



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 20 May 2024

Dear Councillor

## **Planning Committee**

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

**Date:** Tuesday, 28 May 2024  
**Time:** 10:00  
**Venue:** Hybrid - Council Chamber, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Paul Manning**  
**Chief Executive**

### **Members**

Richard Nelson (Chair), Gerry Convery (Depute Chair), Joe Fagan (ex officio), Alex Allison, Ralph Barker, Archie Buchanan, Ross Clark, Margaret Cowie, Maureen Devlin, Colin Dewar, Mary Donnelly, Elise Frame, Alistair Fulton, Celine Handibode, Graeme Horne, Ross Lambie, Martin Lennon, Monique McAdams, Lesley McDonald, Davie McLachlan, Norman Rae, John Ross, Graham Scott, David Shearer, Helen Toner, David Watson

### **Substitutes**

Walter Brogan, Robert Brown, Mathew Buchanan, Margaret Cooper, Poppy Corbett, Allan Falconer, Grant Ferguson, Gladys Ferguson-Miller, Martin Hose, Julia Marrs, Ian McAllan, Kenny McCreary, Bert Thomson

## BUSINESS

### 1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 3 - 12  
Minutes of the meeting of the Planning Committee held on 30 April 2024 submitted for approval as a correct record. (Copy attached)

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### Item(s) for Decision

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- 3 **South Lanarkshire Development Plan Scheme 2024 and Local Development Plan 3 Update** 13 - 34  
Report dated 20 May 2024 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 4 **Application P/23/1372 for Demolition of Double Garage (Conservation Area Consent) at Vacant Land at Ladyacre Road, Lanark** 35 - 40  
Report dated 20 May 2024 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 5 **Application P/23/1373 for Demolition of Detached Double Garage and Erection of 39 Flats with Car Parking, Cycle Storage, Landscaping and Associated Facilities at Vacant Land at Ladyacre Road, Lanark** 41 - 54  
Report dated 20 May 2024 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 6 **Application P/23/1543 for Demolition and Rebuild of 2 Storey House at 9 Sunningdale Wynd, Bothwell** 55 - 64  
Report dated 20 May 2024 by the Executive Director (Community and Enterprise Resources). (Copy attached)

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### Urgent Business

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- 7 **Urgent Business**  
Any other items of business which the Chair decides are urgent.

#### ***For further information, please contact:-***

Clerk Name:	Stuart McLeod
Clerk Telephone:	07385 370 117
Clerk Email:	stuart.mcleod@southlanarkshire.gov.uk

## PLANNING COMMITTEE

2

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 30 April 2024

### Chair:

Councillor Richard Nelson

### Councillors Present:

Councillor Alex Allison, Councillor Gerry Convery (Depute), Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, Councillor Elise Frame, Councillor Celine Handibode, Councillor Graeme Horne, Councillor Ross Lambie, Councillor Lesley McDonald, Councillor Davie McLachlan, Councillor Julia Marrs (*substitute for Councillor Archie Buchanan*), Councillor Norman Rae, Councillor John Ross, Councillor David Shearer, Councillor Bert Thomson (*substitute for Councillor Graham Scott*), Councillor David Watson

### Councillors' Apologies:

Councillor Ralph Barker, Councillor Archie Buchanan, Councillor Ross Clark, Councillor Joe Fagan (ex officio), Councillor Alistair Fulton, Councillor Martin Lennon, Councillor Monique McAdams, Councillor Graham Scott, Councillor Helen Toner

### Attending:

#### Community and Enterprise Resources

F Carlin, Head of Planning and Regulatory Services; F Jack, Team Leader, Development Management Team, Roads, Transportation and Fleet Services; I Morton, Planning Team Leader (West Team)

#### Finance and Corporate Resources

S Jessup, Administration Assistant; S McLeod, Administration Officer

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### 1 Declaration of Interests

No interests were declared.

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### 2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 12 March 2024 were submitted for approval as a correct record.

**The Committee decided:** that the minutes be approved as a correct record.

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### 3 Application P/21/1590 for Erection of 14 Dwellings with Associated Landscaping and Roads (Amendment to Planning Consent EK/17/0021) at Land at Newlands Dairy, East Kilbride

A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1590 by KR Clyde Valley Six Limited for the erection of 14 dwellings with associated landscaping and roads (amendment to planning consent EK/17/0021) at land at Newlands Dairy, East Kilbride.

**The Committee decided:** that planning application P/21/1590 by KR Clyde Valley Six Limited for the erection of 14 dwellings with associated landscaping and roads (amendment to planning consent EK/17/0021) at land at Newlands Dairy, East Kilbride be refused for the reason detailed in the Executive Director's report.

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**4 Application P/21/2019 for Formation of Vehicular Access Road, Erection of 18 Houses, Associated Landscaping and Infrastructure for Area A – Phase 1 (Approval of Matters Specified in Conditions 1, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 21, 24 and 25 of Planning Consent CL/16/0336) at Birkwood Estate, Lesmahagow, Lanark**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/2019 by Sunnyside Homes (Birkwood) Limited for the formation of a vehicular access road, erection of 18 houses, associated landscaping and infrastructure for Area A - Phase 1 (approval of matters specified in conditions 1, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16, 28, 19, 21, 24 and 25 of planning consent CL/16/0336) at Birkwood Estate, Lesmahagow, Lanark.

**The Committee decided:** that planning application P/21/2019 by Sunnyside Homes (Birkwood) Limited for the formation of a vehicular access road, erection of 18 houses, associated landscaping and infrastructure for Area A - Phase 1 (approval of matters specified in conditions 1, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16, 28, 19, 21, 24 and 25 of planning consent CL/16/0336) at Birkwood Estate, Lesmahagow, Lanark be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 1 November 2016 (Paragraph 17)]*

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**5 Application P/22/0477 for Erection of Single Storey House with Attic Accommodation (4 Bedroom (Including 3 Guest Bedrooms)) and Stabling for a Maximum of 3 Horses Associated with the Establishment of a Bed and Breakfast Facility at Land at Westsidewood Road, Carnwath**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0477 by D and J Knight for the erection of a single storey house with attic accommodation (4 bedroom (including 3 guest bedrooms)) and stabling for a maximum of 3 horses associated with the establishment of a bed and breakfast facility at land at Westsidewood Road, Carnwath.

The application had been referred to Committee for consideration, as requested by Councillor Allison, in terms of section 2.4 of the Council's Planning Application Decision Making Process.

Following discussion, during which an officer responded to members' questions on various aspects of the report, Councillor Nelson, seconded by Councillor Convery, moved that the application be refused for the reasons detailed in the Executive Director's report. Councillor Allison, seconded by Councillor Lambie, moved that the application be granted subject to appropriate conditions, to be prepared by officers, on the grounds that the development would be an additional resource for the rural area. On a vote being taken using the electronic voting system, 9 members voted for the motion and 10 for the amendment which was declared carried.

**The Committee decided:** that planning application P/22/0477 by D and J Knight for the erection of a single storey house with attic accommodation (4 bedroom (including 3 guest bedrooms)) and stabling for a maximum of 3 horses associated with the establishment of a bed and breakfast facility at land at Westsidewood Road, Carnwath be granted subject to the conditions attached as Appendix 1 to this minute.

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**6 Application P/23/1383 for Erection of Neighbourhood Centre Development Incorporating Multi-Use Community Facility, Nursery, Retail/Business/Commercial Units, Medical Facility, Indoor/Outdoor Fitness Facility, Community Gardens, Local Hybrid Energy Facility and Solar EV Charging with Associated Access and Landscaping (Planning Permission in Principle) at Land Between Bystone Cottage and White Gables, Peel Road, Thorntonhall**

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The Chair advised that this application had been withdrawn at the request of the applicant.

**The Committee decided:** to note the position.

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**7 Application P/24/0010 for Erection of 5 Detached Houses, Formation of Vehicular Access, Parking and Associated Works at Land 75 Metres West of The Manse, Manse Road, Stonehouse**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/24/0010 by C Rock for the erection of 5 detached houses, formation of vehicular access, parking and associated works at land 75 metres west of The Manse, Manse Road, Stonehouse.

The application had been referred to Committee for consideration, as requested by Councillor Cooper, in terms of section 2.4 of the Council's Planning Application Decision Making Process.

**The Committee decided:** that planning application P/24/0010 by C Rock for the erection of 5 detached houses, formation of vehicular access, parking and associated works at land 75 metres west of The Manse, Manse Road, Stonehouse be refused for the reasons detailed in the Executive Director's report.

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**8 Application P/24/0019 for Substitution of House Types (Amendment to Planning Consent P/22/1377) for the Erection of 182 Houses with Associated Roads, Drainage, Landscaping and Open Space at Land 360 Metres North Northeast of Hallside Manse, Manse Brae, Cambuslang**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/24/0019 by Miller Homes Limited for the substitution of house types (amendment to planning consent P/22/1377) for the erection of 182 houses with associated roads, drainage, landscaping and open space at land 360 metres north northeast of Hallside Manse, Manse Brae, Cambuslang.

There followed a discussion on the application during which the Chair responded to a member's question on an aspect of the report.

**The Committee decided:** that planning application P/24/0019 by Miller Homes Limited for the substitution of house types (amendment to planning consent P/22/1377) for the erection of 182 houses with associated roads, drainage, landscaping and open space at land 360 metres north northeast of Hallside Manse, Manse Brae, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 21 March 2023 (Paragraph 9)]*

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**9 Application P/24/0076 for Erection of 126 Houses, 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) at East Kilbride Community Growth Area – Cala Phase 3, Newhouse Road, East Kilbride**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/24/0076 by Cala Management Limited for the erection of 126 houses, 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) at East Kilbride Community Growth Area – Cala Phase 3, Newhouse Road, East Kilbride.

There followed a discussion on the application during which the Chair and an officer responded to a member's questions on aspects of the report.

**The Committee decided:** that planning application P/24/0076 by Cala Management Limited for the erection of 126 houses, 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) at East Kilbride Community Growth Area – Cala Phase 3, Newhouse Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 8 October 2019 (Paragraph 8)]*

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**10 Proposed Stopping Up of Public Road Under Section 207 of the Town and Country Planning (Scotland) Act 1997 – 4 Redwood Crescent, East Kilbride**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on arrangements for the promotion of a Stopping Up Order at 4 Redwood Crescent, East Kilbride.

In March 2024, planning consent had been granted, under delegated authority, in respect of application P/23/0981 for the erection of an office, workshop building and storage building with associated works on land to the north of 4 Redwood Crescent, East Kilbride. To facilitate the development at this location, the spur road that served that part of Redwood Crescent required to be stopped up.

In order to maintain suitable access and egress from the spur road, the applicants had proposed to construct a new section of road to replace the existing road that would be stopped up and a condition had been attached to the planning consent requiring the new road to be completed and brought into use before the current road was removed.

The stopping up of the road would be promoted under Section 207 of the Town and Country Planning (Scotland) Act 1997. The applicant would be responsible for the legal fees, including the Council's, associated with this Stopping Up Order.

**The Committee decided:** that the head of Planning and Regulatory Services, in consultation with the Head of Roads, Transportation and Fleet Services, be authorised to promote a Stopping Up Order under Section 207 of the Town and Country Planning (Scotland) Act 1997, to facilitate the development approved under planning consent P/23/0981 at 4 Redwood Crescent, East Kilbride.

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## **11 Planning Appeal Decisions – November 2023 to March 2024**

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A report dated 22 April 2024 by the Executive Director (Community and Enterprise Resources) was submitted on planning application appeal decisions issued by the Scottish Government's Planning and Environmental Appeals Division during the period 1 November 2023 to 31 March 2024.

The Head of Planning and Regulatory Services advised that the appeal that had been outstanding at the time of writing the report had since been dismissed and would be detailed in a future report to the Committee.

There followed a discussion, during which members made a number of points, and the Chair requested that members contact the Head of Planning and Regulatory Services regarding any questions they had in terms of the interpretation of planning policy. The Chair continued by thanking Planning Officers for their work and stated that the report showed that planning policy was being implemented appropriately.

**The Committee decided:** that the decisions issued by the Scottish Government's Planning and Environmental Appeals Division in relation to South Lanarkshire Council, during the period 1 November 2023 to 31 March 2024, be noted.

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## **12 Urgent Business**

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There were no items of urgent business.

Application P/22/0477 for the erection of a single storey house with attic accommodation (4 bedroom (including 3 guest bedrooms)) and stabling for a maximum of 3 horses associated with the establishment of a bed and breakfast facility at land at Westsidewood Road, Carnwath

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. Prior to commencement of work on the development, the stables hereby approved as part of this application shall be completed and available for use.

Reason: In the interests of a viable rural business.

03. Bedrooms 1, 2 and 3 as shown on the approved floor plan (Dr No: 1244/01 Rev F) shall be restricted to holiday occupation only and shall not be let or used as the sole residence of any one person, family or group. No individual, family, company, group or any other type of occupant shall occupy the accommodation for more than 12 weeks in any calendar year. To facilitate monitoring, a record system of all lettings, to include names, addresses and duration of stay, shall be in place at all times for Council inspection and shall be submitted to the Council as Planning Authority 12 months from the date of initial occupation or completion, whichever is the earlier, and every 12 months thereafter.

Reason: To ensure that the economic benefit of this tourism development is not lost by the accommodation becoming occupied by long term or permanent residents and to ensure compliance with local plan policy.

04. Prior to the occupation of the development, details of marketing and publicity for the B&B accommodation shall be submitted for the written approval of the Council as Planning Authority.

