

Report

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

Application no.	P/22/0779
Planning proposal:	Amendment to planning permission P/20/1667 to remove Madrid House Type, remix plots and addition of garden rooms to 20 plots

1 Summary application information

Application type:	Detailed planning application
Applicant:	Robertson Living
Location:	Land 90M ESE of 24 Simpson Drive Strutherhill 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: N/A
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy 1 - Spatial Strategy
Policy 2 - Climate Change
Policy 5 - Development Management and Place Making
Policy 7 - Community Infrastructure Assessment
Policy 11 - Housing Land
Policy 13 - Green Network and Greenspace
Policy 14 - Natural and Historic Environment
Policy 15 - Travel and Transport
Policy 16 - Water Environment and Flooding
Policy DM1 - New Development Design

Policy DM15 - Water Supply
Policy SDCC2 - Flood Risk
Policy SDCC3 - Sustainable Drainage Systems

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located at the edge of the Strutherhill Industrial Estate off Carlisle Road, to the south of Larkhall town centre. The site is mainly vacant with construction works underway for a residential development approved under planning application P/20/1667. The site was previously occupied by the former DAKS Simpson warehouse and is irregular in shape and mostly flat. The site is bounded to the north and east by open grassland, to the south by industrial buildings and to the west by a mixture of housing, including recently constructed dwellings within the former DAKS Simpson site, a sewage works and Strutherhill.

2 Proposal(s)

- 2.1 The applicant seeks consent for an amendment to planning permission P/20/1667 to remove the Madrid House Type, remix plots and add garden rooms to 20 plots. The overall residential development previously approved under the above application comprises a total of 128 dwellings. The current proposal is for the same number of dwellings but with a change from a mix of 106 detached and 22 semi-detached three and four bedroom dwellings to a mix of 102 detached and 26 semi-detached three and four bedroom dwellings. A total of 64 plots are being altered under the current planning application.
- 2.2 The proposed houses would be two storeys in height and would be finished with concrete roof tiles, rendered walls and UPVC windows and doors. Car parking within the development would be located on driveways located to the front and side of the dwellings with 2 parking spaces incorporated for the three bedroom dwellings and 3 parking spaces for those dwellings with four bedrooms. The overall layout for the development incorporates two main areas of amenity open space within the eastern and western areas of the site including a SUDS Basin. A four metre high acoustic barrier comprising of an earth bund and a timber fence above is proposed along the main section of the southern boundary of the site facing onto Borland Drive and the adjacent industrial estate.
- 2.3 The proposed amendments amount to more than what would be classed as a non-material variation. In line with the guidance contained within the Council's Planning Application Decision Making Process, the application requires to be referred to the Planning Committee for a decision as more than 49 residential units are affected by the proposed alterations.

3 Background

3.1 Local Plan Background

- 3.1.1 The application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The site is also covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2 in addition to the Residential Design Guide (2011). The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 Relevant Government Advice / Policy

3.2.1 In terms of residential development, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

3.2.2 Designing Streets – A Policy Statement for Scotland was introduced in March 2010 and marks 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 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 Planning permission was granted to Robertson Living for the erection of 128 dwellinghouses with associated roads, landscaping, SUDS and noise attenuation bund (Approval of matters specified in conditions, consent HM/17/0167) on 16 June 2021 (P/20/1667).

3.3.2 Planning Permission in Principle was granted to Patersons of Greenoakhill Ltd on 4 July 2019 for residential development with landscaping and associated works within the former DAKS Simpson site (HM/17/0167). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate community facilities either on site or off and the provision of affordable housing on site or by way of a commuted sum.

3.3.3 Planning Permission in Principle was granted to Patersons Property Investment Partnership LLP on 6 May 2015 for a proposed residential and commercial development within the application site (HM/13/0269). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and / or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum.

4 Consultation(s)

4.1 **Roads Development Management Team** – have no objections to the application.
Response: Noted.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the heading Non-Notification of Neighbours in the Hamilton Advertiser. No letters of representation have been received in relation to the application.

