

Report

Report to:	Planning Committee
Date of Meeting:	29 March 2022
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/2071
Planning proposal:	Erection of 155 dwellinghouses, associated infrastructure and landscaping (approval of matters specified in conditions 1(a-r), 2, 3, 4, 5, 6, 8, 9,10 and 12) of planning permission in principle EK/09/0218

1. Summary application information

Application type:	Approval of matters specified in conditions.
Applicant:	Barratt Homes West Scotland
Location:	Land 275M Northeast of Easter House Jackton Road Jackton South Lanarkshire

2. Recommendation(s)

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

(1) Grant matters specified in 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: David Jinks
- ◆ Council Area/Ward: 06 East Kilbride South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
 - Policy 1 - Spatial Strategy
 - Policy 2 – Climate change
 - Policy 5 – Development Management and Placemaking
 - Policy 7- Community infrastructure assessment
 - Policy 11 – Housing

Policy 12 – Affordable housing
Policy 13 – Green Network and Greenspace
Policy 16 – Water Environment and Flooding
Policy DM1 – New Development Design
Policy SDCC2 – Flood Risk
Policy SDCC3 – Sustainable Drainage Systems

South Lanarkshire Council Residential
Development Guide (2011)

◆ **Representation(s):**

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

◆ **Consultation(s):**

Strathclyde Partnership for Transport (SPT)

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

SEPA West Region

SP Energy Networks

Estates Services - Housing and Technical Resources

Countryside and Greenspace

Community and Enterprise Resources - Play Provision Community
Contributions

Arboricultural Services

Jackton and Thorntonhall Community Council

Planning Application Report

1. Application Site

- 1.1 This application relates to a proposed residential development of 155 dwellings on land allocated within the Community Growth Area (CGA) in East Kilbride. The site lies on the northern edge of the masterplan site approved under EK/09/0218; a Planning Permission in Principle application for a mixed-use development comprising residential, retail and education uses and associated engineering works for site infrastructure, new access and distributor road, formation of open space framework with landscaping work. The application site extends to approximately 6.13 hectares and is part of Phase 2 of the overall masterplan site.
- 1.2 The site, which comprises of two main sections is partially separated by an established woodland and will be accessed off junctions from the new spine road serving the masterplan area. The site is bound to the north and east by existing woodland and agricultural land, to the west by an existing burn corridor with the Cala Homes residential development beyond, and to the south by land marked for other residential development within the masterplan site. This site was previously used as agricultural land, however, it has been re-profiled in preparation for development as permitted under application P/21/0613. It is noted that the trees and woodland along the perimeter of the site have been retained.

2. Proposal(s)

- 2.1 This application seeks to discharge various conditions imposed on Planning Permission in Principle application EK/09/0218 for the development of East Kilbride Community Growth Area. Condition 1 specifies that all relevant matters such as layout, siting, design, landscaping, drainage etc are submitted to and approved by the Planning Authority. The other conditions to be discharged specify in further detail what information requires to be submitted to deal with the relevant matters listed in Condition 1.
- 2.2 The proposed residential development would comprise of two main northern and southern sections. The larger northern area would be accessed via an access point from the new road running adjacent to the site. There would also be a smaller area adjacent to this which would have its own separate access. The southern section of the site would also include an access point from the new road, as well as including a number of plots accessed directly from the new road. A pedestrian link to further phases of development within the CGA area, to the new spine road and to Jackton Road would also be provided, in line with the principles established in the masterplan. The proposal includes landscaping and a SUDS pond to serve the development. The proposal has been broadly designed in accordance with Designing Streets principles and includes a variety of proposed materials.

3. Background

3.1 Local Plan Status

- 3.1.1 In terms of land use, the site is identified within the South Lanarkshire Local Development Plan 2 (Adopted 2021) as forming part of the designated East Kilbride Community Growth Area and is allocated as a Proposed Housing site. As such, the following policies are all relevant to the assessment of this development:-

- ◆ Policy 1 - Spatial Strategy
- ◆ Policy 2 – Climate change
- ◆ Policy 5 – Development Management and Placemaking
- ◆ Policy 7- Community infrastructure assessment
- ◆ Policy 11 – Housing

- ◆ Policy 12 – Affordable housing
- ◆ Policy 13 – Green Network and Greenspace
- ◆ Policy 16 – Water Environment and Flooding
- ◆ Policy DM1 – New Development Design
- ◆ Policy SDCC2 – Flood Risk
- ◆ Policy SDCC3 – Sustainable Drainage Systems

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. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements. The Council must also maintain a five-year supply of effective housing land.