Reason: To ensure the establishment and availability of holiday accommodation.

05. Once the B&B operation has commenced, should it cease to operate at any point in the future, the occupation of the building as a residential dwellinghouse shall also cease and, if no new operator is identified to take on the business within 1 year of the B&B operation ceasing, the buildings shall be removed and the site restored to its original condition.

Reason: To ensure that the development is only occupied for the purposes of residential accommodation associated with the B&B use and does not become a standard residential dwelling.

06. 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 in writing by the Council as Planning Authority.

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



07. That the roof of the approved building shall be clad externally in natural slate.

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

08. 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 in writing by the Council as Planning Authority.

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

09. That before the development is occupied, a 1.8 metre high screen fence shall be erected along a section of the southern boundary marked brown on the approved Block Plan (Dr No: 1244/01 Rev F).

Reason: To protect the privacy of the adjacent property and to prevent overlooking.

10. That before the development is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 08, shall be erected.

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

11. That the existing tree within the application site shall not be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.

Reason: To ensure the protection and maintenance of the existing mature trees within the site.

12. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of the tree and hedgerow planting scheme, shown on the Block Plan (Dr No: 1244/01 Rev F), shall be submitted to and approved in writing by the Council as Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Reason: To enhance the natural heritage of the area.

13. That the approved tree and hedgerow planting scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the development or completion of the development hereby approved, whichever is the sooner.

Reason: In the interests of the visual amenity of the area.

14. That the development shall not be occupied until the developer provides a written agreement from Scottish Water and SEPA that the site can be served by a water supply and sewerage scheme in accordance with relevant standards and regulations.

Reason: To ensure that the development is served by an appropriate effluent disposal system and water supply.

15. Prior to the commencement of works on site, the applicant will require to submit a flood risk assessment for the consideration and approval of the council. Self-certification and independent check certificates appendices A and B (refer to the Council's developer design guidance May 2020) duly signed by the relevant party are to be submitted.

Reason: To ensure that works proposed are not at risk of flooding and will not increase the likelihood of flooding elsewhere.

16. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Developer Design Guidance (May 2020) and shall include the following signed appendices: C 'Sustainable Drainage Design Compliance certificate', D 'Sustainable Drainage Design Independent Check Certificate' and E 'Confirmation of Future Maintenance of Sustainable Drainage Apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved in writing 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.

17. That before the development hereby approved is brought into use, a 5.5 metre wide dropped kerb vehicular crossing to the site shall be constructed and available for use.

Reason: In the interests of traffic and public safety.

18. That before the development hereby approved is completed or brought into use, the first 6 metres of the access from the heel of the footway/service strip shall be hard surfaced, trapped and sealed across its full width to prevent deleterious material being carried onto the road.

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

19. That before the development hereby approved is completed or brought into use, 3 no. parking spaces (3.0m x 6.0m modules) and 2 horse box parking spaces (4.0m x 8.0m), within the application site, shall be laid out, constructed and available for use.

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

20. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 60 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

21. That before the development hereby approved is completed or brought into use, visibility splays of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the driveways and vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

22. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

23. Prior to the commencement of development on site, an energy statement covering the new build element of the approved development which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 10% reduction in CO<sub>2</sub> emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:-

- a) the total predicted energy requirements and CO<sub>2</sub> emissions of the development, clearly illustrating the additional 10% reduction beyond the 2007 building regulations CO<sub>2</sub> standard;
- b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
- c) an indication of the location and design of the on-site energy technologies; and
- d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.

Reason: To secure a reduction in carbon dioxide emissions.

24. The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any of the approved buildings.

Reason: To secure the timeous implementation of on-site zero and low carbon energy technologies.

25. That prior to the commencement of works, the detail and location of charging point(s) for electrical cars, shall be submitted for the written approval of the Council as Planning Authority. Prior to the completion of the development the approved charging points shall be installed and available for use.

Reason: To ensure facilities for recharging electrical cars are available for the use of the residents.

26. Prior to the commencement of development, details for the storage and location of manure heaps and other waste from the stables, shall be submitted to and approved in writing by the Council as Planning Authority, and thereafter manure and other waste shall be stored in the approved location, unless otherwise agreed in writing with the applicant.

Reason: In the interests of amenity and to protect neighbouring residents from odours.

27. That no gates or other obstructions shall be erected within the first 8 metres of the driveway as measured from the edge of the carriageway.

Reason: In the interests of traffic and public safety.

# Report

3

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>28 May 2024</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject	<b>South Lanarkshire Development Plan Scheme 2024 and Local Development Plan 3 Update</b>
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## 1. Purpose of Report

1.1 The purpose of the report is to:-

- ◆ seek approval of the South Lanarkshire Development Plan Scheme 2024, attached as Appendix 1 of the report
- ◆ provide an update to members on the progress that is being made in the preparation of the next Local Development Plan (SLLDP3) for South Lanarkshire

## 2. Recommendation(s)

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

- (1) that the Committee approve the South Lanarkshire Development Plan Scheme 2024, attached as Appendix 1 of the report; and
- (2) that the update on progress being made in the preparation of the next Local Development Plan (SLLDP3) for South Lanarkshire be noted.

## 3. Development Plan Scheme

3.1. The Development Plan Scheme (DPS) is a statement setting out South Lanarkshire Council's timetable for the preparation of its Local Development Plan. Legislation requires that all planning authorities are required to publish a DPS annually which includes:-

- ◆ an explanation of what the Local Development Plan is
- ◆ a timetable for the preparation of the next South Lanarkshire Local Development Plan (SLLDP3)
- ◆ details of community engagement in the planning process and how relevant stakeholders, including residents, can get involved

3.2. The Development Plan Scheme that is presented to Members for approval has been updated to reflect work undertaken since preparation of SLLDP3 began in August 2023 and highlights the engagement work to be undertaken over the next 6 months.

## 4. Local Development Plan 3

4.1. All Scottish Local Authorities have a statutory duty to prepare a Local Development Plan for all parts of their area and in line with updated national guidance and legislation. The next generation of Local Development Plans will be place-based and presented as a series of maps, site briefs and masterplans for individual sites and localities.

- 4.2. The Local Development Plan will be a corporate document and a vehicle for the delivery of outcomes by drawing together all the Council's strategies, plans, and the objectives of the Council Plan as well of those of its partners and other stakeholders. The Act requires the LDP to take account of the Council's Community Plan.
- 4.3. The LDP will include a Delivery Programme which will set out how the Council will implement the Plan, including a list of actions required to deliver the policies and proposals and the timescales involved.
- 4.4. The Act sets out the key agencies that are to be engaged in the preparation of the Plan including NatureScot, SEPA, Scottish Water, Scottish Enterprise, NHS Lanarkshire and the Regional Transport Partnership. It also requires engagement with a range of groups including children and young people, disabled persons, Gypsies and Travellers and community councils.
- 4.5. The Participation Statement in the Development Plan Scheme has been developed to reflect these requirements and demonstrate the work on engagement to be undertaken in the next 6 months.
- 4.6. The DPS identifies an updated timetable in relation to the following stages over the next 12 months:-
- 4.7. Drafting of the Evidence Report  
The Evidence Report will be used to inform the development of the Council's land use strategy and will be the base document in identifying where new development should take place and what requirements are needed to facilitate this development. Data is being collated from a range of national, regional and local sources to support this process including Public Health Scotland, Glasgow City Region and the Local Government Improvement Service as well as internal Council Services.
- 4.8. Early Engagement  
The Evidence Report is also to be informed by the views of those affected by the Plan and involved in its delivery and, therefore, extensive early engagement is being carried out with key agencies, stakeholders, interest groups and local communities to ensure evidence gathering is collaborative and transparent.
- 4.9. The first stage of this engagement was the launch of an online survey on 1 May 2024 with a series of questions that are linked to people's views of their place and what they consider the key issues are for their area. This has been made live at: [Local Development Plan 3 \(LDP3\) - South Lanarkshire Council](#) and will be available until 30 September 2024.
- 4.10. This link is being promoted to all community councils and groups, the Citizen's Panel, and the Council online news service. Further work is being undertaken to focus on engagement with all ages, accessing children and young people through our Education Service and Community Planning, as well as our older citizens through Seniors Together.
- 4.11. Considerable discussions have already taken place to establish links with hard-to-reach groups and representatives from a range of groups representing key topic areas, including issues such as nature resilience, homelessness and climate change. To follow up on the identification of key issues, in-person workshops and group discussions will be undertaken throughout the summer months to understand where evidence gaps might arise and provide a robust baseline to demonstrate any unresolved issues prior to the Evidence Report submission.

#### 4.12. Gate Check

Once approved by Council, the Evidence Report must then be submitted to Scottish Ministers to carry out a Gate Check. This involves an assessment by a Reporter appointed by Scottish Ministers from the Division of Planning and Environmental Appeals (DPEA) on whether sufficient information has been gathered to prepare the LDP and appropriate engagement has been carried out. On being notified that there is sufficient information, the Council can move to prepare the Proposed Plan. However, the Reporter may also recommend how to improve the Evidence Report for resubmission and further assessment.

### 5. **Conclusion**

- 5.1. The Development Plan Scheme is updated annually to reflect progress being made in the review of the Local Development Plan. The current DPS timetable reflects early work undertaken to develop an evidence base and an engagement framework. It also provides a structure to meet the next milestone, which is submission to the Evidence Gate Check at the Scottish Government. The report also highlights the extensive engagement work programmed over the summer months and the survey work that is underway. This work will collate together to form early indicators for establishing the strategic land use ambitions for the Council in the next ten years.

### 6. **Employee Implications**

- 6.1. The preparation of the Local Development Plan is likely to be more resource intensive than earlier versions based on the new procedures and guidance and additional topics that are required to be covered.

### 7. **Financial Implications**

- 7.1. The costs of the preparation and production of the next Local Development Plan will be expected to be met from existing budgets. This includes the cost of the newly introduced Gate Check of the Council's Evidence Report as well as the Examination of the Proposed Plan.

### 8. **Climate Change, Sustainability and Environmental Implications**

- 8.1. The themes of tackling the climate and nature crises, climate mitigation and adaptation and support for sustainable developments through the application of principles of local living and 20-minute neighbourhoods will be addressed in the spatial strategy of LDP3.

### 9. **Other Implications**

- 9.1. The preparation of the Local Development Plan is a statutory requirement for the Council. Failure to have an up-to-date version carries a reputational risk and the possibility of not attracting investment into the Council area.

### 10. **Equality Impact Assessment and Consultation Arrangements**

- 10.1. LDP3 will be subject to Equalities Impact Assessment, Child Rights and Wellbeing and a Fairer Scotland Duty Assessment.
- 10.2. Extensive engagement and consultation by the Council will be carried out as set out in the Development Plan Scheme at appendix 1.

**David Booth**

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

**20 May 2024**

**Link(s) to Council Values/Priorities/Outcomes**

- ◆ Good quality, suitable and sustainable places to live

**Previous References**

- ◆ Planning Committee – 8 August 2023 – South Lanarkshire Local Development Plan 3, South Lanarkshire Development Plan Scheme 2023 and Open Space Strategy

**List of Background Papers**

- ◆ Planning (Scotland) Act 2019
- ◆ Town and Country Planning (Development Planning) (Scotland) Regulations 2023
- ◆ Scottish Government Local Development planning guidance published May 2023

**Contact for Further Information**

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

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## **Appendix 1: South Lanarkshire Council**

### **Development Plan Scheme and Participation Statement 2024**

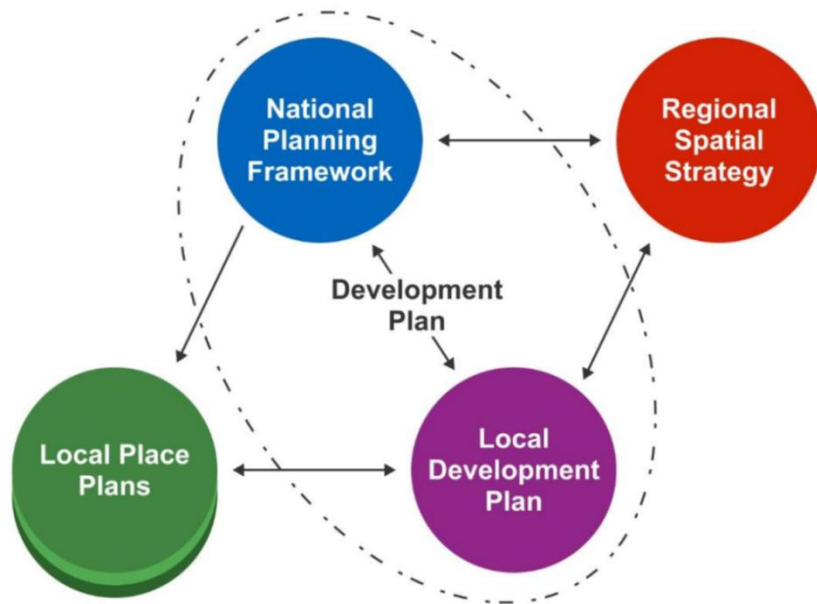
## **What is the Development Plan Scheme?**

A Development Plan Scheme (DPS) is prepared and updated by the Council every year. For 2024, the DPS provides further detail on our engagement strategy and evidence gathering in preparation of our next Local Development Plan. This work will inform how our places look in the future, where new houses and places of work will be built, how services and facilities such as schools and travel will be provided and identify the places and buildings to be protected.

