

Application No: C/03/01087/FUL

Date Registered: 18th July 2003

Applicant: Wam Developments Ltd
C/O Agent

Agent Architectural Design Solutions
50 Hillcrest Terr
Westend
Carnwath
ML11 8RY

Development: Erection of 50 Dwellinghouses

Location: Land North & North West Of 403-429 Greengairs Road
Greengairs Airdrie Lanarkshire

Ward: 45: New Monklands West Councillor Sophia Coyle

Grid Reference: 278860 670840

File Reference: C/PL/GWG900/DB/LR

Site History: Planning Application C/99/00995/OUT for Erection of Residential Development (In Outline) was withdrawn on 3rd July 2000

Development Plan: The site is covered by residential policies contained in the Monklands District Local Plan 1991.

Contrary to Development Plan: No

Consultations:

S.E.P.A.(West)	(Comments)
Scottish Water	(Objection)
British Gas Transco	(No Objection)
Scottish Power	(Objection)
The Coal Authority	(Comments)
British Telecom	(Comments)
Greengairs Community Council	(Comments)
NLC Community Services	(Comments)
West of Scotland Archaeology Service	(No Objection)
NLC Education	(No Objection)
Scottish Natural Heritage	(Comments)

Representations: 14 Representation Letters

Newspaper Advertisement: Not Required

Comments:

This application by WAM developments Ltd is for 10 detached three bedroom houses and 40 detached four bedroom houses on land to the north and north west of 403-429 Greengairs Road, Greengairs. The application site comprises two unused fields accessed via Palacerigg Road. The applicant proposes to improve this road to provide access to the site which is zoned HG3 New Private Sector Housing Development in the Monklands District Local Plan 1991.



Planning Application No C/03/01087/FUL
 Erection of 50 Dwellinghouses

Land North & South of 403-429 Greengairs Road Greengairs
 * Representations
 Representation From Councillor Coyle
 Site Area 2.7HA

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Following neighbour notification 14 letters were received details of which are set out in the attached report. Normal consultation procedure raised an objection from SEPA and Scottish Water in respect to sewerage infrastructure this has now been satisfactorily addressed. Scottish Power has indicated that they have high voltage cable within the vicinity of the site and wish to object until this has been addressed. The Coal Authority has indicated that there are 2 mine entries and 2 adits within the site and appropriate technical advice should be sought. The Transportation Section has no objections subject to conditions and the satisfactory conclusion of a Stopping Up Order for the diversion of Palacerigg Road. The West of Scotland Archaeology Service, BT and NLC Education has no objection to the proposal. All other consultees have no objection subject to conditions.

The site layout has been assessed and generally complies with the Council's amenity standards. Although there are no play facilities within the site boundaries, the applicant has agreed, as an alternative measure, to provide a financial sum at a rate of £500 per house towards the provision of play facilities within Greengairs

In conclusion, taking into account the Development Plan and all other material considerations, including the objections received, it is considered that planning permission should be granted subject to conditions and a section 75 Agreement covering off site play provision.

Recommendation: Grant Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted starts, full details of all external materials to be used in construction, including walls, roofs, windows, doors, gutters and downpipes, shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To enable the Planning Authority to consider these aspects.

3. That before the development hereby permitted starts, full details of the design and location of all fences and walls to be erected on the site shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To enable the Planning Authority to consider these aspects.

4. That, notwithstanding the provisions of the Building Standards (Scotland) Regulations 1990, and before the development starts a certificate from a recognised firm of chartered engineers, duly signed by a Chartered Engineer or Chartered Geologist of Adviser Status (ICE, SISG 1993) shall be submitted to the Planning Authority confirming the mineral stability of the site. This certificate shall be based on a professionally supervised and regulated rotary drilling programme.

Reason: To ensure the mineral stability of the proposed housing site in the interests of prospective residents (Note: A copy of the required Certificate is available from the Divisional Office).

5. That before development hereby permitted starts, a report describing the soil and ground conditions prevailing over the application site (including details of the nature, concentration and

distribution of any contaminants), shall be submitted to the Planning Authority and the works required in order to remove or render harmless these contaminants, having regard to the proposed use of the site, shall be agreed in writing with the Planning Authority, and development shall not be commenced until these works have been completed.

Reason: To ensure that any ground contamination is adequately tested and treated in the interest of public safety.

