



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 30 August 2021

Dear Councillor

## **Planning Committee**

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

**Date:** Tuesday, 07 September 2021  
**Time:** 10:00  
**Venue:** By Microsoft Teams,

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Cleland Sneddon**  
**Chief Executive**

### **Members**

Isobel Dorman (Chair), Mark Horsham (Depute Chair), John Ross (ex officio), Alex Allison, John Anderson, John Bradley, Archie Buchanan, Margaret Cowie, Peter Craig, Maureen Devlin, Mary Donnelly, Fiona Dryburgh, Lynsey Hamilton, Ian Harrow, Ann Le Blond, Martin Lennon, Richard Lockhart, Joe Lowe, Ian McAllan, Davie McLachlan, Lynne Nailon, Carol Nugent, Graham Scott, David Shearer, Bert Thomson, Jim Wardhaugh

### **Substitutes**

Walter Brogan, Janine Calikes, Stephanie Callaghan, Gerry Convery, Margaret Cooper, Allan Falconer, Martin Grant Hose, Catherine McClymont, Kenny McCreary, Mark McGeever, Richard Nelson, Collette Stevenson, Jared Wark, Josh Wilson

## BUSINESS

### 1 Declaration of Interests

### 2 Minutes of Previous Meeting

3 - 10

Minutes of the meeting of the Planning Committee held on 10 August 2021 submitted for approval as a correct record. (Copy attached)

---

### Item(s) for Decision

### 3 Application P/20/1047 for Redevelopment of Existing Farm Buildings to Provide Farm Workers Dwellings, New Agricultural Buildings, Estate Office and Main Farmhouse with Access, Landscaping and Associated Infrastructure (Planning Permission in Principle) at Auchentibber Farm, Auchentibber Road, Blantyre

11 - 30

Report dated 27 August 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

### 4 Application P/20/1391 for Erection of 38 Houses (Including 8 Cottage Flats) and Associated Roads, Site Remediation, Drainage, Landscaping and Land Engineering Operations at Land 115 Metres Southeast of 101 Avon Road, Avon Road, Larkhall

31 - 44

Report dated 27 August 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

---

### Urgent Business

### 5 Urgent Business

Any other items of business which the Chair decides are urgent.

### ***For further information, please contact:-***

Clerk Name: Stuart McLeod

Clerk Telephone: 01698 454815

Clerk Email: [stuart.mcleod@southlanarkshire.gov.uk](mailto:stuart.mcleod@southlanarkshire.gov.uk)

## PLANNING COMMITTEE

2

Minutes of meeting held via Microsoft Teams on 10 August 2021

### Chair:

Councillor Isobel Dorman

### Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Archie Buchanan, Councillor Gerry Convery (*substitute for Councillor Margaret Cowie*), Councillor Peter Craig, Councillor Maureen Devlin, Councillor Lynsey Hamilton, Councillor Mark Horsham (Depute), Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Joe Lowe, Councillor Ian McAllan, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson, Councillor Jim Wardhaugh

### Councillors' Apologies:

Councillor Margaret Cowie, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Ian Harrow, Councillor John Ross (ex officio)

### Attending:

#### Community and Enterprise Resources

B Darroch, Planning and Building Standards Manager (East); P Elliott, Head of Planning and Economic Development; T Finn, Planning and Building Standards Manager (Headquarters); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Planning and Building Standards Manager (West)

#### Finance and Corporate Resources

M Cannon, Solicitor; J Davitt, Public Relations Officer; K McLeod, Administration Assistant; S McLeod, Administration Officer

---

### Order of Business

<b>The Committee decided:</b>	that the items of business be dealt with in the order minuted below.
-------------------------------	--

---

### 1 Declaration of Interests

No interests were declared.

---

### 2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 8 June 2021 were submitted for approval as a correct record.

<b>The Committee decided:</b>	that the minutes be approved as a correct record.
-------------------------------	---

---

### **3 Application P/19/1890 for Erection of Flatted Residential Development (18 Units) with Associated Parking and Landscaping at Land 46 Metres Northwest of 4 Cloverhill Gardens, Overton Avenue, Strathaven**

---

A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1890 by Abbey Construction for the erection of a flatted residential development (18 units) with associated parking and landscaping at land 46 metres northwest of 4 Cloverhill Gardens, Overton Avenue, Strathaven.

The application had been assessed against the relevant policies and criteria contained in the adopted South Lanarkshire Local Development Plan 2. Details of the assessment were provided in the report. The development constituted Development Contrary to the Development Plan, however, it was not considered that the proposal was significantly contrary to the Development Plan.

In the view of the Executive Director (Community and Enterprise Resources), a departure from the Development Plan was justified in this case for the following reasons:-

- ◆ the application proposal raised no significant environmental, infrastructure or road safety issues
- ◆ the proposal had been assessed against Policy 2 – Climate Change and was in accordance
- ◆ the proposal was fully compliant with Policy 5 – Development Management, Placemaking, DM1 – New Development Design, DM15 – Water Supply, DM16 – Foul Drainage and Sewerage, SDCC2 - Flood Risk and SDCC3 – Sustainable Drainage Systems
- ◆ the proposal would deliver a development which was of a high quality design, set within a high quality landscaped setting, consistent with the surrounding development
- ◆ the proposal would provide a house type which was in high demand within the Strathaven area. It was further noted that the current proposals were an improved, contemporary design solution sought through negotiation with the developer and his agent
- ◆ the proposal would provide local employment opportunities through the construction phase

**The Committee decided:** that planning application P/19/1890 by Abbey Construction for the erection of a flatted residential development (18 units) with associated parking and landscaping at land 46 metres northwest of 4 Cloverhill Gardens, Overton Avenue, Strathaven be granted subject to the conditions specified in the Executive Director's report.

*Councillor Wardhaugh entered the meeting during this item of business*

---

### **4 Application P/20/1310 for Erection of 19 Houses with Associated Access Road, Drainage and Landscaping at Site of Former Lesmahagow High School, Southern Campus, Abbeygreen, Lesmahagow**

---

A report dated 21 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1310 by Southvale Homes (Lanark) Limited for the erection of 19 houses with associated access road, drainage and landscaping at site of former Lesmahagow High School, Southern Campus, Abbeygreen, Lesmahagow.

**The Committee decided:** that planning application P/20/1310 by Southvale Homes (Lanark) Limited for the erection of 19 houses with associated access road, drainage and landscaping at site of former Lesmahagow High School, Southern Campus, Abbeygreen, Lesmahagow be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 26 January 2010 (Paragraph 8)]*

---

**5 Application P/20/1670 for Extension to Existing Infill Site and Amendment to Condition 2 of Planning Consent HM/08/0667 to Extend the Infill Period of the Existing Site, Including Phased Restoration, to 36 Year Period at Dovesdale Farm, Carlisle Road, Stonehouse**

---

A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1670 by William Hamilton and Sons (Contractors) Limited for an extension to the existing infill site and amendment to condition 2 of planning consent HM/08/0667 to extend the infill period of the existing site, including phased restoration, to a 36 year period at Dovesdale Farm, Carlisle Road, Stonehouse.

Following a full discussion, members came to the view that the application should be granted subject to the extension of the infill period of the existing site, including phased restoration, being amended from a 36 year period to a 10 year period.

**The Committee decided:**

that planning application P/20/1670 by William Hamilton and Sons (Contractors) Limited for an extension to the existing infill site and amendment to condition 2 of planning consent HM/08/0667 at Dovesdale Farm, Carlisle Road, Stonehouse be granted subject to:-

- ◆ the extension of the infill period of the existing site, including the phased restoration, being amended from a 36 year period to a 10 year period
- ◆ the conditions specified in the Executive Director's report

*[Reference: Minutes of 26 May 2009 (Paragraph 8)]*

*Councillor Wardhaugh left the meeting during this item of business due to technical difficulties*

---

**6 Application P/21/0054 for Change of Use of Site of Demolished Sports Centre to a Raised Bed Growing Area with Associated Alterations Including the Installation of Storage Containers, Boundary Fencing, Ground Level Changes and an Access Ramp at Site of Former Burnhill Sports Centre, Toryglen Road, Rutherglen**

---

A report dated 15 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0054 by South Lanarkshire Council for the change of use of site of demolished sports centre to a raised bed growing area with associated alterations including the installation of storage containers, boundary fencing, ground level changes and an access ramp at the site of the former Burnhill Sports Centre, Toryglen Road, Rutherglen.

