

Report

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

Application no.	P/21/2093
Planning proposal:	Erection of 37 dwellinghouses and 16 flats with associated roads, landscaping and infrastructure (Approval of matters specified in conditions imposed on consent HM/10/0052)

1 Summary application information

Application type:	Approval of matters specified in conditions
Applicant:	Taylor Wimpey West Scotland
Location:	Land to the north of Meikle Earnock Road Hamilton South Lanarkshire

2 Recommendation(s)

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

- (1) Grant Matters Specified in Conditions - Subject to Conditions (based on the conditions attached).

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) This development is located within the Hamilton Community Growth Area and will be covered by the Planning Obligation which was agreed as part of the planning permission in principle application (HM/10/0052) for the site. The purpose of the Planning Obligation is to ensure the submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area, namely Roads Infrastructure, Education Provision, Community Facilities and Affordable Housing.

3 Other information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted April 2021)**
 - Policy 1 - Spatial Strategy
 - Policy 2 - Climate Change
 - Policy 5 - Development Management and Placemaking
 - Policy 11 - Housing
 - Policy 15 - Travel and Transport
 - Policy DM1 - New Development Design
 - Policy SDCC4 - Sustainable Transport

Residential Design Guide

◆ **Representation(s):**

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

◆ **Consultation(s):**

Scottish Water

Community and Enterprise Resources - Play Provision Community Contributions

West of Scotland Archaeology Service

Roads Development Management Team

Roads Flood Risk Management

Environmental Services

Housing Planning Consultations

Countryside and Greenspace

Planning Application Report

1 Application Site

- 1.1 The planning application site extends to approximately 1.9ha and comprises an area of vacant grassland. The site is located to the north of Meikle Earnock Road, to the west of Hamilton, and is identified as being part of the Hamilton Community Growth Area (CGA) within the adopted South Lanarkshire Local Development Plan 2.
- 1.2 The site is enclosed to the north, east and west by vacant grassland and to the south by Meikle Earnock Road. The site is enclosed by vacant land which forms part of the Hamilton Community Growth Area and will also be the subject of future residential development. Construction work has commenced at the Hamilton Community Growth Area although development is far from being completed.

2 Proposal(s)

- 2.1 The applicant seeks approval for the Matters Specified in Conditions (MSC) application which seeks to address the terms of the conditions attached to the Planning Permission in Principle application (HM/10/0052) relative to the development of the Hamilton Community Growth Area (HCGA) and relates solely to the site identified above.
- 2.2 The proposal relates to the erection of 37 dwellinghouses and 16 flats with associated roads, landscaping and infrastructure at land to the north of Meikle Earnock Road. The proposal relates to the provision of a range of accommodation for the social rented sector and includes a mix of two, three and four bedroom dwellings in the form of terraces, semi-detached and detached properties. These dwellings are two storeys in height. In addition, the development includes one and two bedroom cottage flats, which are two storeys in height. Externally the properties are proposed to be finished in a combination of render, stone, facing brick and glazing panels. Parking would be provided for each property.
- 2.3 The development includes the formation of a new vehicular and pedestrian access to the development from Meikle Earnock Road and other pedestrian and vehicle links into the wider community growth area.
- 2.4 A number of documents were submitted in support of the application, namely an Archaeological Evaluation and a Habitat and Protected Species Survey.

3 Background

3.1 Local Plan Status

- 3.1.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 and its impact on residential amenity, traffic safety and infrastructure issues.
- 3.1.2 The planning application site is designated as being part of a Community Growth Area for Hamilton and as forming part of the Council's housing land supply. Residential uses are supported within such sites, subject to compliance with normal development management criteria. The site is affected by Policy 1 'Spatial Strategy,' Policy 2 'Climate Change,' Policy 5 'Development Management and Place Making,' Policy 11 'Housing,' Policy 15 'Travel and Transport,' Policy DM1 'New Development Design' and Policy SDCC4 'Sustainable Transport' of the adopted Local Development Plan.

3.2 Relevant Government Advice/Policy

- 3.2.1 In terms of residential development, Scottish Planning Policy requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also

required to promote the efficient use of land by, where possible, directing development towards sites within existing settlements in order to make effective use of established infrastructure and service capacity.

- 3.2.2 Designing Streets 'A Policy Statement for Scotland' was introduced in March 2010 and establishes the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.

