Application No: N/97/00296/FUL
Date Registered: 17th October 1997
APPLICANT: TAYWOOD HOMES, TAYWOOD HOUSE, BUCHANAN BUSINESS PARK, STEPPS
Agent: Residential Project Design Ltd, Milngavie Business Centre, 17 Station Road, Milngavie
DEVELOPMENT: ERECTION OF 103 DWELLINGS AND ASSOCIATED WORKS
LOCATION: PROJECT 09 AND 10, DULLATUR, CUMBERNAULD
Ward No: 55
Grid Reference: 7453 - 7651
File Reference: JR
Site History: Site identified for housing in Section 6(1) Approval dated July 1991.
Development Plan: Zoned site for new housing development in the Cumbernauld Local Plan (Adopted) 1993
Contrary to Development Plan: No
CONSULTATIONS:
| Objection: | No Objection: East of Scotland Water, West of Scotland Water, British Gas, Scottish Power, SEPA, The Coal Authority, Strathclyde Fire Brigade |
| Conditions: | West of Scotland Archaeology Service, Historic Scotland |
| No Reply: Strathclyde Police |
REPRESENTATIONS:
| Neighbours: 3 Letters of Objection, 50 Pro forma letters of objection via the Community Council, 1 letter from Councillor G Murray. |
| Newspaper Advert: Not required |
COMMENTS: This detailed application has been received from Taywood Homes, for the erection of 103 dwellings, the installation of a road network, service infrastructure and landscaping at Projects 09 and 10, Dullatur, Cumbernauld. A detailed description of the scheme and my comments and observations on the proposal are contained in the accompanying report.
RECOMMENDATION: Grant permission subject to conditions:-
1) That the development hereby permitted shall be started within five year of the date of this permission.
Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997
2. That/
2) That before development starts, full details and/or samples of the facing materials used on all external walls, windows, doors, rainwater goods and roofs shall be submitted to, and approved in writing by, the Planning Authority.

Reason: In order to protect the visual amenity of the site and the surrounding area.

3) That notwithstanding the provisions of Class 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, the proposed integral garages shall not be used as a habitable room, without prior written consent of the Planning Authority.

Reason: In the interests of the amenity of the site and to enable the Planning Authority to retain effective control.

4) That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellings on the site, and no commercial activity shall be carried out, in, or from, said garages.

Reason: In order to protect the amenity of the site and the surrounding area.

5) That no dwelling shall be occupied until the access roads and footpaths leading thereto have been constructed to base course level.

Reason: In the interests of traffic safety at the locus and to ensure satisfactory traffic circulation within the site.

6) That within six months of the date of completion of the final dwelling on the site, the access road and footpaths which form part of this permission shall be constructed to wearing course level.

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

7) That no trees within the application site shall be topped lopped, felled or otherwise affected, without the prior written consent of the planning authority.

Reason: In order to protect the visual amenity of the surrounding area.

8. All/
8) All trees within and adjacent to the application site shall be protected by a satisfactory method to be agreed in writing with the Planning Authority before any work commences on site. The agreed method of protection, (as set out in BS5837/1980) shall be maintained on site until completion of all works in the vicinity of the trees.

Reason: In order to protect the visual amenity of the surrounding area.

9) That before development starts, a scheme of landscaping including boundary treatment(s), shall be submitted to and approved by the Planning Authority, and it shall include

a) details of any earth moulding, and hard landscaping, grass seeding and turfing

b) a scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;

c) 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, and

d) details of access points and footpath links into and through the shelterbelts shown green on the attached plan

e) details of the phasing of these works.

10) That prior to the occupation of the last 20 dwellings within the development hereby permitted, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of Condition 9 above, shall be completed; and any trees, shrubs or areas of grass which die, are removed, damaged, or become diseased, within two years of the completion of development, shall be replaced in the next planting season with others of a similar size and spaces.

Reason: In order to protect the visual amenity of the surrounding area.

11) That before development starts a scheme for the provision of an equipped play area, the location of which will be agreed between the developer and the Planning Authority, shall be submitted to and approved in writing by the Planning Authority and it shall include:

a) details/
a) details of the type and location of play equipment, seating and litter bins to be provided within the play area

b) details of the surface treatment of the play areas, including the location and type of safety surface to be installed

c) details of the fences to be erected around the play areas

d) details of the phasing of these works

Reason: In the interests of amenity and site of the general area

12) A Management Maintenance Schedule for the landscape scheme, adjacent tree shelterbelts (shown outlined green on the approved plan) and play area shall be submitted to and approved in writing by the Planning Authority prior to the commencement of landscape works. The landscaping, tree shelterbelts and play area shall thereafter be maintained in accordance with the approved maintenance schedule, to the satisfaction of the Planning Authority.

