

Report to: **Planning Committee**
 Date of Meeting: **23 August 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No: HM/11/0250
 Planning Proposal: Construction of Hardstanding to Form a Driveway

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Margaret Watt
- Location : 2 St. Ninians Place
Stonehouse
ML9 3ES

2 Recommendation(s)

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

- (1) Granted Detailed Planning Permission (Subject to Conditions – Based on the Conditions Attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Ronald Docherty Civil Engineers Ltd
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
Policy RES6 – Residential Land Use
Policy DM1 – Development Management
Policy DM4 – House Extensions and Alterations

◆ Representation(s):

- ▶ 1 Objection Letter
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Housing Services (Larkhall)

Roads and Transportation Services (Hamilton Area)

Planning Application Report

1 Application Site

- 1.1 The application site is the garden ground relating to a property contained within a four in a block flatted development. The property is located at the corner of St Ninians Place and Sidehead Road, Stonehouse with land relating to a former railway running to the rear of the site. The site is located within a residential area which is close to the village edge. A number of properties along St Ninians Place already have off street car parking.

2 Proposal(s)

- 2.1 The applicant is seeking planning permission in retrospect for the formation of an area of hardstanding forming a driveway at 2 St Ninians Place. Planning permission is required for the works as they relates to a flatted property and such properties do not have the same 'permitted development rights' as dwellinghouses. The driveway is finished with gravel and two strips of hard standing running from the heel of the footway into the site. This is commonly referred to as a 'runway'. As part of the works a dropped kerb has been installed as well as the original fencing being removed and replaced with gates. It should be noted that the actual access itself does not require consent as it is formed onto an unclassified road and the entrance gates do not require planning permission as they are less than 1 metre in height.

3 Background

3.1 Local Plan Status

- 3.1.1 The main material consideration in the assessment of the proposal is the adopted South Lanarkshire Local Plan. The policies which are relevant to the assessment are RES6 – Residential Land Use, DM1 – Development Management and DM4 – House Extensions and Alterations.
- 3.1.2 Within areas designated RES6 the loss of houses to other uses are generally opposed. Developments which are likely to be detrimental to the established level of residential amenity will also be resisted.
- 3.1.3 Policy DM1 requires all planning applications to take account of the local context and built form. In addition all proposals should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact upon amenity.
- 3.1.4 Policy DM4 states that proposals need to demonstrate that they respect the character of the existing dwelling and the wider area. Proposals should not have an adverse impact in relation to loss of daylight, sunlight or privacy. The property should be left with adequate garden ground and not have an adverse impact upon traffic safety.

3.2 Planning Background

- 3.2.1 In accordance with the Planning etc (Scotland) Act 2006, this application is required to be determined at Committee as the land/ property involved in the proposal is within the Council's ownership and as such is excluded from the scheme of delegation.

3.3 Planning History

3.3.1 There is no recent planning history relative to this site.

4 Consultation(s)

4.1 **Roads and Transportation Services (Hamilton Area)** – Have offered no objection to the proposal. In their initial response they have recommended that two conditions be attached to the decision notice if planning permission were to be granted. The conditions relate to surfacing of the driveway and the surface water trappings.

Response: The recommended conditions will be attached where considered to be appropriate. Further discussions with Roads and Transportation Service have taken place and it has been agreed that the conditions in relation surfacing of the driveway is not required as the application is retrospective.

4.2 **Housing Services (Larkhall)** – has offered no objection to the application.

Response: Noted.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken in respect of this application, as well as it being advertised within the local press. As a result of the publicity, one letter of representation was received. The points of objection can be summarised as follows:

(a) **The formation of the driveway has removed on street car parking due to the formation of the access.**

Response: The formation of the access opening itself does not require the benefit of planning permission and therefore this issue is not relevant to the consideration of this application. However, as an extra space would be taken up by the car which now occupies the driveway, no real reduction in the available parking has taken place.

(b) **The objector can no longer park directly outside their property since the driveway has been formed. Prior to the driveway being formed, they could.**

Response: St Ninians Place is a public road and the location in which people park their vehicles is not controlled. This matter is therefore not relevant to the consideration of the current application.

This letter has been copied and is available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

6.1 The determining issues which are required to be taken into account when assessing this proposal are its compliance with local plan policy and its impact on amenity.

6.2 The applicant requires planning permission in retrospect for the formation of an area of hardstanding which is used as a driveway. The driveway relates to a flatted property which is contained within a four in a block. The driveway is located to the front of the property, to the east side of the garden area. In addition to the driveway, a drop kerb has been installed to Roads and Transportation Service specifications.

6.3 In terms of local plan the site is identified as being within a residential area in the adopted local plan and therefore the proposal is considered to be a conforming land

use. The driveway will be used in relation to a residential property and as such no new uses are being introduced into the area. In this regard the residential character of the area will not be impacted upon.

- 6.4 In relation to the size of the garden ground, the area of the driveway is not significant. As such the driveway will not be visually prominent within the area and not adversely impact the amenity or the established streetscape. The finishing materials are considered appropriate in the wider context of the area and are typical of domestic driveways.
- 6.5 Concerns have been raised by a resident about the availability of on street car parking. However planning permission is not required for the creation of the access and the area of hardstanding raises no issues. In any event the driveway provides an additional off street car parking space and as such the number of spaces available within the local area is unaltered.
- 6.6 As the applicant is a tenant of a Council house, permission is required from the Housing and Technical Resources. The applicant requested permission from Housing and Technical Resource in May 2006. Permission as the land owner was granted in June 2006 by the Council subject to a number of conditions. One of the conditions was seeking planning permission which the applicant has sought to do through this planning application.
- 6.7 In conclusion, the driveway does not have an adverse impact upon the established level of residential amenity. The streetscape and surrounding area is not visually impact on by the driveway. The availability of car parking within the local area is unaltered as the driveway itself provides a parking space. The points raised within the letter of representation have been considered but are not specifically relevant to the element of development which requires consent. I therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal will have no adverse impact on residential amenity and complies with Policies RES6 – Residential Land Use, DM1 – Development Management and DM4 – House Extensions and Alterations of the adopted South Lanarkshire Local Plan. The proposal also raises no road safety issues.

