

Report

Report to:	Planning Committee
Date of Meeting:	14 December 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application No	P/21/1148
Planning Proposal:	Further Application in Relation to Planning Permission P/19/1232 for Residential Development Involving House Substitutions on 79 Plots (Plots 3-6, 12-15, 38-108)

1 Summary Application Information

Application Type:	Further application
Applicant:	Stewart Milne Homes
Location:	Area D Site of former Brackenhill Farm Meikle Earnock Road Hamilton

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: None
- ♦ Council Area/Ward: 18 Hamilton West and Earnock
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2**
Policy 3 – General Urban Areas and Settlements
Policy 5 – Development Management and Place Making
Policy DM1 – New Development Design

- ◆ Representation(s):
 - ▶ 1 Objection Letter
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters

- ◆ Consultation(s):

Roads (Development Management)

Planning Application Report

1. Application Site

- 1.1 The application site relates to an existing residential development site, located to the north of Meikle Earnock Road, Hamilton, on land formerly associated with Brackenhill Farm. The land is currently being developed as part of the wider Hamilton Community Growth Area (CGA). Land surrounding the application site is either being developed as part of the Hamilton CGA proposal or earmarked for that purpose.
- 1.2 The applicant initially received planning consent in 2017 for a residential development of approximately 320 units at the former Brackenhill Farm site (application No: HM/16/0022). A subsequent planning approval reduced the number of proposed units and amended the house types within some plots (application No: P/19/1232).

2. Proposal(s)

- 2.1 The applicant now seeks consent for an amendment to Planning Permission P/19/1232 involving house substitutions on 79 plots (Plots 3-6, 12-15, 38-108). The proposed changes are to reflect the housing developer's product changes and customer requirements.
- 2.2 In terms of the revised designs, the proposed houses are fairly typical of the other houses being built within the Hamilton CGA, which are a mix of detached, semi-detached and terraced properties. The development will be a mixture of 3, 4 and 5 bedroom properties with appropriate in curtilage parking provided. The road layout serving the development remains as previously approved.

3. Background

3.1 Local Plan Policy

- 3.1.1 In determining planning applications, the Council must assess the proposal against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).
- 3.1.2 The use of the site for residential purposes is established through both the area's designation as a Community Growth Area for Hamilton in the SLLDP 2 and subsequent planning consents.
- 3.1.3 Given the nature of the application, it is considered that Policies 3 – General Urban Areas/Settlements, 5 – Development Management and Place Making and DM1 – New Development Design are appropriate to the determination of this application. The aim of these policies is to seek well designed development that is appropriately located, serviced and results in no adverse impact. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 Planning Background

- 3.2.1 As previously noted, the application site forms part of the designated Hamilton CGA. An application was submitted in 2010 which sought "Planning Permission in Principle" (Application No. HM/10/0052, approved May 2017) for the delivery of a large part of the designated Hamilton CGA. A subsequent application, for the approval of Matters Specified in Conditions attached to HM/10/0052 (application No. HM/16/0022, approved May 2017), authorised residential development at the former Brackenhill Farm, Meikle Earnock Road, Hamilton. A further application (application No: P/19/1232) was approved in 2019 which reduced the number of proposed units and amended the house types within some plots, for part of the original proposal.

4. Consultation(s)

- 4.1 **Roads and Transportation Services (Hamilton Area)** - Initially raised concern over the proposal due to insufficient parking provision at a number of the proposed house plots. Subsequently, following receipt of revised drawings have confirmed that the proposal, subject to a number of recommended conditions, is acceptable and offer no objection.

Response: - Appropriately worded conditions can be incorporated into any consent to address the matters raised.

5. Representation(s)

- 5.1 The application was advertised in the local newspaper and statutory neighbour notification was also undertaken. Following this process one letter of representation has been received. It is noted that no objection has been raised specifically in relation to the works now proposed by this application (house substitutions) but highlight general concerns with regard to related matters, especially roads and parking, within the wider community growth area, as follows:-

- a) **Road safety concerns with regard to: (i) Roads within the existing estates within the Brackenhill development are too narrow to accommodate the volume of traffic; (ii) Density of the development is too great for these narrow roads and lack of parking for visiting cars resulting in the blocking of main road and (iii) Road crossings aren't clearly marked.**

Response: In response to these concerns, it must be highlighted that the road network and related parking provision for each house has been designed and built in accordance with national standards supplemented in part by local requirements stipulated by the Council Roads and Transportation Services. I am therefore confident that the design of the road network in terms of road width etc and parking provision is satisfactory. It must be acknowledged, however, that local issues can arise during the development of modern housing estates due to the construction process and the number of workers cars parked in the locality. This is a temporary inconvenience. Nevertheless, a condition requiring the provision of suitable parking for construction staff will be imposed.