Reason: To enable the planning Authority to consider these aspects in detail and in the interests of the amenity of the site.

13) That prior to the completion of the last 10 houses hereby permitted, all works required for the provision of the play area, approved under the terms of Condition 12, shall be completed and thereafter those areas shall not be used for any other purpose than as a children’s play area.

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

14) That before development starts a detailed design for all walls and fences to be erected on the site shall be submitted to and approved in writing by the Planning Authority, and it shall include details and specifications of the means of boundary definition to be used on each plot.

Reason: In the interests of amenity of the site and the surrounding area.

15) That prior to the occupation of each dwelling on the site all walls and fences to be erected on the specific plot on which it sits shall be completed to the satisfaction of the Planning Authority.
Reason: To safeguard the amenity of future residents

16) That before development starts full details of the sundial, entrance feature and urn shown coloured red on the approved plans shall be supplied to and approved in writing by the Planning Authority.

Reason: These details have not been submitted

17) That prior to the occupation of the last dwelling the sundial, entrance feature and stone urn, approved under Condition 16 shall be erected.

Reason: To safeguard the amenity of future residents.

18) That prior to the commencement of any works on site details of contractor's storage/compound and temporary sales areas shall be submitted to and approved in writing by the Planning Authority.

Reason: To allow the Planning Authority to consider these aspects in detail

19) The developer shall afford access at all reasonable times to an archaeological organisation, agreed in writing with the Planning Authority prior to development starting, and shall allow them to observe work in progress and record items of interest and finds. Notification of commencement date and information as to whom the West of Scotland Archaeology Service should contact on site shall be given to the Planning Authority in writing not less than 14 days before development commences.

Reason: In the interest of amenity.

20) That, notwithstanding the generalities of conditions 14 and 15 above, before any of the dwellinghouses shaded blue on the approved plans are occupied a 1.8m high screen fence shall be erected along the boundary of that dwellinghouse at the locations marked in yellow on the approved plans.

Reason: To safeguard the amenity of future residents.

21) That notwithstanding the provisions of Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road without the prior written consent of the Planning Authority.

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

22) That before development starts details of the surface finishes to curtilage parking areas shall be submitted to and approved by the Planning Authority.
Reason: These details have not been submitted.

23) That no electricity transforming or switching equipment, gas governor or sewage pumping station shall be erected on the site without the prior written consent of the Planning Authority.
Reason: In the interest of the visual amenity of the area.

24) That the developer as soon as is reasonably practicable and at the end of each working day shall sweep or otherwise clear away any mud or similar material onto the surrounding road network by vehicles leaving the site during the construction of the development.
Reason: To ensure the continued amenity and safety of the surrounding area.

NOTE TO COMMITTEE

If granted, this application will require to be referred to the Secretary of State for Scotland in accordance with The Town and Country Planning (Notification of Applications) (Scotland) Direction 1997

List of Background Papers

Application and plans dated 17th October 1997
Cumbernauld Local Plan (Adopted) 1993
Letter from SEPA dated 28th October 1997
Letter of objection from Mr & Mrs Brodie, Cruachen, Dullatur dated 29th October 1997
Letter from West of Scotland Water dated 30th October 1997
Letter from West of Scotland Archaeology Service dated 29th October 1997
Letter from the Coal Authority dated 30th October 1997
Letter from Scottish Power dated 31st October 1997
Memo from Leisure Services dated 7th November 1997
Letter from Transco dated 10th November 1997
Letter from Strathclyde Fire Brigade dated 13th November 1997
Letter of objection from Mr D Hampton, Derwen Fawr, Dullatur dated 17th October 1997
Letter from East of Scotland Water dated 19th November 1997
Letter of objection from Mr & Mrs Lindsay, 3 Prospect Road, Dullatur dated 27th November 1997
Letter from Councillor G. Murray dated 21st November 1997
Memorandum from the Director of Leisure Services dated 3rd December 1997
Letter from Historic Scotland dated 5th December 1997
Letter of objection from Dullatur Community Council dated 28th November 1997 with enclosures

Any person wishing to inspect these documents should contact Jim Ravey at 01236 616479.
Application Number: N/97/00296/FUL

1.0 Description of Site and Proposal

1.1 This application has been submitted by Residential Project Design Ltd, on behalf of Taywood Homes, for the erection of 103 dwellings and associated works at the areas known as Projects 09 and Project 10, Dullatur, Cumbernauld. The sites, which were transferred to North Lanarkshire Council from Cumbernauld Development Corporation as part of the “transfer package” in April 1996, will be disposed to Taywood on completion of the necessary consents. Project 09 extends to 5.01ha, 6.79ha when the surrounding tree shelterbelts are included, and will accommodate 45 detached villas. Project 10 extends to 6.50ha, 7.64ha when the surrounding tree shelterbelts are included, and will accommodate 58 detached villas. None of the shelterbelts are significantly affected by the development proposals.