Colin McDowall
Executive Director (Enterprise Resources)

15 August 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Adopted South Lanarkshire Local Plan
- ▶ Neighbour Notification Notice dated 13 June 2011
- ▶ Press Advertisement (Hamilton Advertiser) dated 23 June 2011

- ▶ Application to House and Technical Resources for permission to erect a runway dated 30 May 2006
- ▶ Permission to erect a runway in front garden – Housing and Technical Resources dated 7 June 2006

- ▶ Consultations
 - Housing Services (Larkhall) 22/06/2011

 - Roads and Transportation Services (Hamilton Area) 15/06/2011

- ▶ Representations
 - Representation from : Linda MacMillan, 4 St Ninians Place, Stonehouse, ML9 3ES, DATED 05/07/2011

Contact for Further Information

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

Alisdair Simpson, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton
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Detailed Planning Application

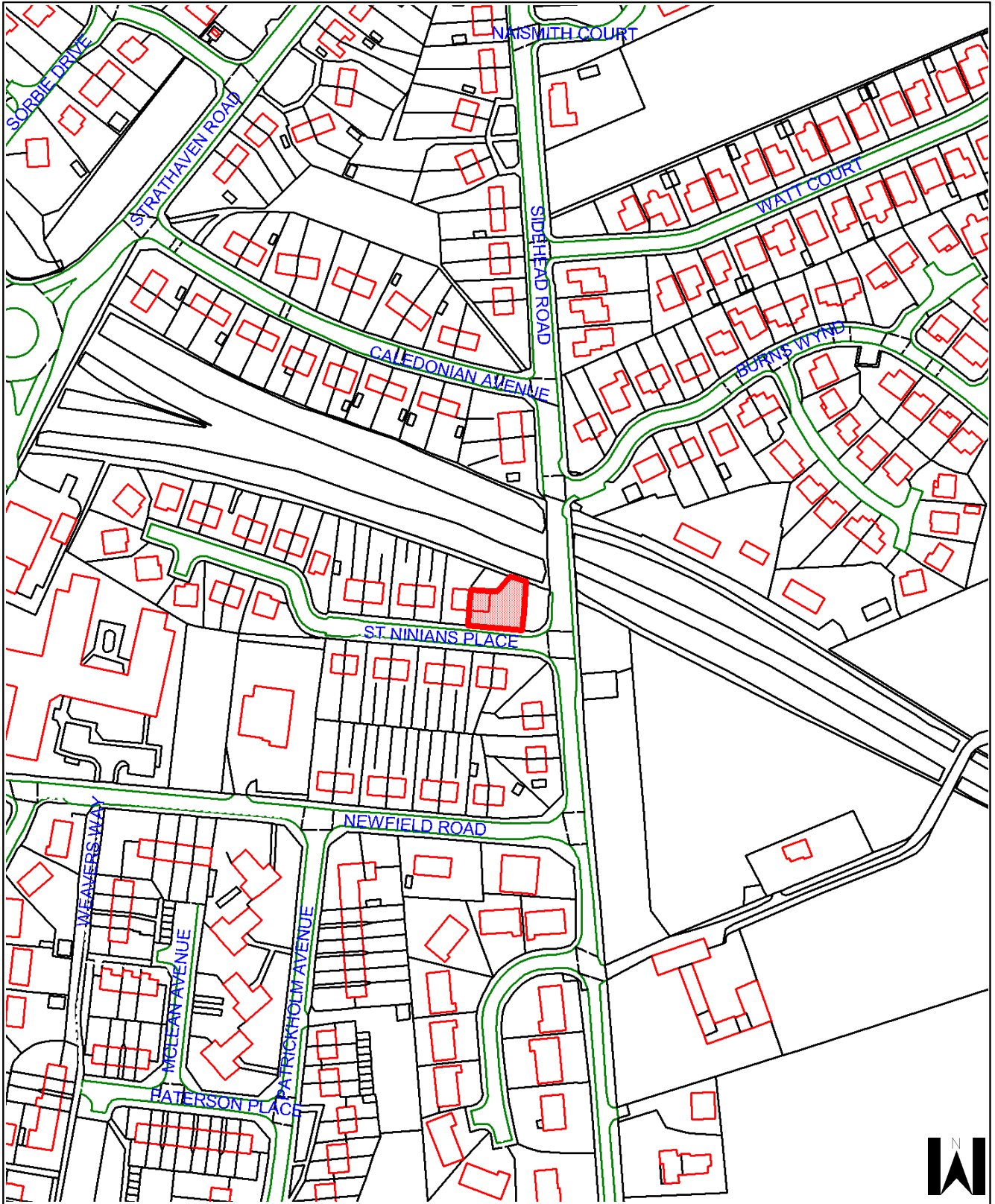
PAPER APART – APPLICATION NUMBER : HM/11/0250

CONDITIONS

- 1 This decision relates to drawing numbers:
- Location plan
 - Proposed access arrangement
 - Photo

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.



For information only

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