

Report

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

Application no.	P/22/0927
Planning proposal:	Erection of 12 flats with associated vehicular access, parking and landscaping

1 Summary application information

Application type:	Detailed planning application
Applicant:	Procast Group
Location:	Low Waters Miners Welfare and Social Club 4 Alness Street Hamilton ML3 6RU

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: Framed Estates
- ◆ Council Area/Ward: 19 Hamilton South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
 - Policy 1 - Spatial Strategy
 - Policy 2 – Climate Change
 - Policy 5 - Development Management and Place Making
 - Policy 7 - Community Infrastructure Assessment
 - Policy 11 - Housing
 - Policy 15 - Travel and Transport
 - Policy 16 - Water Environment and Flooding
 - Policy DM1 - New Development Design
 - Policy SDCC2 - Flood Risk
 - Policy SDCC3 - Sustainable Drainage Systems
 - Policy SDCC4 - Sustainable Transport

Policy DM15 - Water Supply
Policy NHE18 - Walking, Cycling and Riding
Routes
Policy NHE20 - Biodiversity

◆ **Representation(s):**

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

◆ **Consultation(s):**

Community and Enterprise Resources - Play Provision Community
Contributions

Roads Development Management Team

Environmental Services

Scottish Water

SportScotland

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located on Alness Street on the southern side of Hamilton. The site has been in use as a bowling green associated with the adjoining Low Waters Miners Welfare and Social Club for the best part of 100 years. The site extends to approximately 0.25 hectares. The site is essentially square shaped and mainly flat with relatively level access to the adjoining properties and roads. The site is bounded on two sides by existing roads, Alness Street and Eliot Crescent, with adjacent residential properties located to the north, south and west, and the Low Waters Miners Welfare and Social Club located directly adjacent to the east.

2 Proposal(s)

- 2.1 This is a detailed planning application for the erection of 12 flats with associated vehicular access, parking and landscaping. The proposal comprises two blocks of six cottage flats arranged over two floors, half of which would be wheelchair accessible. All of the flats are two-bedroom dwellings. The proposed blocks are of contemporary design incorporating traditional ridged roofs finished in grey concrete roof tiles with solar panels. The exterior walls would be finished in a mix of buff facing brick and grey zinc style cladding. Throughout the development bay windows would be highlighted in cladding. The proposal has been designed to reflect the established scale and massing of buildings surrounding the site, most of which are two storey flatted blocks with dual pitched and often hipped roofs. The two blocks would enclose an area of private communal amenity space creating a three-sided perimeter block. The blocks would be fronted by a number of parking spaces (27 in total) directly accessed via Alness St. The mirrored blocks would allow the development to address the two street frontages.
- 2.2 The submitted supporting information advises that the Low Waters Miners Welfare and Social Club disposed of the bowling green in 2021 when the club and green were repossessed, all associated outbuildings relating to the bowling club were removed from the site in March 2022.

3 Background

3.1 Local Plan Background

- 3.1.1 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2. The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 Relevant Government Advice/Policy

- 3.2.1 In terms of residential development, Scottish Planning Policy (SPP) 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 directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

3.3 Planning Background

3.3.1 There is no recent planning history in this instance.

4 Consultation(s)

4.1 **SportScotland** – have no objections to the application. Bowls Scotland have advised that, despite best efforts, the club will be closing with the adjacent building having been sold to developers 2 years ago. In 2021, Low Waters Miners Welfare Bowling Club had 18 male and 8 female members. It has been advised that there are several other clubs nearby which would have capacity for new members. Given this, SportScotland's view is that for bowling greens, there is a clear excess of provision in the area, and that the loss of the site can be justified in terms of its use as an outdoor sports facility for bowls. The proposal would satisfy Scottish Planning Policy and would comply with Policy 13 in relation to the loss of outdoor sports facilities. This response relates to the use of the area as an outdoor sports facility, in this case a bowling green. Their remit does not extend to its wider greenspace value, which is for the Council as planning authority to assess.

Response:- Noted. However, it should also be noted in relation to Policy 13 - Green Network and Greenspace of the adopted Local Development Plan that the application site is not covered by the Green Network, therefore, this policy is not relevant in this instance.

