

Report

Report to:	Planning Committee
Date of Meeting:	11 October 2022
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/22/0923
Planning proposal:	Erection of 19 dwellings with infrastructure, open space, road improvements and associated works

1 Summary application information

Application type:	Detailed planning application
Applicant:	Carmichael Homes Jackton Limited
Location:	Land 35M North of Trunlehill Newlands Road East Kilbride South Lanarkshire

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached.

2.2 Other actions/notes

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

3 Other information

- ◆ Applicant's Agent: Daniel Harrington
 - ◆ Council Area/Ward: 06 East Kilbride South
 - ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy 2 - Climate Change
Policy 3 - General Urban Areas
Policy 5 - Development Management and Placemaking
Policy 11 - Housing
Policy 14 - Natural and Historic Environment
Policy DM1 - New Development Design
Policy NHE14 - Tree Preservation Orders
- South Lanarkshire Council Residential Design Guide**

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads and Transportation Services (Development Management)

Environmental Services

Roads and Transportation Services (Flood Risk Management)

Scottish Water

SP Energy Network

Estates Services

Planning Application Report

1 Application Site

- 1.1 The proposed development site is located near the southern edge of East Kilbride and covers an area of approximately 0.95 hectares. The site, which includes a gradual upward slope from south-west to north-east, comprises the site of the former residential dwellinghouse at Trunlehill, which has previously been demolished, and its surrounding grounds. The site is bounded to the north, south and east by open space areas which form part of the East Kilbride Green Network and to the west by Newlands Road, with a residential development site forming part of the East Kilbride Community Growth Area located opposite. Vehicular access to the site is taken from Newlands Road.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of a residential development of 19 dwellinghouses comprising 18 semi-detached dwellinghouses and one detached dwellinghouse. Access improvements, footpath provision and landscaping of the site are all proposed to be undertaken as part of the development works. In addition, the vehicular and pedestrian access to the site from Newlands Road is proposed to be relocated from the south-west of the site to the north-west. The proposed dwellinghouses have been designed in a townhouse style to account for the existing slope and the general preference to retain substantial greenspace areas within the site at this location.

3 Background

3.1 Local Plan Status

- 3.1.1 The South Lanarkshire Local Development Plan 2 (adopted 2021) identifies the site as being within the designated settlement of East Kilbride where Policy 3 – General Urban Areas is applicable. As the site is designated in the plan as a proposed housing site Policy 11 – Housing is also considered to be of relevance, as are the following policies:-

- Policy 2 - Climate Change
- Policy 5 - Development Management and Placemaking
- Policy 14 - Natural and Historic Environment
- Policy DM1 - New Development Design
- Policy NHE14 - Tree Preservation Orders

In addition, the proposal also requires to be considered against the provisions of the Council's Residential Design Guide. The proposed development is considered against these policies in Section 6 below.

3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP introduces a presumption in favour of development that contributes to sustainable development. Furthermore, SPP states that the planning system should enable provision of a range of attractive, well-designed, high-quality housing that contributes to the creation of successful and sustainable places.

3.3 Planning Background

- 3.3.1 Planning permission was previously granted for the formation of 12 house plots within the site in July 2015 (Planning Ref: EK/14/0347). Subsequent to this detailed planning permission was sought for the erection of 12 detached dwellinghouses in 2018 (Planning Ref: P/18/1792) and for the erection of 18 detached dwellings in 2021 (Planning Ref: P/21/2146). However, both of these applications were withdrawn by the respective applicants before a decision was taken by the Council with regard to the proposals.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management):** Further to discussions with the applicants and amendments to the proposed internal road layout Roads and Transportation Services have offered no objections to the proposed development subject to conditions relating to road improvements, access and parking provision associated with the proposed works.

Response: Noted. The requested conditions would be attached to any consent issued.

- 4.2 **Environmental Services:** Offered no objections to the proposed development subject to a condition relating to dust management within the site.

Response: Noted. The requested conditions would be attached to any consent issued.

- 4.3 **Roads and Transportation Services (Flood Risk Management):** Offered no objections to the proposed development subject to conditions relating to flood risk management works associated with the proposed development.

Response: Noted. The requested conditions would be attached to any consent issued.

- 4.4 **Estates Services:** Offered no objections to the proposed development.

Response: Noted.