6. That before the development hereby permitted starts, a scheme of landscaping, including boundary treatment, shall be submitted to, and approved in writing 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 location, 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
 - (d) details of the phasing of these works.

Reason: To enable the Planning Authority to consider these aspects.

7. That within one year of the completion of the 30th house hereby permitted, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition 6 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 the development, shall be replaced within the following year with others of a similar size and species.

Reason: To ensure the implementation of the landscaping scheme in the interest of visual amenity and biodiversity.

8. That before the development hereby permitted starts, a management and maintenance scheme shall be submitted to, and approved in writing by the Planning Authority and it shall include proposals for the continuing care, maintenance and protection of:-
- (a) all footpaths shown on the approved plans;
 - (b) all proposed parking areas shown on the approved plans;
 - (c) the proposed external street lighting;
 - (d) the proposed grassed, planted and landscaped areas as agreed under the terms of condition 6 above; and
 - (e) the proposed fences to be erected along the boundaries agreed under the terms of condition 3 above.

Reason: To enable the Planning Authority to consider these aspects.

9. That before completion of the landscaping scheme approved under the terms of condition 6 above, the management and maintenance scheme approved under the terms of condition 8 shall be in operation.

Reason: To ensure that the footpaths, parking areas, street lighting, landscaping and fences are maintained to a satisfactory level in the interest of traffic safety and visual amenity.

10. That before the development hereby permitted starts, tree protection measures in accordance

with British Standard BS 5837 shall be erected along the drip line of the trees, as shown on the approved plans, and shall not be removed without the approval in writing of the Planning Authority.

Reason: To ensure the protection of the trees within the application site in the interest of amenity and biodiversity.

11. That no dwellinghouse shall be occupied until the access roads and footways leading thereto from the existing public road have been constructed to base course.

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

12. That before the last of the dwellinghouses hereby permitted is occupied, all roads and footways shall be completed to final wearing course.

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

13. That a visibility splay measured from the road channel of the realigned section of Palacerigg Road onto the B803 Greengairs Road to be 9.0m x 120m shall be provided on both sides of the vehicular access and before the development hereby permitted is occupied, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: To ensure the provision of satisfactory sightlines in the interest of traffic safety.

14. That a visibility splay measured from the road channel of the proposed access onto Palacerigg Road should be 9m x 90m to the left and 9m x 70m to the right of the vehicular access and before the development hereby permitted is occupied, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: To ensure the provision of satisfactory sightlines in the interest of traffic safety.

15. That visibility splays measured from the road channels at the internal junctions to be 4.5m x 35m. shall be provided on both sides of the vehicular access and before the development hereby permitted is completed or occupied, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: To ensure the provision of satisfactory sightlines in the interest of traffic safety.

16. That before the development starts, full details of the location and design of the surface water drainage scheme to be installed within the application site shall be submitted to, and for the approval of the Planning Authority, and for the avoidance of doubt the scheme shall comply with the principles of Sustainable Urban Drainage Systems (SUDS).

Reason: To safeguard the amenity of the area and to ensure that the proposed drainage

system complies with the guidance on SUDS.

17. Notwithstanding the details submitted under the terms of condition no.6 above a shelterbelt or extended hedgerow 2.5m wide consisting of mixed age native species characteristic of the area shall be planted around the site.

Reason: To reduce the visual impact of the development on the surrounding area in the interest of amenity.

18. That prior to the start of the development hereby permitted the road improvements to Palacerigg Road and all statutory requirements relating to the stopping up of the section of road outlined on GREEN on the approved plans shall be completed to the satisfaction of the Planning Authority.

Reason: To ensure that the development proceeds following the stopping up of part of Palacerigg Road in accordance with Section 208 of the Town and Country Planning (Scotland) Act 1997.

If granted, the planning permission will not be issued until an Agreement under Section 75 of the Town & Country Planning (Scotland) Act 1997 has been concluded with the applicant in respect to a financial sum, at a rate of £500 per house, for the provision of play facilities within Greengairs.

