

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>16 August 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/2132
Planning proposal:	Erection of dwellinghouse with extended family accommodation and detached double garage

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr David Service
Location:	Land 41M North of The Warren Millrig Road Wiston 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: Heidi- Louise Kelly
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2**  
Policy 2 Sustainable Development  
Policy 3 General Urban Areas  
Policy 5 Development Management & Placemaking  
Policy DM1 New Development Design  
Policy DM5 Extended Family Accommodation  
Policy DM15 Water Supply  
Policy DM16 Foul Drainage/Sewerage Provision  
Policy SDCC3 Sustainable Drainage Systems

### ◆ Representation(s):

▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads Development Management Team

West of Scotland Archaeological Service

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to an area of land located within the settlement boundary of Wiston. The site is currently open farmland and is bound by residential property to the South and to the West across the public road, the site is bound with more open farmland to the North and East with the northern area approximately only 8m wide, with a private access and then woodland beyond. The private access road signifies the edge of the settlement. The front of the site and the side boundary to the neighbouring dwelling is defined by hedging.

### **2 Proposal(s)**

- 2.1 The applicant seeks detailed planning permission for the erection of a single storey dwellinghouse with extended family accommodation, the formation of a new vehicle access, erection of a single storey double garage and parking and associated works within the site. The proposed dwelling would be single storey in height with attic accommodation incorporating dormer windows, the footprint comprising of an 'L' shape with the single storey rear extension has a floor area of approximately 210 square metres on the ground floor and 110 square metres at first floor in the attic area. This would include a kitchen/dining area, lounge, public room, office, utility, pantry a bedroom with associated ensuite and a one bed family accommodation annex on the ground floor, and 4no. bedrooms with associated ensuite facilities on the upper floor. There would be a minimum of three parking spaces provided within the site and a detached double garage. The materials proposed would be a mix of render, stone cladding, grey UPVC windows and doors and concrete roof tiles.
- 2.2 It is noted that there are two previous approvals for residential development for this site CL/16/0461 and P/20/1089. The first in 2016 was for planning in principle for a single dwelling and the second in 2020 for the formation of two house plots.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of the South Lanarkshire Local Development Plan 2 (Adopted 2021), the site is located within a general urban area therefore Policy 3: General Urban Areas, Policy 5: Development Management and Placemaking and DM1: New Development Design are relevant.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Given the nature and scale of the proposal, there is no specific government guidance relevant to the determination of this application.

#### **3.3 Planning Background**

- 3.3.1 Planning permission in Principle for a single dwelling was approved by the Council under application number CL/16/0461. This required an application to be submitted to agree details of the proposed dwelling, driveway, materials etc as this detail had not been agreed under the application. However, the application expired without any details having been submitted. The site currently benefits from a live consent for the formation of two house plots approved under P/20/1089. The current application is for a single dwelling on the same application site and therefore represents an alternative development proposal on a site previously established as suitable for residential development.

#### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services** – No objection as the applicant has shown adequate visibility, parking and turning space within the plot.

**Response:** Noted. Appropriate conditions will be added to the decision notice to cover these points should consent be granted.

- 4.2 **West of Scotland Archaeological Service** – No objections subject to a condition requiring the implementation of a programme of archaeological works prior to development starting on site.

**Response:** Noted. A condition will be added to the decision notice to cover this issue should consent be granted.

- 4.3 **Environmental Services** – No objection subject to informatives on a noise, contamination, pest control and septic tanks being added to the decision notice.

**Response:** Noted. Appropriate informatives will be added to the decision notice to cover these points should consent be granted.