**The Committee decided:**

that planning application P/21/0054 by South Lanarkshire Council for the change of use of site of demolished sports centre to a raised bed growing area with associated alterations including the installation of storage containers, boundary fencing, ground level changes and an access ramp at the site of the former Burnhill Sports Centre, Toryglen Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

---

**7 Application P/20/1680 for Erection of 12 Flats (4 storey), Provision of Off-Street Parking Spaces, Refuse and Recycling Storage Facilities and Amenity Space (Revision to Planning Consent P/18/0434) at Land Adjacent to St Andrew's Parish Church, Avon Street, Hamilton**

---

A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1680 by Apsis Solutions for the erection of 12 flats (4 storey), provision of off-street parking spaces, refuse and recycling storage facilities and amenity space (revision to planning consent P/18/0434) at land adjacent to St Andrew's Parish Church, Avon Street, Hamilton.

**The Committee decided:** that planning application P/20/1680 by Apsis Solutions for the erection of 12 flats (4 storey), provision of off-street parking spaces, refuse and recycling storage facilities and amenity space (revision to planning consent P/18/0434) at land adjacent to St Andrew's Parish Church, Avon Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 4 December 2018 (Paragraph 4)]*

---

**8 Application P/21/0540 for Installation of Access Gates for Emergency Vehicles with Associated Side Panels and Formation of Associated Vehicular Access (Part Retrospective) at Uddingston Cricket and Sports Club, Castle Avenue, Uddingston**

---

A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0540 by A McGill for the installation of access gates for emergency vehicles with associated side panels and formation of associated vehicular access (part retrospective) at Uddingston Cricket and Sports Club, Castle Avenue, Uddingston.

Following a full discussion, the Committee agreed to defer this application to allow planning officers to consult with the relevant emergency services on the requirement for the installation of access gates for emergency vehicles.

**The Committee decided:** that planning application P/21/0540 by A McGill for the installation of access gates for emergency vehicles with associated side panels and formation of associated vehicular access (part retrospective) at Uddingston Cricket and Sports Club, Castle Avenue, Uddingston be deferred to a future meeting of the Planning Committee to allow planning officers to consult with the relevant emergency services on the requirement for the installation of access gates for emergency vehicles.

---

**9 Application P/20/1847 for Erection of Residential (Over 55's Community) Houses, 60 Bedroom Care Home, Associated Onsite Commercial Centre and Leisure Facilities, Associated Roads, Access, Landscaping, Open Space, Parking and Supporting Infrastructure (Planning Permission in Principle) at Kersewell Mains Farm, A70 from Carnwath to Boundary by Tarbrax, Carnwath, Lanark**

---

A report dated 30 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1847 by Lannraig Wellbeing Resort Limited for the erection of residential (over 55's community) houses, 60 bedroom care home, associated onsite commercial centre and leisure facilities, associated roads, access, landscaping, open space, parking and supporting infrastructure (planning permission in principle) at Kersewell Mains Farm, A70 from Carnwath to Boundary by Tarbrax, Carnwath, Lanark.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

In response to a member's comment, the Planning and Building Standards Manager (Headquarters) clarified the process for requesting site visits.

**The Committee decided:**

- (1) that planning application P/20/1847 by Lannraig Wellbeing Resort Limited for the erection of residential (over 55's community) houses, 60 bedroom care home, associated onsite commercial centre and leisure facilities, associated roads, access, landscaping, open space, parking and supporting infrastructure (planning permission in principle) at Kersewell Mains Farm, A70 from Carnwath to Boundary by Tarbrax, Carnwath, Lanark be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior conclusion of a Section 75 Agreement and/or other appropriate agreement between the Council and the applicant to ensure that:-
  - ◆ a phasing plan to ensure that the residential dwellings were built in tandem with the associated leisure resort
  - ◆ a restriction on the occupancy of the development by way of ensuring that the dwellings were restricted to at least one occupant of 55 years of age or more
  - ◆ a commuted sum in lieu of onsite affordable housing provision for use within the Clydesdale housing area
  - ◆ the provision of at least 1.5 hectares of canopy cover through compensatory tree planting
  - ◆ the provision of a shuttle bus
  - ◆ the provision of a cycle/foot path running along the northern boundary of the site
- ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- ◆ the following additional condition:-

"4 That all vehicular access to the development hereby approved shall be taken from the A70 only and no other vehicular routes into the site will be provided. The further application(s) required under condition 1 above shall include measures to prevent vehicular traffic (other than those with a legal right to do so) entering the site from Kersewell Avenue.

**Reason**

In the interests of road safety."

- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Legal Agreement.

*[Reference: Minutes of 7 July 2015 (Paragraph 15) and Note of Delegated Decisions taken by the Chief Executive, in consultation with Group Leaders, on items of business relating to the Planning Committee agenda of 20 May 2020 (Paragraph 5)]*

*Councillor Lennon left the meeting after this item of business*

---

#### **10 Application P/21/0555 for Material Placement, Remodelling and Landscaping of Western Open Space Area of Masterplan Site (amendment to Planning Consent CR/15/0004) at Newton Farm, Newton Farm Road, Cambuslang**

---

A report dated 21 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0555 by Taylor Wimpey West Scotland Limited for material placement, remodelling and landscaping of western open space area of masterplan site (amendment to planning consent CR/15/0004) at Newton Farm, Newton Farm Road, Cambuslang.

**The Committee decided:** that planning application P/21/0555 by Taylor Wimpey West Scotland Limited for material placement, remodelling and landscaping of western open space area of masterplan site (amendment to planning consent CR/15/0004) at Newton Farm, Newton Farm Road, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 9 June 2015 (Paragraph 6)]*

---

#### **11 Application HM/15/0466 for Residential Development (Planning Permission in Principle) at Greyfriars, Greyfriars Road, Uddingston**

---

A report dated 20 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on progress associated with the issue of the decision notice for planning application HM/15/0466 for a residential development (planning permission in principle) at Greyfriars, Greyfriars Road, Uddingston and a proposed amendment to the requirements of the associated Section 75 Planning Obligation.

At its meeting on 28 March 2017, the Committee had approved planning application HM/15/0466 by S Pisano, subject to conditions and the conclusion of a Section 75 Planning Obligation to secure financial contributions for community facilities in lieu of on-site play facilities, the provision of education facilities and affordable housing.

The following related planning applications would be determined under the Council's approved Scheme of Delegation and would also form part of the Section 75 Planning Obligation:-



- ◆ HM/17/0415 for the conversion and extension to a Grade B listed building to form 10 flatted units (listed building consent)
- ◆ HM/17/0428 for the conversion and extension to a Grade B listed building to form 10 flatted units (detailed planning permission)

At its meeting on 22 September 2020, the Committee had considered a report that advised that the applicant had raised concerns about the level of financial contributions sought by the Council and a subsequent independent assessment of the proposed development had concluded that, based on the probable development costs, it was unlikely that there would be sufficient residual value to permit the payment of a financial contribution without affecting the viability of the project. Following a full discussion, the Committee had agreed that the requirement of the associated Section 75 Planning Obligation for the provision of developer contributions should remain in place and that the extent of the contribution be assessed and reviewed as the development works progressed and that it be remitted to officers, in consultation with the Chair and Depute, to determine the extent and amount of the contributions.

