

	<b>Delegated Report</b>	Reference no.	P/19/0454
		Date	30 March 2020

<b>Planning proposal:</b>	Residential development (planning permission in principle)
<b>Location:</b>	Glaikhead Coalburn Road Coalburn Lanark South Lanarkshire ML11 0NF

**Application Type :** Further application

**Applicant :** Mrs Janice Brodie  
**Location :** Glaikhead  
 Coalburn Road  
 Coalburn  
 Lanark  
 South Lanarkshire  
 ML11 0NF

**Decision:** Application refused

**Report by:** Area Manager (Planning & Building Standards)

#### Policy reference:

#### South Lanarkshire Local Development Plan

Policy 3: Green belt and rural area

Policy 4: Development management and placemaking

#### Supplementary Guidance 2: Green Belt and Rural Area

Policy GBRA7: Redevelopment of previously developed land

#### Proposed SLDP2

Policy 4: Green Belt and Rural Area

Policy 5: Development Management and Placemaking

Policy GBRA5: Redevelopment of Previously Developed Land Containing Buildings

#### Assessment

Impact on privacy?	No
Impact on sunlight/daylight?	No
Impact on amenity?	No
Traffic issues?	Yes
Adheres to development plan policy?	No
Adverse comments from consultees?	No

#### Consultations

#### Summary of response

Roads Development Management Team

Have recommended refusal of the application on road safety grounds as the proposed site access point onto Coalburn Road cannot achieve the recommended visibility requirement of 2.5m x 215m in both directions.

**Representation(s):**

▶	0	Objection letters
▶	0	Support letters
▶	0	Comment letters

## **Planning Application Delegated Report**

### **1 Application Summary**

- 1.1 The application site relates to part of a wider area that many years ago was occupied by offices and industrial buildings associated with mining activities at the rear of the site. These buildings are long gone and the site is now occupied by woodland. Tree belts are found within and adjacent to the site and there is a small group of four houses on the opposite side of the road.
- 1.2 The site is identified as being within the rural area in the adopted South Lanarkshire Local Development Plan where Policy 3 Green Belt and Rural Area applies. The proposal also requires to be assessed against Policy GBRA7 Redevelopment of previously developed land. Policy 4 Development management and placemaking also applies. Policies: 4 Green Belt and Rural; 5 Development management and placemaking and GBRA5 Redevelopment of previously developed land containing buildings of the proposed SLDP2 are material considerations in the assessment of the proposal. The determining factors in the assessment of this application are its compliance with local plan policy, its impact on the amenity of the surrounding area and road safety.
- 1.3 The site has had the benefit of planning permission in principle Ref CL/16/0468 for residential development which was granted in April 2017 subject to the requirement that any applications for the approval of matters specified in conditions attached to the PPP be made within 3 years of the consent. Applications have not been submitted to date and therefore the applicant is seeking to extend the time limit for their submission. However, subsequent to that consent being granted, it was discovered that assessment of proposals had been based on a speed survey which was found to be seriously flawed, possibly due to faulty equipment, and a subsequent speed survey carried out in July 2017 showed vehicle speeds significantly higher than those recorded in the initial survey.

### **2 Consultations**

- 2.1 **Roads & Transportation Services** have recommended refusal of this application on safety grounds as the proposed site access has inadequate visibility splays where it joins Coalburn Road. The speed survey submitted with the current application established an 85<sup>th</sup> percentile speeds of 60mph and 59mph northbound and southbound respectively. These speeds determine that a visibility splay of 2.5m x 215m is required to be achieved and maintained in both directions with nothing greater than 900mm located within these sightlines.
- Response:** The concerns raised by Roads about insufficient visibility are an issue that cannot be addressed by the applicant due to lack of ownership of land required to achieve visibility standards northbound and the geometry of the road southbound of the application

site. The Roads Service have explored several potential access points along the public road frontage of the application site with a view to improving the visibility splays but all have fallen short of the requisite standards. It is considered that there is no physical way of improving the visibility splays to an acceptable standard and as such the proposed site access onto Coalburn Road would have a detrimental effect on road safety.