3.3 **Planning Background**

3.3.1 Planning application EK/09/0218 was originally approved by the Planning Committee in December 2011, subject to the conclusion of a legal agreement to cover matters relating primarily to developer contributions. A revised masterplan was submitted in October 2016 and subsequently approved by the Planning Committee in June 2018, subject to the conclusion of a legal agreement. This legal agreement has now been concluded and registered allowing planning permission EK/09/0218 to be issued in October 2019.

4. **Consultation(s)**

- 4.1 **Roads Development Management Team** – no objections subject to conditions relating to visibility, parking and drainage.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.2 **Roads Flooding section** – no objections subject to a condition related to the provision of a SUDs drainage system.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.3 **Environmental Services** – no objections subject to the attachment of conditions and advisory notes in relation to noise and contamination.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.4 **Scottish Water** – no objections to the proposal.
Response: Noted.
- 4.5 **SEPA** – initially advised further information was required to discharge drainage conditions 1(n) and 9. However, following the submission of further information and discussion with the Council’s Roads Flooding section, they jointly agreed wording of a suitable condition to be attached to any consent issued that would address this.
Response: Noted, the condition can be attached to any consent issued.
- 4.6 **SP Energy Networks** – no objections to the proposal.
Response: Noted.
- 4.7 **Estates Services** – no objections to the proposal.
Response: Noted.

- 4.8 **Countryside and Greenspace** – no response received to date.
Response: Noted.
- 4.9 **SPT** – no comments on the proposal.
Response: Noted.
- 4.10 **Arboricultural Services** – no response received to date.
Response: Noted.
- 4.11 **Community and Enterprise Resources (Play Provision Community Contributions)** – no response received to date.
Response: Noted.
- 4.12 **Jackton and Thorntonhall Community Council** – no response received to date.
Response: Noted.

5. Representation(s)

5.1 Statutory neighbour notification was undertaken, and the proposal was also advertised in the local press as development potentially contrary to the development plan as not all neighbours could be identified. One letter of comments has been received, the points of which are summarised below:-

a) **There are not enough links to other housing developments therefore this should be improved. A footpath should be provided to link to Borthwick Drive to encourage walking.**

Response: The Council is satisfied with the layout submitted. It should be noted that this site is part of an overall masterplan layout which will include a number of links to existing and proposed housing developments.

b) **There is no play provision within this site, however, this could be included at Plot 87 and provide access to the adjacent woodland area.**

Response: Whilst there is no play provision within this site, as noted above, the site is part of a wider masterplan for the overall area which includes adequate play provision. The area adjacent to Plot 87 is designated as open space.

c) **It is unclear if the path at the side of Plot 12 will link up to Eaglesham Road and the proposed shopping facilities.**

Response: Based on the masterplan for the site, there will be a path adjacent to Plot 12 linking it to adjacent paths and eventually Eaglesham Road.

d) **The development is very car orientated.**

Response: As noted above, the Council is satisfied with the layout proposed as well as associated pedestrian and vehicle linkages.

5.2 This letter is available for inspection on the planning portal.

6. Assessment and Conclusions

6.1 Barratt Homes West Scotland seek consent for the erection of 155 dwellings with associated infrastructure and landscaping on land forming part of the East Kilbride Community Growth Area (CGA). As detailed above, the site benefits from Planning Permission in Principle EK/09/0218, therefore, the principle of the development, including access from the new spine road, has already been established and this assessment relates to the details of the housing layout and associated works. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning

applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. Therefore, the determining issue in the assessment of this proposal is its compliance with local development plan policy and any other material considerations.