- 4.5 **Scottish Water:** Offered no objections to the proposed development.

Response: Noted.

- 4.6 **SP Energy Networks:** Have not responded to date.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken, and the proposal was advertised in the local press for neighbour notification purposes. However, no letters of representation were received in respect of the proposed development.

6 Assessment and Conclusions

- 6.1 Detailed planning permission is sought for the erection of a residential development of 19 dwellinghouses comprising 18 semi-detached dwellinghouses and one detached dwellinghouse on land associated with the former residential property at Trunlehill, Newlands Road, East Kilbride. Access improvements on Newlands Road, footpath provision and landscaping of the site is proposed to be undertaken as part of the development. In addition, the vehicular and pedestrian access to the site from Newlands Road is proposed to be relocated from the south-west of the site to the north-west.

- 6.2 The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on surrounding amenity. Under the terms of 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. In this case, the development plan against which the proposal requires to be assessed is the South Lanarkshire Local Development Plan 2 (adopted 2021).
- 6.3 The Local Development Plan identifies the site, in land use terms, as proposed housing land (Policy 11 – Housing) within the settlement of East Kilbride (Policy 3 – General Urban Areas). It is therefore noted that the principle of housing development on this site is supported by Policies 3 and 11 of the adopted Local Development Plan.
- 6.4 In terms of the detail of the proposal, Policy 5 - Development Management and Placemaking of the adopted plan states that all planning applications should take fully into account the local context and built form while Policy 2 - Climate Change seeks to ensure that proposed developments, where possible, seek to minimise and mitigate against the effects of climate change. Furthermore, Policies 14 - Natural and Historic Environment and NHE14 – Tree Preservation Orders seek to ensure that any proposal should not result in any significant adverse environmental or amenity impact, including the consideration of protected trees. These policies are further reinforced by the provisions of Policy DM1 - New Development Design, while further guidance on design matters is contained in the Council's Residential Development Guide (2011).
- 6.5 With regard to the development of this site, it is noted the applicants submitted a previous application for the erection of 18 detached dwellings on the site in 2021 (Planning Ref: P/21/2146). Concerns were raised by the Planning Service at that time with regard to the extent of the footprint of the development within the site and the consideration of the existing slope of the site as part of the development brought forward. It was not considered that the development proposed at that time was suited to the site in question, particularly given the constraints posed by the levels within the site. As such, the applicants chose to withdraw the application from further consideration.
- 6.6 Subsequent to this, further discussions were undertaken between the applicants and the Planning Service to seek an improved submission in respect of the site. As a result of these discussions the current, revised scheme has been brought forward for consideration. It is noted that, although the number of dwellings now proposed has increased from 18 to 19, the overall footprint of the development has been significantly reduced and the proposed houses have been designed in a manner that takes account of the levels within the site. The proposed development is now considered to be appropriate in terms of design and style to the site and also allows for the provision of substantial landscaping at the site boundaries and in particular, adjacent to Newlands Road, ensuring that there would be no adverse impact on residential properties to the west of Newlands Road or on the wider local area. While the surrounding area predominantly comprises two storey dwellings it is noted that, as part of the design of the development to accommodate the existing slope within the site, some three storey elevations would be formed in this instance. However, it is considered that, given the level changes that exist within the site, the proposed housetypes are appropriate and would allow the site to be developed without requiring significant regrading works to be undertaken to accommodate the development.
- 6.7 In terms of access and road safety considerations it is noted that the applicants propose to undertake road improvement works on Newlands Road in addition to the extension of the existing footpath on Newlands Road south to the development site.

Off-street car parking is also proposed to be put in place to serve each of the dwellinghouses within the proposed development. Further to discussions and minor revisions to the original proposals to ensure compliance with relevant Council standards the Council's Roads and Transportation Services have confirmed their satisfaction with the access provisions associated with the proposed development subject to conditions that would be attached to any consent issued. Similarly, the Council's Environmental Services have confirmed that they have no objection to the proposed development subject to a condition relating to dust management on site, which would also be attached to any consent granted.