3.3 Planning Background

- 3.3.1 An application for the 'Development of Community Growth Area, Comprising Housing, Neighbourhood Centre, Community Facilities, Access Roads, Open Space and Landscaping (Planning in Principle application: HM/10/0052)' was granted consent on 11 May 2017.

4 Consultation(s)

- 4.1 **Scottish Water** - have offered no objection to the proposal.
Response: Noted.
- 4.2 **Community and Enterprise Resources - Play Provision Community Contributions** – no objection as any contributions would be addressed through the existing planning obligation covering the community growth area.
Response: Noted.
- 4.3 **West of Scotland Archaeology Service** - have offered no objection to the proposal.
Response: Noted.
- 4.4 **Roads Development Management Team** – had initially advised that the developer would require to identify the position of the electric vehicle charging points within the development layout, particularly in relation to the courtyard parking arrangements. These details have now been submitted and they have advised that they have no objection to the development, subject to the imposition of conditions. These conditions relate to the provision of wheel washing facilities, the submission of details of all the site staff and operatives parking requirements and that all HGV traffic associated with the construction of the development shall utilise the Muttonhole Road/Meikle Earnock Road route for access and egress of the site.
Response: Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.
- 4.5 **Roads Flood Risk Management** - have advised that a flood risk assessment which covers the wider CGA site has been previously prepared and submitted. They have offered no objection to the proposal subject to the imposition of conditions relating to the submission of a post development overland flow path drawing and the completion of the appendices from the Council's developer design guidance.
Response: Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.
- 4.6 **Environmental Services** - have advised that they have no objection to the development, subject to the imposition of advisory notes relating to construction noise and nuisance.

Response: Noted. It is advised that these requirements can be addressed through the use of advisory notes, where appropriate.

- 4.7 **Housing Planning Consultations** – the provision of social housing was addressed through the planning obligation which covers the community growth area.

Response: Noted.

- 4.8 **Countryside and Greenspace** - have advised that they have no objection to the development but noted that the remote path specifications should be the same as the adjacent developments.

Response: Noted. It is advised that these requirements can be addressed through the use of a condition, where appropriate.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press and subsequently no third-party representations have been received. Whilst this itself does not automatically mean that consent should be issued, it does suggest that those most likely to be affected by the proposal do not have any serious reservations regarding the development.

6 Assessment and Conclusions

- 6.1 The applicant seeks approval for the matters specified in conditions application to address the terms of conditions attached to planning permission in principle application (HM/10/0052) relating to the development of the Hamilton Community Growth Area. The application relates to the erection of 37 dwellinghouses and 16 flats with associated roads, landscaping and infrastructure at land to the north of Meikle Earnock Road, Hamilton.
- 6.2 The determining issues in the consideration of this application are its compliance with national policy, local development plan policy and its impact on residential amenity, traffic safety, environmental matters and infrastructure issues.
- 6.3 With regards to Government guidance and advice, as detailed in section 3.2, Scottish Planning Policy highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted Local Development Plan as being suitable for residential development through its designation as a part of the Community Growth Area for Hamilton. The proposed use therefore raises no issues from a land use perspective and can be considered to accord with national planning policy.
- 6.4 In terms of Local Plan policy, the site is affected by Policies 1 and 2 of the adopted Local Development Plan. The application site is designated as being a Community Growth Area for Hamilton under the terms of Policy 1 of the adopted Local Development Plan. These policies promote sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. The proposal involves the development of an area of vacant land, at a sustainable location in Hamilton as part of the Community Growth Area. Therefore, it is considered that the proposal raises no issues within the context of Policies 1 and 2 of the adopted Local Development Plan.
- 6.5 In addition, the site is affected by Policy 11 of the adopted Local Development Plan and forms part of the Council's housing land supply. Subsequently, the principle of the site for residential use accords with the provisions of Policy 11 of the adopted Local Development Plan.