- b) **Lack of maintenance of nature trail and burn and suitability of nature trail.**

Response: Communal amenity space within the overall development will be maintained through a factoring agreement upon completion. Until completed it is the responsibility of the applicant and/or landowner to ensure appropriate maintenance is undertaken and this has been raised with the applicant to ensure that this is the case.

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

6. Assessment and Conclusions

- 6.1 The application site is located to north of Meikle Earnock Road, to the west of Hamilton and forms part of the wider Hamilton Community Growth Area. Planning permission was granted for a residential development of approximately 320 dwellinghouses, associated roads, footpaths, open space, SUDs and landscaping (application No: HM/16/0022), which was subsequently amended through the approval of application No: P/19/1232. This development is currently under construction. The applicants now seek consent for the amendment of a number of plots within the previously approved scheme.

- 6.2 The determining issues in consideration of this application are its compliance with local plan policy, the impact on both the residential and visual amenity of the surrounding area, the road safety implications of the proposal and any other material

considerations in the determination of the application. 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, and subsequent planning consents.

- 6.3 The policies considered appropriate in the determination of this application are set out within Section 3.1.3 above. Principally, the stated policies and guidance seek to ensure that any development does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in a manner which takes cognisance of appropriate guidance and the area within which it is located. Having considered the design and layout of the revised proposal, I am satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance.
- 6.4 In terms of the detailed design of the development, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is considered that the proposed development remains of a high quality design incorporating a suitably high standard of materials.
- 6.5 It is noted that the overall roads layout of the development remains unaltered from that previously approved with the proposed changes relating to the change of house type/design of 79 plots within an overall development of 320 units. It is considered that the proposed house types are acceptable and reflect the nature and style of surrounding development. The proposed development raises no road safety concerns, amenity or privacy concerns and, therefore, accords with Policies 3, 5 and DM 1 of the adopted South Lanarkshire Local Development Plan 2.
- 6.6 No concerns have been raised by Roads and Transportation Services, who were consulted on the application. The application is considered acceptable from a road safety perspective. Whilst noting the third party concern, it is considered that these issues do not specifically relate to the work proposed by this application. As such, these aspects cannot unduly influence the determination of this application. The matters raised can however be addressed through other appropriate means.
- 6.7 On the basis of the above assessment I have no objection to the application and recommend that planning permission be granted subject to the conditions listed.

7. Reasons for Decision

- 7.1 The proposal accords with the policies of the South Lanarkshire Local Development Plan 2 (namely Policies 3 General Urban Areas and Settlements, 5 - Development Management and Placemaking and DM1 – New Development Design).
- 7.2 There are no other material considerations that would justify the refusal of consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

3 December 2021

Previous References

- ◆ HM/10/0052
- ◆ HM/16/0022
- ◆ P/19/1232

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2 (2021)

- ▶ Consultations

Roads (Development Management)

26/10/2021

- ▶ Representations:

Miss Sarah Lean, 27 Whitecraigs Crescent, Hamilton, ML3 8SN

12.07.2021

Contact for Further Information

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

James Watters, Planning Officer
Montrose House,
154 Montrose Crescent,
Hamilton
ML3 6LB
Ext 4970 (Tel: 01698 454970)
E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- 1 That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

- 2 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

- 3 That the open space relating to the development shall be laid out simultaneously with the development or each phase thereof and shall be completed to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

- 4 That proposals for the maintenance of all areas of open space within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

Reason: In the interests of amenity

- 5 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 amenity

- 6 That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity

- 7 That the landscaping scheme as shown on the approved plan 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

- 8 That before any work commences on the site details of the proposed equipped play area(s) within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include:
- (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
 - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed;
 - (c) details of the fences to be erected around the play area(s); and
 - (d) details of the phasing of these works.

Reason: To ensure the provision of adequate play facilities within the site and in order to retain effective planning control.

- 9 That prior to the completion or occupation of the last dwellinghouses within the development or phase within which it is located, all of the works required for the provision of equipped play area(s) included in the scheme approved under the terms of Condition 8 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

Reason: In order to retain effective planning control.

- 10 That prior to the completion of the development hereby permitted, the woodland maintenance and management scheme approved under by virtue of this consent, as per The Woodland Management Plan (by Alan Morton Tree Consulting Ltd, dated 21 August 2011) shall be in operation.