- 6.8 With regard to the consideration of climate change issues, it is noted that the site is located within a designated residential area, in relatively close proximity to local services, with pedestrian facilities proposed to be put in place to minimise car use where possible. In addition, a condition would be attached to any consent issued requiring appropriate provision to be made for electric vehicle charging points within the site. As such, it is considered that this site represents a sustainable location that can be developed in a manner that makes a positive contribution in terms of climate change considerations.
- 6.9 In terms of amenity and open space provisions it is noted that the significantly reduced footprint of the development, relative to the proposals previously brought forward for consideration, allows for the provision of ample landscaped and open space areas within the site. A tree survey which has been submitted in support of the application reflects the consideration previously given to trees on site as part of the previous grant of consent for the residential development of the site in 2015. In this regard it has been confirmed that it remains the case that many of the existing trees within the site are in poor condition and unfortunately require to be removed. However, similarly to the previous consent granted in respect of this site in 2015, a tree belt along the southern boundary of the site is considered to remain in good condition and can also provide a natural boundary between the application site and the adjacent Green Network open space area at this location. As such, the development has been designed to allow the retention of these trees and any consent issued would be appropriately conditioned to ensure that the trees in question would be retained as part of the proposed development of the wider site.
- 6.10 In terms of the consideration of ecological matters an ecology survey has been undertaken which has confirmed that, subject to adherence to the recommendations of the associated report, there would be no unacceptable impact on protected species or other biodiversity considerations resulting from the proposed development. Any consent issued would be conditioned to ensure that the requirements of the report are fully adhered to as part of the development of the site. Given all of the above and following a detailed assessment of the proposals submitted, the view is taken that the proposals represent an appropriate development of the site, would not have any significant amenity impact and fully comply with the development management considerations set out in Policies 2, 5, 14, NHE14 and DM1 as well as in the Council's Residential Design Guide.
- 6.11 Taking all of the above into account, it is considered that the detailed proposals brought forward represent a high-quality residential development that would suitably integrate with the existing built and natural environment at this location, would support appropriate and sustainable connectivity to public facilities and would not result in any significant adverse amenity, environmental or other impacts. It is therefore concluded that the proposed development fully complies with the relevant provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021), with specific regard to the provisions of Policies 2, 3, 5, 11, 14, NHE14 and DM1 and with the Council's

Residential Design Guide. It is therefore recommended that planning permission is granted for the proposed development, subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposals would have no significant adverse impact on amenity, public safety or the local environment and comply with the provisions of Policies 2, 3, 5, 11, 14, DM1 and NHE14 of the South Lanarkshire Local Development Plan 2 (adopted 2021) and with the Council's Residential Design Guide.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 30 September 2022

Previous references

- ◆ Planning application EK/14/0347
- ◆ Planning application P/18/1792
- ◆ Planning application P/21/2146

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 14 July 2022
- ▶ Consultations
 - Roads Development Management Team 16.09.2022
 - Environmental Services 23.08.2022
 - Roads Flood Risk Management 24.08.2022
 - Scottish Water 18.07.2022
 - Estates Services - Housing and Technical Resources 19.07.2022

Contact for further information

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 07551 843 111

Email: declan.king@southlanarkshire.gov.uk

Conditions and reasons

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.

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

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

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

03. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 2 shall be erected and thereafter maintained to the satisfaction of the Council.

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

04. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval, and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
 - (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
 - (c) details of any top-soiling or other treatment to the ground;
 - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
 - (e) proposals for the initial and future maintenance of the landscaped areas;
 - (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

05. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

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

06. That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, other than those shown on the drawings hereby approved as being removed, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

07. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

08. 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.

09. That no development shall commence until drainage and flood risk details to include signed appendices A, B, C, D and E are submitted to and approved in writing by the Planning Authority. The development shall not be occupied until the surface drainage works and any required flood mitigation works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

10. That the recommendations of the tree survey undertaken in respect of the site by Tyler Grange and dated March 2021 shall be adhered to at all times on site, unless otherwise agreed in writing with the Council as Planning Authority through the submission of appropriate justification.

Reason: To ensure the protection of all trees that are proposed to be retained within the site.

11. That the recommendations of the ecological survey undertaken in respect of the site by Tyler Grange and dated December 2021, including the undertaking of a further detailed protected species survey prior to the commencement of works on site, shall be adhered to at all times, unless otherwise agreed in writing with the Council as Planning Authority through the submission of appropriate justification.

Reason: To ensure the appropriate protection of ecological interests within the site.

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

Reason: In the interests of environmental amenity.