1.2 The sites lie south and west of the existing village of Dullatur and were last used for agricultural purposes. The existing built form of Dullatur comprises of approximately 60 dwellings. The village is roughly split into two distinct development patterns which consist of the original Victorian settlement, now a Conservation Area within which are six listed buildings, and a latter development phase, begun in the 1970’s, to the north of Prospect Road. The general setting of the village is categorised by its rural location and abundance of mature trees, which individually in groups, in avenues and in tree shelter belts give the settlement its landscape character. This “soft” environment is afforded protection by the designation of a number of Tree Preservation Orders. Within Project 09 of the proposed housing development is a site which once contained temporary Roman Camps which were believed to have been in use when the Antonine Wall, to the north, was being constructed. This area has been excavated, surveyed and catalogued in 1975, prior to the site becoming designated as having potential for new residential development.

1.3 Both of the sites slope from the south to the north and in general afford excellent views over the Kelvin Valley. The sites will therefore offer development potential for a prestigious housing development to complement the built form of the existing village.

1.4 The Project areas are accessed by a new road, constructed by Cumbernauld Development Corporation, for the specific purpose of allowing any new development in the Dullatur area to be implemented.

1.5 The site is zoned as having potential for new housing in the Cumbernauld Local Plan (Adopted 1993).

2.0 Background

2.1 In 1985 the Secretary of State agreed that Cumbernauld New Town could be extended to include, amongst other areas, Dullatur. The purpose of the extension was to allow the release of land for housing purposes in order to meet the target population for Cumbernauld.

2.2 Prior to approving the New Town boundary extension, Cumbernauld Development Corporation submitted a 6(1) document to the Secretary of State for his approval which identifies the areas known as Project 09 and 10 as suitable for new build residential purposes. The Secretary of State recognised that the character of the existing village of Dullatur was unique in terms of its built environment and rural setting. Thus, on allowing the release of land for residential purposes certain stringent conditions were imposed with regard to density criteria, sensitive landscape treatment, boundary requirements and consultation with the local community on development issues.

2.3 In/
2.3 In order to meet the requirements in the Secretary of State’s 6(1) approval, North Lanarkshire Council Department of Planning and Development prepared a development brief which was issued when the areas were marketed. This brief stated the basic development strategy which should be complied with when a potential developer was submitting their financial offer for the sites. The strategy reflected the criteria laid out in the Secretary of State’s 6(1) approval.

2.4 The submission from Taywood was deemed in general to meet the requirement laid out in the Brief.

3. Consultations

3.1 Due to the sensitive nature of the site a wide and varied range of bodies were consulted during the processing of the application. The replies received from the consultees have indicated that there are no objections to the proposed development. However the West of Scotland Archaeology Service have indicated that the location of the Roman Camps would require a further full excavation of the site to uncover any archaeological remains. In April 1994, however, the Development Corporation was advised by the Regions Archaeology Service and the Hunterian Museum, the latter having previously excavated the site on behalf of the S.D.D., that no further excavation works were required. In view of the above I do not consider it appropriate to pursue a further full investigation. I have, nevertheless, recommended that a condition be imposed requiring the developer to allow these works to be observed by an archaeologist. This will ensure that any remaining items of interest can be identified, recorded and preserved.

3.2 The Transportation Manager has also raised concerns over the use of hammerheads at the end of two cul-de-sacs. However, because of the relatively steep slopes which prevail on the sites it has been established that the use of roundels would be prohibitive and adversely affect the layout and design of the houses. In view of the above I consider it appropriate, at this stage, to proceed with the current layout.

4. Objections

4.1 Three individual letters of objection, and 50 pro forma letters of objection, from the residents of the village, with a covering letter from the Community Council, have been received. Their concerns regarding the development can be summarised thus:-

a) The sale of Project 09 contravenes the “local structure plan” which stated that Project 09 was not to be sold to a builder but was for individual plot development of low density housing in keeping with the character of the area.

b) Screening was to be implemented along the south side of the lane.

c) Similar screening should be implemented along the eastern boundary of Project 10.

d) The number of houses in total is out of proportion to the existing community and the lack of additional amenities will be detrimental to the village.

e) There will be a detrimental effect on the natural environment, particularly extra sound and traffic in a quiet neighbourhood.

f) The access road adjacent to the tennis clubhouse is unsuitable as it would cause congestion at Victoria Road/The Glen. The developer should be required to provide a new access road which would pass to the south of the Golf Clubhouse.

g) The/
g) The temporary access for construction traffic at the north eastern edge of Project 10 is unacceptable. Construction traffic would then transverse Prospect Road which is unable to cope with heavy plant, causing nuisance both from noise and fumes, to local residents. This aspect of the application is also contrary to the 1991 Development Proposals which indicated that the existing road network would not be used either to develop new sites or as a permanent access.

h) The rate of development should be phased to implement a gradual release of housing over a 5-10 year period.

i) The tree shelterbelt and footpaths therein should be protected and/or enhanced.

j) The identity of the Victorian Conservation Village will be lost.