Reason: In order to retain effective planning control.

- 11 That before any work commences on site, a maintenance and management scheme shall be submitted to and approved by the Council as Planning Authority, and it shall include proposals for the continuing care, maintenance and protection of: -
- (a) The proposed footpaths;
 - (b) The proposed parking areas;
 - (c) The proposed external lighting provided for the area(s);
 - (d) The proposed play areas;
 - (e) The proposed grassed, planted and landscaped areas;
 - (f) The proposed fences to be erected along the boundaries of the site.

Reason: To safeguard the amenity of the area.

- 12 That prior to the completion of the development hereby approved, the maintenance and management scheme approved under the terms of Condition 11 above shall be in operation.

Reason: To safeguard the amenity of the area.

- 13 That the findings and recommendations of the submitted Biodiversity Survey and Management Plan (Envirocentre, dated August 2015) shall be fully complied with, unless otherwise agreed, in writing, with the Council as Planning Authority.

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

- 14 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- Reason: In the interests of amenity and in order to retain effective planning control.
- 15 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 this consent, shall be erected and thereafter maintained to the satisfaction of the Council.
- Reason: In order to retain effective planning control.
- 16 Prior to development commencing on site, a dust management and monitoring scheme shall be submitted to and approved 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. Monitoring results shall be readily available to Officers of the Council investigating adverse comments.
- Reason: To minimise the risk of nuisance from dust to nearby occupants.
- 17 That before development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be 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, a road width of 5.5 metres shall be provided throughout the development and the access to each phase of development from Meikle Earnock Road should be increase to 7.3 metres up to the first internal junction.
- Horizontal traffic calming at appropriate locations, to be agreed with the Council as Roads Authority, shall be provided in accordance with the Principles of Designing Streets.
- Reason: In the interest of public safety.
- 18 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.
- The layout of the proposed footpaths shall be agreed with the Council as Roads Authority and thereafter implemented to the satisfaction of the Council as Planning Authority.
- Reason: To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
- 19 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving that phase of the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the site.

- 20 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.

- 21 That all private vehicular accesses or driveways are provided to the following standards, unless otherwise agreed by the Council as Planning and Roads Authority:

- i) Driveways should be accessed via a drop kerb.
- ii) The first 2.0m of this should be of bound or block construction to ensure that loose material is not deposited on to the road.
- iii) All driveways should be perpendicular to the road with 45 degree splays on either side (over verges).
- iv) The minimum gradient of the driveways should be 1:10.
- v) All surface water should be contained, controlled and discharged within the confines of the driveway so that there is no discharge of water onto the footway/.

Reason: To ensure the provision of adequate parking facilities to serve the development.

- 22 That before the development, or any phase of development, hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90.0 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.

All internal visibility splays shall be 2.4 metres x 25 metres in both directions.

Reason: In the interest of road safety.

- 23 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the provision of a satisfactory land drainage system.

- 24 That before the development or each phase of development, hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times. All turning facilities shall be designed in accordance with the National Roads Development Guide incorporating South Lanarkshire Council Supplementary Guidance.

Reason: In the interest of public safety.

- 25 That, unless otherwise agreed with the Council as Planning and Roads Authority, before the development hereby approved is completed or brought into use, parking shall be provided to the following standards and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Parking Standards

All terraced and detached units up to 3 bedrooms - 2 spaces

All terraced and detached units of 4 or more bedrooms - 3 spaces

Under National Roads Development Guide, a single garage can be counted towards a parking space providing the minimum internal dimensions are equal to or greater than 7.0m x 3.0m.

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

- 26 That prior to works commencing on site a full vehicle swept path analysis (full size refuse vehicle) and forward visibility envelopes shall be submitted to, and agreed by, the Council as Planning and Roads Authority.

Reason: In the interest of road safety.

- 27 That during any earth removal operations, a brush motor should be employed to ensure that the local public roads are kept clear of mud and any other such debris.

Reason: In the interest of road safety.

- 28 That during the development construction period sufficient parking should be provided within the development boundary to accommodate all site staff & operatives. Details of which are to be submitted to, and agreed by, the Council as Planning and Roads Authority and thereafter maintained to the satisfaction of the Council.

Reason: In the interest of road safety.

- 29 Notwithstanding the above conditions, and the details provide within the submitted Outdoor Action Plan, the upgrading of Meikle Earnock Road shall be constructed to national cycle route standards and bench seating be provided at various locations, to be agreed with the Council as Planning Authority, adjacent to the proposed SUDs ponds and peripheral footpaths.