13. That, prior to the commencement of works on site, a passing place shall be provided on Newlands Road between the proposed access to the development and the 5.5m wide section of carriageway at the Bellway Homes development. Additionally, prior to the commencement of works on site, these upgrading works shall also incorporate the provision of a 2m wide footway that connects to the existing footway network along with pedestrian crossing points, drainage & street lighting, all to the satisfaction of the Council as Roads and Planning Authority unless otherwise agreed.

Reason: To ensure that the site can be appropriately accessed from the public road and footpath network.

14. That the maximum gradient, rising or falling, on the final approach of any minor road at a junction shall be limited to 2% for a minimum distance of at least 12m from the major road.

Reason: In the interest of road safety.

15. At the junction of the access to the site with Newlands Road vehicular visibility splays of 2.4m x 43m shall be provided before any dwellinghouse within the development hereby approved is completed or brought into use. Within these splays nothing over 900mm in height, i.e. trees, shrubs walls etc. is permitted. No driveways shall be located within this area.

Reason: In the interest of road safety.

16. At all driveway accesses a vehicular visibility splay of 2m x 20m shall be provided, (only if traffic calming features are provided, otherwise the visibility will be 2m x 35m). A pedestrian visibility splay of 2.4m x 2.4m, (measured from the heel kerb of the footway) shall be provided. These visibility splays shall be put in place before the dwellinghouse is occupied and within these splays nothing over 900mm in height, i.e. trees, shrubs walls etc. is permitted.

Reason: In the interest of road safety.

17. That the parking provision for a 1-bedroom property shall be 1 space, for a 2/3-bedroom property 2 spaces and for a property with 4 bedrooms or more 3 spaces are required. The driveway dimensions shall be detailed as per the National Roads Development Guide, 3m x 12m for double length, 6m x 6m for double width, and for three spaces a combination of these. These dimensions exclude pedestrian access. To allow a garage to count as a space it will have to meet the minimum dimensions as per the National Roads Development Guide, an internal minimum size of 3m x 7m. The locations and dimensions of these spaces shall be submitted on a plan to and approved by the Council as Planning and Roads Authority prior to the commencement of any works on site and shall be put in place in respect of each dwellinghouse before that dwellinghouse is completed or brought into use.

Reason: In the interest of road safety.

18. That the first two metres of each driveway shall be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the driveway and entering the carriageway, before the dwellinghouse to which the driveway relates is completed or brought into use.

Reason: In the interest of road safety.

19. That, prior to commencement of works on site, a plan shall be submitted to and approved by the Council as Roads and Planning Authority showing the details of all driveway gradients associated with the development hereby approved. No driveway shall have a gradient greater than 10% and the development shall thereafter be carried out in accordance with the approved details, with the driveway for each dwellinghouse completed to the satisfaction of the Council prior to the completion or occupation of the associated dwellinghouse.

Reason: In the interest of road safety.

20. That no part of the proposed adoptable carriageway or footway / service strip shall be in retention, be either a slope with a gradient greater than 1 in 2 or a structure. Additional information regarding the retaining wall shall be submitted to and approved by the Council as Roads and Planning Authority prior to the commencement of any works on site. This information shall satisfactorily demonstrate that the retaining wall has no influence on the proposed adopted road, including the footway / service strip. Information regarding future maintenance of the retaining wall shall also be submitted to and approved by the Council as Roads and Planning Authority. The approved works shall thereafter be put in place on site to the satisfaction of the Council as Roads and Planning Authority prior to the completion or occupation of any dwellinghouse within the development, unless otherwise agreed in writing with the Council.

Reason: In the interest of road safety.

21. That, prior to works commencing on site, a dilapidation survey of Newlands Road shall be undertaken by the developers with an Officer of the Council's Roads Service. Thereafter, any remedial works required by the Roads Service at the completion of the development shall be repaired at the applicants expense.

Reason: In the interest of road safety.