#### **5 Representation(s)**

- 5.1 In response to the carrying out of neighbour notification and the advertisement of the application in the local press due to the non-notification of neighbours, 7 letters of objection have been received from 5 people within 4 households. The issues raised are summarised below:

- a) **The proposed dwelling is very large, in comparison with the surrounding properties and will result in the loss of privacy.**

**Response:** Whilst the proposed dwelling is larger than adjacent properties, it is not significantly so and it is considered to be in proportion to the size of the plot and is not of such a scale that it will have an adverse impact on adjacent properties. The dormer windows to the front elevation will overlook the dwellings on the opposite side of the road however at a distance of over 28m window to window this is considered more than adequate to respect a reasonable level of privacy and this level of overlooking is similar to that experienced within the surrounding area in general. Furthermore, as the proposal complies with the requirements of the Council's Residential Development Guide, the proposal is considered to be acceptable.

- b) **The proposed dwelling and garage will cause a loss of light and create overshadowing to the surrounding properties due to its scale, location and the difference in ground levels of the site compared to the neighbours.**

**Response:** Due to the scale of development, the size of the plot and distance from the neighbouring properties both the dwelling and garage have no significant effect on daylight, nor will it create any significant overshadowing that is detrimental to residential amenity.

- c) **Concerns have been raised over the drainage of the site both in terms of foul and surface water drainage to serve the development and how this will be installed and managed to ensure neighbours are not affected when the site is developed.**

**Response:** The site was previously reviewed by the Council's Roads Flooding Team and no concerns were raised in terms of flooding. As the site is for a single dwelling there is no requirement to go through the detailed stages of drainage design at this point, but it is recognised that due to its rural location and site constraints that these elements will need careful consideration before

development starts. As such, appropriate conditions are proposed to be attached should consent be granted in order to ensure suitable drainage systems for both foul and surface water, designed and approved by the council prior to development starting on site, are installed to serve this development. Any foul water drainage discharge to a watercourse or land will require the appropriate approval from SEPA.

- d) **The location of the driveway and the narrow width of the existing road will make it difficult to enter and exit the site without interfering with the access of neighbouring properties. In addition, the previous approval for the site required the addition of a footpath.**

**Response:** Following a review of the proposed plans the Roads and Transportation Services have not raised concerns about the location or nature of the proposed access. In the plans submitted the applicant has shown the formation of a grass verge with a new hedge planted along the front of the site. Roads have advised that they have no objections to the proposal, raised no concerns in terms of road safety and have made no request for a footpath. The provision of a verge and hedge is considered to be more in keeping with the layout of the village and does still allow people to step off the carriageway if required.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 For the purposes of determining planning applications the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2. The relevant planning policies of the adopted SLLDP2 are listed above.
- 6.2 Policy 3 refers to predominately residential areas within settlements and provides advice on the types of uses which could be compatible. Policy 3 notes that residential development is considered acceptable subject to there being no significant adverse effect on the amenity and character of the area. Therefore, the principle of residential development at this location within the settlement boundary is already established. In addition, the location of the dwelling within the site would appear as a continuation of the form of the existing development on Millrigg Road and as such is considered to be in character with the surrounding area.
- 6.3 Policy 5 seeks to ensure proposals integrate well with their surrounding area and adverse impacts upon residential amenity, road safety, natural and historic heritage are avoided. The plot measures 35m in depth by 45m in width. The submitted plans show a suitable access and 3 parking spaces, there is considered sufficient depth and width to accommodate the dwelling proposed. A hedge bounds the front of the site which would require re-siting to accommodate visibility splays; a condition shall be imposed to replant the hedge to retain the character of the area. On that basis the proposal is considered acceptable under Policy 3, 5 and DM1 of the adopted SLLDP2.
- 6.4 Policy 2 seeks to minimise and mitigate against climate change. The proposal provides an additional dwellinghouses within an existing rural settlement, avoiding areas of high to medium flood and adverse impact on water, soils and air. On this basis the proposal has where possible sought to meet Policy 2 of the adopted SLLDP2.
- 6.5 Policy DM5 Extended Family Accommodation seeks to ensure there is an established need for this type of accommodation and ensure it can be accommodated without significant adverse impact upon residential amenity. A supporting statement has been

submitted by the applicant to demonstrate the social need for the additional accommodation; the reasoning within the statement is found to be acceptable for the requirements of Policy DM5. There is sufficient access, parking and turning facilities for the main dwellinghouse and the proposed family accommodation. There are no neighbouring properties that would be adversely affected by the additional rear extension and as such there is no increased loss of privacy or overlooking. On this basis the proposed development meets the requirements of Policy DM5 of the adopted SLLDP2

