

engineering operations.

Report to: Date of Meeting: Report by:	Planning Committee 7 September 2021 Executive Director (Community and Enterprise Resources)
Application no.	P/20/1391
Planning proposal:	Erection of 38 dwellinghouses (including 8 cottage flats) and associated roads, site remediation, drainage, landscaping and land

1 Summary application information

Application type:

Applicant: Location:	Cruden Building and Renewals Land 115m southeast of 101 Avon Road
	Avon Road Larkhall South Lanarkshire

Detailed planning application

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: Rachel Houghton
- Council Area/Ward: 20 Larkhall
- Policy Reference(s): South Lanarkshire Local Development Plan 2
 - (Adopted April 2021) Policy 1 - Spatial Strategy Policy 2 - Climate change Policy 3 - General Urban Areas Policy 5 - Development Management and Placemaking Policy 11 - Housing Policy 13 - Green Network and Greenspace Policy 14 – Natural and Historic Environment Policy 15 - Travel and Transport Policy DM1 - New Development Design

Representation(s):

►	0	Objection Letters
•	0	Support Letters
•	0	Comment Letters

• Consultation(s):

Roads Development Management Team

Environmental Services

Scottish Water

Roads Flood Risk Management

Countryside and Greenspace

Education Resources School Modernisation Team

Housing Planning Consultations

Larkhall Community Council

Nature Scot

1 Application Site

- 1.1 The planning application site extends to 1.9ha and comprises an area of vacant land. The planning application site is situated adjacent to the settlement boundary of Larkhall and within an established residential area.
- 1.2 Historically, a sandstone mine was operational from 1910 in the southeast of the site. In addition, part of the site was occupied by Craigbank Primary School, and associated school grounds. The school was constructed in the 1960's and subsequently demolished and re-located to another site within Larkhall. The topography of the majority of the site is relatively level, however, the gradient of the site falls towards the existing footpath which is situated adjacent to the southwestern boundary of the site. There is an existing vehicular access to the site.
- 1.3 The site is enclosed to the north by Avon Road and on other sides by open space and residential properties. The southern boundary of the site is directly adjacent to an area of mixed woodland and grassland, which has national importance as part of the Avondale Site of Special Scientific Interest (SSSI) and the Clyde Valley Wood Special Area of Conservation (SAC) which is of international importance.
- 1.4 The surrounding area is predominantly characterised by two storey terraced and semi-detached properties. These properties range in house types from those built during the 1950's to recently constructed contemporary dwellings.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of 38 dwellinghouses (including 8 cottage flats) and associated roads, site remediation, drainage, landscaping and land engineering operations at land 115m southeast of 101 Avon Road, Avon Road, Larkhall.
- 2.2 The proposal relates to the erection of 38 dwellings for social rent and this includes a range of accommodation. The development includes 15 terraced dwellings (two storeys in height accommodating both two and three bedrooms) and 10 semi-detached dwellings (two storeys in height accommodating two, three and four bedrooms). In addition, the proposal includes 12 cottage flats (two storeys in height accommodating one bedroom) and 1 detached dwelling (one and a half storeys in height accommodating three bedrooms). Externally the dwellings are proposed to be finished in a combination of facing brick, render, glazing panels and a composite slate roof tile. In addition, the dwellings are proposed to have photovoltaic panels integrated within the roof structure of the rear elevations.
- 2.3 The development includes the formation of two new vehicular and pedestrian accesses to the development from Avon Road. In addition, the development includes 66 off street parking spaces associated with the residential units and 4 visitors parking spaces.
- 2.4 The proposal also includes ground stabilisation and remediation works as the southeast of the site is affected by underground mine works. These engineering operations include the drilling of boreholes and subsequent grouting works to stabilise the site, in order to accommodate development. The proposal also includes the installation of an attenuation tank, the repositioning of the established footpath and associated landscaping.

2.5 A key part of this proposal is the establishment of a 15m buffer zone between the development and the Clyde Valley Wood Special Area of Conservation and the Avondale Site of Special Scientific Interest. During the pre-application stage of the application, Nature Scot recommended the identification of this buffer zone in order to mitigate any potential impact of the development on these designated areas.

