given in:
BRE 211 (2007) Radon: Guidance on protective measures for new buildings (including supplementary advice for extensions, conversions and refurbishment). (England & Wales).

Reason: In the interests of amenity.

24. That prior to the commencement of site works an appropriate construction traffic and construction management plan shall be submitted to the Council as Planning and Roads Authority for written approval.

Reason: In the interests of public and traffic safety.

25. That no mechanical excavations shall take place above or within 0.5 m of the low pressure system, 2m of the medium pressure system and 3 metres of the intermediate pressure system. Appropriate hand digging excavation methods are to be used to confirm the position of the gas main on the site prior to any mechanical excavations, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: Due to the presence of low/medium/intermediate gas main on the site and in the interest of public safety.

26. That signage shall be erected to highlight to drivers that there may be pedestrians in the carriageway ahead. The signage shall be agreed with Planning and Building Standards Services and Roads and Transportation Services before being erected prior to the occupation of the first house.

Reason: In the interests of public and traffic safety.

27. That prior to starting on site, a detailed specification of the emergency vehicle access onto Braehead Road shall be submitted for consideration and written approval. Emergency vehicles will only be permitted to use this access.

Reason: In the interests of traffic safety.

28. That prior to the occupation of the first dwelling or otherwise agreed in writing with the Council as Planning Authority, a Traffic Regulation Order shall be effective to ensure the visibility splay (2.4 x 43m) on both sides of Barbana Road is protected. The promotion of the TRO and implementation of the road markings shall be at the applicant's expense.

Reason: In the interests of traffic safety.

29. That following completion of the development, and if required, a proposed scheme to manage parking within the residential area shall be submitted to and approved by Planning and Building Control Services following discussion with Roads and Transportation Services.

Reason: In the interests of traffic safety and amenity.

30. That before development starts, full details of the design and location of all retaining walls to be constructed on the site shall be submitted to and approved by the Council as Planning Authority.

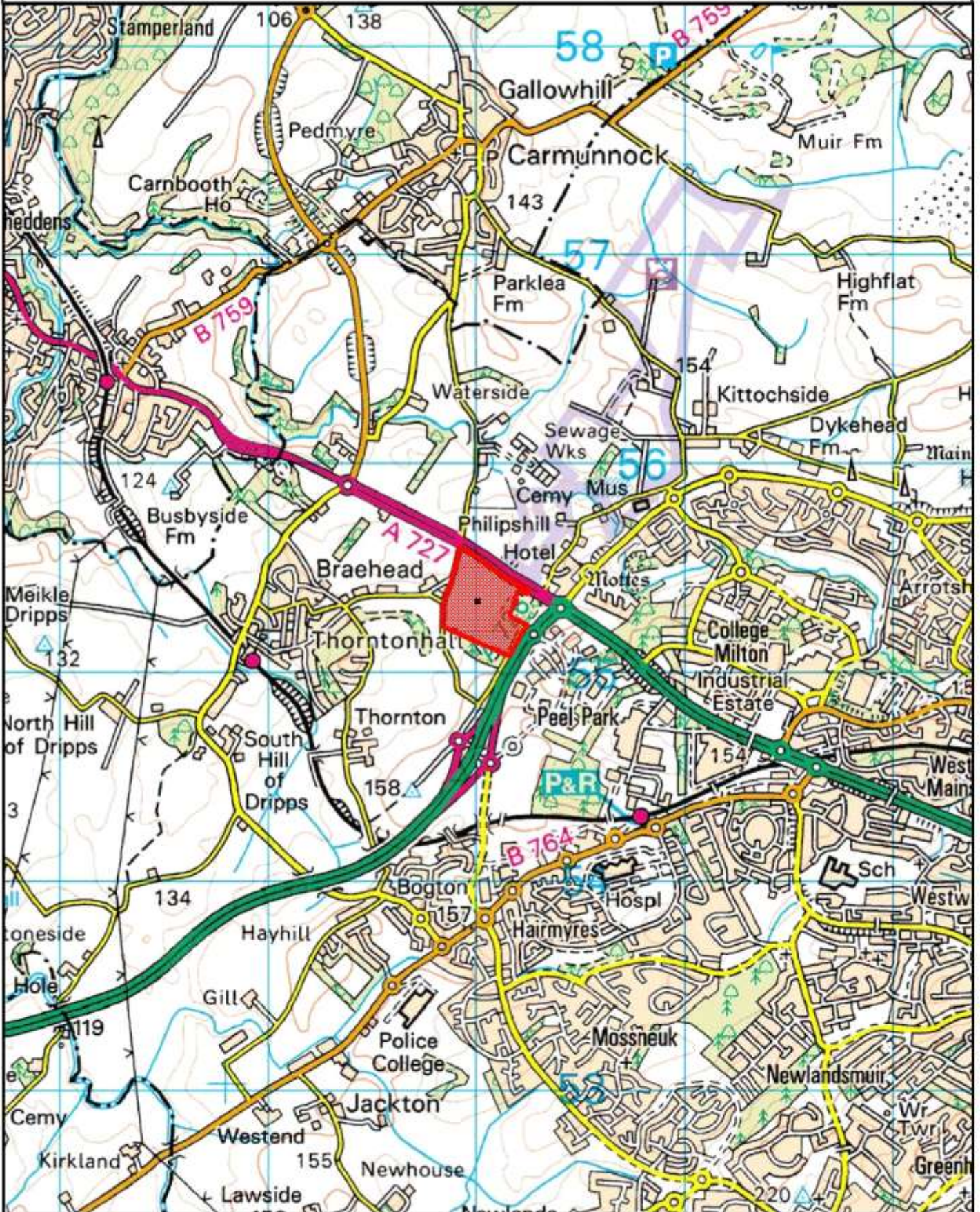
Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

31. That before development starts or otherwise agreed in writing, full details of the site levels including finished floor levels, shall be submitted 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.

EK/17/0358

Former Philipshill Hospital



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South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development