6 Assessment and Conclusions

- 6.1 The application is for an amendment to planning permission P/20/1667 to remove the Madrid House Type, remix plots and add garden rooms to 20 plots. The application is an amendment to a previously approved proposal under application P/20/1667 and whilst the proposed amendments are more than what would be classed as non-material variations, they are nevertheless relatively minor in nature. As discussed, in line with the guidance contained within the Council's Planning Application Decision Making Process the application requires to be referred to the Planning Committee for a decision as more than 49 residential units are affected by the proposed alterations. The determining issues in consideration of this application are its compliance with national and local plan policy and the proposal's impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of national planning policy, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity. Designing Streets – A Policy Statement for Scotland supports Designing Places and encourages a move away from a standardised engineering approach to streets and promotes 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 seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.
- 6.3 In general land use and policy terms the principle of residential development at this location has previously been assessed and approved under the application for planning permission in principle (HM/17/0167) in addition to the matters specified in conditions which were approved under planning application P/20/1667. The proposal involves the re-use of a previously developed site which would have a positive impact on the built and natural environment. The proposal also promotes development in a sustainable location which would be accessible by public transport, with bus routes located on the adjacent Strutherhill and in terms of permeability the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.4 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The site is also covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2 in addition to the Residential Design Guide (2011).
- 6.5 The application site is designated for residential use under the terms of Policy 11. As discussed above, the site also benefits from the planning permission in principle granted for residential development under application HM/17/0167 and the matters specified in conditions which were approved under planning application P/20/1667.

On this basis, the proposal raises no policy issues and, therefore, conforms with Policy 11.

- 6.6 Policies 1 and 2 encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. In line with these policies, the proposal involves the redevelopment of a previously developed site which is located in a sustainable location within Larkhall and where the principle of residential use is considered to be acceptable. The site benefits from opportunities for trips by public transport, with bus routes located on the adjacent Strutherhill and the development would be well integrated into existing walking and cycling networks. The site is also located within an acceptable distance to commercial services such as retail, leisure, schools, health care etc. The proposed development offers an opportunity to enhance the built environment in the immediate area and it is considered that the redevelopment of the site would result in an attractive and vibrant addition to neighbouring development. Furthermore, the houses within the development have been designed to the latest technical standards in terms of insulation, air tightness and energy ratings. It is, therefore, considered that the proposal meets the terms of Policies 1 and 2.
- 6.7 In terms of the detailed design of the development, Policies 5 and DM1 generally require new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. The application site is also covered by the Green Network under Policy 13 which aims to safeguard the local green network identified on the proposals map and identify opportunities for its enhancement and/or extension. Policy 15 seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport.
- 6.8 In relation to the above policies it is considered that the amended layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to window to window distances, garden depths, amenity open space and car parking. The proposed two storey houses are of modern design with a suitably high standard of external finishing materials and it is considered that the development will be in keeping with the existing residential development in the surrounding area. Areas of landscaping are proposed throughout the development and the landscaping scheme submitted with the application is considered to be acceptable and should ensure enhanced opportunities for biodiversity and leisure within the site and the surrounding area. The proposed amendments to the layout have been assessed by the Council's Roads and Transportation Service who are satisfied that the layout is acceptable and that the proposal raises no access, parking or road safety issues. In view of the above, it is considered that the proposal would relate satisfactorily to adjacent residential development in terms of its scale, design and materials and that the character and amenity of the area would not be impaired by reason of traffic generation, parking or visual intrusion. The proposal is, therefore, considered to be in accordance with the terms of Policies 5, DM1, 13 and 15.
- 6.9 With regard to Policy 7, the Section 75 Obligation associated with the previously approved planning permission in principle (HM/17/0167) requires the applicant to pay financial contributions at appropriate stages of the development towards the provision of additional nursery, primary and secondary education accommodation as appropriate and the provision of community facilities. The required contributions would

be made in line with the terms of the above Obligation, therefore, the proposal meets the terms of Policy 7.