Discussions had subsequently been held with the applicant which had been unsuccessful in reaching agreement, however, the applicant had since reconsidered the matter and had offered to make a payment of £5,000 per unit. Taking into consideration the various aspects of the proposals, including the retention of the existing Category B listed building, it was considered that the payment of £5,000 per unit was a reasonable outcome. This matter had been referred for the Committee's consideration at the request of the Chair and Depute Chair.

**The Committee decided:** that the altered requirements/content of the Section 75 Obligation associated with planning consent HM/15/0466 to reflect the developer's contribution of £5,000 per unit be agreed.

*[Reference: Minutes of 22 September 2020 (Paragraph 13)]*

*Councillor Lennon re-joined the meeting during this item of business and left the meeting after this item of business*

---

## **12 Application P/21/0786 for Change of Use from Class 1 (Retail - Hairdressing Salon) to Class 2 (Office - Estate Agent) at 290 Stonelaw Road, Rutherglen**

---

A report dated 20 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0786 by Clyde Property Limited for the change of use from class 1 (retail - hairdressing salon) to class 2 (office - estate agent) at 290 Stonelaw Road, Rutherglen.

**The Committee decided:** that planning application P/21/0786 by Clyde Property Limited for the change of use from class 1 (retail - hairdressing salon) to class 2 (office - estate agent) at 290 Stonelaw Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

---

## **13 Application P/21/0802 for Demolition of Coal Bunker and Erection of Pergola at 42 Dryburgh Avenue, Rutherglen**

---

A report dated 15 July 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0802 by A Fulton for the demolition of a coal bunker and erection of a pergola at 42 Dryburgh Avenue, Rutherglen.

**The Committee decided:**

that planning application P/21/0802 by A Fulton for the demolition of a coal bunker and erection of a pergola at 42 Dryburgh Avenue, Rutherglen be granted.

---

#### **14 Urgent Business**

---

There were no items of urgent business.

# Report

3

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>7 September 2021</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/20/1047
Planning proposal:	Redevelopment of existing farm buildings to provide farm workers dwellings, new agricultural buildings, estate office and main farmhouse with access, landscaping and associated infrastructure. (Planning Permission in Principle)

## 1 Summary application information

Application type:	Permission in principle
Applicant:	Shields Family c/o: Advance Construction
Location:	Auchentibber Farm Auchentibber Road Blantyre G72 0TW

## 2 Recommendation(s)

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

- (1) Grant planning permission in principle (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: Andrew Woodrow
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): South Lanarkshire Local Development Plan 2 (adopted 2021)  
Policy 1 - Spatial Strategy  
Policy 2 - Climate Change  
Policy 4 - Green Belt and Rural Area  
Policy 5 - Development Management and Place Making Policy  
Policy 14 - Natural and Historic Environment  
Policy 15 - Travel and Transport  
Policy 16 - Water Environment and Flooding  
Policy GBRA1 - Rural Design and Development

Policy GBRA2 Business Proposals within Green Belt and Rural Area  
 Policy GBRA4 - Conversion and Re-use of Existing Buildings  
 Policy GBRA5 - Redevelopment of Previously Developed Land Containing Buildings  
 GBRA10 - Accommodation Associated with an Existing or Proposed Rural Business  
 Policy DM1 – New Development Design  
 Policy SDCC2 - Flood Risk  
 Policy SDCC3 - Sustainable Drainage Systems  
 Policy DM15 - Water Supply  
 Policy NHE20 – Biodiversity

◆ **Representation(s):**

▶	1	Objection Letters
▶	1	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Scottish Water

Countryside and Greenspace

Blantyre Community Council

St Leonards Community Council

Regeneration Service

Coal Authority Planning Local Authority Liaison Department

SEPA Flooding

Roads Flood Risk Management

West of Scotland Archaeology Service

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to an area of land located around the site of the derelict Auchentibber Farm, which is located to the east of East Kilbride, west of Hamilton and south west of Blantyre. The site is essentially rectangular in shape and extends to approximately 11 hectares within a wider estate of around 200 hectares. The site slopes downwards from its southern boundary and is bounded on all sides by agricultural land with the only buildings in proximity being a small row of houses located to the east of the site on Auchentibber Road.
- 1.2 The site comprises six agricultural fields located to the north and south of Auchentibber Road and includes the existing and now largely derelict buildings of Auchentibber Farm. The fields are regular medium sized fields divided by straight hedgerows. The hedgerows include mature canopy trees along the northern boundary of the site and along Auchentibber Road. The surrounding fields and roads have a similar pattern of medium to large regular fields surrounded by hedgerows and mature trees along the laneways and following watercourses. Established hedgerows form the perimeter of the site on all sides. The site is mostly free from planting outwith the field boundaries with the exception of an area of woodland immediately surrounding the south western boundary of the Auchentibber Farm Steading. Access to the site is via Auchentibber Road.

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

- 2.1 The applicant seeks planning permission in principle for the redevelopment of existing farm buildings within the site to provide farm workers dwellings, new agricultural buildings, estate office and main farmhouse with access, landscaping and associated infrastructure. The development relates to the re-introduction of farming to this location, amalgamating four previous farms into one single estate. The proposal would involve the creation of a new hub of agricultural buildings and associated accommodation with a series of new agricultural sheds that would run in a linear pattern to the north of the existing Auchentibber Farm steading. Within the footprint of the existing steading it is proposed to recreate traditional agricultural style farm buildings through the redevelopment and extension of the existing buildings as residential accommodation for three to four agricultural worker units. The supporting information advises that the re-development of these buildings would enable workers to live on site, allowing them to be close to their place of work, and benefiting the efficiency of the new business and the security and welfare of the wider estate and the livestock within it.
- 2.2 As the application is for planning permission in principle, detailed plans do not form part of the application. However, an indicative layout was submitted which shows that a group of new agricultural buildings/sheds and an estate management office would be located in an area extending from the western access point towards the site's northern boundary. The office building would be used as a central location for the management of the estate. From the estate management building an access road would turn to the east and create an entrance driveway to a new main farmhouse, which would sit at the heart of the hub as a focal point for the estate and would be located in the natural hollow and plateau of the existing landscape. The development would be accessed from two locations on Auchentibber Road with a loop road running through the site. The western access point would provide general access to the whole site and the eastern access point would provide direct access to the proposed main farmhouse. Field boundary planting would be retained where possible and enhanced with additional planting within the site and elsewhere in the applicant's ownership which would partly screen the site from Auchentibber Road.

- 2.3 The proposed development is classified as a 'Major' development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was subject to a 12 week period of pre-application consultation (PAC) including a public exhibition. It should be noted that this process took place under the restrictions of the Covid19 pandemic. In response to the pandemic, the Scottish Government released legislation under the (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 which allowed for public consultation to proceed without the requirement of a face-to-face public event and, as such, the consultation was carried out completely online and in keeping with the requirements of the above regulations. The live interaction event took place between the hours of 10am and 4pm on the 5th June 2020. A copy of the Pre-application Consultation Report has been submitted as a supporting document. The outcome of the exhibition and the response of the applicant to comments received are detailed within the PAC Report. Additional supporting documents submitted with the planning application include a Planning Statement, Indicative Masterplan and Tree Survey, A Design and Access Statement, Preliminary Ecological Appraisal, Bat and Barn Owl Survey Report, Agricultural Labour Report and Business Plan.
- 2.4 Under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, certain development projects require the planning authority to consider whether a proposed project is likely to have a significant effect on the environment, therefore, a screening opinion was undertaken by the Council prior to the submission of the planning application. Taking into account the characteristics of the development, its location and potential impact, the Council considered that the proposal does not require an Environmental Impact Assessment (EIA) and that environmental issues could be adequately addressed within the planning application process.