4.2 **Environmental Services** – have no objections to the application.

Response:- Noted.

4.3 **Roads Development Management Team** – have no objections to the application.

Response: Noted.

4.4 **Scottish Water** – have no objections to the application and have advised that there is currently sufficient capacity to service the proposed development at the CAMPS Water Treatment Works and the Hamilton Waste Water Treatment Works.

Response:- Noted.

4.5 **Community and Enterprise Resources - Play Provision Contributions** – no contribution required for an affordable housing development.

Response:- Noted.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and two letters of representation have been received in relation to the application. The matters raised in the representations are summarised as follows:-

(a) **I feel we will lose the little green space we have and don't feel every space needs to be built upon especially the amount of flats that they want to squeeze in. The height of the elevation will undoubtedly affect our daylight and cause shadowing and will devalue our property with 12 flats opposite. I don't always feel just because a company wants to build residential dwellings that it is beneficial to the community and hope the committee will concur as there are offices/gym/bar and a community hall which I believe the Scouts now own, making the area too congested.**

Response: The application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2 and SportScotland have raised no adverse comments in relation to the loss of the former bowling green.

It is considered that the buildings have been designed and positioned within the site appropriately to ensure that it should have no significant adverse impact on any existing dwellings in terms of overshadowing or loss of daylight. Loss of value is not a material planning consideration.

- (b) **In the new development there are 4 main entrances on Eliot Crescent with no parking directly outside these entrances. I am aware that parking has been provided via Alness Street, but I am concerned that the residents of the 4 flats with entrances on Eliot Crescent will park outside their doors. The road on Eliot Crescent is narrow, if cars were parked on the road emergency vehicles and the refuse collection lorry would have difficulty passing by. I have difficulty accessing my driveway on the currently rare occasions should a car be parked opposite. I envisage this would be an everyday occurrence with 4 entrances opposite my driveway. I note that one electric car charger has been allocated for 12 flats. This is not going to be sufficient for potentially 24 cars (2 cars per flat) when all cars will be electric. It would be more cost effective to provide a greater number of charging points at this early design stage than to install further chargers in the future.**

Response: Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. In relation to electric vehicle charging facilities, this can be addressed through an appropriately worded condition.

- (c) **I note that the development is to be clad in zinc. There are no buildings in the area clad in zinc. The development would be more in keeping with the surrounding properties if it was completely rough cast to match all the existing buildings.**

Response: Whilst the proposed buildings are contemporary in their design and finish materials it is considered that they are appropriate for their location and that they will not be out of keeping with the existing development in the surrounding area.

- (d) **I am disappointed to note that all the mature hedges on Alness Street and Eliot Crescent will be destroyed. These hedges are probably as old as the bowling green and provide nesting sites for birds and homes for a large variety of insects. Could some of the hedges be saved?**

Response: The hedge bounding the site is to be removed to facilitate the development. However, the hedge is not protected by any tree preservation order and any planning consent granted would be conditioned to ensure the submission of an appropriate landscaping scheme for the Council's satisfaction.

- (e) **Please note that as of 15 July 2022 I have not received a neighbourhood notice. I was made aware of the development by someone else seeing, by chance, an article online.**

Response: Due to a technical error the property referred to above at 45 Eliot Crescent was not neighbour notified when the application was registered. However, this matter has been rectified with the property being formally neighbour notified on 6 September 2022.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of 12 flats with associated vehicular access, parking and landscaping. The determining issues in consideration of this application are its compliance with national and local plan policy and its impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of national planning policy, Scottish Planning Policy (SPP) 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 directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.
- 6.3 In general land use and policy terms the principle of residential development at this location is considered to be acceptable as the application site is designated for residential use in the adopted South Lanarkshire Local Development Plan 2. The proposal involves the re-use of a former bowling green which raised no adverse comments from SportScotland in relation to the loss of outdoor sports facilities and who have also advised that the proposal would satisfy the terms of SPP. The proposal promotes development in a sustainable location which would be accessible by public transport, with bus routes located on the nearby Low Waters Road and in terms of permeability, the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.4 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2.
- 6.5 The application site is designated as a proposed housing site under the terms of Policy 11, therefore, the principle of the proposal is acceptable. As the proposal raises no policy issues the application conforms with the terms of Policy 11.
- 6.6 Policies 1 and 2 encourage 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. In line with these policies, the proposal involves the development of a previously used site which is located in a sustainable location within Hamilton and where the principle of residential use is considered to be acceptable. The site benefits from opportunities for trips by public transport with bus routes located on the nearby Low Waters Road and the development would be well integrated into existing walking and cycling networks. The site is also located within an acceptable distance to commercial services such as retail, leisure, schools, health care etc. It is considered that the development of the site would result in an attractive and vibrant addition to neighbouring development. Furthermore, the proposed dwellings would be designed to the latest technical standards in terms of insulation, air tightness and energy ratings. It is, therefore, considered that the proposal meets the terms of the above policies.