DPS 2024 includes the projected timetable for delivery of the different stages of the plan making process, as well as the Participation Statement which explains how and when we will ask stakeholders including local communities and key agencies to become involved.

## **What is the Development Plan for South Lanarkshire Council (SLC)?**

Development plans are important as they define how we use our land and what areas require greater protection. It also provides policy which guides decisions on applications for planning permission. The current arrangements that apply across Scotland are shown in the diagram below.



National Planning Framework	Scottish Government's policies and proposals for the development and use of land. Incorporates any adopted regional spatial strategy (RSS) when preparing, revising or amending the NPF
Regional Spatial Strategy	A planning authority, or authorities acting jointly, prepare long-term spatial strategies for the strategic development of an area. RSS are not part of the statutory development plan but have an important role informing future versions of the NPF and LDPs (Local Development Plans).
Local Development Plans	Councils must prepare one or more LDP for their area. It shows how local places will evolve in the future, including where development should and should not happen. It must take into account the National Planning Framework and any registered local place plan/s (LPPs) for the area the LDP covers. It should also have regard to any RSS and the Community Plan for the area it covers.
Local Place Plans	LPPs are community-led plans prepared by community bodies setting out proposals for the development and use of land in their local area. It must have regard to the NPF, any LDP which covers the same area, and also any neighbourhood plan which covers the same area. LPPs are not part of the statutory development plan but have an important role to play in informing LDPs.

[National Planning Framework 4](#) was published and adopted by the Scottish Government on 13 February 2023. It sets out 33 national planning policies which represent the Scottish Government's long term spatial strategy for Scotland. These policies are used to assess planning applications and provide the direction for what the Council's Local Development Plan should include.

The table in **Annex 1** shows how these policies link to other national and the Council's own strategies and policies.

[South Lanarkshire Local Development Plan 2](#) was adopted in April 2021 and represents the Council's spatial policy for its area. It includes sites that are allocated for development as well as detailed policies on matters such as climate change, the green belt and rural area, housing, town centres and transport. It is accompanied by other documents including Supporting Planning Guidance covering Developer Contributions, Renewable Energy, Electric Vehicle Charging Infrastructure and Development at a Dwellinghouse.

Regional Spatial Strategies will look at strategic development issues – in the case of South Lanarkshire across the Glasgow City Region. Working groups associated with this joint approach that have met to explore what issues need to be addressed regionally. This will be developed in tandem with LDPs.

Local Place Plans are a new opportunity for local communities to get involved in the planning system by setting out proposals for the development and use of land in their area. Once it has been registered by the planning authority, the Planning Authority will take them into account in the preparation of the next Local Development Plan. We have now issued an invitation to communities to prepare Local Place Plans and have an online register of interest on our website: [Local Place Plans](#). For further information, you can refer to the circular [Planning circular 1/2022: Local Place Plans](#).

## **The next Local Development Plan for SLC**

The Council formally agreed the preparation of the next Local Development Plan (to be known as LDP3) in summer 2023. Early engagement and evidence gathering are now underway to prepare an Evidence Report, based on the requirements published by the Scottish Government in May 2023: [Local Development Planning guidance](#). The evidence will include information and data and qualitative as well as the 'lived experience' of everyone active in the Council area. By doing this it will capture the aims and ambitions of the Council and its partners, stakeholders and communities. **Annex 2** provides further details. There are some other key assessments that need to be developed alongside the LDP, which help to inform decisions and ensure that the plan meets other legislation requirements. A list of these is provided in **Annex 3**.

Once complete the Evidence Report is submitted to Scottish Ministers for a **Gate Check**. This is to allow an assessment by an independent Reporter of whether the evidence we have produced is sufficient to let us start preparing the Local Development Plan. It will also check that that we have carried out appropriate engagement and consultation.

When we receive confirmation that the Gate Check is complete, work will start on the **Proposed Plan**. This will be map based with site briefs and masterplans to detail how sites will be developed. Sites must be deliverable and free from constraints, and we will be actively engaging with developers and key agencies to evidence this. Undeveloped sites in LDP2 will be looked at again and may be removed if they are no longer deliverable or viable or accord with the policy direction in NPF4.

A **Call for Ideas** will be carried out early on in this stage of plan preparation so that proposed ideas for any part of the plan can be submitted, including policy or suggestions for development sites.

Once the proposed plan has been prepared, we will carry out formal **consultation** of a minimum period of 12 weeks. This will include neighbour notification for anyone who owns, or leases sites or neighbouring land affected. During this period anyone can make representations to the Council either in support of the plan or if they wish to object.

After the consultation period we can **modify** the proposed plan to take account of representations made to the Council or consultation responses from key agencies.

When we cannot agree modifications then the representation is considered unresolved. When this happens, the proposed plan is submitted to Scottish Ministers for **examination** carried out by a reporter from the Department for Planning and Environmental Appeals. Once the Examination is complete the Reporter will prepare a report setting out their recommendations and any modifications they require to be made. The report will be submitted to the Council along with anyone who has made unresolved representations. The Council are to make the modifications except in limited circumstances. After this we will carry out the process for the formal **adoption** of the Plan.

## The Timetable

Key stages	Timetable	Actions
Evidence gathering	Summer 2023- Autumn 2024	Includes: Local Place Plan register, Self-build register, Urban Capacity Study, Green Belt Review, Settlement Boundary Review, Open Space Audit, Play Sufficiency Assessment, Retail Studies, Town Centre appraisals, Vacant and Derelict Land Survey, Housing Land Audit, Employment Land Audit, Conservation Area Appraisals, Dismantled Railways Mapping.
Development Plan Scheme and Participation Statement update	May 2024	We published an approved Participation Statement in late 2023. This has been updated to reflect current engagement and timetable for participation throughout 2024/25.
LDP3 early engagement	Summer 2023 – Winter 2024	Comprehensive early sense check on evidence gathering to identify areas of conflict or disagreement in terms of data interpretation. Engagement requires capturing hard to reach, young people, minority groups and place-based communities to ensure we capture the lived experience.
Preparation of Evidence Report	Winter 2024/25	The evidence report will identify any gaps in the evidence required; our interpretation of the evidence gathered and the implications for the proposed plan; and a summary of any conflicting views on the evidence and lived experience. Approval of South Lanarkshire Council is required prior to submission for the Gate Check.
Scottish Government Gate Check	Spring 2025	Submission of evidence report to Scottish Government who will appoint a Reporter to identify any unresolved issues and provide evidence base for developing strategy is robust.
Strategy development for Proposed LDP3	Winter 2024 – Spring 2026	Development of key strategies to support development of LDP, including Open Space Strategy, Housing Needs and Demand Assessment and Employment Land review.
Development Plan Scheme and Participation Statement update	May 2025	Updated to provide engagement strategy for developing Proposed Plan.

Call for ideas and continuing engagement	Spring 2025	The call for ideas will be an invitation open to everyone to propose ideas for any aspect of the new local development plan including local policy/guidance and land allocations.
Development Plan Scheme and Participation Statement update	May 2026	Updated to provide stakeholder consultation timings and process.
Proposed Plan consultation	Spring 2026	Proposed Plan presented to Full Council for approval.  One approved statutory consultation of minimum 12 weeks to allow any representations from stakeholders, including the public, which seek to make changes to the plan. This stage will include targeted engagement with key stakeholders and communities most affected by the proposals.
Modification of the Proposed Local Development Plan	Autumn 2026	Modifications carried out to proposed plan. The Regulations state that there is no requirement to invite comment on the Modification Report. However, this depends on whether new information has been submitted that challenges the evidence position in terms of strategy development.
Development Plan Scheme and Participation Statement update	May 2027	Updated to provide Participation Statement as part of LDP Examination submission.
Examination	Winter 2026	Council submits Proposed LDP to Scottish Government for examination of any unresolved issues. DPEA issues Examination Report providing Council with recommendations on how to resolve these issues.
Adoption	Winter 2027	Modifications and any new material considerations incorporated into Proposed LDP and presented to Council for adoption.
Post-Adoption Monitoring and Delivery Programme	2028 onwards	Monitoring and delivery programme for LDP established and updated regularly to identify any modifications or requirements to ensure delivery.

## Participation Statement

To develop the Local Development Plan (LDP3), we are asking you to share with us your thoughts and ideas of how to create successful and enjoyable places within South Lanarkshire. Our Participation Statement outlines the range of engagement we will be carrying out and who we will interact with. We aim to engage with as many people as possible to collect the information needed to reflect the strengths and opportunities that we can build upon. If it's done right, LDP3 will embody everything we've learned from you and will provide local approaches to meet these identified needs.

We would like to hear from you, and in your own words, about the things that matter to you. As part of this, we recognise you may have many different roles and interests. We believe that everyone has the right and the skillset to get involved, and by doing so you will be making a valuable contribution to the improvement and wellbeing of your area. This is your plan, and it needs to embody your views and the diverse needs of communities within South Lanarkshire. To reflect our diverse needs, we will prepare individual programmes to connect with communities. Targeted strategies to reach underrepresented groups are included in this.

The Participation Statement is a 'living' document that will regularly be updated to reflect good practice and changing circumstances. We will listen to feedback from your experience of engagement with us and we will take steps to make improvements going forward. We hope our Participation Statement helps you to feel empowered, welcomed, and that your input and lived experience of South Lanarkshire is hugely valuable to us.

### What general principles will we follow?

- The approach to engagement on LDP3 will be shaped by the principles highlighted in the [National Standards for Community Engagement](#).
- We will ensure that people with protected characteristics (including race, age, gender, sex, sexual orientation and disability) are not discriminated against, and are actively included in the engagement process.
- The contents of the draft [Effective community engagement in local development planning guidance: consultation](#) published on 24 May 2023 will be used to shape our engagement activities with local communities.
- We will also incorporate the [Planning and Building Standards Consultation Communication and Engagement Strategy 2021](#) into our engagement methods.



### **Our inclusive approach**

- We will encourage participation from as wide a range of stakeholders as possible throughout the LDP process. We want to make it as easy as possible for everyone with an interest to engage in its preparation.
- Information will be provided in accessible formats to meet the needs of our varied stakeholders. We will exchange and gather information using graphics and audio to remove the barrier for those with vision impairment or literacy and numeracy challenges. We understand that using technology won't always be the best method for everyone, and in these cases we will use alternative methods. In addition to English, we will provide the document in additional language formats.
- Engagement with children and young people, older people, disabled people and Gypsy/Travellers is a statutory requirement. We will work with the Council's Education Service as well as organisations such as the Youth Panel, Seniors Together, the Access Panel, Lanarkshire Ethnic Minorities Action Group and Minority Ethnic Carers of People Project to develop appropriate methods to engage.
- We will develop a programme with Voluntary Action South Lanarkshire to facilitate engagement with the many local voluntary groups across the Council's area.

### **How will we publicise engagement opportunities and provide feedback?**

We have:

- Created an online information hub: [Local Development Plan 3 \(LDP3\) - South Lanarkshire Council](#)
- Emailed a package of guidance and the survey link to all key contacts to gain initial feedback.
- Placed adverts in local newspapers and South Lanarkshire View.
- Updated the South Lanarkshire Council website.
- Issued social media announcements regarding the survey.
- Collaborated with Community Planning colleagues to identify key groups.
- Printed banners and flyers.
- Contacted representative organisations for hard-to-reach groups.
- Established links with active groups and community leaders within the council area.

## **An emphasis on good communication**

We have:

- Identified from feedback on the Participation Statement last summer an online survey as the key form of evidence gathering for engagement using a simplified form of the Place Standard. For further clarification on the survey answers we will follow up with in person workshops or individual discussions on the issues raised.
- Created an online hub to enable updates on the plan making process to be provided as well as to invite comments and suggestions.
- Identified communities who have developed Community Action Plans or indicated an interest in developing a Local Place Plan.

We will:

- Focus on topics or issues that people are most interested in.
- Where it would be advantageous to the stakeholder, we will facilitate other services to provide questionnaires and the Place Standard Tool on our behalf.
- Participate in other consultations being carried out by the Council and its partners.
- Request invites to attend events within communities and work closely with colleagues in Community Planning who have already established strong links to communities.
- Ensure that the format of communication is led by accessibility and ease of use.
- Involve communities who may be excluded from participating due to disadvantage relating to social or economic factors.

## **Ways in which we will gather information and comments include:**

We have:

- Developed a survey using a simplified form of the Place Standard Tool to ensure accessibility for all age ranges.
- Issued the survey to the Council's Citizens Panel and Peoples Panel.

We will:

- Regularly update the web pages on the process and the outcomes from engagement.
- Will hold Exhibitions and workshops over the summer months.
- Work closely with our Community Planning Partnership partners to engage with people living in communities experiencing socio-economic difficulties to gain a better understanding of their place.
- We will promote and facilitate the participation of children and young people under the age of 25 to seek views on their lived experience. Proposed methods of engagement will include the online survey to support conversations between educators/teachers and children, and capture views about play needs and opportunities in their area, including likes and dislikes about their places. We will engage through South Lanarkshire Youth Council, Youth Parliament Representatives, student representatives in higher education and the Council's Education Services.

- Seek the views of and engage with Gypsies and Travellers to help gain a perspective on their distinct planning needs. Positive engagement with Gypsies and Travelling People will be facilitated through dialogue with representative organisations and the Council's Gypsy/Traveller Liaison Officer. Attention will also be given to non-written and face-to-face on-site engagement.
- Work with groups and organisations representing disabled people and older people to establish the most suitable methods of engagement and multimedia formats to share and collect information.