### **3. Background**

#### **3.1 Local Plan Background**

- 3.1.1 The application site is located within the Green Belt 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 4 - Green Belt and Rural Area, Policy 5 - Development Management and Place Making, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy GBRA1 - Rural Design and Development, Policy GBRA2 Business Proposals within Green Belt and Rural Area, Policy GBRA4 - Conversion and Re-use of Existing Buildings, Policy GBRA5 - Redevelopment of Previously Developed Land Containing Buildings, Policy GBRA10 Accommodation Associated with an Existing or Proposed Rural Business, Policy SDCC2 - Flood Risk, Policy SDCC3 - Sustainable Drainage Systems and Policy DM15 - Water Supply of the adopted South Lanarkshire Local Development Plan 2. 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 Relevant Government Advice/Policy**

- 3.2.1 Scottish Planning Policy (SPP) advises that proposals should be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise and all developments should contribute to sustainable development.

### 3.3 **Planning Background**

- 3.3.1 A Proposal of Application Notice (PAN) was submitted by the applicant to the Council for residential development and associated works within the site and was approved on 12 February 2020 (P/20/0004/PAN).

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

- 4.1 **Environmental Services** – have no objections to the proposal as an application for planning permission in principle, however, at the detailed design stage further supporting assessments may be required.

**Response:-** Noted.

- 4.2 **Roads Development Management Team** – have no objections to the application subject to conditions being attached to any consent to ensure the submission of a dilapidation survey of Auchentibber Road, details of the anticipated traffic generation during both the construction and operational phases of the development, the construction of additional passing places on Auchentibber Road, the provision of appropriate parking facilities, turning facilities and cleaning facilities for construction vehicles within the site, appropriately surfaced access roads, parking and visibility splays.

**Response:-** Noted. Appropriately worded conditions would be attached to any consent granted to address the above matters.

- 4.3 **Roads Flood Risk Management** – have no objections to the application subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification document.

**Response:-** Noted. An appropriately worded condition would be attached to any consent granted to address the above matter.

- 4.4 **Scottish Water** – have no objections to the application. There is no public Waste Water infrastructure within the vicinity of the proposed development, therefore, the applicant is advised to investigate private treatment options.

**Response:-** Noted. Appropriately worded conditions would be attached to any consent granted to address the above matter.

- 4.5 **Regeneration Service** – have no objections to the application. The submitted Business Plan and Agricultural Labour Report are considered to be acceptable. It is considered that the costs, numbers and forecasts associated with the Business Plan all appear reasonable. There are no clear and obvious over estimates or unrealistic costs.

**Response:-** Noted.

- 4.6 **Blantyre Community Council** – no response to date.

**Response:-** Noted.

- 4.7 **St Leonards Community Council** – no response to date.

**Response:-** Noted.

- 4.8 **Countryside and Greenspace** – following discussions with the Planning Service, a Tree Survey was submitted by the applicant and its contents are considered to be acceptable.

**Response:-** Noted.

- 4.9 **The Coal Authority** – have no objections to the application and concur with the conclusion/recommendations of the Mineral Risk Assessment Report, dated August 2020 based on the professional opinion of David R Murray and Associates Ltd that in order to design the access route to serve the new farmhouse development and to inform the extent of any remedial and/or mitigation measures that may be required to ensure that the development is safe and stable, the exact location and condition of the on-site mine entry needs to be confirmed. Accordingly, the Coal Authority recommends the imposition of conditions requiring the submission of a scheme of intrusive site investigations to establish the location and condition of the on-site mine entry: shaft ref: 267655-008, a report of findings arising from the intrusive site investigations, the submission of a scheme of treatment/mitigation measures for the on-site mine entry for approval and the implementation of those remedial works, if considered necessary.

**Response:-** Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.

- 4.10 **SEPA (Flooding)** – have no objections to the application. It is noted that the application site (or parts thereof) lie within the low risk probability extent or/ medium risk probability extent of the surface water hazard map published as part of the flood maps for Scotland. The surface water hazard map combines pluvial and sewer model outputs. The map shows their interaction as a composite surface water extent. SEPA, therefore, recommend that the Council's flood risk team are contacted to discuss the issue as its resolution may have a bearing on the overall design of the proposal.

**Response:-** Noted. As discussed above, Roads and Transportation Services (Flood Risk Management Section) were consulted on the proposal and have no objection to the application subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification document.

- 4.11 **West of Scotland Archaeology Service (WOSAS)** – have no objections to the application subject to a condition requiring the submission and implementation of a programme of archaeological works in accordance with a written scheme of investigation which is to be agreed by the West of Scotland Archaeology Service and approved by the Council.

**Response:-** Noted. Any consent granted would incorporate an appropriately worded condition to address the matters raised.

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

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the headings Development Contrary to the Development Plan and Non-Notification of Neighbours in the Hamilton Advertiser. Three letters of representation were received in relation to the application in the form of one letter of objection, one letter of support and one letter of comment. The grounds of representation are summarised as follows:

- (a) **I would commend the applicant for the improvement works carried out to date and their vision for creating a substantial rural estate. It is clear the small farms are struggling to maintain viability. Indeed most farms in the immediate area (not all) have been allowed to become run down and unsightly. I accept the argument that a farm of this scale will require different facilities to one a fifth of the size. My support is not unconditional and the following should be addressed.**

**Response:** The following points are noted.



- (b) **The application still shows part of Auchentibber Road as being within the site boundary. This is an important road being used by the residents of Auchentibber and should be maintained as a public road. In particular it is part of a loop allowing lorry deliveries appropriate access and egress to Auchentibber. The road is also widely used by people exercising - walking, running and cycling.**

**Response:** Whilst the application site is located on both sides of Auchentibber Road, the proposed development would have no impact on Auchentibber Road's continued use as a public road.

- (c) **Auchentibber Road has flooded on a number occasions. It is noted that the Water Board has concerns about accepting further surface water discharge. The applicant has already installed additional field drainage to one of his fields which used to help attenuate surface water run off thereby putting additional pressure on the burn leading off Auchentibber Road. Assurance must be given and for it to be demonstrated that drainage proposals will not have any adverse effect of existing surface water run-off.**

**Response:** As discussed above, Roads Flood Risk Management were consulted on the proposal and have no objection to the application subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification document.

- (d) **Substantial damage has occurred to existing public roads. Existing roads should be reinstated to their original condition on completion of works.**

**Response:** Roads and Transportation Services have no objection to the application subject to conditions being attached to any consent granted to include a condition requiring the submission of a dilapidation survey of Auchentibber Road.

- (e) **Lorry access for deliveries and egress from the site should avoid Auchentibber Road. A number of existing properties are very close to the existing road.**

**Response:** Roads and Transportation Services have assessed the application and, subject to conditions, they are satisfied that the proposed development would not have an adverse impact on traffic flows or road safety.

- (f) **It is noted that over the past 10 years there has been substantial increase in traffic to Sydes Brae. Many people walk up and down Sydes Brae which is dangerous. It is only a matter of time before there is a serious accident. This proposal will increase the volume of traffic further. The applicant should be encouraged to work with the council in establishing a safe walkway from the crematorium to Auchentibber Road.**

**Response:** Roads and Transportation Services have assessed the application and, subject to conditions, they are satisfied that the proposed development would not have an adverse impact on traffic flows or road safety.

- (g) **The application seems to indicate an appropriate pallet of materials for the animal sheds. Can assurance be given that they will be maintained in the final material selection. Also, can assurance be given that this will not be used as a storage facility for other company interests of the applicant.**

**Response:** As the application is for planning permission in principle, detailed plans do not form part of the application. Any future detailed or matters specified in conditions applications would be the subject of further thorough assessment to ensure the provision of a high quality development which accords with the various criteria contained within the Council's design related Policies.