- 6.7 In terms of the detailed design of the development, Policies 5 and DM1 generally require new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. In this instance, 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 window to window distances, amenity open space and car parking. The proposed two storey flatted dwellings are of modern design with a suitably high standard of external finishing materials and it is considered that the development will not be out of keeping with the existing residential development in the surrounding area. It is considered that the buildings have been designed and positioned within the site sufficiently to ensure that they should have no significant adverse impact on any adjacent existing dwellings in terms of loss of light and overshadowing and likewise, in terms of overlooking and loss of privacy. It is also considered that sufficient levels of amenity space and car parking are being provided for the dwellings. Overall, the site is very flat with relatively level access to the adjoining properties and roads and the flat topography of the site facilitates the proposed ridge heights to match those of the existing buildings in the surrounding local context. The proposed access arrangements have been assessed and are considered to be acceptable by the Council's Roads and Transportation Service. In view of the above, it is considered that the proposed development would relate satisfactorily to adjacent residential development in terms of its scale, design and materials and that the character and amenity of the area would not be impaired by reason of traffic generation, parking or visual intrusion. The proposal is, therefore, considered to be in accordance with the terms of Policies 5 and DM1.
- 6.8 With regard to Policy 7, the applicant has advised that the development is intended to be constructed for affordable housing. Consequently, no contributions are required and it is, therefore, considered that the proposal meets the terms of the above policy.
- 6.9 Policy 15 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. In this regard, the site is accessible by public transport with bus routes located on the nearby Low Waters Road. In terms of permeability, the development would be well integrated into existing walking and cycling networks. Furthermore, Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. It is, therefore, considered that the proposal complies with Policy 15.
- 6.10 The proposal has been assessed by the relevant consultees in terms of Policies 16, DM15, SDCC2 and SDCC3. With regard to flooding and surface water drainage, no adverse comments were raised by Roads and Transportation Services subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification documents. Scottish Water have also confirmed that they have no objections to the application and any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of the above policies.
- 6.11 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. It is therefore recommended that the application be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal raises no amenity, environmental or infrastructure issues and complies with Policies 1, 2, 5, 7, 11, 15, 16, DM1, SDCC2, SDCC3, SDCC4 and DM15 of the adopted South Lanarkshire Local Development Plan 2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 30 September 2022

Previous References

- ◆ None

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letters dated 4 July 2022 and 6 September 2022

- ▶ Consultations
 - Community and Enterprise Resources - Play Provision
 - Community Contributions
 - Roads Development Management Team 27.07.2022
 - Environmental Services 07.07.2022
 - Scottish Water 06.07.2022
 - SportScotland 15.07.2022

- ▶ Representations
 - Grace Clarke, By Email Dated: 14.07.2022
 - Mrs Fiona Moran, 45 Eliot Crescent, Hamilton, ML3 6SP 15.07.2022

Contact for further information

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

Jim Blake, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA
Phone: 07551 840 831
Email: jim.blake@southlanarkshire.gov.uk

Conditions and reasons

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

02. That 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.

03. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 2, shall be erected and thereafter maintained to the satisfaction of the Council.

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

04. That no dwelling 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.

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 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. That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

07. That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Planning and Roads Authority.

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

08. That prior to any works commencing on site, full details of electric vehicle charging (EVC) facilities within the site shall be submitted to and approved by the Council as Planning and Roads Authority. Once approved the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications prior to that dwelling which it serves being occupied.

Reason: These details have not been submitted or approved.