22. That, prior to the commencement of any works on site, the following details shall be submitted to and approved by the Council as Roads and Planning Authority, including the provision of plans as appropriate:

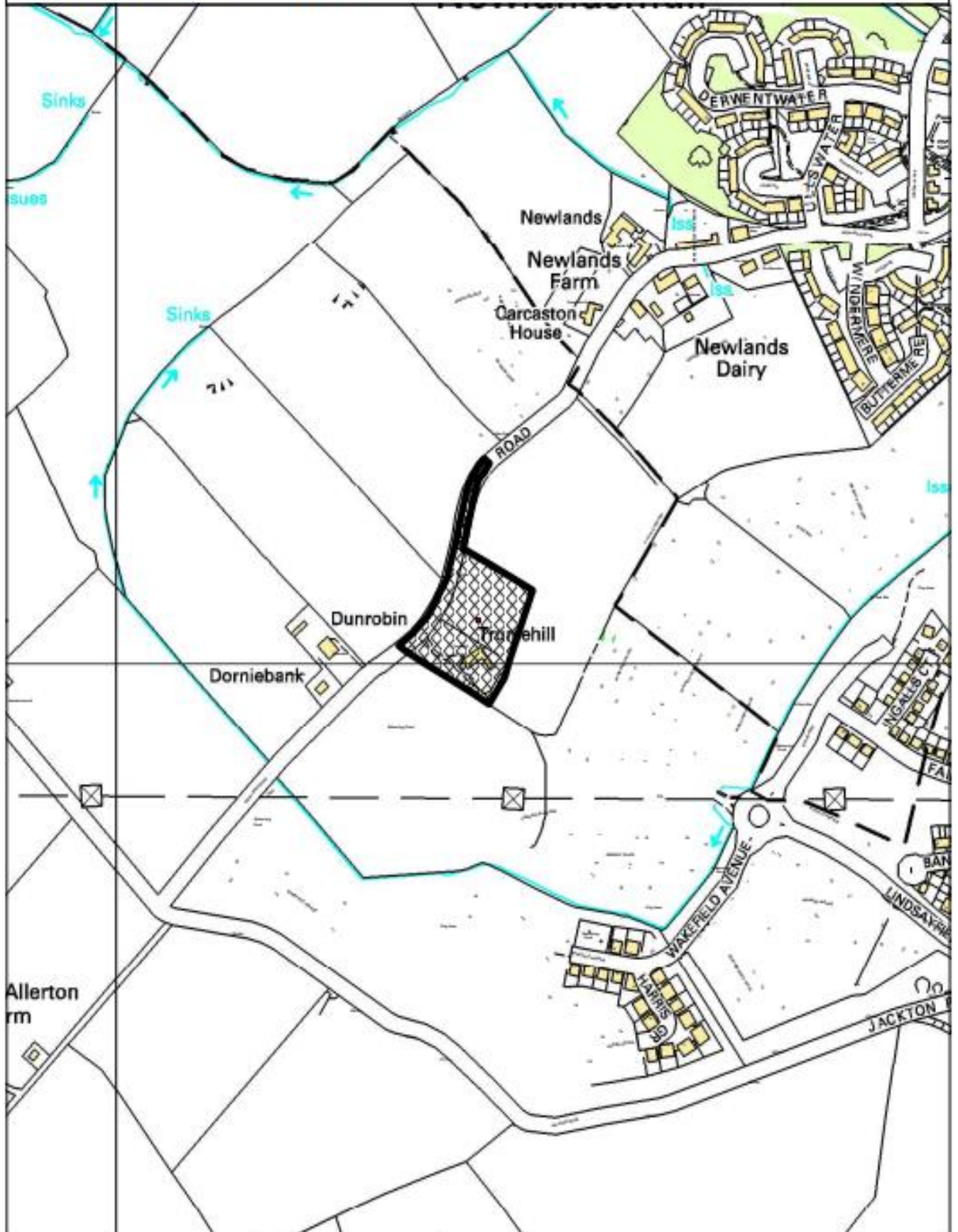
- The provision of a suitable site drainage system to prevent surface water flowing onto the public road;
- The provision of appropriate cleaning systems within the site to ensure that mud and debris is not deposited on the public road;
- The provision of wheel wash facilities associated with the construction work hereby approved;
- The provision of a turning area to allow all vehicles to access and exist the site in forward gears;
- The provision of vehicle parking on site to accommodate all site staff/operatives.

Thereafter, the approved works shall be put in place on site prior to the commencement of the development and maintained to the satisfaction of the Council throughout the construction phase.

Reason: In the interest of road safety.

P/22/0923

Land 35M North of Trunlehill, Newlands Road, East Kilbride



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Scale:
1:5,000
Date:
16/09/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development