### **Who can participate?**

Participation in the preparation of Local Development Plan 3 is open to everyone and inclusion will be encouraged, including (this is not an exhaustive list):

- South Lanarkshire residents and those with an interest in the area
- Landowners, developers and housing providers
- Business, industry, and tourism groups
- Elected members
- Underrepresented and minority groups
- Religious bodies and organisations
- Voluntary organisations
- Neighbouring authorities
- Rural communities

### **Other key groups:**

- Children and young people
- Disabled people
- Gypsies and Travellers, and Showpeople
- Community Councils
- Older people
- Communities experiencing socio-economic disadvantage
- Community bodies who have expressed an interest in, or have completed, a Local Place Plan.

**Key Agencies:**

The key agencies are set out in the Town and Country Planning (Development Planning) (Scotland) Regulations 2023 as follows:

- NatureScot
- Scottish Environment Protection Agency (SEPA)
- Scottish Water
- Scottish Enterprise
- Strathclyde Partnership for Transport (SPT)
- NHS Lanarkshire
- Historic Environment Scotland (HES)

**National and Regional agencies:**

- Transport Scotland
- Scottish Forestry
- Sport Scotland
- Architecture and Design Scotland
- Central Scotland Green Network Partnership

**A sample of topic interest groups:**

- Natural Environment and Climate
- Historic Environment
- Art, Leisure and Culture
- Active travel and transport
- Town centre and business groups
- Food growing and local living

## Mediation

The use of mediation to help build bridges between stakeholders and explore, reduce or resolve issues of dispute in development planning is highlighted in the Scottish Government - Circular 2/2021: Guidance on the promotion and use of mediation in the Scottish Planning System LINK Mediation has the potential benefits of opening up communication, improving relationships and encouraging a way to move forward from disputes, however, this does not guarantee dispute resolution or an agreement between parties.

It is a voluntary process and can be facilitated either by an impartial third party or through 'informal mediation' where planners and other relevant stakeholders take a mediation-style / facilitatory approach in their work. We will have regard to any requests for the use of [mediation](#) through the consultation process of the Participation Statement. Where the Council has been requested to enter into mediation during the local development plan process, each case will be considered on its individual merits.

## Annex 1

### Sustainable places

NPF4 Policies	Key Scottish Government links	Council Plans/Strategies
<ol style="list-style-type: none"> <li>1. Tackling the climate and nature crises</li> <li>2. Climate mitigation and adaptation</li> <li>3. Biodiversity</li> <li>4. Natural places</li> <li>5. Soils</li> <li>6. Forestry, woodland and trees</li> <li>7. Historic assets and places</li> <li>8. Green belts</li> <li>9. Brownfield land, vacant and derelict land and empty buildings</li> <li>10. Coastal development</li> <li>11. Energy</li> <li>12. Zero waste</li> <li>13. Sustainable transport</li> </ol>	<ul style="list-style-type: none"> <li>• Land Use – getting the best from our land: strategy 2021 – 2026</li> <li>• Making things last: a circular economy strategy for Scotland</li> <li>• Scotland’s Energy Strategy</li> <li>• Scotland’s Environment Strategy</li> <li>• Scotland’s Forestry Strategy</li> <li>• Scottish Biodiversity Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Council Plan – Connect</li> <li>• Community Plan</li> <li>• Various neighbourhood plans</li> <li>• Sustainable Development and Climate Change Strategy</li> <li>• Carbon Management Plan</li> <li>• Local Heat and Energy Efficiency Strategy (under preparation)</li> <li>• Biodiversity Strategy</li> <li>• Glasgow and Clyde Valley Forestry and Woodland Strategy</li> <li>• Local Transport Strategy (under review)</li> <li>• Park and Ride Strategy</li> <li>• Various active travel studies</li> </ul>

### Liveable Places

NPF4 Policies	Key Scottish Government links	Council Plans/Strategies
<ol style="list-style-type: none"> <li>14. Design, quality and place</li> <li>15. Local living and 20-minute neighbourhoods</li> <li>16. Quality homes</li> <li>17. Rural homes</li> <li>18. Infrastructure first</li> <li>19. Heat and cooling</li> </ol>	<ul style="list-style-type: none"> <li>• A Connected Scotland</li> <li>• A Healthier Future: Scotland’s diet and healthy weight delivery plan</li> <li>• Cleaner Air for Scotland 2</li> <li>• Creating Places</li> <li>• Culture Strategy</li> <li>• Heat in Buildings Strategy Housing to 2040</li> </ul>	<ul style="list-style-type: none"> <li>• Local Housing Strategy</li> <li>• Food Strategy</li> <li>• Air Quality Strategy (under preparation)</li> </ul>

<p>20. Blue and green infrastructure  21. Play, recreation and sport  22. Flood risk and water management  23. Health and Safety  24. Digital infrastructure</p>	<ul style="list-style-type: none"> <li>• Learning Estate Strategy/Learning Estate Investment Programme</li> <li>• Public Health Priorities for Scotland</li> <li>• Remote, Rural and Islands Housing Action</li> <li>• Scotland's Population Strategy</li> </ul>	
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**Productive Places**

<b>NPF4 Policies</b>	<b>Key Scottish Government links</b>	<b>Council Plans/Strategies</b>
<p>25. Community wealth building  26. Business and industry  27. City, town, local and commercial centres  28. Retail  29. Rural development  30. Tourism  31. Culture and creativity  32. Aquaculture  33. Minerals</p>	<ul style="list-style-type: none"> <li>• National Strategy for Economic Transformation</li> <li>• Retail Strategy for Scotland</li> <li>• Report of the City Centre Recovery Taskforce</li> <li>• Scottish land rights and responsibilities statement</li> <li>• Town Centre Action Plan 2</li> </ul>	<ul style="list-style-type: none"> <li>• Economic Strategy</li> <li>• Community Wealth Building Strategy</li> <li>• Social Enterprise Strategy</li> <li>• Tourism Strategy</li> <li>• Various town centre strategies</li> </ul>

## Annex 2

### Matters to be addressed in the LDP3 Evidence Report

- The principal physical, cultural, economic, social, built heritage and environmental characteristics of the district;
- The principal purposes for which the land is used;
- The size, composition, health and distribution of the population of the district;
- The housing needs of the population of the area, including the needs of persons undertaking further and higher education, older people, disabled people;
- The availability of land in the district for housing, including for older people and disabled people;
- The desirability of allocating land for the purposes of resettlement;
- The health needs of the population of the district and the likely effects of development and use of land on those health needs;
- The education needs of the population of the district and the likely effects of development and use of land on those education needs;
- The extent to which there are rural areas within the district in relation to which there has been a substantial decline in population;
- The capacity of education services in the district;
- The desirability of maintaining an appropriate number and range of cultural venues and facilities (including in particular, but not limited to, live music venues) in the district;
- The infrastructure of the district (including communications, transport and drainage systems, systems for the supply of water and energy, and health care and education facilities); [the reference to energy includes land available for the development and use of facilities for renewable sources of energy.
- How that infrastructure is used; and
- Any change which the planning authority thinks may occur in relation to any of the matters mentioned above

### The Evidence Report must also set out the following:

- A summary of the action taken by the planning authority to support and promote the construction and adaptation of housing to meet the housing needs of older people and disabled people in the authority's area, and analysis of the extent to which the action has helped to meet those needs.
- A summary of the action taken by the planning authority to meet the accommodation needs of Gypsy/Travellers in the authority's area, and an analysis of the extent to which that action has helped to meet those needs.
- How the authority has invited local communities to prepare LPPs, and what assistance they have provided.



## Annex 3

### Additional Assessments

Other impact assessments are required to be carried out alongside the plan preparation process. The assessments include:

<b>Strategic Environmental Assessment</b>	This is a statutory requirement to ensure the environment is a primary consideration when preparing the plan and that the environmental and sustainability implications of the emerging plan and its proposals are assessed. It allows a better understanding of the environmental context and sets out the steps to avoid, mitigate or reduce significant adverse impacts, or indeed enhance any positive ones. SEA will be based on the Council's State of the Environment report. A link to the 2021 version is here, <a href="#">South Lanarkshire State of the Environment Report 2021</a> , however, it is expected that the updated 2023 version will be available during the Evidence Report stage. Scoping of the Evidence Report will be done in tandem with the scoping report for the SEA.
<b>Habitats Regulations Assessment</b>	This is a statutory requirement to consider the potential impacts of the proposed plan on internationally important wildlife sites. The HRA will be done as we consider the ideas presented to us during the preparation of the proposed plan as well as any sites carried forward from LDP2. Any policy content in LDP3 will also be subject to HRA assessment.
<b>Equalities Impact Assessment</b>	This ensures that a wide range of people are involved in shaping their places during the plan making process. The Participation Statement is a key document in this regard. In addition, the UN Convention on the Rights of the Child means young people are actively encouraged to play a part. We will ensure children and young people are fully and appropriately engaged as described in the Participation Statement.
<b>Public Sector Equality Duty</b>	This is intended to ensure the Council seeks to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic.
<b>Fairer Scotland Duty Assessment</b>	This places a legal responsibility on the Council to consider how they can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions so that we make better policy decisions and deliver fairer outcomes. Key issues include low income, low wealth and area deprivation. It will be important to engage with relevant communities to understand the issues faced.

<b>Health Impact Assessment</b>	Health impact assessment (HIA) considers the potential, and sometimes unintended, effects a policy, strategy or service plan may have on the health of a population. It is particularly useful for considering effects on vulnerable or disadvantaged groups. HIA considers the socioeconomic determinants of health and how they influence health outcomes. Evidence from research, data and the experience of stakeholders is used to inform the assessment.
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# Report

# 4

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>28 May 2024</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

<b>Reference no:</b>	P/23/1372
<b>Proposal:</b>	Demolition of double garage (Conservation Area Consent)
<b>Site Address:</b>	Vacant Land at Ladyacre Road Lanark ML11 7LQ
<b>Applicant:</b>	West of Scotland Housing Association and Zoom Developments Ltd
<b>Agent:</b>	DTA
<b>Ward:</b>	02 – Clydesdale North
<b>Application Type:</b>	Conservation Area Consent
<b>Advert Type:</b>	Conservation Area Consent
<b>Development Plan Compliance:</b>	No
<b>Departures:</b>	N/A
<b>Recommendation:</b>	Refuse
<b>Legal Agreement:</b>	N/A
<b>Direction to Scottish Ministers</b>	N/A

## **1. Reason for Report**

- 1.1. This application is required to be determined by the Planning Committee under section 17 of the South Lanarkshire Council Scheme of Delegation 2022, namely the corresponding planning application (Ref. no. P/23/1373) which details the redevelopment plans for this site which requires to be determined by Planning Committee.

## **2. Site Description**

- 2.1. The site is located within Lanark and relates to grounds associated with St Mary's Church as detailed in the report for Application P/23/1373.

## **3. Description of Proposed Development**

- 3.1. The proposal seeks conservation area consent to demolish a double garage which is sited in the Church grounds. The purpose of the demolition is to facilitate the erection of 3 blocks of flatted residential accommodation and associated parking and landscaping.

## **4. Relevant Planning History**

- 4.1. CL/07/0031 - Demolition of church hall (Conservation Area Consent) – Refused in 2007. The building later suffered from a fire in 2011 and was subsequently demolished.

## **5. Supporting Information**

- 5.1. In support of the planning application, the applicant has submitted:-

- ◆ Planning Statement

## **6. Consultations**

- 6.1. None relevant.

## **7. Representations**

- 7.1. Following the statutory period of neighbour notification and advertisement, one representation has been received. The comments relate to the proposed development of the site for flats rather than the demolition of the garage. These comments have been considered in the planning application under reference P/23/1373.

## **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 7 Historic Assets and Places

- 8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will, therefore, 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 14 Natural and Historic Environment

## SLLDP2 Volume 2 Policies

- ◆ NHE6 Conservation Areas

### **9. Guidance**

- 9.1. Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent.

### **10. Assessment and Discussion**

#### 10.1. Principle of Development

NPF4 Policy 7(g) Historic Assets details that where demolition in the conservation area is to be followed by redevelopment, consent to demolish will only be supported where an acceptable design, layout and materials are being used for the replacement development. This is echoed by the Interim Guidance on Conservation Areas and Conservation Area Consent 2019. Policy 7 also advises in part (f) - demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where reasonable efforts have been made to retain, repair and reuse the building. The building is of little townscape value and the structural condition of the building prevents retention and the location of the building makes its reuse extremely difficult.

- 10.2. The application is accompanied by a Design Statement. The report simply states that the double garage requires to be removed to facilitate the development.

- 10.3. NPF4 Policy 7, the most up to date policy in this regard, requires that conservation area consent which is followed by redevelopment should only be supported where the redevelopment is appropriate. The redevelopment has been presented as a separate item to this Planning Committee, under planning reference P/23/1372 – Demolition of detached double garage and erection of 39 flats with car parking, cycle storage, landscaping and associated facilities. The report sets out why the proposed redevelopment is not appropriate for the surrounding area. Therefore, it follows that the conservation area consent for demolition of the double garage is not appropriate and is recommended for refusal.

#### 10.4. Conclusion

Whilst the building itself may not be of high townscape value to the conservation area, the redevelopment plans for the site which it would facilitate are deemed to be inappropriate and therefore the application is recommended for refusal.