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, environmental matters and infrastructure issues.
- 3.1.2 The majority of the planning application site is designated as housing land in the adopted Local Development Plan 2. The site is affected by Policy 1 'Spatial Strategy,' Policy 2 'Climate Change,' Policy 3 'General Urban Areas,' Policy 5 'Development Management and Place Making,' Policy 11 'Housing,' Policy 13 'Green Network and Greenspace, Policy 14 'Natural and Historic Environment,' Policy 15 'Travel and Transport' and Policy DM1 'New Development Design' 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 Scottish Planning Policy establishes policy in relation to sites designated as Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSI). In addition, the SPP identifies that the siting and design of development should take account of the local landscape character. Development management decisions should take account of potential effects on landscapes and the natural and water environment, including cumulative effects. Developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.
- 3.2.3 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 There is no recent planning history relative to this planning application site.

4 Consultation(s)

4.1 **<u>Roads Development Management Team</u>** - have advised that they have no objection to the development, subject to the imposition of conditions. These conditions include the resurfacing of the footway along Avon Road, the relocation of the existing bus stop and the submission of a Construction Traffic Management Plan.

<u>Response</u>: Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.

4.2 <u>Environmental Services</u> - have advised that they have no objection to the development, subject to the imposition of a condition. This condition includes that the remediation of the site shall be carried out in accordance with the approved remediation plan and following the completion of the works a report shall be submitted to the Council.

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

- 4.3 <u>Scottish Water</u> have offered no objection to the proposal. <u>Response</u>: Noted.
- 4.4 **<u>Roads Flood Risk Management</u>** have offered no objection to the proposal. **<u>Response</u>**: Noted.
- 4.5 <u>**Countryside and Greenspace**</u> have identified that this is a site of multiple biodiversity interest. However, they have no objection to the development, subject to the imposition of conditions. These conditions include the restriction of access to the footpath from the rear gardens of the residential units, the establishment of a protection zone and landscaping.

<u>Response</u>: Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.

- 4.6 <u>Education Resources School Modernisation Team</u> have offered no objection to the proposal.
 <u>Response</u>: Noted.
- 4.7 <u>Housing Planning Consultations</u> have offered no objection to the proposal. They have advised that this site is identified in the Council's strategic housing investment plan and is prioritised for Scottish Government grant funding for social rented housing.

Response: Noted.

- 4.8 <u>Larkhall Community Council</u> no response to date. <u>Response</u>: Noted.
- 4.9 **Nature Scot** Initially objected to the proposed development on the basis of a request for the submission of further information relating to the proposed works within the identified 15m buffer zone. The work within the buffer zone includes the drilling of boreholes to allow for the grouting work to be undertaken, in order to stabilise the ground in light of the underground mine workings. Following receipt of this consultation response, there has been a meeting between the agent and Nature Scot and the submission of further information to Nature Scot to address their concerns. Subsequently, Nature Scot have identified a number of conditions which should be attached if consent is to be granted. These conditions include the fencing of the 15m buffer zone prior to the commencement of works, the submission of a Construction Environmental Management Plan, a pre-commencement ecology survey and the submission of a landscape plan.

<u>Response</u>: Noted. The agent has provided detailed information to address the concerns which Nature Scot have raised. It is advised that these requirements can be addressed through the use of planning conditions, 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 detailed planning consent for the erection of 38 dwellinghouses (including 8 cottage flats) and associated roads, site remediation, drainage, landscaping and land engineering operations at land 115m southeast of 101 Avon Road, Avon Road, Larkhall.
- 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, the area of the site which is proposed to be developed relates to vacant land which is situated within an established urban area, within the settlement boundary of Larkhall. The site is immediately adjacent to a site of Special Scientific Interest and a Special Area of Conservation. The agent has been aware of the designations from the outset and Nature Scot have provided advice during the pre-application process regarding the proposed layout of the development. The proposal has subsequently been designed in order to minimise any adverse impact on the established natural environment. Therefore, it is considered that there are no significant issues raised by the proposal with regards to Government guidance and advice.
- 6.4 Policies 1 and 2 of the adopted Local Development Plan 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 reuse of an area of vacant land, at a sustainable location in Larkhall. The development is accessible by public transport, in particular there is a bus stop directly adjacent to the development on Avon Road and includes footpath links. In addition, the residential units have been designed with integrated micro-renewables in the form of photovoltaic panels. 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 The majority of the site is affected by Policy 11 of the adopted Local Development Plan and designated as part of the 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 A small part of the site is affected by Policy 3 of the adopted Local Development Plan which establishes that residential developments, and those of an ancillary nature, may be considered acceptable provided that they do not have a significant adverse impact on the amenity and character of the area. Subsequently, it is considered that the proposed development will not result in an adverse impact on residential amenity and therefore raises no issues within the context of Policy 3 of the adopted Local Development Plan.