- 6.2 In this case, the adopted South Lanarkshire Local Development Plan 2 (2021) identifies the site as being within a community growth area as defined by Policy 1 – Spatial Strategy. The site is also allocated as proposed housing land (Policy 11 – Housing) to reflect the designation of the CGA. Therefore, in general land use and policy terms, the principle of the development is acceptable.
- 6.3 In respect of Policy 7 - Community Infrastructure Assessment, it is noted that the legal agreement associated with planning permission EK/09/0218 sets out the requirement for developer contributions applicable to this site to cover infrastructure impacts associated with education, roads and transportation, affordable housing and community facilities. However, in this case, the proposed development includes 40 on-site affordable housing units. As at least 25% of the total site capacity is allocated as affordable, this meets the requirements of Policy 12 - Affordable Housing.
- 6.4 Policy 5 – Development Management and Placemaking advises that to ensure all developments take account of the principles of sustainable development, all proposals require to be well designed and integrated with the local area. Policy 2 – Climate Change also seeks to ensure that developments seek to minimise and mitigate against the effects of climate change and that development does not result in any significant environmental or amenity impacts. Policy DM1 – New Development Design also requires development to promote quality and sustainability in design and layout. The Council's Residential Development Guide (RDG) (2011) is also relevant and provides guidance on the design and layout of new housing developments.
- 6.5 As such, the application for 155 dwellinghouses with associated works will include a mix of 15 house types consisting of 2, 3 and 4 bed detached, semi-detached, terraced and cottage flat properties. There will be two access points for the areas to the north of the site. For the area to the south, there will be a further access point, as well as a number of plots being accessed directly from the new road. In terms of the policies above and the Council's RDG, the proposed mix of house types, materials, size of properties and development layout are considered to be acceptable and in compliance with the principles of the approved masterplan. The plots can meet the requirements in terms of window to window distances, plot ratio and parking requirements of the RDG. In addition, it is considered that the proposed development would integrate with other residential developments in the vicinity. In terms of landscaping, the site includes landscaped areas and planting as well as being adjacent to a number of tree belts and a woodland area which will be retained. In addition to this, the site is not far from the large centrally located greenspace approved as part of the overall masterplan layout. As such, I am satisfied this site provides access to adequate amenity space for residents and will not result in any adverse visual or landscape impacts.
- 6.6 In terms of road safety impacts, the site layout has been designed to ensure the parking and access specifications are in compliance with the Council's standards and to ensure adequate pedestrian connectivity is provided throughout the development with access to adjacent developments in accordance with the masterplan. As such, the Council's Roads and Transportation Development Management Team have confirmed their satisfaction with the layout subject to the attachment of conditions. In terms of flood risk and impact on the water environment (Policy 16 – Water Environment and Flooding) the proposal includes sustainable drainage features. In this regard, it is noted that no objections have been received from the Council's Roads

Flood Risk Management team subject to the attachment of conditions. Should permission be granted appropriate Roads conditions would be attached to the consent issued.

- 6.7 As part of the application submission, the applicant provided an ecological assessment of the site which checked for a variety of species including bats, otters, badgers, water voles, great crested newts and birds. It was concluded that the site has suitability for some species and as such the report includes a number of recommendations that should be carried out. As such, an appropriate condition would be attached to any consent issued.
- 6.8 In conclusion, the principle of residential development of this site is supported by the appropriate local plan policies and the existing Planning Permission in Principle associated with the site. The proposal will have no adverse impacts on amenity, road safety, or environmental impacts and as such it is considered the proposal complies with Policies 1, 2, 5, 7, 11, 12, 13 and 16 of the adopted South Lanarkshire Local Development Plan 2 (2021), as detailed above. It is therefore recommended that the relevant conditions outlined above can be discharged, subject to the additional conditions listed.

7. Reasons for Decision

- 7.1 The proposal would have no significant adverse impact on amenity, public safety or the local environment and complies with the provisions of Policies 1, 2, 5, 7, 11, 16 and DM1 of the South Lanarkshire Local Development Plan 2 (Adopted 2021).

David Booth

Executive Director (Community and Enterprise Resources)

Date: 17 March 2022

Previous references

- ◆ EK/09/0218 – Planning Committee – 26 June 2018

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 8 December 2021

- ▶ Consultations
 - SPT 21.12.2021
 - Roads Development Management Team 14.01.2022
 - Environmental Services 08.03.2022
 - Roads Flood Risk Management 09.03.2022
 - Scottish Water 10.12.2021
 - SEPA West Region 17.01.2022
 - SP Energy Networks 08.12.2021
 - Estates Services - Housing and Technical Resources 14.12.2021

Countryside and Greenspace	08.12.2021
Community and Enterprise Resources - Play Provision Community Contributions	No response
Arboricultural Services	No response
Jackton and Thorntonhall Community Council	No response

► Representations
Ms Lynn Reid, 82 Glen Tennet, East Kilbride, G74 3UY

Dated:
11.01.2022

Contact for further information

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

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455046
Email: julie.pepper@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/21/2071

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.

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

02. 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.

03. 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.