### **11. Recommendation and Reason for Refusal**

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

#### **Refuse planning permission for the following reason:-**

01. The proposal is contrary to Policy 7 Historic Assets of National Planning Framework 4 as the demolition in the conservation area is to be followed by redevelopment which is not found to be acceptable.

**David Booth**

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

**Date: 20 May 2024**

## **Background Papers**

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

[P/23/1372 | Demolition of double garage \(conservation area consent\) | Vacant Land At Ladyacre Road Lanark ML11 7LQ \(southlanarkshire.gov.uk\)](https://www.southlanarkshire.gov.uk/P/23/1372)

## **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.

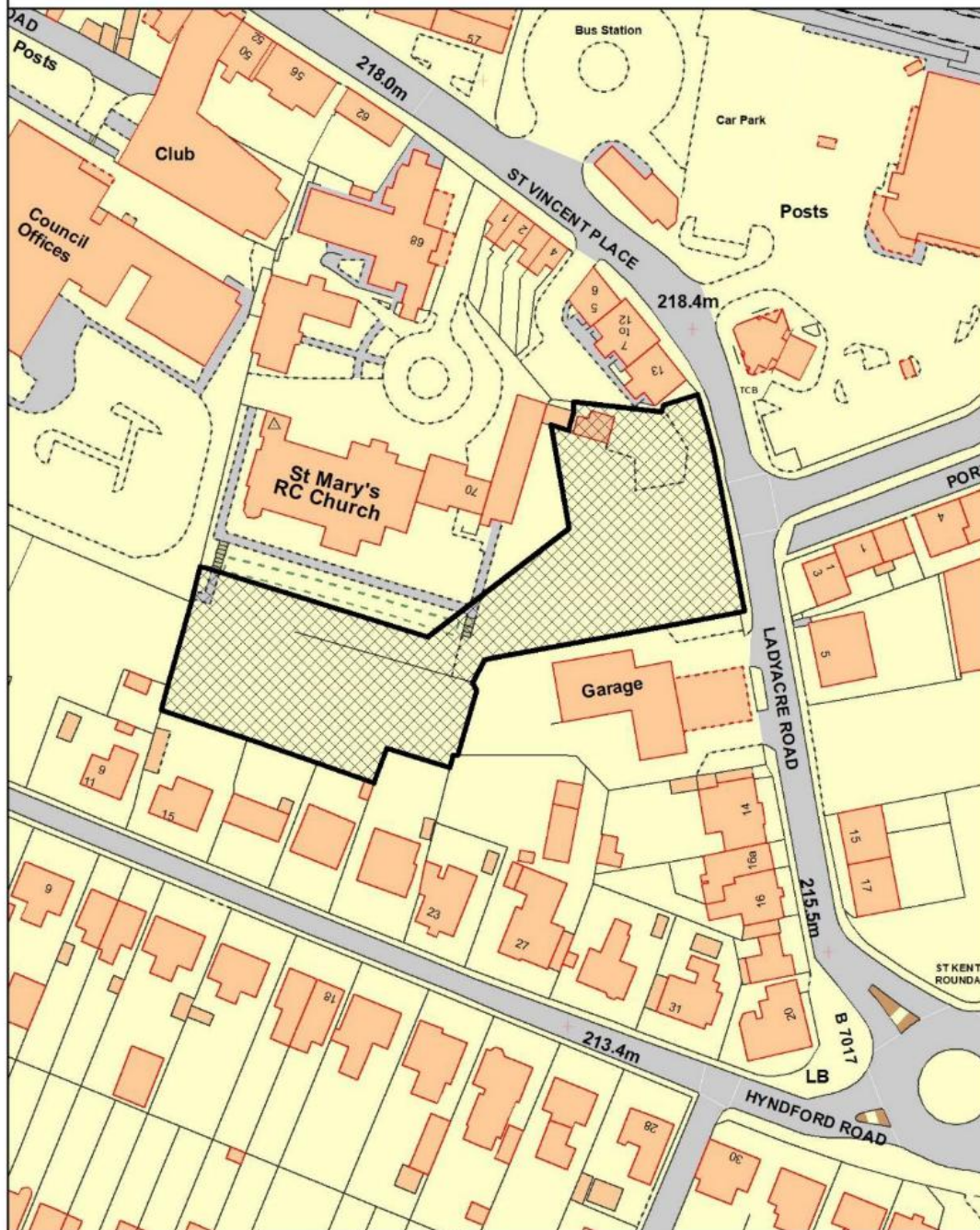
## **Contact for Further Information**

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

Tel: 01698 454867

E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

P/23/1372 Ladyacre Road, opposite Whitelees Road, Lanark



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Scale:  
1:1,250  
Date:  
08/05/2024



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Regulatory Services





# Report

5

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>28 May 2024</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

<b>Reference no:</b>	P/23/1373
<b>Proposal:</b>	Demolition of detached double garage and erection of 39 flats with car parking, cycle storage, landscaping and associated facilities
<b>Site Address:</b>	Vacant Land at Ladyacre Road Lanark ML11 7LQ
<b>Applicant:</b>	West of Scotland Housing Association and Zoom Developments Ltd
<b>Agent:</b>	DTA
<b>Ward:</b>	02 – Clydesdale North
<b>Application Type:</b>	Full Planning Permission
<b>Advert Type:</b>	Development affecting the setting of a listed building and conservation area
<b>Development Plan Compliance:</b>	No
<b>Departures:</b>	N/A
<b>Recommendation:</b>	Refuse
<b>Legal Agreement:</b>	No
<b>Direction to Scottish Ministers</b>	No

## **1. Reason for Report**

- 1.1. This application is required to be determined by the Planning Committee under Clause 17 of the Approved South Lanarkshire Council Scheme of Delegation, as the proposed number of dwellings is more than ten.

## **2. Site Description**

- 2.1. The site consists of grounds associated with St Mary's Church which is an A-listed building. Part of the application site was formerly occupied by a Church Hall which suffered fire damage in 2011 and was subsequently demolished. The site is irregular in shape and fronts onto Ladyacre Road and extends to include land situated behind St Mary's Church.
- 2.2. The Church and remaining grounds sit higher than the site and include pathways and steps down into the site albeit these have been fenced off. To the south of the site lies a petrol filling station with associated shop and car wash and the rear gardens of detached residential dwellings which front Hyndford Road. To the west, the site is bound by a stone wall, beyond which lies the parking area for council offices.

## **3. Description of Proposed Development**

- 3.1. The proposed erection of 39 flats is split over 3 flat roofed blocks. A detached double garage on site is earmarked for demolition and is subject to a separate Conservation Area Consent application being presented to Committee under ref. P/23/1372.
- 3.2. Blocks 1 and 2 are situated to the front of the site facing on to Ladyacre Road, with 3 flats on each floor. Each block comprises 4 storeys of accommodation, totalling 12 flats per block, all of which are 2 bedroom flats.
- 3.3. The block situated to the rear of the site (Block 3) would be arranged over 3 stories of accommodation, totalling 15 flats. The flat mix consists of 3 x 3-bedroom flats and 12 x 2-bedroom flats.
- 3.4. The site access is proposed to be taken from Ladyacre Road, directly opposite Whitelees Place. The access road is positioned between Block 1 and 2 and leads to the rear of the site. The access road position at the narrow point of the site removes steps and pathways associated with the grounds of St Mary's RC Church. A total of 28 parking spaces are shown, 3 of which are accessible, and electric vehicle charging points. An external bike store is proposed for each block.
- 3.5. The landscaping arrangements show open grassed areas, additional tree planting and a hedgerow along the boundary. The plans show solar panels on the roofs of each block and a communal air source heat pump for each block. The site is proposed to connect to the public drainage network and public water supply network.
- 3.6. The application was the subject of pre-application discussions which, whilst accepting the general principal, did not progress to agreeing building positions or the quantity of residential development. Upon submission with no further discussion in late 2023, the applicant was contacted on several occasions to try and seek a reduction in the scale of development.

## **4. Relevant Planning History**

- 4.1. CL/07/0031 - Demolition of church hall (Conservation Area Consent) – Refused in 2007. The building later suffered from a fire in 2011 and was subsequently demolished.

## 5. Supporting Information

5.1. The agent has submitted the following information to support the application:-

- ◆ Design Statement
- ◆ Phase 2 Ground Investigation Report
- ◆ Stage 1 Road Safety Audit
- ◆ Tree Survey Report
- ◆ Ecological Appraisal
- ◆ Arboricultural Impact Assessment

## 6. Consultations

6.1. Roads Development Management – They have objected since there is insufficient parking within the development and a lack of information to demonstrate that the recommendations of the road safety audit can be implemented.

6.2. Historic Environment Scotland – No comments or objections.

6.3. West of Scotland Archaeology Service – No objection subject to condition requiring an appropriate programme of archaeological works.

## 7. Representations

7.1. Following the statutory period of neighbour notification and advertisement, a total of 57 representations have been received (24 objections, 27 support, 6 neutral). The issues raised are summarised as follows:-

### Support

- ◆ Affordable Housing is much needed in Lanark and support South Lanarkshire Council (SLC) developing social housing on site.
- ◆ Develops an uncared-for site, which has attracted anti-social behaviour issues.
- ◆ Sits well with church, not imposing, great design, a good contrast to St Marys RC Church.

### Historic environment

- ◆ Fails to be sympathetic and a lack of visualisation for Block 3 and the development would impact on views of the listed building.
- ◆ Block 1 and 2 show no sympathy to the existing street scene.
- ◆ The proposal ignores all detailed aspects of the conservation area, such as the slate roof, stone/stucco construction, wooden doors and windows.
- ◆ Design Statement is poor and fails to take proper consideration of the listed building and/or conservation area.

### Residential amenity concerns.

- ◆ Privacy issues – overlooking, especially from floor to ceiling windows.
- ◆ Loss of amenity by way of noise, traffic and disturbance.
- ◆ Physical impact, dominating properties.

### Road safety issues

- ◆ Insufficient parking.
- ◆ Road and traffic safety in particular in relation to school children crossing.
- ◆ The location already has several access points.

### Design Issues

- ◆ Use of a pitched roof would be more appropriate.
- ◆ Design inappropriate for the location.
- ◆ Lack of detail for lighting.
- ◆ Block 3 is too tall and will dominate adjacent properties.
- ◆ Facing brick material inappropriate for the location.

### Other matters

- ◆ Internal bike store would be more suitable for security purposes.
- ◆ Concerns of surface water drainage run off, exacerbating existing issues with neighbouring car wash.
- ◆ The developer has not undertaken any public consultation.
- ◆ Amenity housing would be more suited to demographic.
- ◆ No Statement of Community Benefit provided.
- ◆ Allocated sites should be considered first.
- ◆ The proposal will exacerbate poor water pressure in surrounding area.

### Construction Impacts

- ◆ Construction traffic will impact on the town centre in terms of safety and closures for businesses.
- ◆ Noise and dust from construction.
- ◆ Construction in proximity to residential properties.
- ◆ Construction could undermine adjacent church.

The above issues are considered in the assessment below and full copies are available to view 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 7 – Historic Assets and Places
- ◆ Policy 12 – Zero waste
- ◆ Policy 13 – Sustainable Transport
- ◆ Policy 14 – Design Quality and Place
- ◆ Policy 15 – Local Living
- ◆ Policy 16 – Quality Homes
- ◆ Policy 19 – Heating and Cooling
- ◆ Policy 21 – Play, Recreation and Sport
- ◆ Policy 27 – City, town, local and commercial centres

### 8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will, therefore, 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 – Strategy
- ◆ Policy 2 – Climate Change
- ◆ Policy 3 – General Urban Area and Settlements
- ◆ Policy 5 – Development Management
- ◆ Policy 9 – Strategic Town Centre
- ◆ Policy 11 – Housing
- ◆ Policy 14 – Natural and Historic Environment
- ◆ Policy 15 – Travel and Transport

#### SLLDP2 Volume 2 Policies

- ◆ NHE1 – New Lanark World Heritage Site
- ◆ NHE3 – Listed Buildings
- ◆ NHE6 – Conservation Areas
- ◆ SDCC4 – Sustainable Transport

#### South Lanarkshire Council (SLC) Supporting Planning Guidance

- ◆ Residential Design Guidance 2011

## 9. **Guidance**

9.1. New Design In Historic Settings, Historic Environment Scotland Guidance

## 10. **Assessment and Discussion**

### 10.1. Principle of Development

The proposal is for 39 flats for social housing, the co-applicant is West of Scotland Housing Association, a registered social landlord. The site is identified in the South Lanarkshire Strategic Housing Investment Plan (SHIP), as a site for affordable housing use. However, the site is not an allocated housing site within the South Lanarkshire Local Development Plan 2. The site is partly located within the town centre of Lanark and is near the train and bus station.

10.2. NPF4 Policy 16 advises in part (f) that proposals for new homes on unallocated sites, such as this, can be supported in limited circumstances. These circumstances include where the proposal is for affordable housing of less than 50 units as part of a local authority supported affordable housing plan, as in this case. NPF4 Policy 27 also supports new build residential development within town centres. SLLDP2 Policy 1 identifies Lanark as a sustainable urban location and seeks to direct larger development towards it. As the co-applicant is a registered social landlord (RSL) and the site is for social housing less than 50 units, the unallocated site can be considered acceptable for residential use under Policy 16 (f).