- 6.7 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.
- 6.8 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 an adverse impact on the neighbouring properties in terms of privacy, overlooking, overshadowing or the character of the area in general. In addition, the external finishes of the proposed dwellings are considered acceptable within the context of the established area. Subsequently, the proposed development accords with the provisions of Policies 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.
- 6.9 Parts of the application site are designated as part of the green network. Policy 13 of the adopted Local Development Plan establishes that development proposals should safeguard the local green network and identify opportunities for enhancement or extension. The agent has submitted a number of supporting documents in relation to the planning application including ecological assessments, tree management plans and proposed landscaping drawings which demonstrate that the proposal would not adversely impact on the green network. In addition, the proposed relocation of the existing footpath will ensure that pedestrian access through the adjacent woodland remains unimpeded. Subsequently, it is considered that the proposal raises no issues within the context of Policy 13 of the adopted Local Development Plan.
- 6.10 Policy 14 of the adopted Local Development Plan establishes that the Council will seek to protect important natural environment designations from adverse impacts resulting from development, including cumulative impacts. As identified in paragraph 2.4 above, the establishment of a 15m buffer zone between the development and the Clyde Valley Wood Special Area of Conservation and the Avondale Site of Special Scientific Interest has been pivotal in defining the layout of the proposed development. In addition, the potential impact of the proposal on the natural environmental designations has been reviewed by Nature Scot and the Councils Countryside and Greenspace team. Subsequently, it is considered that the proposal raises no issues within the context of Policy 14 of the adopted Local Development Plan, subject to the use of appropriate conditions.
- 6.11 Policy 15 of the adopted Local Development Plan seeks to ensure that 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 by public transport and the development would be well integrated into existing 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 Policy 15 of the adopted Local Development Plan.

6.12 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 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, 3, 5, 11, 13, 14, 15 and DM1 of the adopted Local Development Plan 2 and there are no other material considerations which would justify the refusal of planning permission.

Michael McGlynn Executive Director (Community and Enterprise Resources)

Date: 27 August 2021

Previous references

None

List of background papers

- Application form
- Application plans
- South Lanarkshire Local Development Plan 2 (adopted 2021)
- Neighbour notification letter, dated 20 November 2020
- Tree Survey, prepared by Caledon Tree Surveys, dated September 2020
- Site Investigation Report, prepared by G3 Consulting Engineers, dated July 2019
- Remediation Strategy Report, prepared by G3 Consulting Engineers, dated September 2020
- Preliminary Ecological Appraisal, prepared by Applied Ecological Ltd, dated June 2019
- Invasive Non-native Species Survey, prepared by Applied Ecological Ltd, dated September 2020
- Ecological Assessment and Information to Support an Appropriate Assessment, prepared by Applied Ecological Ltd, dated October 2020
- Ecological Assessment and Information to Support an Appropriate Assessment, prepared by Applied Ecological Ltd, dated July 2021
- Desktop Study Report, prepared by G3 Consulting Engineers, dated March 2019
- Design Statement, prepared by MAST Architects, dated October 2020
- Design Statement Appendix B Information, prepared by MAST Architects, dated October 2020
- Badger Survey and Preliminary Roost Assessment of Trees, prepared by Applied Ecological Ltd, dated July 2019
- Press Advert, Hamilton Advertiser, dated 3 December 2020

Consultations

	Roads Development Management Team	28.01.2021		
	Environmental Services	29.12.2020		
	Scottish Water	24.11.2020		
	Roads Flood Risk Management	04.05.2021		
	Countryside And Greenspace	01.12.2020		
	Education Resources School Modernisation Team	27.07.2021		
	Housing Planning Consultations	24.11.2020		
	Scottish Natural Heritage - Use Nature.Scot	20.04.2021		
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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, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB Phone: 01698 455932 Email: gail.neely@southlanarkshire.gov.uk

Paper apart – Application number: P/20/1391

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 in writing 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 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 in writing by the Council as Planning Authority.