- (h) **This looks to me like this estate will have very little to do with farming. Having watched all the work that has been done to date, the new fencing, the introduction of sheep and cattle, the two barley fields, pretty much all the great work that the farmers have done over the last year, the planning application seems to have left out the fact that all this work has been done without much problem from Basket Farm. Basket Farm is a large farm with all the infrastructure of similar farms of the size stated locally e.g Dechmont and Lettrickhills Farms. I would imagine that the estate buildings will be similar to "agricultural workers cottage" that was passed at nearby Broomhouse "farm" ie heated swimming pool etc. I would also imagine the agricultural sheds will contain vehicles from an entirely different industry. Basically, the application has not taken into consideration the work being done at Basket.**

**Response:** The merits of the application are discussed in Section 6 of this report.

- (i) **In principle I have no objections to the planning application as submitted I would, however, request that the Planning Committee take the following items into consideration: traffic management, structural damage to existing properties, repairs to road surface, localised flooding. During the land reclamation works already carried out in the area by the landowner the properties on Auchentibber Road were subjected to a level of traffic unsuitable for the small single track road. This reclamation work took place for a period in excess of 6 months and at its peak comprised of over 80 large HGV.**

**Response:** As discussed in Section 4.2 above, Roads and Transportation Services have no objection to the application subject to conditions being attached to any consent to ensure the submission of a dilapidation survey of Auchentibber Road, details of the anticipated traffic generation during both the construction and operational phases of the development, the construction of additional passing places on Auchentibber Road, the provision of appropriate parking facilities, turning facilities and cleaning facilities for construction vehicles within the site, appropriately surfaced access roads and parking and visibility splays. Any future detailed or matters specified in conditions applications submitted would have to include this information for the Council's further consideration and approval.

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

## **6. Assessment and Conclusions**

- 6.1 The applicant seeks planning permission in principle for the redevelopment of existing farm buildings to provide farm workers dwellings, new agricultural buildings, estate office and main farmhouse with access, landscaping and associated infrastructure. 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) advises that proposals should be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise and all developments should contribute to sustainable development. In this instance, the application involves the sympathetic reuse of agricultural land and buildings within the Green Belt which would have a positive impact on the environment and would help to transform a considerable area of under utilised farmland, moorland and woodland, which has been subject to fly tipping and poor management into a long term, sustainable and economically viable use. The proposal is, therefore, considered to conform with the thrust of national planning policy.
- 6.3 In terms of local plan policy, the application site is located within the Green Belt 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 4 - Green Belt and Rural Area, Policy 5 - Development Management and Place Making, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy GBRA1 - Rural Design and Development, Policy GBRA2 Business Proposals within Green Belt and Rural Area, Policy GBRA4 - Conversion and Re-use of Existing Buildings, Policy GBRA5 - Redevelopment of Previously Developed Land Containing Buildings, Policy GBRA10 Accommodation Associated with an Existing or Proposed Rural Business, Policy SDCC2 - Flood Risk, Policy SDCC3 - Sustainable Drainage Systems and Policy DM15 - Water Supply of the adopted South Lanarkshire Local Development Plan 2.
- 6.4 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 reuse of agricultural land and buildings. As discussed above, the application involves the sympathetic reuse of agricultural land and buildings within the Green Belt and it is considered that the proposed development would have a positive impact on the environment and would help to transform a considerable area of under utilised farmland, moorland and woodland, which has been subject to fly tipping and poor management into a long term, sustainable and economically viable use. Existing habitats such as mature trees and hedgerows would be retained and enhanced where possible and would be properly maintained and managed in the future. It is, therefore, considered that the proposal meets the terms of the above policies.
- 6.5 Policy 4 states that the purpose of the Green Belt is to direct development to the most appropriate locations and support regeneration, protect and enhance the character, landscape setting and identity of the settlement and protect and provide access to open space. Development in the Green Belt will be strictly controlled and any proposals should accord with the appropriate uses set out in SPP. Both the Green Belt and the Rural Area function primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map. Isolated and sporadic development will not be supported.
- 6.6 The proposed development is for an agricultural hub of buildings required for the future management and operations of the existing agricultural estate around it and the development relates to the re-introduction of farming to this location through the amalgamation of four previous farms into one single estate. The proposed buildings require to be located within the centre of the estate to ensure the effective

management and running of the new farm business. The applicant has advised that he has had ownership of the land for over two years and is working it into a position where it can be self-sustaining as a business. A significant part of the business, however, relates to the applicant obtaining the relevant planning permissions to enable the business to operate to its full potential.

- 6.7 Policy GBRA1 provides a framework that is applicable to all forms of residential and non-residential development within the countryside with a particular emphasis placed on appropriate design, finishing materials and the protection of amenity. As the application is for planning permission in principle, detailed plans do not form part of the application. However, the indicative layout and supporting information submitted sets out the ways in which the proposed development would respect the character and amenity of the local area through appropriate siting and design. The design of the proposed buildings would be carefully considered under any future detailed or matters specified in conditions application to ensure the provision of a high quality development which accords with the various criteria contained within the Council's design related Policies 5, DM1 and GBRA1, as highlighted above.
- 6.8 Policy GBRA2 provides policy relating to the formation of rural businesses. For new businesses and those seeking to relocate to, or extend within the Green Belt and Rural Area, the preference is to re-use or convert existing buildings. Sympathetic extensions and alterations to existing structures may also be acceptable. Where it is shown that appropriate buildings are not available to accommodate the needs of the business, new development may be acceptable where it is shown to integrate within an established building group or it involves the redevelopment of previously developed land. Agricultural, forestry and horticultural developments are considered appropriate in the Green Belt and Rural Area subject to providing details of the proposed business and evidence that land available to them is sufficient for current and future needs. Whilst the proposed development is not specifically for the extension of an existing premises it is for the improvement of an existing grouping of farms in an area in need of investment and management which had been neglected for many years prior to the applicant taking ownership. An Agricultural Labour Report provided by SAC Consulting addresses the locational requirement for the proposal and sets out the planned operation of the estate, the staffing levels required and the reasons why staff are required to live on site rather than living remotely from the site. A significant part of this relates to animal welfare as well as the security of the area, which the applicant has advised has suffered significantly from fly-tipping and vandalism in recent years. There is no accommodation on site, or available in the immediate vicinity to the site to serve the needs of the staffing levels proposed for the estate. On this basis, it is proposed that the provision of onsite accommodation for staff is to be provided through the redevelopment of the vacant and derelict Auchentibber Farm buildings.
- 6.9 Policies GBRA4 and GBRA5 relate to the conversion and reuse of existing buildings and the reuse of previously developed land. Proposals for the conversion and re-use of traditional buildings and those of a local vernacular to a use in accordance with Policy GBRA2 (Business Proposals within Green Belt and Rural Area) or to residential use, will be required to meet the following criteria:-
1. Buildings shall be of a local, visual or historical merit which generally relates to traditionally constructed buildings.
  2. Buildings shall be suitable for conversion and a structural survey submitted to determine the condition of the building to demonstrate that it is capable of conversion to the proposed use.

3. The structure, form, setting, historic and architectural integrity of the original buildings shall be respected and preserved so that they retain their traditional appearance after conversion.
4. Any alterations, extensions or increase in height of the original building shall be carried out sympathetically without detrimentally affecting the proportions or character of the original building.

6.10 The proposal involves the redevelopment of the existing buildings of the former Auchentibber Farm to house ancillary dwellings for farm workers linked to the running of the wider estate and the proposal seeks to rejuvenate these buildings which had fallen into disrepair and dereliction. There would be an element of demolition required due to the condition that many of the buildings are in although the degree of demolition is unknown at this stage. However, the applicant has advised that the redevelopment would be in a form similar to that of the current buildings and that the structure, form, and architectural integrity of the original buildings would be respected as much as possible to ensure that they retain their traditional appearance after conversion. Any alterations, extensions or increase in height of the original buildings would be carried out sympathetically without detrimentally affecting the proportions or character of the original buildings. The submission of a structural survey would be conditioned as part of any consent granted and any future detailed or matters specified in conditions applications submitted would be the subject of further careful design assessments to ensure the provision of a high quality development which accords with the criteria listed above. In view of the above, the proposal is generally considered to be acceptable and in accordance with Policies GBRA4 and GBRA5.