10.3. Overall, the proposed use of the site for social housing is, in principle, a suitable and acceptable use.

### 10.4. Climate Change

NPF4 Policy 1, NPF4 Policy 2 and SLLDP2 Policy 2 aim to ensure that proposals for new development must seek to minimise and mitigate against the effects of climate change. SLLDP2 Policy SDCC 7 - Low and Zero Carbon emission from New

Buildings, also requires a further 10% reduction in emissions beyond that contained in the Building Regulations. NPF4 Policy 19 Heating and Cooling requires that buildings occupied by people (i.e. dwellings) ensure sustainable temperature management utilising passive methods where possible.

- 10.5. The site is well located for services within the existing settlement, where the majority of the daily needs could be achieved by walking, wheeling or cycling. With regards to energy performance, the dwellings would be required to go through the Scottish Building Standards. The plans show solar panels on the roofs and air source heat pumps. Electric car vehicle charging has been indicated on the plans. Furthermore, some of the flats have been orientated directly south which would provide solar gain.
- 10.6. The proposal is considered, on balance, to meet the terms of NPF4 Policy 1 and NPF4 Policy 2 and SLLDP2 Policy 2 and SDCC7.
- 10.7. Layout, Siting and Design  
The primary concern with this proposal lies with the layout, siting, density and design of the flatted dwellings themselves and landscaping, and the impact on the surrounding area.
- 10.8. The planning policies covering design aspects of the proposal include: NPF4 Policy 14, Policy 21 and SLLDP2 Policy 5 and Policy DM1. Due to this sites location next to the Category A listed building (St Mary's RC Church) and in the conservation area and New Lanark Buffer Zone, further policies including NPF4 Policy 7 and SLLDP2 Policy 14, NHE1, NHE3 and NHE6 are also relevant, however, the impact on the historic environment will be discussed separately.
- 10.9. NPF4 Policy 14 details that proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable. Policies 5 and DM1 seek to ensure the proposals integrate well into their local area, and there is no unacceptable significant adverse impact on the amenity of residential properties.
- 10.10. NPF4 Policy 21 advises that where proposals are likely to occupy or be used by children and young people, they should incorporate well-designed, good quality provision for play, recreation and relaxation. The Residential Design Guide (RDG) requires open space to be a focal point and considered at the start of the design process. The healthy quality of a successful place is to create places people feel safe in and create a sense of belonging and identity. The RDG 2011 also details that dwellings should front onto streets and public areas, to create a positive relationship with the houses and the street.
- 10.11. Block 3 fails to have a frontage on to a public area or a positive relationship with the streetscape, resulting in future residents living in a 'backland' area. As a result, the proposal lacks legibility and a clear definition between public and private spaces and a lack of passive surveillance. This also presents further issues when considering the adaptable quality of a successful place. The positioning in a 'backland area' of Block 3 fails to consider how the Block could accommodate different uses over time, which should be a key consideration in a town centre location such as this.

- 10.12. The proposal shows some landscaping surrounding the proposed blocks consisting of grass and trees. It is considered reasonable for the extent of proposed accommodation (39 flats) for some play provision, perhaps in a more informal layout, to be provided within the development to ensure residents are catered for in the vicinity of their own home.
- 10.13. The proposals fail to demonstrate how this open space would be arranged for use by occupants, for example: drying greens, spaces for young children to teenagers to play and relax and for adults to sit out. Furthermore, any open space provision for Blocks 1 and 2, positioned on Ladyacre Road would be at the other end of the site and considered too remote to be used by these residents. The immediate area around Blocks 1 and 2 is dominated by parking. In conclusion, the open space and landscaping fails to be an integral part of the development and create an attractive natural space with variety and quality of play, recreation and relaxation.
- 10.14. Additionally, the proposal fails to make provision or utilise the opportunity to connect either through the existing path at the Church and/or at the gate within the western boundary wall to provide a route to Lanark High Street, which would be a clear desire line for residents. There has been no consideration to creating a more permeable space. A key tenant to creating a connected place.
- 10.15. The proposal has failed to demonstrate that open space and landscaping is integral to the development and failed to create a pleasant, healthy and connected place.
- 10.16. Impact on Residential Amenity  
SLLDP2 Policy DM1 and Policy 5 require that there is no unacceptable impact in terms of amenity on nearby residential properties. It is therefore necessary to consider if the proposal poses impact on adjacent neighbours in terms of overshadowing, overlooking and or by sheer physical impact, and if it is suitable for future residents.
- 10.17. For the housing immediately north of the site, the position of the proposed development, for the most part, results in no adverse impact in terms of overshadowing.
- 10.18. For the housing to the south, the distance between the rear boundary and Block 3 is 9.8m, the Residential Design Guide advises a three-storey block requires to be 13m from a rear boundary unless it can be shown there are no privacy issues. The site levels result in Block 3 sitting above the properties on Hyndford Road, further exacerbating the amenity issues. The site levels, distance and position of Block 3 results in overlooking into the rear garden ground of properties on Hyndford Road and an overbearing impact, by sheer physical impact, on those residents. There is therefore an unacceptable impact on amenity of neighbouring properties.
- 10.19. In terms of Block 1 and Block 2 there are further concerns in relation to privacy, in particular the rear flatted dwellings have pathways from the car parking area to the entrance door running adjacent to bedroom windows of future residents. There are windows on the south elevation of Block 1 and north elevation of Block 2 facing one another at a distance of 11m, far less than the 18m window to window distance required for privacy. Furthermore, Block 2 is located within 2m of the boundary with the petrol station and associated manually operated car wash. Policy 23 Health and Safety requires the agent of change principle applies to noise sensitive development, i.e. noise sensitive properties (residential) which are likely to be affected by noise from existing development to assess impact and incorporate appropriate measures. The close proximity is likely to result in future residents being disturbed by the car wash and a lack of privacy. No assessment of noise and disturbance and how this could be

mitigated has been submitted with the application. The proposal fails to meet the terms of Policy 23.

10.20. The proposal would have an unacceptable significant adverse impact upon the amenity of nearby residential properties in terms of overlooking, sheer physical impact and on future residents by overlooking, loss of privacy, noise and disturbance.

10.21. Impact on Historic Environment

NPF4 Policy 7 Historic Assets seeks to ensure proposals in the conservation area and those affecting the setting of a listed building, such as this one, will only be supported where the character and appearance of a conservation area is preserved or enhanced, and the character and special interest of listed building is preserved. Furthermore, trees and walls which add to the character of the conservation area should be retained. This is echoed in the distinctive quality of NPF4 which seeks to support attention to detail of local architectural styles and consider scale, including density, active frontages, building heights, orientation and building lines. The principles for new design in historic settings, detailed in Historic Environment Scotland guidance, includes considering the design principles of: urban structure and layout, density and mix, scale, materials and detailing, landscape, views and landmarks and historic development.

10.22. This site has a particular historical context, being positioned directly south of the Category A listed building, St Mary's Church, Lanark and being partly within a conservation area. St Mary's Church was erected in 1856 and is situated on a prominent elevated position within the town. Historical mapping from 1858 shows the rectory positioned on Hyndford Road and the rear steps and path of the Church, demonstrating a connection and desire line between the two. On later mapping a boundary running from the rear of the now adjacent Council car park was further formalised by a line of trees. These have been removed without obtaining the required permissions.

10.23. Block 3 is positioned at the bottom of the steps and steep slope at the rear of St Marys Church. A site section has been provided to show the relationship between the residential properties and the Church.

10.24. The positioning of Block 3 fails to take consideration of the existing pattern of development. The positioning obscures the topography which provides the setting to the Church. Furthermore, the vehicular access and parking to Block 3 is proposed to cut through the existing topography, stone steps and path to the rear of the Church. The proposal fails to take consideration of the existence of the steps and pathways at the rear of the Church and the historical connections (to the rectory) that they represent. The existing paths also presented an opportunity to provide improved connections across the site which has been disregarded by the applicant.

10.25. The scale of the 3 storeys as demonstrated by the site section is not reflective of the surrounding area. Whilst the 3 storeys and site levels result in the proposed Block 3 being lower in height than St Mary's Church, it nevertheless towers over the adjacent residential properties and their rear gardens.

10.26. Furthermore, the volume and form of Block 3 creates a mass that does not respect the character and special interest of the listed building and conservation area. There are no design features of the adjacent listed building which are emulated or referenced in the proposed design.



- 10.27. Whilst the rear portion of the site has limited public frontage views due to its backland nature, St Mary's Church and this rear area is viewed intermittently from Hyndford Road and the rear Council car park. Although the car park is a secondary location, it is highly used and facilitates a thoroughfare for pedestrians from the High Street and South Vennel to Ladyacre Road, via St Marys. There has been no assessment on views to St Mary's Church by the applicant to assess the impact.
- 10.28. Overall, it is considered that it would be difficult to develop out the rear part of the site to any significant degree, without a negative impact on the listed building. This is due to the location of this part of the site, the topography and relationship with the adjacent church and residential properties. The scale and density of development proposed on this part of the site would have a negative impact on the listed building and conservation area.
- 10.29. Block 1 and 2 are positioned on Ladyacre Road, also part of the conservation area. The scale at 4 storeys high, coupled with the flat roof form, fails to take cognisance of the surrounding area. The 4 storeys appear high on the southern end and out of place where the site is adjacent to the petrol station. Furthermore, the adjacent buildings to the site all include a pitched roof. Key design elements such as the ridge line and eaves line of the adjacent buildings have not been considered and opportunities to break up the mass or take into consideration the surrounding context have not been taken. The use of facing brick is also an anomaly within the vicinity of the surrounding conservation area. In conclusion, Block 1 and 2 do not seek to preserve and enhance the conservation area.
- 10.30. The tree survey report identifies 30 trees across the site, none of which are identified to be veteran or ancient trees. The report categorises all trees as 'B' in terms of their status and condition. The report and plans show 12 trees being removed.
- 10.31. There is no assessment within the Arboricultural Impact Assessment or the Design Statement as to consideration to how the proposal could have been designed for more trees to be retained. It is acknowledged that the majority of the trees for removal are positioned to the front of the site where Blocks 1 and 2 are positioned. However, 3 lime trees all categorised as B positioned to the rear of Block 1 could have been given greater consideration and incorporated into an attractive landscaping layout.
- 10.32. The stone wall running across the front of the site currently measures 2.5m in height. The wall consists of random rubble sandstone with a curved coping stone. There are areas which appeared to have been harled adjacent to the gate piers which may indicate to an increase in height of the wall at some point. The gate piers also mark a stepped pedestrian entrance to the site, and former Church Hall, with metal gates. The proposed plans show a removal of this wall and rebuild at a lower height to facilitate visibility splays. Overall, the wall is not of sufficient merit to prevent its reduction in height to facilitate safe vehicular access to the site. However, it is considered important that the feature is retained in an appropriate form in the conservation area and further details of how the gate piers and metal gates could be reused in the design would be required, if the rest of the proposal could be considered acceptable.
- 10.33. In conclusion, it is not considered that the proposed development results in a positive impact on the surrounding historic environment. The proposal has not considered the architectural and historic character of the area, existing built form and layout, context, siting of the conservation area and has failed to take these into consideration in the design. The proposal would have a negative impact on the setting of the listed building and fails to preserve its character, special architectural and historic interest.

10.34. Road Access

Roads and Transportation have objected to the proposals due to a lack of parking on site. The plans also fail to show acceptable pedestrian access from the street into the site. The parking reduction has not been adequately justified. NPF4 Policy 13 Sustainable Transport seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel. The position of the site in proximity to many services within Lanark and close to the train and bus station means that there are sustainable transport options available and provision for cycle parking.

10.35. Further, objections have been raised due to a lack of detail on drawings and the full recommendations of the Road Safety Audit submitted have not been addressed.

10.36. Given the parking and pedestrian access issues highlighted above and the lack of information submitted to demonstrate the vehicle access is suitable in road safety terms, the proposal fails to meet the terms of NPF4 Policy 14, SLLDP2 Policy 5 and DM1.

10.37. Biodiversity.

NPF4 Policy 3 Biodiversity under part (c) details that all local developments shall include appropriate measures to conserve, restore and enhance biodiversity. The Developing with Nature Guidance is pertinent in this case. The guidance encourages a mitigation hierarchy to be applied - avoid, minimise, restore and offset to achieve a net positive biodiversity impact.

10.38. The Ecological Appraisal has not identified any protected species on site, but the site does represent a possible habitat for bats. The loss of the grassed area and 12 trees earmarked for removal mean that there is an overall loss of biodiversity as a result of the proposal. As noted earlier, there is no clear assessment on how more trees could have been retained nor any assessment on how biodiversity on site has been considered and conserved. Therefore, the proposal does not meet the terms of NPF4 Policy 3.

10.39. Other issues

The representations have raised concerns that have not been otherwise considered in relation to construction impacts. Construction impacts are in general considered a short-term issue, however, given the nature of the site and proximity to existing housing, if re-development was supported then construction traffic management conditions would be considered appropriate.

10.40. There are various letters supporting both the use of the site for affordable housing and the layout, design etc. The layout and design have been discussed above. It should be noted that the Council is supportive of affordable housing and housing in town centres. However, this should be in an appropriate form. It is not considered that because the proposal is for social housing that other concerns should be over-riden and it remains important to ensure the design is suitable for those future residents, those already living adjacent and the wider town.

10.41. Technical Matters

SLLDP2 Policy SDCC 3 Sustainable Urban Drainage seeks to ensure suitable sustainable urban drainage is incorporated into a development. NPF4 Policy 22 Flood risk and water management details that proposals should not increase the risk of surface water to others or themselves. Additionally, all rain and surface water should be managed through SUDS and form part of the proposed/existing, blue/green infrastructure and areas of impermeable surfaces are to be minimised.