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

03. That prior to the occupation of the approved dwellings, the fences and walls approved under the terms of Condition 2 above, shall be erected, thereafter maintained and remain in perpetuity to the satisfaction of the Council as Planning Authority.

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

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

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

05. 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.

06. 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.

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

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

08. 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.

09. (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.

(b) On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.

(c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: To ensure the appropriate remediation of the site.

10. That prior to the occupation of the dwellings, the existing footway along the developments Avon Road frontage shall be re-surfaced, with the incorporation of the footway heel kerbs, to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

11. That prior to the occupation of the dwellings, the existing bus stop and associated bus shelter (situated adjacent to the proposed Block 9) shall be relocated to a more suitable position. Details of the new location shall be submitted to and approved in writing by Strathclyde Partnership for Transport (SPT) and the Council as Roads Authority.

Reason: In the interests of public safety.

12. 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.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings.

13. 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 plan should include details of access and parking provision for staff and visitors, intended working hours, the management and storage of deliveries and further information regarding the provision of wheel washing facilities to prevent mud being carried on to the adopted road.

Reason: In the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

14. That before the development is completed or brought into use, the surface of the car parking areas shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the adoptable roads or the existing public roads.

Reason: In the interests of traffic safety and to prevent deleterious material entering the roads.

15. For the avoidance of doubt, the parking bays shall be 6m x 3m.

Reason: To ensure appropriate parking provision within the site.

16. That direct access from the garden grounds of the approved residential units to the repositioned footpath shall not be permitted.

Reason: To protect the core path from encroachment.

17. For the avoidance of doubt no works which could disturb breeding birds should take place within the bird breeding season and where this is not possible, all areas potentially affected should be checked by the ECoW for nesting birds and appropriate exclusion zones put in place around nests to prevent disturbance.

Reason: To protect established species.

18. That details of electric vehicle charging points associated with the dwellings shall be submitted for consideration and approval unless otherwise agreed in writing with the Council as Planning Authority.

Reason: These details have not been submitted or approved.

19. That no development shall commence until a full Construction Environmental Management Plan (CEMP) is submitted and approved in writing by the Council as Planning Authority, in consultation with NatureScot.

Reason: To ensure the protection of the SSSI and the Special Area of Conservation.

20. That no development shall commence until the established 15m buffer zone is fenced off in accordance with the appropriate British Standard and the installation of the fencing should be approved by the ECoW. For the avoidance of doubt no work shall be undertaken within the buffer zone unless it is accordance with the approved method statement and under the supervision of the ECoW to the satisfaction of the Council as Planning Authority.

Reason: To ensure the protection of the SSSI and the Special Area of Conservation.

21. That no soil shall be imported to the site without the written approval of the Council as Planning Authority and any imported soil should be certified free from contaminants and suitable for the intended end use.

Reason: These details have not been submitted or approved.

22. That no development shall commence until pre-construction surveys for otter, badger and bat roosts are carried out within the development site and an appropriate surrounding buffer. 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: These details have not been submitted or approved.

23. That details of the bat-friendly lighting scheme shall be submitted to and approved in writing by the Council as Planning Authority and the approved scheme must be thereafter implemented.

Reason: These details have not been submitted or approved.

24. That prior to the erection of the boundary fence to identify the buffer zone, all waste associated with the construction activities shall be removed from the Clyde Valley Wood Special Area of Conservation and any existing fly-tipping and invasive non-native species within 20m of the site boundary shall also be removed to the satisfaction of the Council as Planning Authority.

Reason: To ensure the protection of Clyde Valley Wood Special Area of Conservation