### **3 Representation(s)**

- 3.1 Statutory neighbour notification was undertaken and an advertisement in the local press for non-notification of neighbours, no representations have been received.

### **4 Assessment and Conclusions**

- 4.1 The applicant seeks to renew the permission in principle for residential development on land located alongside Coalburn Road that was granted in April 2017. The application site is located within the rural area where the adopted South Lanarkshire Local Development Plan states that any development should be assessed against Policy 3 Green Belt and Rural Area. This advises that residential development in the rural area can be acceptable in certain circumstances with one of these being where it involves the redevelopment of previously developed land. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. The application site was formerly occupied by built development and there are remnants of that remaining on the land. As a result, the proposals accords with policy on new development in the rural area and therefore the principle of development on the site remains acceptable in land use terms.
- 4.2 Further detailed criteria for assessment of this proposal is contained within policy GBRA7 - Redevelopment of Previously Developed Land where a set of detailed criteria are required to be met to ensure the development meets this policy. In addition, criteria set in Policy 4 Development management and placemaking of the local development plan(LDP) and Policy 5 Development management and placemaking and Policy GBRA5 Redevelopment of previously developed land containing buildings in the Proposed South Lanarkshire Local Development Plan 2 (SLLDP2) are also required to be met. One of these criteria states that proposals should have no adverse impact in terms of road safety.
- 4.3 The application site has had the benefit of a previous planning permission in principle for residential development, application Ref CL/16/0468, granted on 04 April 2017. Following that decision being made it was found that the speed survey submitted with the application (to determine the sightline requirements for the proposed development) was seriously flawed. The speed survey was re-visited in July 2017 and the 85<sup>th</sup> percentile speed was shown as 54.5mph northbound and 59.5mph southbound, significantly higher than that recorded in the first survey. Therefore, the assessment and determination of that planning application had been based on a speed survey which turned out to be inaccurate and had not adequately addressed the aspects of the proposal relating to road safety. A further speed survey has been submitted with this application. It was carried out in July 2019 and has established 85<sup>th</sup> percentile speeds as 60mph and 59mph northbound and southbound respectively. Based on the above speeds, a visibility splay of 2.5m x 215m is required to be achieved and maintained in both directions with nothing greater than 900mm located within these sightlines. However, these standards cannot be achieved and the Roads Service have concerns that the sightlines which can be achieved fall unacceptably short of the requisite standard and would present a danger to road users.
- 4.4 In summary, it is concluded that the site falls within the definition of what constitutes previously developed land and therefore the redevelopment of the site complies with Green Belt and

Rural Area policy. However the proposed site access fails to achieve the requisite visibility standards and would the proposals would prejudice road safety. The lack of options in providing an alternative access point or being able to improve the existing visibility due lack of land ownership and road geometry would result in a development that would have an unacceptably detrimental impact on road safety and which is therefore contrary to local plan policy.

## **5 Reason for decision**

- 5.1 The proposal would have a detrimental impact on road safety and does not accord with Policies 3, 4 and GBRA7 of the adopted local development plan. The application is also contrary to policies 4, 5 and GBRA5 of the proposed SLLDP2.
- 5.2 It is recommended that planning permission should be refused.

**Delegating officer: Lynda Dickson**

**Date: 30/3/20**

### **Previous references**

- ◆ CL/16/0468

### **List of background papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 20.06.2019

- ▶ Consultations

Roads Development Management Team

13.01.2020

- ▶ Representations

### **Contact for further information**

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

Jerry Gigya, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Phone: 01698 455180  
Email: [jerry.gigya@southlanarkshire.gov.uk](mailto:jerry.gigya@southlanarkshire.gov.uk)

## Planning Application

Application number: P/19/0454

### Reasons for refusal

01. The proposal is contrary to Policies 3, 4 and GBRA7 of the adopted local development plan and policies 4, 5 and GBRA5 of the proposed SLLDP2 in that it would pose a threat to road safety by virtue of the inability of the site to be safely accessed.

### Informatives

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
P1C		Approved
P2C		Approved
P3C		Approved