- 6.10 The previously approved layout was assessed by the relevant consultees in terms of Policies 16, DM15, SDCC2 and SDCC3. With regard to flooding and surface water drainage, no adverse comments were raised by Roads and Transportation Services subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification documents. Scottish Water also confirmed that they had no objections to that application and any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of the above policies.
- 6.11 In summary, it is considered that the application conforms with national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. It is therefore recommended that the application be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 1, 2, 5, 7, 11, 13, 14, 15, 16, DM1, DM15, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2 (2021).

David Booth

Executive Director (Community and Enterprise Resources)

Date: 29 September 2022

Previous References

- ◆ P/20/1667
- ◆ HM/17/0167
- ◆ HM/17/0484
- ◆ HM/13/0269

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 16 June 2022
- ▶ Press Advertisement, Hamilton Advertiser 30.06.2022

- ▶ Consultations
Roads Development Management Team

02.09.2022

- ▶ Representations
None

Contact for further information

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

Jim Blake, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA

Phone: 07551 840 831

Email: jim.blake@southlanarkshire.gov.uk

Conditions and reasons

01. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

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

02. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 1, shall be erected and thereafter maintained to the satisfaction of the Council.

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

03. That notwithstanding the terms of Condition 1 above, before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

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

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

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

05. That unless otherwise agreed, before development starts, full details of the design and location of any fence enclosing the proposed SUDS Facility shall be submitted to and approved by the Council as Planning Authority. Thereafter, the fence shall be erected and maintained to the Council's satisfaction.

Reason: In order to retain effective planning control.

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

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

07. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the

principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

08. That details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

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

09. That unless otherwise agreed, all open pipes shall be closed-up at the end of each working day and trenches shall be covered or a ramp provided to permit animals that fall in a means of exit and to prevent animals becoming trapped. Chemicals and materials shall be stored securely to the satisfaction of the Council.

Reason: In order to retain effective planning control.

10. That unless otherwise agreed in writing, site clearance works shall be undertaken outside the bird nesting season March to August.

Reason: In order to retain effective planning control.

11. That the mitigation measures included in the submitted Noise Impact Assessment (Technical Report No. R-8664-LH2-RGM) dated 15 February 2021 shall be implemented prior to the development being brought into use and shall be maintained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: To minimise noise disturbance.

12. (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 avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

13. That prior to any development taking place on site, a scheme of intrusive site investigation works shall be submitted to and approved by the Council as Planning Authority. The submission shall include a report of findings arising from the intrusive site investigations, including the results of any gas monitoring, and a scheme of remedial works for the Council's approval in consultation with The Coal Authority.

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

14. In the event that the site investigations required under Condition 13 above confirm the need for remedial works the required remedial works shall be undertaken prior to any dwellings being occupied to the Council's satisfaction.

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

15. 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.

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

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

17. That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

18. That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority.

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

19. That before any work commences on site, full details of the proposed pedestrian/cycle connection into the Donaldson Road public park, including method of implementation, shall be submitted to and approved by the Council as Planning Authority. Thereafter, the approved works shall be implemented to the Council's satisfaction.

Reason: These details have not been submitted or approved.

20. That the first 2 metres (minimum) length of the parking bays and the private accesses shall be surfaced across their full width to the satisfaction of the Council as Planning and Roads Authority. No surface water shall egress from the parking bays, or from the private accesses, out onto the adoptable road.

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

21. That pedestrian/vehicle intervisibility splays of 2.4m x 2.4m, measured from the heel of the footway/grass verge, shall be provided at all driveways. Nothing higher than 0.9m shall be established within these splays.

Reason: In the interests of public safety.

22. That before any work commences on site, a Traffic Management Plan (TMP) shall be submitted to and approved by the Council as Planning and Roads Authority. Once approved the TMP shall be implemented on site and monitored to the Council's satisfaction. The TMP shall include wheel washing facilities and on-site parking facilities for staff and visitors.

Reason: These details have not been submitted or approved.

23. That prior to the occupation of the 1st dwellinghouse details of a welcome pack shall be submitted to and approved by the Council as Planning and Roads Authority to encourage sustainable travel to and from the development and thereafter shall be distributed to all future house purchasers/residents.