4.2 In order to comply with the Secretary of States edict that the existing village should be kept informed of development proposals a meeting, arranged by Dullatur Community Council, was attended by two members of staff from the Northern Division of the Planning and Development Department. This meeting was attended by approximately 40 - 50 residents and the locally elected member for Dullatur. Amongst other concerns, the basis of the written objections, which were previously submitted to my Department, were raised at this meeting.

4.3 With regard to the objections submitted to my Department I would bring to the attention of the Committee the following:

a) The letters of objection would appear to be referring to the "Village Strategy" document which was prepared by the Development Corporation. This did not form part of either the submission to the Secretary of State or feature in his approval of these sites for housing. The decision to zone these sites for housing did, however, require that they should be developed at a very low density (9 houses per hectare). This criteria has been met. Furthermore, the applicant proposes to use six different housetypes, with a number of these incorporating individual design features. This will ensure that no two housetypes are exactly identical.

b) The brief supplied to the developer required that careful consideration be given to all landscape elements, both hard and soft, of the new development. Emphasis was placed upon the existing character of the village and its immediate environment. The proposed layout will not use the Lane in any capacity for vehicular or pedestrian access. I have also requested full details be supplied for approval of both fencing and landscaping which will allow the integration of this site into the Lane.

c) See paragraph 3.4(b) above.

d) The number of housing units, as previously mentioned, has been stipulated by the Secretary of State in his original 6(1) approval. In view of the relative increase in size of the village I have recommended that a condition be imposed requiring the provision of a play area, as part of the development. The Committee may also wish to note that Cumbernauld Development Corporation helped provide, in exchange for an area of land required to implement the road proposals, a new build tennis clubhouse for the village. This facility, whilst in the private ownership of Dullatur Tennis Club and administered through Dullatur Community Council, does provide a recreational facility/village meeting room for the settlement as a whole.

e) The/
e) The implementation of the housing development will cause an increase in site traffic and noise during the construction period. However this disturbance will cease once construction of the housing development is fully implemented. It should also be noted that the site will be constructed on the edge of the village and will be accessed from the road network at the golf clubhouse, thus largely by passing the existing settlement itself.

f) The existing road network which will be used to access Project 09 and 10 was constructed by Cumbernauld Development Corporation for the purpose of implementing housing development proposals in the Dullatur area. The road is constructed to a 6m wide carriageway and 2m footpath standard, which according to the Transportation Section of my Department, is more than adequate to accommodate the development proposals, both during the construction period and for the amount of housing units proposed on the site. The traffic management proposals already on site which include speed inhibitor ramps, warning/give way signs etc. will also ensure that any congestion experienced at Victoria Road/The Glen would be properly and safely controlled and therefore kept to a minimum. I therefore feel that the suggested access along a new road to the south of the golf clubhouse would be unnecessary.

g) This aspect of the development proposals has now been deleted by Taywood from their proposed scheme.

h) The developers have confirmed that the proposed scheme will take approximately 5 years from implementation to works on site finishing. This reflects the nature of the low density development being proposed.

i) See 3.4(b).

j) As previously mentioned great care has been exercised in all aspects of the development proposals. New internal road layouts, landscape setting, housing density criteria, elevation treatments and landscape aftercare have all been addressed in the processing of this application. It is recognised that the scale and materials of the original Victorian dwellings will never be replicated with modern building standards and elevation materials. However I do not consider that the character of the village will be adversely affected by the proposed development, as the housetypes are of a quality and scale appropriate to this location.

4.4 Councillor G. Murray, in his letter, has also requested that the Community Council representatives and himself be heard by the Committee before the decision on this application is made.

5.0 Planning Assessment and Conclusion

5.1 The proposed development will provide a range of “executive” detached housing within an attractively landscaped site. The proposed road layout and the number of dwellings intended will complement the character of the area and complies entirely with the criteria laid out by the Secretary of State. The external finishing materials which have been indicated to my Department will also reflect the high quality status of this development.

5.2 Consideration was given to the requirements laid out in the development brief to ensure the requirements of the Secretary of State were complied with. The submission which is being presented to Committee for approval meets the requirements of the brief. I would therefore deem that the proposal from Taywood for the residential development of Projects 09 and 10 is acceptable and would recommend that planning permission be granted subject to conditions.