Background Papers:

Application form and plans received 18th July 2003, 22 October 2003, 19 November, 2003

Memo from Transportation Section received 19th August 2003, 10th November 2003

Memo from Protective Services Section received 25th July 2003

Letter from S.E.P.A.(West) received 29th August 2003, 4th November 2003, and 19 November, 2003

Letter from Scottish Water received 27th August 2003, 13th September 2003, 31st October 2003 and

Letter from British Gas Transco received 29th July 2003

Letter from Scottish Power received 30th July 2003

Letter from The Coal Authority received 29th July 2003

Letter from British Telecom received 7th August 2003

Memo from NLC Community Services received 21st August 2003, 5th November 2003

Letter from West of Scotland Archaeology Service received 28th July 2003 and 15th September 2003

Letter from NLC Education received 2nd September 2003

Letter from Scottish Natural Heritage received 11th September 2003

Letter from Greengairs Community Council received 7th August 2003

Letter from Councillor Sophia Coyle received 20th August 2003

Letter from Mr & Mrs W. Crawford, 405 Greengairs Road, Greengairs, ML6 7TE received 29th July 2003.

Letter from James Marshall, 411 Greengairs Road, Greengairs, ML6 7TE received 31st July 2003.

Letter from Elizabeth Nolan, 425 Greengairs Road, Greengairs, received 4th August 2003.

Letter from Mrs E Marshall, 411 Greengairs Road, Greengairs, received 4th August 2003.

Letter from Les Jenkins, 423 Greengairs Road, Greengairs, ML6 7TE received 4th August 2003.

Letter from Rosaleen & Samuel Tait, 403 Greengairs Road, Greengairs, ML6 7TE received 4th August 2003.

Letter from Mrs Black, 417 Greengairs Road, Greengairs, received 4th August 2003.

Letter from Thomas & Helen Laird, 429 Greengairs Road, Greengairs, ML6 7TE received 4th August 2003.

Letter from James Marshall, 411 Greengairs Road, Greengairs, ML6 7TE received 7th August 2003.

Letter from Mrs McAllister, 415 Greengairs Road, Greengairs, received 7th August 2003.

Letter from Mr & Mrs D Weir, 399 Greengairs Road, Greengairs, ML6 7TE received 12th August 2003.

Letter from Adam & Sonja Thomson, 421 Greengairs Road, Greengairs, ML6 7TE received 13th August 2003.

Letter from Owner/Occupier, 397 Greengairs Road, Greengairs, ML6 7TE received 19th August 2003.

Any person wishing to inspect these documents should contact David Baxter at 01236 812372.

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REPORT

1. Description of Site and Proposal

- 1.1 This application is for 10 detached three bedroom houses and 40 detached four bedroom houses on land to the north and north west of 403-429 Greengairs Road, Greengairs. The site consists of two fields of semi-improved grassland, that has not been grazed for several years, that slopes down to a disused railway on the northern boundary of the site.
- 1.2 The applicant proposes to provide access to the site from an improved junction at Palacerigg Road and Greengairs Road. As a result of this road realignment several of the existing beech trees and a length of hawthorn hedge will require to be removed. It is therefore proposed to replant a hawthorn hedge adjacent to these roads outwith the sight lines at the existing junction and the site entrance.
- 1.3 As there is a well-equipped play area near to the application site, off Rankin Crescent, the applicant has requested that the company make a contribution to additional play facilities within the village. This will enable the land that was previously set aside for such facilities within the site to provide a pond or wetland/temporary wetland features in line with sustainable urban drainage principles and in the interest of biodiversity.
- 1.4 The applicant has also indicated willingness to make use of a gas supply to the development should a connection be made available to the village and this is the subject of ongoing investigation.

2. Development Plan

- 2.1 The site is covered by policy HG3 New Private Sector Housing Development in the Monklands District Local Plan 1991.

3. Consultations and Representations

- 3.1 The West of Scotland Archaeology Service, BT and NLC Education has no objection.
- 3.2 Scottish Power has indicated that they have high voltage cable within the vicinity of the site and wish to object until this has been addressed. The applicant has been advised that any works to divert or protect existing cables would be at the developer's expense.
- 3.3 The Coal Authority has indicated that there are 2 mine entries and 2 adits within the site and appropriate technical advice should be sought. There would be a requirement for an engineer's certificate to confirm the suitability of the land for building prior to site start should it be given planning consent.
- 3.4 The Department's Pollution Control Section has indicated that a full site investigation is required in terms of potential contamination. This could be carried out under condition should consent be given.
- 3.5 Scottish Water initially objected to the proposal based on cost of providing sewerage disposal. This was removed following further investigation and the requirement to develop the site in line with the principles set out for Sustainable Urban Drainage.