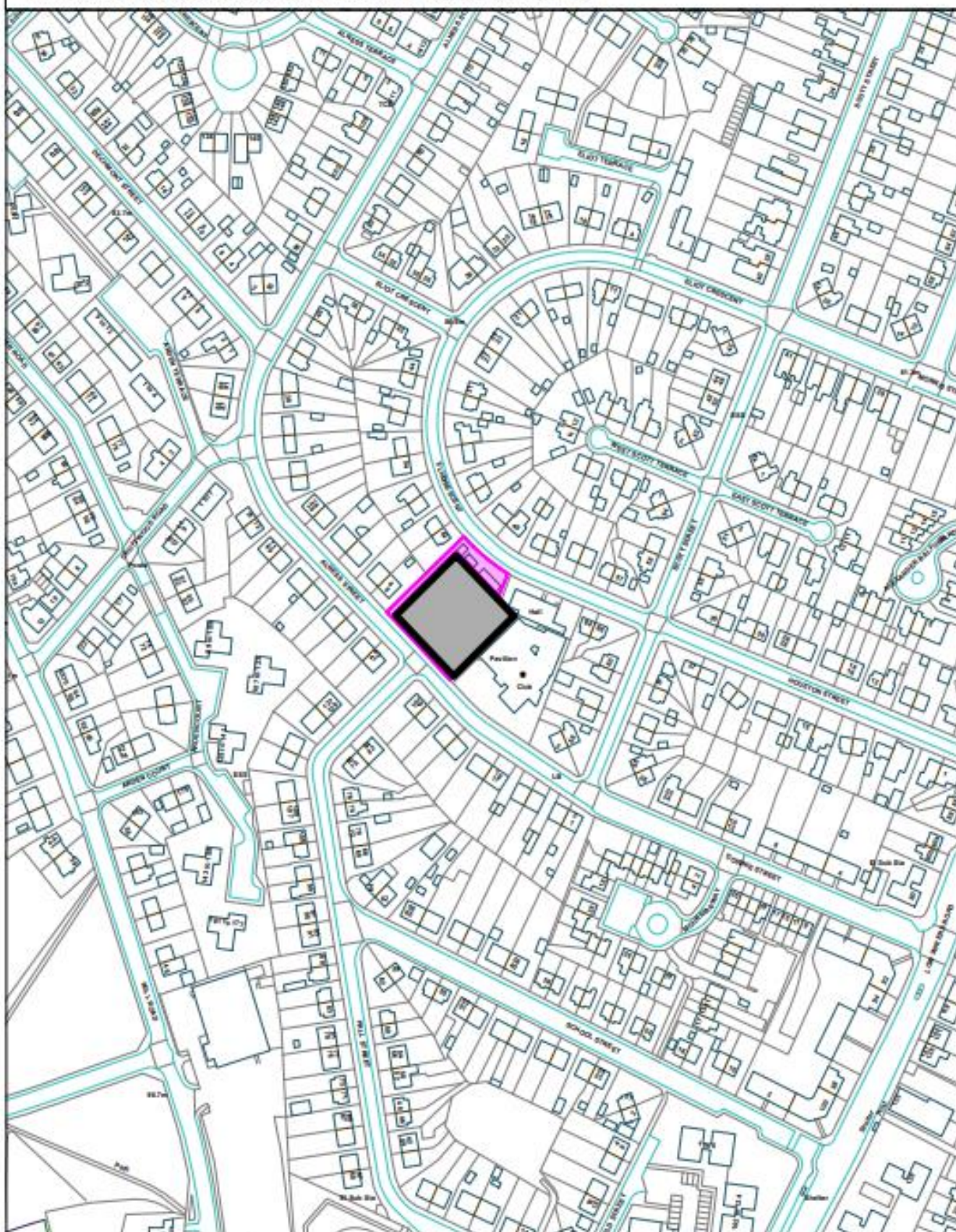
09. That prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing 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.

10. For the avoidance of doubt, the development hereby approved shall consist of social housing only, operated by a Registered Social Landlord unless otherwise agreed in writing with the Planning Authority.

Reason: In order to retain effective planning control.

Low Waters Miners Welfare and Social Club, 4 Alness Street, Hamilton



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