04. 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 3 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.

05. That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: These details have not been submitted or approved.

06. That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

Reason: To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

07. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

Reason: To ensure the provision of a satisfactory sewerage system.

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, unless otherwise agreed in writing and prior to works commencing on site, the applicant shall submit details to demonstrate each dwelling has access to their own electric vehicle charging (EVC) point. Where parking is provided within a shared courtyard, details shall also include arrangements for siting of charging posts taking account of parking bays/boundary features/pedestrian movement along with maintenance arrangements all for the written approval of the Council as Roads Authority. Thereafter, the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications prior to that property which it serves being occupied.

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

10. That, before the development hereby approved is completed or brought into use, at all road junctions a visibility splay of 2.4 metres by 35 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.

11. That, before the development hereby approved is completed or brought into use, at all driveway accesses a visibility splay of 2 metres by 20 metres measured from the road channel shall be provided on both sides of the vehicular access if traffic calming features are provided, otherwise a visibility splay of 2 metres by 35 metres will be required, 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.

12. That, before the development hereby approved is completed or brought into use, at all driveway accesses a pedestrian visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway 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 public safety.

13. That, before any dwellinghouse hereby approved is completed or brought into use, the parking spaces associated with the dwellinghouse shall be put in place to the specification and satisfaction of the Council as Roads and Planning Authority in accordance with the approved plans and shall thereafter be maintained to the satisfaction of the Council.

Reason: In the interests of road safety.

14. That, before any dwellinghouse within the development hereby approved is completed or brought into use, the first two metres of the associated driveway shall be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the carriageway and entering the driveway, to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

15. The gradient of any driveway hereby approved shall not exceed 10%.

Reason: In the interests of road safety.

16. That prior to any works associated with the construction of the development commencing, a Construction Traffic Management Plan shall be submitted to the Council as Roads and Planning Authority for approval. This shall include:

1. A programme for starting on site.
2. All construction vehicles associated with this development should access the site via Eaglesham Road and the new spine road.
3. Details of wheel washing/ road cleaning regime to ensure mud and debris is not deposited on the public road.
4. A plan showing that all vehicles should be able to access and exit the site in forward gears, therefore a turning area must be provided.
5. A plan showing the turning area and location and number of spaces for site staff / operatives

Reason: In the interests of traffic and public safety.

17. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228:2009, 'Noise control on construction and open sites'. Prior to commencement of construction activities, a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be provided in accordance with the standard. The emissions at the Noise Sensitive Receptor shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. Corrections shall be made for variables such as the operating time and the relative cumulative impact value. This shall be corrected for attenuation and shall be provided as an LAeq.1hr to be

compared with either the pre-existing background level or using the ABC table within the British Standard.

Reason: To minimise noise disturbance to adjacent occupants.

18. That the recommendations and procedures set out in the Updated Ecological Assessment report submitted in support of the proposed development, produced by JDC Ecology Ltd and dated 25 June 2021, shall be adhered to at all times on site to the satisfaction of the Council as Planning Authority.

Reason: To ensure the appropriate protection and management of species within the site.

19. That unless otherwise agreed, suitable culvert improvement works are required to be designed and installed as per Kaya Consulting Limited Technical Memo 2272 - CGA, Jackton, South Lanarkshire Council dated 22 February 2022 and as shown on drawing Drainage Layout No.20-106-120 Rev D prepared by Indev Consult and shall be carried out to the satisfaction of the Council's Roads and Planning Authority prior to occupation of any dwellinghouses. This shall include all five appendices from the Council's Developer Design Guidance May 2020 version which are required to be completed and submitted for this application. The author of Kaya Consulting Limited Technical Memo 2272 - CGA, Jackton, South Lanarkshire Council dated 22 February 2022 shall complete and submit appendix A - Flood Risk Assessment Compliance Certificate with a suitable independent checker completing and submitting appendix B - Flood Risk Assessment Independent Check Certificate. This shall apply to the entire site.

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.

20. That before development commences, a drawing showing the forward visibility splays shall be provided and thereafter agreed by the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

21. That the dimensions of the turning facilities shall be in accordance with the National Roads Development Guide.

Reason: In the interests of road safety.

22. That before development commences, details demonstrating that future pedestrian connections are to be left open at the end of the footpath at plots 129 & 130 shall be provided. This is required to ensure links to adjacent pods can be maintained.

Reason: This detail has not been submitted.