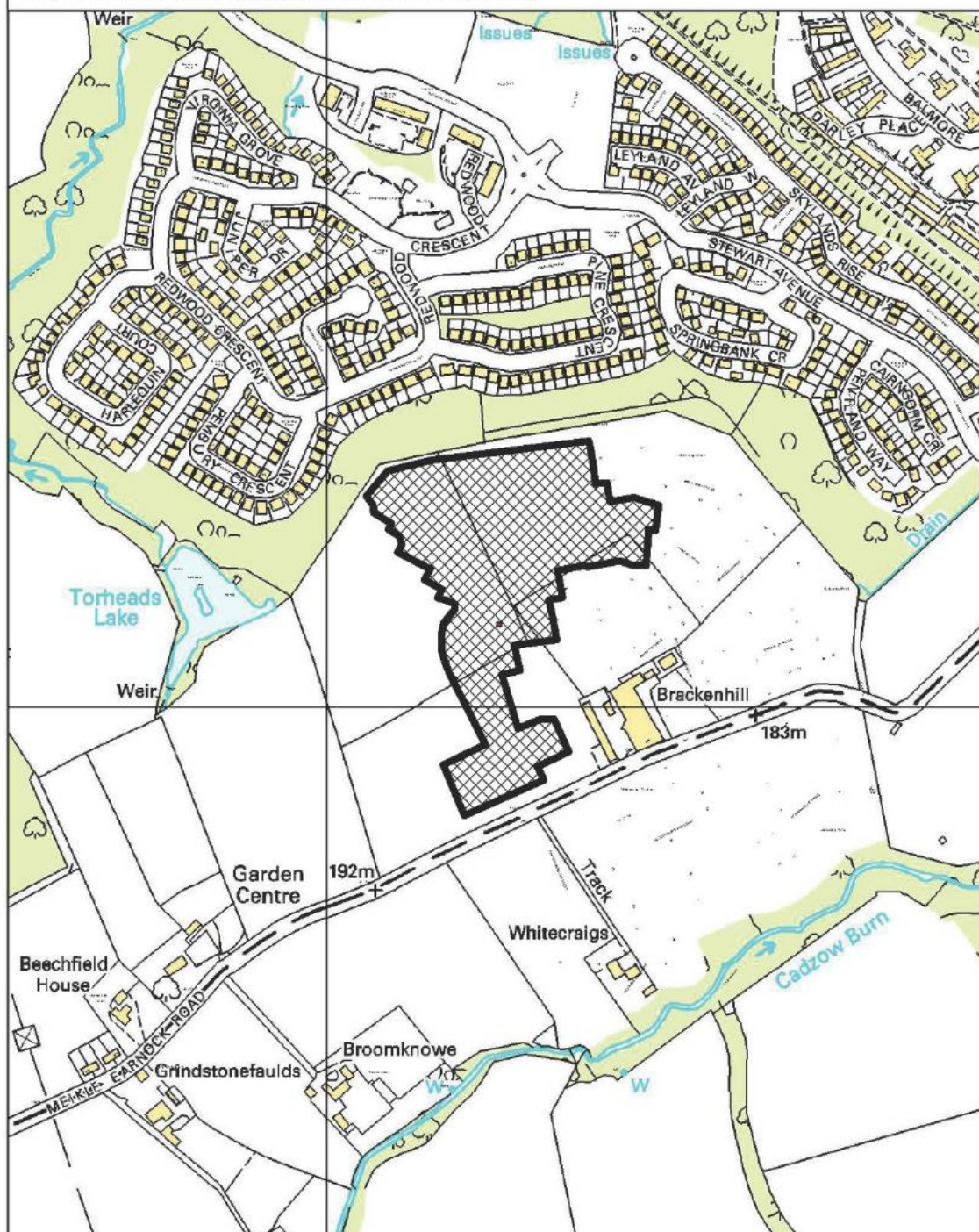
Reason: To ensure the satisfactory integration of the development in terms of pedestrian and cycle movement.

- 30 That before the development starts, a certificate or report from a recognised firm of chartered engineers shall be submitted to the Council as Planning Authority confirming the structural stability of the retaining walls shown on the submitted layout plans (as detailed in Informative 1 attached). Thereafter the developer shall incorporate the full recommendations and requirements of the certificate or report in the design and construction of the development approved under this consent.

Reason: In the interest of public safety.

P/21/1148

Area D, Site of former Brackenhill Farm, Meikle Earnock Road



© Crown copyright and database rights 2013 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale:
1:5,000
Date:
18/11/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development