- 6.6 Policy 5 of the adopted Local Development Plan identifies that all development proposals will require to take account of and be integrated with the local context and built form. It is considered that the design, location and scale of the proposed development is acceptable and will not result in a significant material impact on the streetscape or any nearby properties. Therefore, the proposal raises no issues within the context of Policy 5 of the adopted Local Development Plan.
- 6.7 Policy DM1 of the adopted Local Development Plan relates to the design and layout of all new developments. Given the physical characteristics of the site, it is considered that the development will not result in a significant adverse impact on the neighbouring properties in terms of privacy, overlooking, overshadowing and the proposed dwellinghouses are of a similar scale and style to those being developed elsewhere within the Hamilton CGA. Subsequently, the proposed development accords with the provisions of Policy DM1 of the adopted Local Development Plan. In addition, it is considered that the proposed layout for the development generally accords with the standards set out in the Council's Residential Design Guide.
- 6.8 Policy 15 and Policy SDCC4 of the adopted Local Development Plan seek to ensure that the development considers and, where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. The site is accessible and the development would be integrated into transport walking networks. In addition, Roads and Transportation Services consider that the proposal is acceptable in terms of access, parking and road safety issues. Subsequently, it is considered that the proposal accords with the provisions of Policies 15 and SDCC4 of the adopted Local Development Plan.
- 6.9 In conclusion, the proposal relates to the creation of a high quality housing development on a vacant site which will provide affordable accommodation for the social rented sector. The design, layout and general impact of the development is considered to be acceptable and the proposals comply with the relevant policies contained in the adopted Local Development Plan. In view of the above, it is recommended that planning consent be granted subject to conditions.

7 Reasons for Decision

- 7.1 The proposal will not significantly adversely impact on residential or visual amenity, environmental matters or infrastructure issues. The proposal raises no issues within the policy context of 1, 2, 5, 11, 15, DM1 and SDCC4 of the adopted Local Development Plan 2 and there are no other material considerations which would justify the refusal of planning permission.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 30 September 2022

Previous references

- ◆ HM/10/0052 – Planning Committee – 28 March 2017

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Press Advert, Hamilton Advertiser, dated 10 February 2022

- ▶ Consultations
 - Scottish Water 09.02.2022
 - West of Scotland Archaeology Service 09.02.2022
 - Roads Development Management Team 14.04.2022
22.09.2022
 - Roads Flood Risk Management 19.08.2022
 - Environmental Services 02.02.2022
 - Countryside and Greenspace 11.08.2022
 - Community and Enterprise Resources - Play Provision N/A
 - Community Contributions
 - Housing Planning Consultations N/A

- ▶ Representations
 - None

Contact for further information

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

Gail Neely, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA
Phone: 07551 841 002
Email: gail.neely@southlanarkshire.gov.uk

Conditions and reasons

01. That, unless otherwise agreed with the Council as Planning Authority, the landscaping and open space schemes 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 the 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 amenity.

02. That prior to works commencing on site a management plan for the maintenance and management of the structural planting within the site shall be submitted to the Council as Planning Authority. Following written approval, the management plan shall be thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

03. That prior to the occupation of each dwellinghouse the approved fences and walls associated with each plot shall be erected and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

04. 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.

05. 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.

06. 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.

07. That, unless otherwise agreed with the Council as Planning Authority, before the development hereby approved is completed or brought into use, the entire access road and footpath network, including un-adopted remote footpaths, serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority. Unless otherwise agreed with the Council as Planning and Roads Authority, all footpaths shall be 2.0 metres in width and be of a bound construction.

Reason: In the interest of public safety.

08. That prior to the commencement of any works associated with the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter. This document shall include details of access and a parking provision (including a parking plan) for staff and operatives, intended working hours, the management and storage of deliveries and the wheel washing facilities.

Reason: In order to retain effective planning control.

09. 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 Sustainable Drainage Design Criteria and shall include signed appendices as required. 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.

10. That further details of the remote footpath specification shall be submitted to and approved in writing by the Council as Planning Authority and these should accord with the developments adjacent to the site.

Reason: In order to retain effective planning control.

11. That no development shall commence until pre-construction protected species surveys are carried out within the development site and an appropriate surrounding buffer in accordance with the submitted Habitat and Protected Species Survey prepared by Envirocentre (dated August 2021). Where protected species are found to be present and could be impacted by the development, a species protection plan should be submitted to and approved in writing by the Council as Planning Authority.

Reason: In order to retain effective planning control.

12. That prior to any works commencing on site an adequate wheel washing facility must be fully operational and any vehicle transporting excavated material on or off the site shall be treated by means of the wheel washing provision. This facility shall be operation at all times during any earth moving operations and a 'clean zone' should be maintained between the end of the wheel wash facility and the public road to the satisfaction of the Council as Roads and Planning Authority.