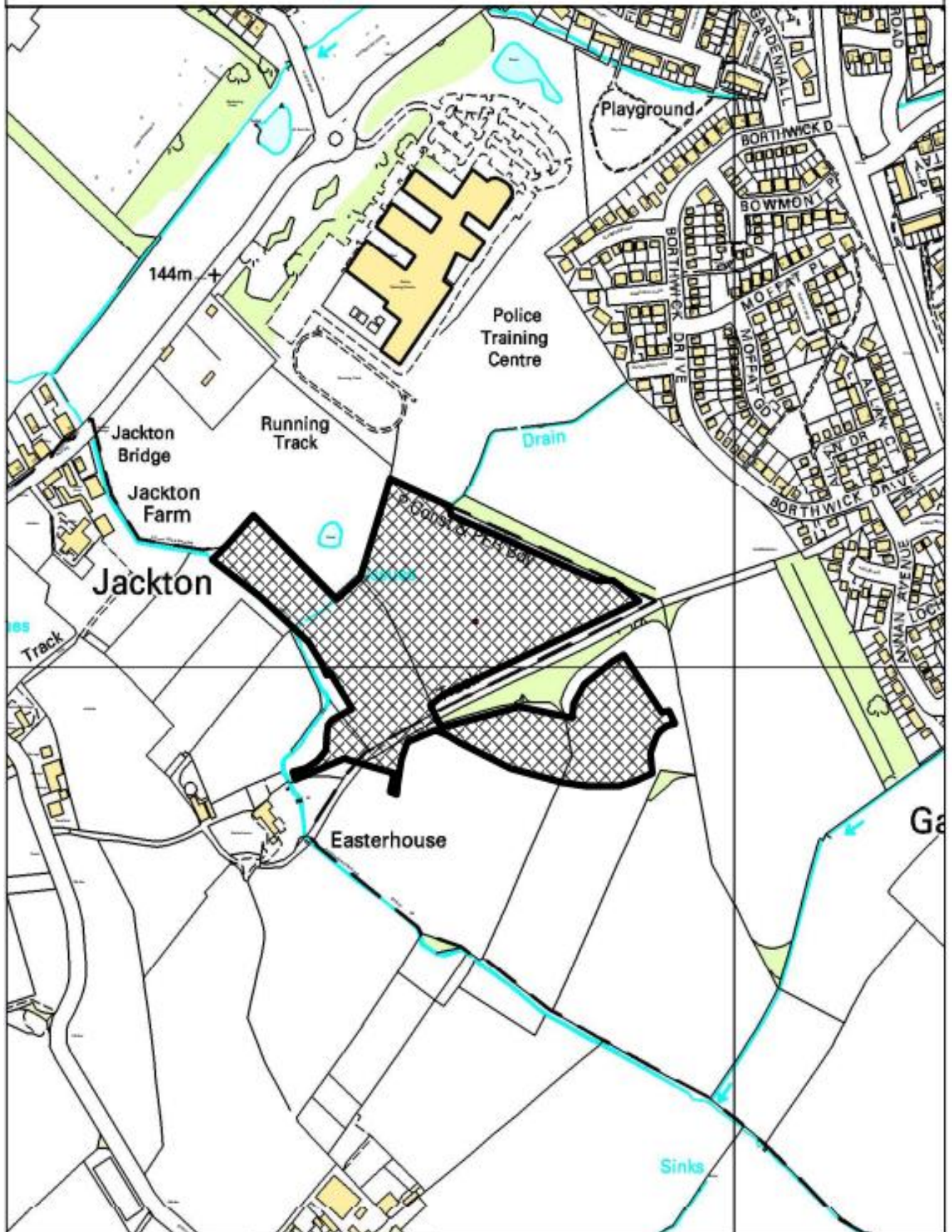
23. That the applicant shall undertake an invasive weed survey, which shall include potentially damaging weeds such as Horsetail, and submit the findings of the survey along with their proposed remediation strategy, all for the written approval of the Council as Roads and Planning Authority, prior to commencement on site of any topsoil stripping or other earthworks. That no invasive weeds or potentially damaging weeds shall be permitted below or within what the Council consider to be influencing

distance of the public road. Once approved, all works shall be progressed in accordance with the agreed remediation strategy.

Reason: To ensure that the site is free from the presence of invasive weeds.

P/21/2071

Land 275M Northeast of Easter House, Jackton Road, Jackton



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Scale:
1:5,000
Date:
04/03/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development