6.11 Whilst the principle of the conversion of former agricultural buildings in the Green Belt for residential use has been widely established and the erection of appropriately designed buildings and sheds for agricultural use is generally considered to be acceptable, the proposal also seeks permission in principle for a permanent dwellinghouse within the site and a key issue in terms of the assessment of this application is the acceptability of the proposed new farmhouse without the need for temporary accommodation. In this regard, Policy GBRA10 states that within the Green Belt and Rural Area, the provision of a dwelling house or temporary accommodation may be considered in association with a rural business. Proposals will be required to meet the following criteria:-

1. The applicant should first consider whether there are traditional buildings suitable for conversion, redundant buildings, gap sites or opportunities to consolidate a building group within the land available to them.
2. The business proposal shall comply with Policy GBRA2.
3. It is demonstrated that accommodation is essential for the successful management of the business.
4. It is demonstrated that the business (new, relocating or established) is based upon a robust market assessment, planned on a sound financial basis and the business will become viable in the long term.
5. The submission of a 5 year business plan will be required to demonstrate compliance with criteria 3 and 4.
6. The accommodation shall meet rural design policy as set out in Policy GBRA1 and in supporting planning guidance.

For established businesses a permanent dwelling shall be considered subject to the following criteria:-

1. Evidence is provided to demonstrate the business has been trading at the proposed location for at least 2 years. For businesses relocating from an existing countryside location, the submitted business plan shall demonstrate why the relocation is required and that the business would continue to be profitable.
2. If the proposed dwelling house is located in an isolated position and the business use is the only justification for this siting, an occupancy condition will normally be attached to any permission granted.
3. The new dwelling shall be commensurate with the functional requirement of the business

For businesses which are proposed or cannot yet demonstrate profitability for the preceding 2 years, temporary accommodation shall be considered.

6.12 In this regard, a Business Plan was submitted with the application which sets out the level of investment that has been put into the development of the business to date. The Business Plan also sets out the agreements that the enterprise has for the ongoing sale of livestock over the coming years, which presents an ability to progress in a viable form. As discussed, the applicant purchased the site over two years ago and has been investing significantly into the business to get it to a stage where it can start to cover its own costs. The Business Plan identifies that the business will be fully self-sufficient in year five, however, this is primarily because the agricultural business is having to be started from a base of nothing and work its way to fruition. The Business Plan advises that arrangements are currently in place with Scotbeef to progress the livestock business which indicates that the business is in a strong position to progress. Part of the notable costs over the coming years, to get the business to a sustainable position include the introduction of all the necessary infrastructure for the enterprise. This includes the accommodation for the farm workers which would utilise the footprint of the existing buildings on the site. Following careful assessment of the Business Plan it is considered that sufficient evidence has been provided to demonstrate that the business has been trading at the proposed location for at least 2 years, that the proposed accommodation is essential for the successful management of the business and that temporary accommodation is not necessary in this instance. As the existing buildings within the site would be converted to accommodation for the agricultural workers associated with the business, it is accepted that there is a requirement for a separate dwelling for the applicant and his family which would take the form of an estate house. Given the amalgamation of four previous land holdings, which would have each had main residential premises, it is considered that the provision of the proposed dwelling, is commensurate with the area of land to which it relates.

6.13 In terms of the natural environment, Policy 14 states the Council will assess all development proposals in terms of their impact on the natural and historic environment, including biodiversity, geodiversity, landscape and townscape. Development affecting protected species will not be permitted unless it can be justified in accordance with the relevant protected species legislation. In this regard, ecology surveys have been undertaken and submitted as supporting documents in the form of a Preliminary Ecological Appraisal and a Bat and Barn Owl Survey Report. These surveys give rise to no significant concerns in relation to protected sites or species. Where there is potential for any impact, albeit minor potential, mitigation measures have been proposed and any consent granted would be conditioned to ensure that the recommendations of the above reports are implemented throughout the construction and post-construction phases of the development. It is, therefore, considered that the proposal complies with Policy 14.

- 6.14 Policy 15 - Travel and Transport 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. Roads and Transportation Services have assessed the application and subject to the conditions highlighted in Section 4.2 above they are satisfied that the development would not have an adverse impact on traffic flows or road safety and that adequate levels of car parking provision can be accommodated within the site. It is, therefore, considered that the proposal complies with Policy 15.
- 6.15 With regard to flooding and surface water drainage, no adverse comments were raised by Roads and Transportation (Flood Risk Management) subject to the inclusion of conditions requiring the provision of a sustainable urban drainage system (SUDS) within the site. Scottish Water have also confirmed that they have no objections to the application. As there is no public waste water infrastructure within the vicinity of the proposed development, the applicant is required to investigate private treatment options and, in this regard, any consent granted would include a condition to ensure that no buildings are occupied until the site is served by a satisfactory sewerage solution. It is, therefore, considered that the proposal is in accordance with the terms of Policy 16.
- 6.16 In summary, the application for the redevelopment of existing farm buildings to provide farm workers dwellings, new agricultural buildings, estate office and main farmhouse with access, landscaping and associated infrastructure is considered to be acceptable as the proposal conforms with local plan policy and raises no significant environmental, amenity or infrastructure issues. The application is a fairly unique proposal in that it involves the re-introduction of farming at this Green Belt location through the amalgamation of four previous farms into one high-quality managed agricultural estate. The proposal involves the sympathetic reuse of existing partly derelict agricultural buildings and, in this regard, it is considered that the proposed works would have a positive impact on the environment and would help to transform a considerable area of under utilised farmland which has been subject to fly tipping and poor management into a long term, sustainable and economically viable use. The supporting documents advise that the applicant is currently running the business remotely which has many challenges associated with it and that the approval of the application would assist in progressing works that would secure and strengthen the agricultural enterprise further. Given the amalgamation of four previous land holdings, which would each have had main residential premises, it is considered that the provision of the proposed main farmhouse, which takes the form of an estate house, is commensurate with the area of land to which it relates. In terms of the scale and design of the buildings proposed, the new farmhouse would be located in the natural hollow and plateau of the landscape to the northeast of the existing agricultural buildings and enhanced structure planting along Auchentibber Road would ensure that there would be no adverse impact on the character and visual amenity of the wider Green Belt area. Any future detailed or matters specified in conditions applications would be the subject of further careful design assessments to ensure the provision of a high quality development which accords with the various criteria contained within the Council's policies to ensure that the proposal would have no adverse impact on the character and visual amenity of the wider Green Belt area.
- 6.17 Statutory consultees have raised no significant concerns in relation to the proposal and the matters which have been raised can be addressed through the use of conditions where appropriate. Three letters of representation have been received in relation to the application and the grounds of representation have been discussed in detail in Section 5 above. Overall, the proposals are considered to be acceptable

and it is recommended that planning permission in principle is granted subject to conditions.

## **7 Reasons for Decision**

- 7.1 The proposal had no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies1, 2, 4, 5, 14, 15, 16, DM1, DM15, GBRA1, GBRA2, GBRA4, GBRA5, GBRA10, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2.

**Michael McGlynn**

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

Date: 27 August 2021

### **Previous references**

P/20/0004/PAN

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 19.08.2020
- ▶ Press Advertisement, Hamilton Advertiser 27.08.2020
  
- ▶ Consultations
  - Roads Development Management Team 10.09.2020
  - Environmental Services 25.01.2021
  - Scottish Water 19.08.2020
  - Countryside and Greenspace 20.08.2020
  - Regeneration Service 06.11.2020  
&  
22.06.2021
  - Coal Authority Planning Local Authority Liaison Dept 08.09.2020
  - SEPA Flooding 28.08.2020
  - Roads Flood Risk Management 06.05.2021
  - Coal Authority Planning Local Authority Liaison Dept 25.08.2020
  - West of Scotland Archaeology Service 25.08.2020
  
- ▶ Representations
  - Ms Margaret Hamilton, Springpark, Auchentibber Road, Auchentibber, G72 0TP Dated: 09.09.2020
  
  - Mr Ian Grant, 11-13 Auchentibber Road, Auchentibber Road, Blantyre, G72 0TP 11.09.2020
  
  - Mr Ian Grant, 11-13 Auchentibber Road, Auchentibber, Blantyre, G72 0TP 09.09.2020



Mr James Brown, 82 Waverley Terrace, Blantyre, Glasgow, 30.08.2020  
G72 0HZ

**Contact for further information**

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453657

Email: [jim.blake@southlanarkshire.gov.uk](mailto:jim.blake@southlanarkshire.gov.uk)

### Conditions and reasons

01. Prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

These matters are as follows:

- (a) the layout of the site, including all roads, footways, parking areas and open spaces;
- (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
- (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
- (d) the design and location of all boundary treatments including walls and fences;
- (e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs, including, where appropriate, the planting of fruit/apple trees;
- (f) the means of drainage and sewage disposal.
- (g) details of the phasing of development (covering all relevant aspects of development detailed in (a) above).