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

13. For the avoidance of doubt, all HGV traffic associated with the construction of the development shall utilise the Muttonhole Road/Meikle Earnock Road route for both access and egress to the satisfaction of the Council as Roads and Planning Authority.

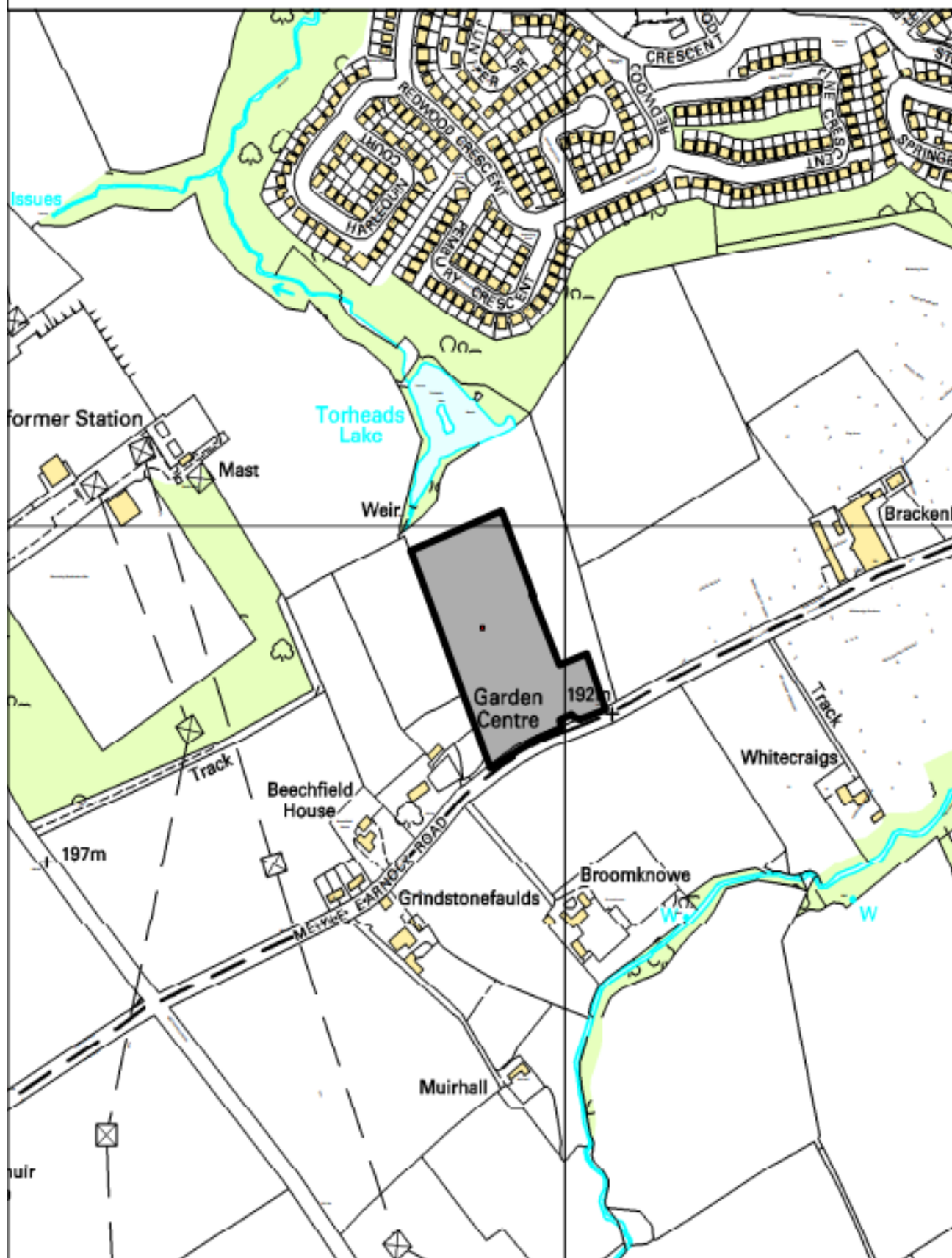
Reason: In order to retain effective planning control.

14. Prior to the occupation of any dwelling within the development, the associated parking spaces for each dwelling shall be formed in accordance with the approved plans and thereafter shall be available for use at all times.

Reason: In order to ensure adequate parking is provided within the development.

P/21/2093

Land to North of Meikle Earnock Road



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



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development