- 6.6 Policies SDCC3, DM15 and DM16 seek to ensure that development has been designed using a sustainable drainage system and that there is sufficient water supply, foul drainage, and sewerage. The application form details the plots would be connected to the public water supply network and due to the rural nature, a private sewerage system. Conditions can be imposed on any permission to ensure this is fully considered prior to development starting on site. The proposal is therefore in accordance with policies SDCC 3, DM15 and DM16 of the adopted SLLDP2.
- 6.7 On the basis of the above it is considered that the proposed dwelling with extended family accommodation is of a suitable scale and design for the site and complies with all relevant policies. It is therefore recommended that planning permission is granted.

## **7 Reasons for Decision**

- 7.1 The proposed dwelling is considered to be an acceptable development for the site and will not be detrimental to the amenity of the area. Development proposed is therefore consistent with Policies 2, 3, 5, DM1, DM5, DM15, DM16 and SDCC3 of the adopted South Lanarkshire Local Development Local Plan2 (2021).

**David Booth**  
**Executive Director (Community and Enterprise Resources)**

26 June 2022

### **Previous references**

- ◆ None

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated
- ▶ Consultations
  - Environmental Services 12.01.2022
  - Roads Development Management Team 20.01.2022
  - West of Scotland Archaeological Service 22.12.2021
- ▶ Representations Dated:
  - Mr Neil Macfarlane, The Warren, Millrigg Road, Wiston, ML12 6HT 20.12.2021 & 29.03.2022

Miss Lorraine Cameron, Nia'roo, Millrigg Road,, Wiston, Biggar, ML12 6HT	21.12.2021 & 27.03.2022
Mr Peter Strachan, Wiston Place Farm, Millrig Road, Wiston, ML12 6HT	29.03.2022
Mrs Kirsty Strachan, Wiston Place Farm, Millrigg Road, Wiston, ML12 6HT	28.03.2022
Mr Carina Newton, Lavender Cottage, Millrigg Road, Wiston, Biggar, ML12 6HT	28.03.2022

**Contact for further information**

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

Steven Boertien, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton,  
ML3 6LB

Phone: 01698 455116

Email: [steven.boertien@southlanarkshire.gov.uk](mailto:steven.boertien@southlanarkshire.gov.uk)

## Detailed planning application

Paper apart – Application number: P/21/2132

### Conditions and reasons

01. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to safeguard any archaeological items of interest or finds.

02. That before the dwelling hereby approved is completed or brought into use, a visibility splay of 2m by 43m to the north of the site and 2m by 30m to the south of the site measured from the road edge 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.

03. That before the dwelling hereby approved is completed or brought into use, a 2m wide grass verge shall be installed along the whole frontage of the site to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

04. That before the dwelling hereby approved is completed or brought into use, 3no. parking spaces (2.9m x 5.8m modules) and a turning area to allow vehicles to enter and exit the site in forward gear shall be laid out, constructed and thereafter maintained to the satisfaction of the Council as Roads and Planning Authority.

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

05. That no gates or other obstructions shall be erected within the first 5m of the driveway as measured from the edge of the road

Reason: In the interests of traffic and public safety.

06. That no development shall commence on site until the applicant provides written confirmation from SEPA or Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with their standards.

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

07. 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. Thereafter



the development shall not be occupied until the surface drainage 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.

08. That before any work commences on the site, a scheme of hedge planting to the perimeter of the application site shall be submitted for approval. The hedge along the front of the application site should be set back a minimum of 2.5m from the road edge and maintained to ensure it does not affect vehicle visibility from the site. The submitted information should include future maintenance and minimum and maximum heights to be set for the hedging.

Reason: To ensure the appropriate provision of boundary treatments for the site.