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

02. That no consent is hereby granted for any of the details shown on the plan: Indicative Masterplan Drawing No 04 (dated 10.08.20).

Reason: Permission is granted in principle only and no approval is given for these details.

03. That the further application(s) required under the terms of Condition 1 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.

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.

04. That the further application(s) required under the terms of Condition 1 above, shall include full details of the proposed sewerage system, including its location, design, maintenance arrangements and outfall for the consideration and detailed approval of the Council as Planning Authority. Thereafter, the approved sewerage system shall be implemented in full to the satisfaction of the Council prior to the occupation of the buildings and shall be maintained in perpetuity to the Council's satisfaction.

Reason: These details have not been submitted or approved.

05. That before any works commence on site details of the anticipated traffic generation during both the construction and operational phases of the development shall be provided to determine the suitability of Auchentibber Road to accommodate this traffic. Should any upgrades be required on Auchentibber Road to cope with the additional stresses caused by the increased traffic this work will be carried out by, and at the expense of, the applicant unless otherwise agreed in writing with the Council as Planning Authority.

Reason: In the interests of road safety.

06. That before any works commence on site, additional passing places shall be constructed on Auchentibber Road at the expense of the applicant. The number and positioning of these passing places shall be determined by the anticipated increase in traffic and a dimensioned plan shall be submitted for agreement with the Council as Planning Authority.

Reason: In the interests of road safety.

07. That, for the duration the construction phase associated with the development hereby approved, appropriate parking facilities, turning facilities and cleaning facilities for construction vehicles shall be put in place within the site. Details of the proposed facilities shall be submitted to and approved by the Council as Roads and Planning Authority prior to commencement of works on site.

Reason: To ensure adequate construction parking and turning facilities are provided and to ensure that mud and debris is not deposited on the public road.

08. That, unless otherwise agreed, before the development hereby approved is completed or brought into use, a visibility splay of 2 metres by 215 metres measured from the road channel shall be provided on both sides of the vehicular accesses 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.

09. That before the development hereby approved is completed or brought into use, private vehicular accesses shall be provided and the first 2 metres of these accesses from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

Reason: To prevent deleterious material being carried onto the road.

10. That before any works commence on site a dilapidation survey shall be undertaken by the applicants, in accordance with the requirements of the Council's Roads and Transportation Services, of Auchentibber Road unless otherwise agreed in writing with the Council as Roads and Planning Authority. Thereafter, any subsequent repair works to the road in question shall be undertaken by the applicants, to the satisfaction of the Council's Roads and Transportation Services, before any building is occupied on site, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: In the interests of road safety.

11. That before any development hereby approved is completed or brought into use, parking provision shall be provided in accordance with SCOTS National Roads Development Guide standards and a dimensioned layout shall be provided for agreement with the Council as Planning Authority.

Reason: To ensure adequate parking facilities are provided.

12. That prior to the submission of the further application(s) required under the terms of Condition 1 above, intrusive site investigation works shall be undertaken to establish the exact situation regarding coal mining legacy issues on the application site including the location and condition of the on-site mine entry: shaft ref: 267655-008 identified by the submitted Mineral Risk Assessment Report (dated August 2020) to the satisfaction of the Council as Planning Authority in consultation with The Coal Authority.

Reason: To ensure the safety and stability of the proposed development.

13. In the event that the site investigations required under Condition 12 above confirm the need for remedial works, a report of findings arising from the intrusive site investigations together with a scheme of treatment/mitigation measures for the on-site mine entry shall be submitted to and approved by the Council as Planning Authority in consultation with The Coal Authority. Thereafter, the required remedial works shall be undertaken prior to the commencement of the development to the Council's satisfaction.

Reason: To ensure the safety and stability of the proposed development.

14. That unless otherwise agreed, 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 Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the 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.

15. That the further application(s) required under the terms of Condition 1 above, shall include full details of the phasing of the development for the consideration and detailed approval of the Council as Planning Authority. Thereafter, unless otherwise agreed, the proposed farmhouse shall not be occupied until the existing agricultural buildings at Auchentibber Farm and the proposed agricultural buildings/sheds are completed to the Council's satisfaction.

Reason: In the order to retain effective planning control.

16. That the recommendations and mitigation measures as stated in the Preliminary Ecological Appraisal (July 2020) and the Bat and Barn Owl Survey Report (August 2020) compiled by Taxus Ecology shall be implemented throughout the construction and post-construction phases of the development to the Council's satisfaction.

Reason: To ensure the protection of existing habitats within the site.

17. That the further application(s) required under the terms of Condition 1 above, shall include a structural survey of the existing agricultural buildings at Auchentibber Farm for the consideration and detailed approval of the Council as Planning Authority to determine the condition of the buildings and to demonstrate that they are capable of conversion to the proposed use.

Reason: In the order to retain effective planning control.

18. That the further application(s) required under the terms of Condition 1 above, shall include the details set out in the recommendations of the Tree Survey & Arboricultural Constraints Report BS 5837: 2012 Trees in Relation to Design, Demolition, Construction compiled by TD Tree & Land Services Ltd (dated 11.08.20). Thereafter, the approved details shall be implemented throughout the construction and post-construction phases of the development to the Council's satisfaction unless otherwise agreed by the Council.

Reason: In the interest of amenity and to ensure the protection and maintenance of existing trees within the site.

19. That unless otherwise agreed, the existing farm steading buildings to be converted and the proposed agricultural buildings shall not exceed one and a half storeys in height and the proposed main dwellinghouse shall not exceed two and a half storeys in height.

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

20. That any extension of the existing buildings on the site shall be carried out sympathetically without detrimentally affecting the proportions or character of the original buildings.