- 3.6 SEPA also initially objected until it was demonstrated that appropriate measures could be implemented in respect to sewerage disposal. A condition in respect to Sustainable Urban Drainage was also requested.
- 3.7 The Transportation Section has no objections subject to conditions related to access, parking and manoeuvring areas. Part of Palacerigg Road that provides the access to the site requires to be realigned and part of the existing road formally Stopped Up. This would be the subject of a further report should consent be given.
- 3.8 NLC Community Services requested a tree survey be carried out and expressed concern at loss of beech trees along the side of Palacerigg Road. The developer has since supplied details of the number of trees to be removed and is proposing additional tree and hedgerow planting be implemented along the revised line of Palacerigg Road and within the site. Further details are required under proposed conditions.
- 3.9 The Play Services Manager identified the normal requirement for play equipment within a development of this size. There is well-equipped play area to the west of Rankin Crescent that can be easily accessed from the application site. The developer has proposed providing a financial contribution to local play facilities elsewhere in the village to enable the area initially set aside for play facilities to accommodate sustainable urban drainage features. These areas can then be used to provide landscaped areas potentially with wetland/temporary wetland features as suggested by the Conservation and Greening Section of NLC Community Services.
- 3.10 SNH has indicated no objection to the proposal subject to conditions related to additional planting and ensuring that no protected species are affected by the development.
- 3.11 Greengairs Community Council has requested that the developer consider installing gas into the proposed development as a gain for the remainder of village.
- 3.12 Following neighbour notification 14 letters were received that made reference to:
- a) the village has suffered enough devastation and this area needs to be protected;
 - b) the development will result in increased strain on services and traffic problems particularly at junction with Greengairs Road;
 - c) the new housing will result in loss of view;
 - d) the development will affect foxes, badgers and birds;
 - e) the proposal will remove trees;
 - f) the new residents will impact on school provision;
 - g) there is a lack of traffic calming in village that results in speeding;
 - h) the development will affect privacy in rear garden;
 - i) the development will result in increased noise from vehicles; and
 - j) there is concern over sewerage capacity.
- 3.14 The Local Member Sophia Coyle has requested a site visit and hearing to allow local residents to present their objections.

4. Planning Assessment and Conclusions

- 4.1 The application site has been identified for housing in the Monklands District Local Plan 1991. The principle of development at this location has therefore been established for some time. When considering the proposal it is necessary to ensure that the development does not conflict with the design guidance set out in the local plan or that there are material considerations that could justify setting aside the local plan policy.
- 4.2 The development is in accordance with the design guidance set out in the local plan. The proposal does not however provide the play provision normally associated with such a

development although as mentioned above there is a nearby facility and the applicant has agreed to contribute £500 per house towards other play facilities within the village.

- 4.3 The material considerations raised in the letters of objection can be summarised in the following way impact on:
- a) infrastructure;
 - b) traffic safety;
 - c) environment; and
 - d) existing residential amenity.
- 4.4 I will now address each of these in turn. Firstly, following lengthy discussion with Scottish Water and SEPA it has been demonstrated that there is a route by which sewerage disposal from the site can be achieved. Subject to appropriate treatment and storage of surface water runoff in line with sustainable urban drainage principles, the subject of a proposed condition, and the diversion of electrical cables to the satisfaction of Scottish Power I consider that the site can be adequately served by current infrastructure and school provision.
- 4.5 Secondly, the Transportation Section has indicated that they have no objection to the proposal subject to the improvement of the current junction at Palacerigg Road and Greengairs Road and the provision of access roads, parking and manoeuvring areas in line with the current Roads Guidelines. It is therefore considered that the proposed development should not significantly affect traffic safety. It could be argued that the improvement of the junction at Palacerigg Road and Greengairs Road will be a benefit.
- 4.6 The site has been surveyed for protected species and none are present. SNH and NLC Community Services have no objection subject to conditions. With the introduction of the wetland/temporary wetland features and the replacement of/additional hedgerow planting included in the proposal I consider that subject to the proposed conditions the biodiversity of the site will be maintained and the impact on the environment can be minimised.
- 4.7 Finally, The development will result in some disturbance during the construction period and reduce the current views enjoyed by residents towards the Carrick Hills. The proposed layout however is in accordance with the design standards in respect of space between buildings. It also makes use of the sloping aspect of the site to reduce the impact on adjoining residential properties. I do not therefore consider that the development will significantly impact on residential amenity.
- 4.8 In conclusion, taking into account the Development Plan and all other material considerations, including the objections received, it is considered that planning permission should be granted subject to conditions and a section 75 Agreement covering off site play provision.