09. That the approved hedge planting 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.

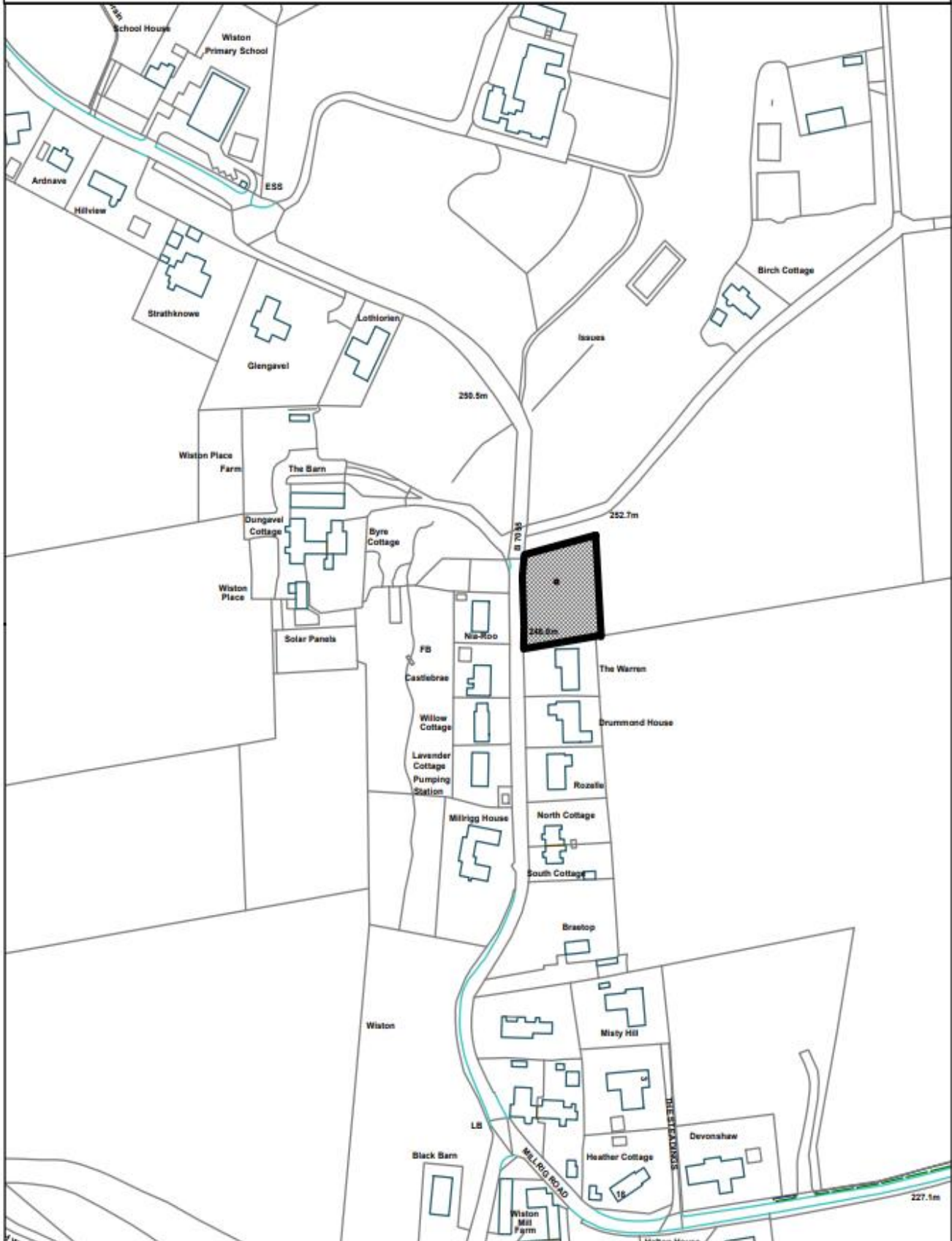
Reason: In the interests of the visual amenity of the area.

10. 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.

P/21/2132

Land 41M North of the Warren



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Scale:  
1:2,500  
Date:  
21/07/2022



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development