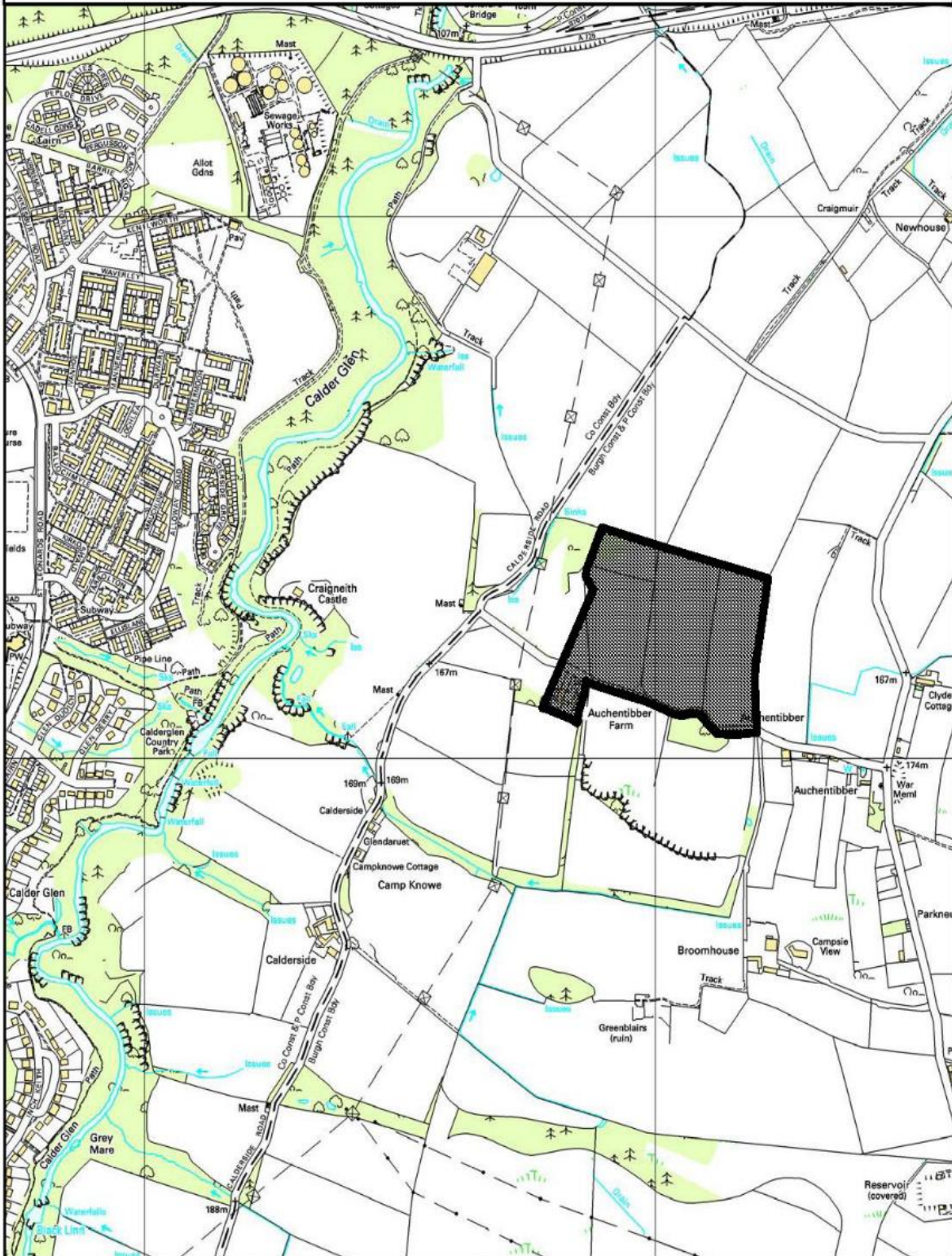
Reason: In the interest of amenity and in order to retain effective planning control.

21. That unless otherwise agreed in writing by the Council as Planning Authority, all of the buildings relating to this planning permission shall be constructed as one agricultural unit and used solely for agricultural purposes or ancillary to agricultural purposes and none of the buildings shall be disposed of, sold, disposed, leased or feued separately for any other use without the prior written consent of the Council as planning Authority.

Reason: In order to retain effective planning control.

P/20/1047

Auchentibber Farm, Auchentibber Road, Blantyre



© Crown copyright and database rights 2019 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:  
1:10,000  
Date:  
17/08/2021



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

# Report

4

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>7 September 2021</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/20/1391
Planning proposal:	Erection of 38 dwellinghouses (including 8 cottage flats) and associated roads, site remediation, drainage, landscaping and land engineering operations.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Cruden Building and Renewals
Location:	Land 115m southeast of 101 Avon Road Avon Road Larkhall 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: 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



## **Planning Application Report**

### **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 south-east 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 **Roads Development Management Team** - 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.

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

- 4.2 **Environmental Services** - 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.

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

- 4.3 **Scottish Water** - have offered no objection to the proposal.

**Response:** Noted.

- 4.4 **Roads Flood Risk Management** - have offered no objection to the proposal.

**Response:** Noted.

- 4.5 **Countryside and Greenspace** – 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.

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

- 4.6 **Education Resources School Modernisation Team** - have offered no objection to the proposal.

**Response:** Noted.

- 4.7 **Housing Planning Consultations** - 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 **Larkhall Community Council** - no response to date.

**Response:** 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.

**Response:** 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

► 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](mailto:gail.neely@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 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.

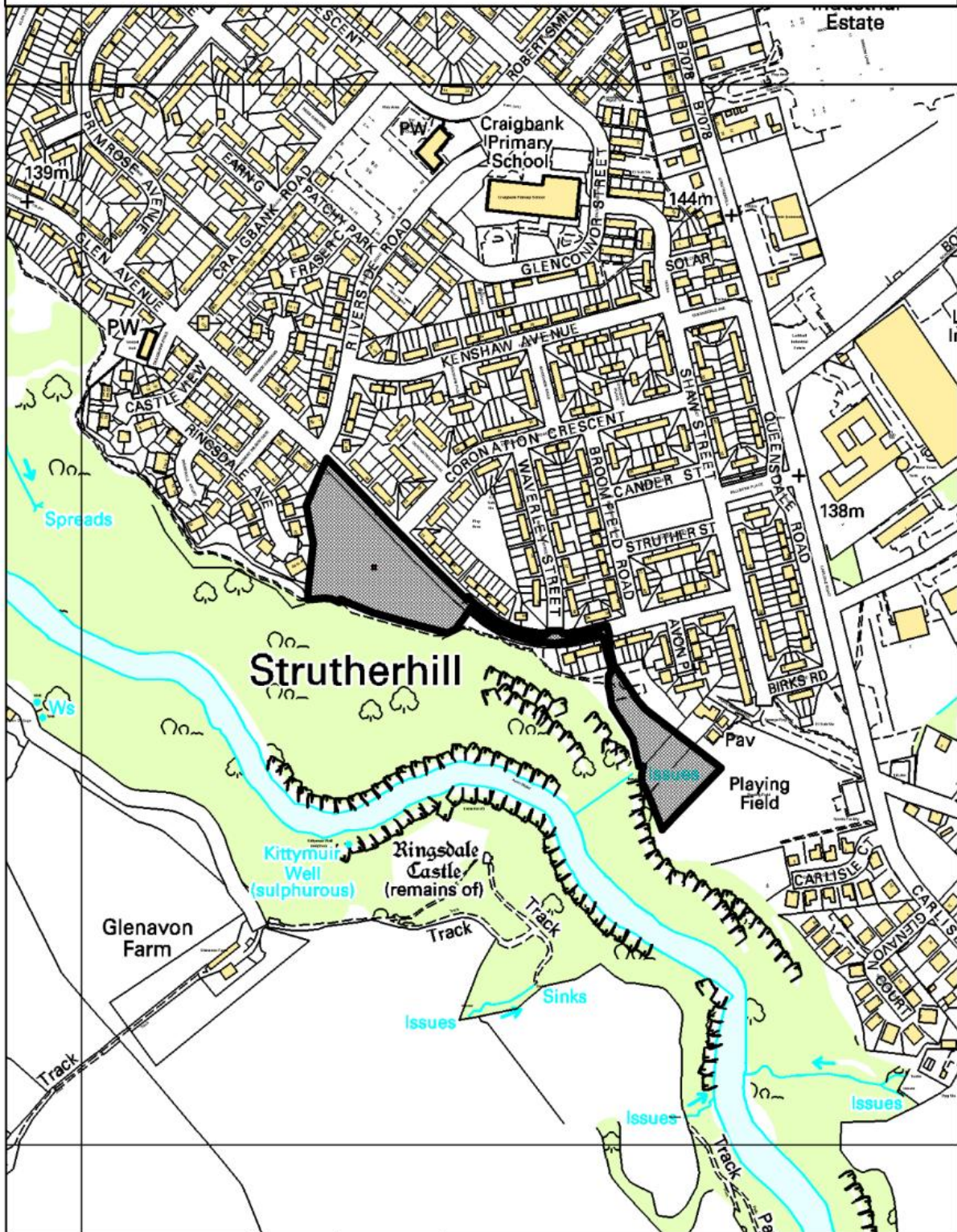
Reason: These details have not been submitted or approved.

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

P/20/1391

Land 115m Southeast of 101 Avon Road, Avon Road, Larkhall



© Crown copyright and database rights 2019 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:  
17/08/2021



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