10.42. The site is not at risk from river or surface water flooding, however, no details of sustainable urban drainage have been provided on the submitted plans. Drainage requires to be an integral part of the development and considered early in the process to ensure it is achievable. It is not considered appropriate for this scale of development to request these details by condition. The proposal fails to demonstrate it is capable of managing all surface water via sustainable urban drainage systems nor how these form part of the existing green infrastructure. Accordingly, the proposal does not meet the terms of SLLDP2 Policy SDCC3 and NPF4 Policy 22.

10.43. SLLDP2 Policy DM16 Water Supply and Policy DM16 Foul Drainage seeks to ensure appropriate water supply and foul drainage arrangements. The application form details connections would be made to the existing public water and sewerage system. Therefore, the proposal, subject to relevant conditions, would likely meet the terms of Policy DM15 and DM16.

10.44. Conclusion

The site is located within the town centre in close proximity to services and sustainable transport nodes and represents a suitable site in principle for an affordable housing development. However, the density of development in its current layout, form and design is not appropriate for the surrounding historic environment and local surroundings. Furthermore, there is an unacceptable impact on residential amenity of neighbouring properties and future residents. The proposal also fails to meet the six qualities of a successful place. In addition, there is an outstanding objection from Road and Transportation. There is also insufficient information to demonstrate surface water arrangements. Overall, it is recommended that planning permission is refused.

**11. Recommendation and Reasons**

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

**Refuse planning permission for the following reasons:-**

01. The proposal is contrary to Policy DM1 - New Development Design of South Lanarkshire Local Development Plan 2 as it fails to:-

- ◆ respond to the local context and be appropriate to the character of the site. The proposal fails to be of a design which is sympathetic to local traditions of form.
- ◆ ensure that the provision of green infrastructure is an integral part of the development.
- ◆ have appropriate linkages to local centres and services.
- ◆ provide sufficient information to ensure provision of a suitable access in road safety terms.
- ◆ ensure there is no conflict with adjacent land uses and there is an adverse impact on existing properties in terms of overlooking, physical impact and loss of privacy and an adverse impact on proposed properties in terms of overlooking, loss of privacy and noise and disturbance.

02. The proposal is contrary to Policy 14 - Quality, Design and Place of National Planning Framework 4 as the proposal fails to improve the quality of the area and to be consistent with the six qualities of a successful place.

- ◆ The proposal fails to be distinctive and support attention to the detail of local architectural styles including scale, massing, orientation, legibility, design influences, architectural styles, landscape design, active frontages.

- ◆ The proposal fails to demonstrate a pleasant space by failing to provide variety and quality of play and recreation spaces for people of all ages and abilities and fails to enable people to spend more time outdoors.
  - ◆ The proposal fails to represent a connected place, despite the position of the site in the town centre, the proposal has failed to consider footpaths, desire lines, permeability of the site.
  - ◆ The proposal fails to represent an adaptable place, by investing in the long-term value of spaces by allowing for flexibility and accommodate different uses over time.
03. The proposal is contrary to Policy 21 – Play, recreation and sport of National Planning Framework 4 as the proposal is likely to be occupied by children and young people and fails to incorporate well-designed, good quality provision for play, recreation and relaxation.
04. The proposal would be contrary to Policy 5 - Development Management and Placemaking as the proposal fails to provide appropriate open space, green infrastructure and landscape provision and has an unacceptable adverse impact on:-
- ◆ the amenity of nearby residents in terms of overlooking and privacy.
  - ◆ streetscape in terms of layout, scale, massing and design.
  - ◆ the historic environment.
05. The proposal is contrary to Policy 5 - Development Management and Placemaking and Policy SDCC3 Sustainable Drainage System Design of South Lanarkshire Local Development Plan 2 as there is a lack of information to demonstrate there is an appropriate Sustainable Drainage system which is integral and considered early in the design process.
06. The proposal is contrary to Policy NHE3 Listed Buildings of Design of South Lanarkshire Local Development Plan 2 as it fails to, as a first principle, seek to preserve the building and setting of St Mary's Church.
07. The proposal is contrary to Policy 14 Natural and Historic Environment of South Lanarkshire Local Development Plan 2 as there is a significant adverse impact on a Category 2 area which is not outweighed by social or economic benefits.
08. The proposal is contrary to Policy NHE6 Conservation Areas of South Lanarkshire Local Development Plan 2 as it fails to demonstrate a design, siting and scale of proposal which is appropriate to the conservation area.
09. The proposal is contrary to Policy 7 Historic Assets of National Planning Framework 4 as the proposal fails to preserve and enhance the character of the conservation area and fails to preserve the character and special architectural and historic interest of the adjacent listed building.
10. The proposal is contrary to Policy 7 Historic Assets of National Planning Framework 4 as the proposal fails to assess and mitigate the impact of existing development upon the proposed residential development.
11. The proposal is contrary to Policy 3 Biodiversity of National Planning Framework 4 as the applicant has failed to identify measures to protect and enhance biodiversity on site.

**David Booth**  
**Executive Director (Community and Enterprise Resources)**

**Date: 20 May 2024**

### **Background Papers**

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

[P/23/1373 | Demolition of detached double garage and erection of 39 flats with carparking, cycle storage, landscaping and associated facilities | Vacant Land At Ladyacre Road Lanark ML11 7LQ \(southlanarkshire.gov.uk\)](https://www.southlanarkshire.gov.uk/P/23/1373|Demolition%20of%20detached%20double%20garage%20and%20erection%20of%2039%20flats%20with%20carparking%20cycle%20storage%20landscaping%20and%20associated%20facilities|Vacant%20Land%20At%20Ladyacre%20Road%20Lanark%20ML11%207LQ)

### **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.

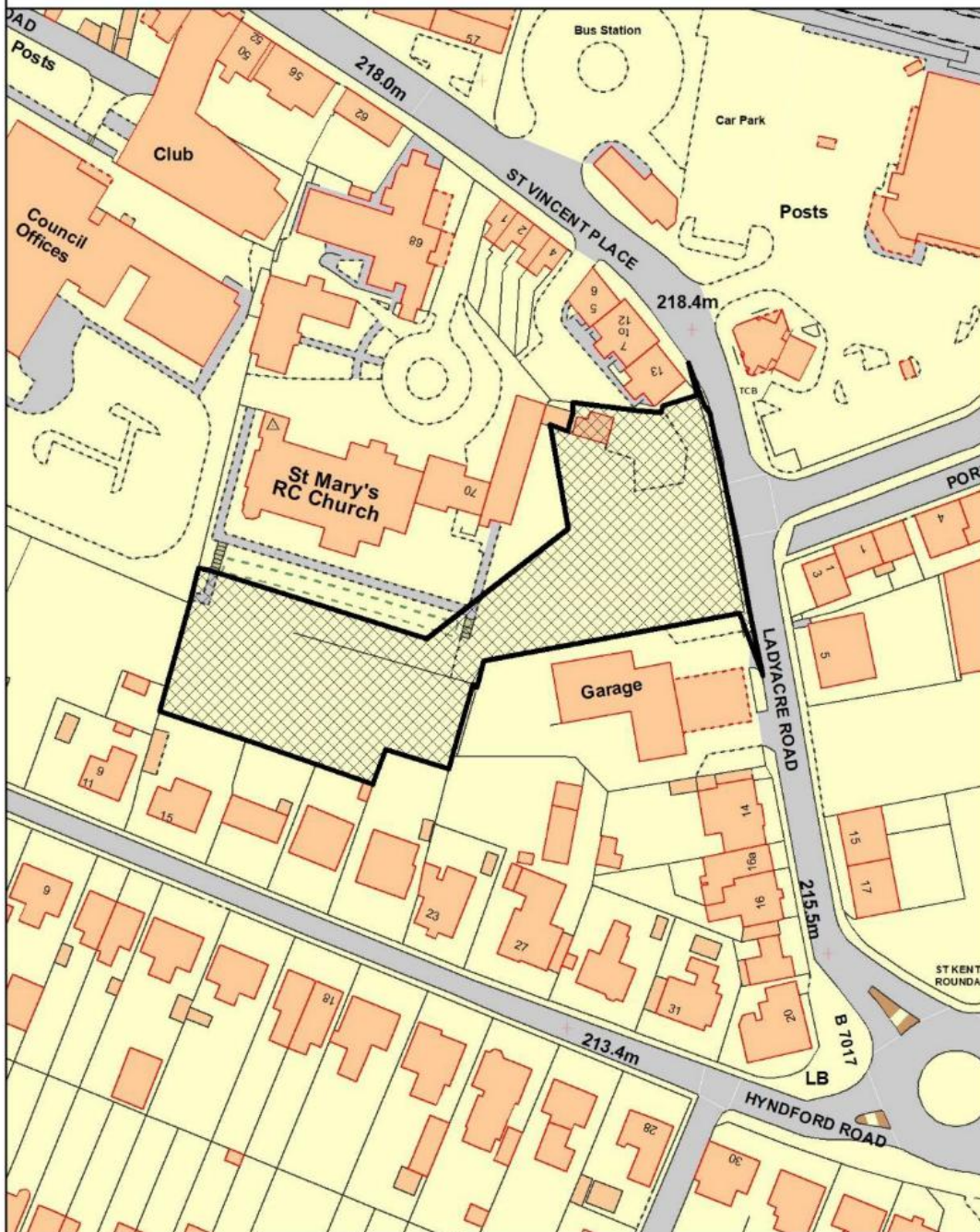
### **Contact for Further Information**

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

Tel: 01698 454867

E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

P/23/1373 Ladyacre Road, opposite Whitelees Road, Lanark



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**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Regulatory Services

# Report

6

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>28 May 2024</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

<b>Reference no:</b>	P/23/1543
<b>Proposal:</b>	Demolition and rebuild of two storey dwellinghouse
<b>Site Address:</b>	9 Sunningdale Wynd Bothwell G71 8EQ
<b>Applicant:</b>	Mr A Waseem
<b>Agent:</b>	Peter Drummond Architects
<b>Ward:</b>	16 Bothwell and Uddingston
<b>Application Type:</b>	Full Planning Permission
<b>Advert Type:</b>	None
<b>Development Plan Compliance:</b>	Yes
<b>Departures:</b>	N/A
<b>Recommendation:</b>	Grant subject to conditions
<b>Legal Agreement:</b>	N/A
<b>Direction to Scottish Ministers</b>	N/A

## **1. Reason for Report**

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.
- 1.2. The application was originally reported to the Planning Committee on 12 March 2024 and was deferred until such time as traffic management arrangements, as a result of demolition and construction activity, was adequately addressed. A Traffic Management Statement has now been submitted.

## **2. Site Description**

- 2.1. The site is located within an established residential area of Bothwell. Sunningdale Wynd was originally built as self-build plots and as such there are a variety of house types and plot sizes within the street. The houses are accessed via a narrow public road, which is approximately 2.5 metres wide in front of the application site, with wider sections serving as passing places.
- 2.2. The application site contains a two-storey house within a large plot, with garden ground to the front and rear and a large driveway that could accommodate approximately five cars. To the southeast, there is a two-storey house, whilst to the northwest, there is a bungalow. In general, the houses immediately surrounding the application site are primarily two storeys. To the north, the property backs on to mature woodland.

## **3. Description of Proposed Development**

- 3.1. Planning permission is sought to demolish the existing house and build a replacement two storey house, with a larger ground floor footprint, increased first floor area and an increased roof height. At the front, the proposed house will come forward by up to 4 metres. This will bring the property to the same forward building line as a neighbouring property.
- 3.2. The width of the property will be extended by varying amounts across the rear elevation, to a maximum of 5 metres. The central area of the rear elevation will extend approximately 1.5 metres beyond the rest of the elevation. The ground floor will accommodate a large hallway, study, drawing room, lounge, kitchen, utility and shower room. The first floor would contain a master bedroom with two dressing rooms and a large en-suite bathroom, with an additional four double bedrooms (two with en-suites) and a family bathroom. All first-floor windows will face to the front or rear. The house will be approximately 8 metres in height (just lower than 11 Sunningdale Wynd), finished in facing brick and concrete roof tiles to fit in with the surrounding houses. Photovoltaic panels would be placed on the front roof plane. The property would retain a large rear garden, which would be a minimum of 10 metres long, with space for four cars on the driveway.
- 3.3. Additionally, it should be noted that the description had originally stated that the works would be for an extension and alteration to the existing house. However, it was established that demolition and rebuild would be more cost effective. The description of development was revised accordingly and neighbours were re-notified of this change to allow for any further comments.

## **4. Relevant Planning History**

- 4.1. P/23/1019 - Erection of front, rear and side two storey extensions to existing dwelling including the complete removal of existing roof to create further accommodation at first floor level. Refused.



- 4.2. P/23/0709 - Front and rear 2 storey extensions to existing dwellinghouse and raising, reprofiling of roof and associated external alterations. Withdrawn.

## 5. Supporting Information

- 5.1. Design Statement - this outlines the proposed siting and design of the development and addresses the previous reasons for refusal.

## 6. Consultations

- 6.1. Roads and Transportation Services – No objection to the proposal subject to conditions relating to a dilapidation survey, materials storage, deliveries and communication of deliveries to surrounding residential properties.

Response: These matters can be addressed either through appropriately worded planning conditions or as an informative attached to any planning decision notice. In addition, these matters have been communicated to and agreed with the agent for this application.