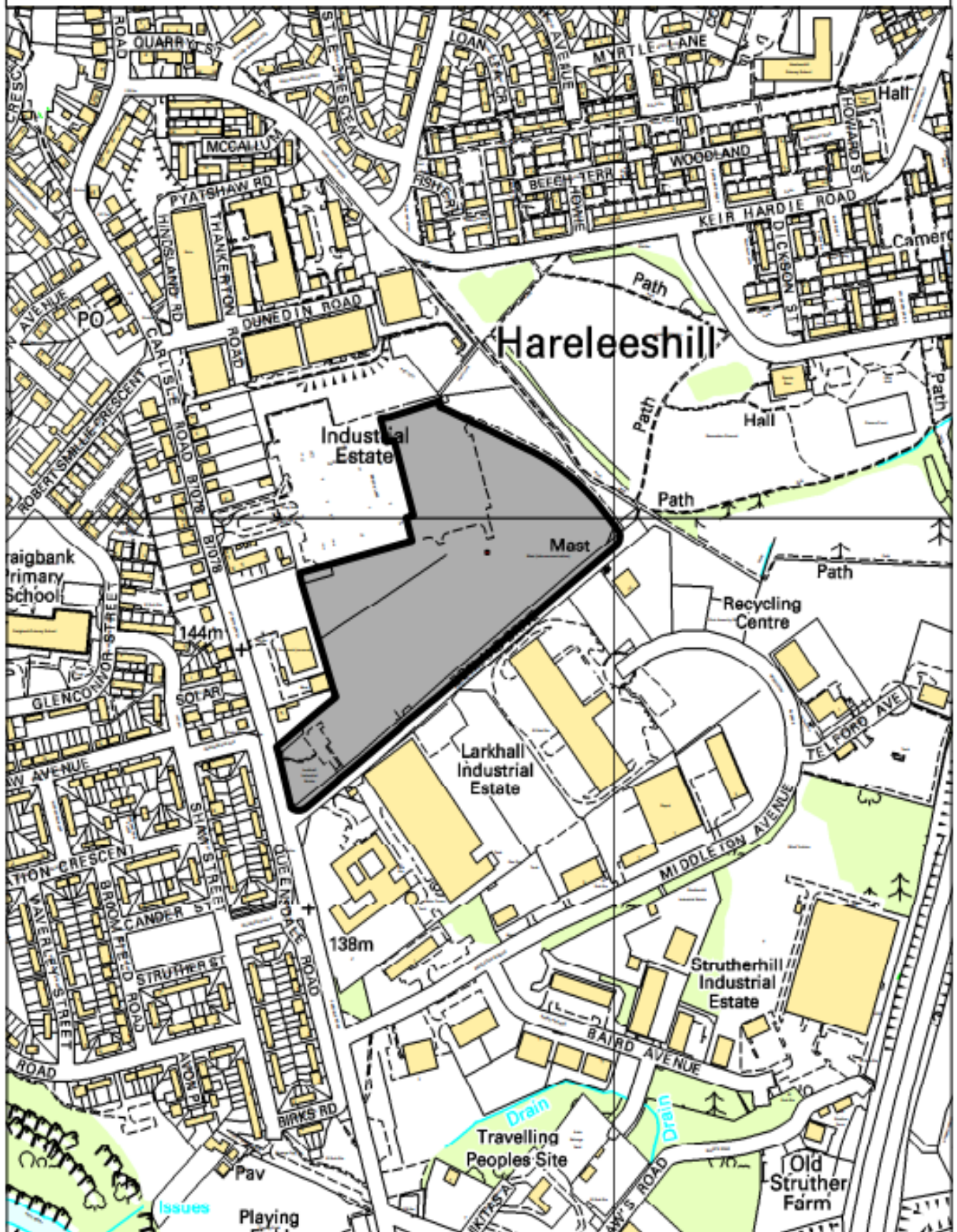
Reason: To encourage sustainable travel to and from the development.

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

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

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Land 90M ESE of 24 Simpson Drive, Strutherhill, Larkhall



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Scale:
1:5,000
Date:
15/09/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development