## 7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, 28 letters of representation were received from residents of Sunningdale Wynd and Turnberry Wynd objecting to the application. The issues raised are summarised as follows:-

- ◆ The street is too narrow to accommodate construction vehicles and there is nowhere for construction workers to park without blocking the road for residents, deliveries, bin collections and emergency vehicles and therefore the works would cause serious access problems in the street.
- ◆ Pedestrians (including dog walkers and school children) and cyclists use the road as there are no pavements and extra traffic would make this dangerous and unsafe.
- ◆ Noise, dust, mess and general nuisance disturbance would disrupt and negatively impact on neighbour's lives and wellbeing for a lengthy period of time, likely at least 18 months.
- ◆ Concern that there will be loss of light and overshadowing caused to immediate neighbours by the increase in the size of the house.
- ◆ Concern over loss of privacy for immediate neighbours from upper floor windows and the large number of construction workers that will be needed on site.
- ◆ The size of the proposed house is out of keeping with the rest of the properties in the street and the scale remains too large and imposing and ultimately overdevelopment of the plot.
- ◆ Bringing the front of the house closer to the road and getting rid of the garage would reduce the property's off street parking capacity.
- ◆ In terms of protecting the environment, they should not be taking down the large old tree in the rear garden.

The above issues are considered in the assessment below and full copies are available to view 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 16 – Quality homes

## 8.3. South Lanarkshire Local Development Plan 2(2021)

For the purposes of determining planning applications the Council will, therefore, 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 2 - Climate Change

Policy 3 – General Urban Areas and Settlements

Policy 7 - Development Management and Placemaking

### SLLDP2 Volume 2 Policies

Policy DM7 – Demolition and Redevelopment for Residential Use

### South Lanarkshire Council (SLC) Supporting Planning Guidance

Development at a Dwellinghouse

## 9. **Guidance**

9.1. None applicable.

## 10. **Assessment and Discussion**

### 10.1. Principle of Development

The site is located within the general urban area where SLLDP2 Policy 3 applies. This policy looks to ensure that development proposals make a positive contribution to the character and appearance of the environment in which they are located, taking account of, and being integrated with, the local context and built form. The demolition of an existing house and the rebuilding of a new house is acceptable providing it does not have a detrimental impact on neighbours or the surrounding area.

### 10.2. Climate Change

Policies 1 and 2 of NPF4 and Policy 2 of SLLDP seek to promote developments that address the global climate emergency and nature crisis. All development should aim to minimise and mitigate the effects of climate change. Given the scale and nature of the proposed development, it is not considered that any action is required within the context of the development management process.

### 10.3. Layout, Siting and Design

Policy 16 of NPF4 seeks to provide quality homes and states that householders proposals will be supported where they do not have a detrimental impact on the character or environmental quality of a house or the surrounding area or a detrimental effect on neighbouring amenity in terms of physical impact, overlooking, overshadowing, size, design or materials. Similarly, policies 3 and 5 of the SLLDP2 also look to promote quality residential developments that take account of their locality.

In particular, SLLDP2 Policy DM7 provides specific guidance for demolition of existing buildings which any redevelopment must comply with.

- 10.4. In relation to overlooking and loss of privacy, the proposed dwelling will be a sufficient distance from neighbouring properties. All upper floor windows face to the front or rear, there is only woodland to the rear and the nearest property opposite the site will have a window to window distance of approximately 22 metres. A degree of mutual overlooking is considered commonplace in residential areas but it is not considered that the new house will have any significant or detrimental impact on neighbours in terms of overlooking. In terms of loss of privacy from those working on site, if working at height, it might be possible to view into a garden or window but this will only be temporary and would not be unacceptable.
- 10.5. Due to the orientation of the houses and the large size of the plots, no unacceptable overshadowing of neighbouring properties would occur. The proposed house would be located approximately 3 metres from neighbouring properties and it is considered that any overshadowing would be minimal and only for a short part of the day, in a small area of their gardens. This is relatively normal in residential areas and, therefore, the proposal would not cause any unacceptable overshadowing.
- 10.6. In relation to the scale and appearance of the house, the applicant has reduced the overall size of the proposed footprint from the previous application that was refused. The original house on the site is already much taller than the neighbouring bungalow, however, the height of the proposal only increases the height from 7.2 metres to 8 metres, which is still below the two-storey house on the other side of the site. Additionally, there are other two-storey houses within the street and it is not considered that the redeveloped house would be out of keeping with the scale of other houses within the street or that the plot would be overdeveloped. The applicant also proposes to use a similar palate of materials to the existing house.
- 10.7. The proposed house will maintain a large driveway which will accommodate up to four cars. Sufficient rear garden ground will also be provided with a minimum depth of 10 metres.
- 10.8. Trees  
One large mature evergreen was proposed to be removed as part of the proposal, however, it fell down in one of the recent storms.
- 10.9. Noise and Nuisance  
Neighbours have expressed concerns regarding noise, dust and mess during demolition and construction. Whilst there would be a degree of disruption during this time, it would only be for a temporary period during appropriate hours of the day. Construction noise is outwith the scope of the planning process and is legislated by the Control of Pollution (Scotland) Act 1974. It is not anticipated that the completed development would give rise to any additional noise or disturbance.
- 10.10. Road Safety  
Sunningdale Wynd is a narrow road for the most part and as such the majority of objections have been in relation to access, potential blockage of the street and pedestrian safety. Whilst it is accepted that the development works may cause periods of disruption these are likely to be over very short durations and with only a small number of properties being directly affected. The existing driveway, together with the adjacent grassed area in the front garden, presents a relatively large area and with the appropriate site management, materials and plant and parking could largely be

accommodated within the plot. The applicant has also advised that, where possible, they will try and arrange for smaller lorries to be used for deliveries.

10.11. In terms of pedestrian safety, it is not considered that the development would cause any increased hazard to pedestrians or cyclists. The road is narrow but relatively open and, as such, the visibility for drivers and pedestrians is good.

10.12. Following consideration of the application by the Planning Committee at its meeting held on 12 March 2024, the application was deferred and the applicant was asked to provide further information relating to traffic management during demolition and construction.

10.13. A Traffic Management Statement has been submitted, along with associated site plans which demonstrate that all plant, compound, vehicles and materials would be stored on site. In addition, delivery arrangements have been provided. After further discussion with the Council's Roads Development Management Team and the agent for the application, the following has been agreed:-

- ◆ A dilapidation survey of Sunningdale Wynd would be undertaken prior to the commencement of development and agreed with the Council. This would be controlled through a planning condition.
- ◆ Details of anticipated skip movements and deliveries to the site have been provided. Until such time as a contractor has been appointed, these details cannot be confirmed. A condition is proposed that would require works on site to be undertaken in accordance with the details contained in the Traffic Management Statement unless this is superseded by a Construction Phase Plan.
- ◆ It has been agreed that no materials are to be stored or deposited beyond the boundary of the application site and this would be controlled through a planning condition.
- ◆ In addition, the agent has committed to notifying neighbours of any large vehicles delivering plant or materials which might cause disruption.

10.14. Following receipt of this information, it has been reviewed and the proposals considered acceptable. In addition, conditions are proposed to ensure that the Traffic Management Statement is complied with whilst development is being undertaken on site and other roads related matters are addressed.

#### 10.15. Conclusion

The proposal complies with Policies 1, 2, and 16 of the National Planning Framework 4 (adopted 2023) and Policies 2, 3, 5 and DM7 of the Local Development Plan 2 (adopted 2021) and would not result in a detrimental impact on either visual or residential amenity. There are no other material considerations which would justify the refusal of planning permission.

### **11. Recommendation and Conditions**

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

#### **Grant Full Planning Permission 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 the type and distribution of external finishes shall be as shown on the approved plan, but prior to the commencement of any work on site, samples of the materials to be used shall be submitted to and approved in writing by the Council as Planning Authority.

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

03. That all construction activities, deliveries and traffic to and from the site shall be managed in accordance with the mitigation measures identified in the Traffic Management Statement (dated 3 April 2024) for the duration of construction works, to the satisfaction of the Council as Roads and Planning Authority.

Should any changes be proposed to the Traffic Management Statement prior to the commencement of development or should it be superseded by a Construction Phase Plan, the updated document shall be submitted for the written approval of the Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved details.

Reason: In the interest of road and pedestrian safety.

04. Prior to the commencement of development on site, a dilapidation survey shall be conducted on Sunningdale Wynd. The scope of the dilapidation survey shall be agreed in writing with the Planning Authority and thereafter the findings shall be submitted to and agreed with the Planning Authority. The access road shall be maintained and/or repaired by the developer in accordance with the agreed details.

Reason: In the interest of road and pedestrian safety.

05. For the avoidance of doubt, no materials associated with this development shall be stored or deposited out with the boundary of the application site.

Reason: In the interest of road and pedestrian safety.

## **12. Reason for Decision**

- 12.1. The proposed development is of an appropriate scale and design within a residential area and would not have an unacceptable impact on the amenity of the surrounding residential area. Technical matters have also been met or could be addressed through condition. Consequently, the proposal is considered to comply with Policies 1, 2 and 16 of the National Planning Framework 4 and Policies 2, 3, 7 and DM7 of the adopted South Lanarkshire Local Development Plan 2.

**David Booth**  
**Executive Director (Community and Enterprise Resources)**

**Date: 20 May 2024**

## **Background Papers**

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

[P/23/1543 | Demolition and rebuild of two storey dwellinghouse | 9 Sunningdale Wynd Bothwell G71 8EQ \(southlanarkshire.gov.uk\)](#)

**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.

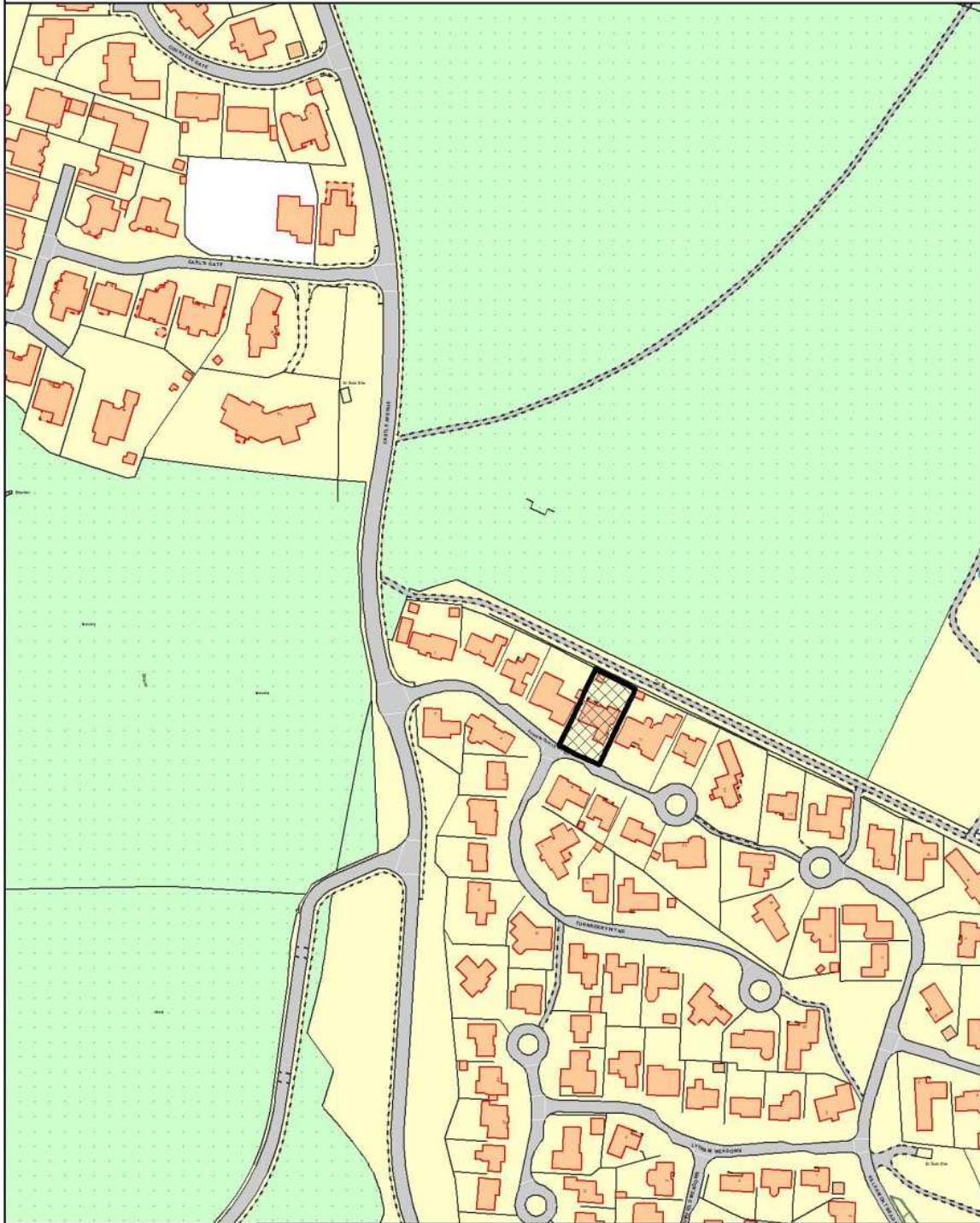
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E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

P/23/1543, 9 Sunningdale Wynd, Bothwell  
Demolition and rebuild of two storey dwellinghouse



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