

Application No: C/03/01781/FUL

Date Registered: 7th June 2004

Applicant: **John Grant**
Low Meadowhead Cottage
Meadowhead Road
Plains
Airdrie

Agent James Baird Associates
153 Union Street
Larkhall
ML9 1EB

Development: **Erection of 22 Dwellinghouses (including erection of ancillary triple garage/store/office) (Phase 2 and 3)**

Location: **Land Adjacent To Low Meadowhead Cottage Meadowhead Road Plains Airdrie Lanarkshire ML6 7JF**

Ward: 46: Plains And Caldercruix Councillor Thomas Morgan

Grid Reference: 278787 667040

File Reference: C/PL/PLM360/CM/EL

Site History: C/99/00741/REM Erection of 50 Houses (Phase 1) and Renewal of Outline for Residential Development (Phase 2 and 3) Granted 17 November 1999.
96099 Erection of Residential Development (in outline) Granted May 1996

Development Plan: Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by policy HG3 (New Private Sector Housing Development).

Contrary to Development Plan: No

Consultations:

NLC Community Services	(no objection)
NLC Education	(no objection)
S.E.P.A. (West)	(no response)
Scottish Water	(objection)
British Gas Transco	(no objection)
Scottish Power	(no objection)

Representations: 4 Letters of Representation

Newspaper Advertisement: Not Required



Planning Application No C/03/01781/FUL
Erection of 22 Dwellinghouses

Land Adjacent to Low Meadowhead Cottage,
Meadowhead Road, Plains, Airdrie

* Representations
Site Area 1.39 HA

Produced by
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Recommendation:

Grant Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within 5 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 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.

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

3. That before any of the dwellinghouses hereby permitted are occupied, the relevant fence, or wall, as approved under the terms of condition 2 above, shall be erected.

Reason: To safeguard the residential amenity of the area.

4. 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.

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

5. That no trees within the application site shall be lopped, topped or felled and no shrubs or hedges, shall be removed from the application site, without the approval in writing of the Planning Authority.

Reason: To protect the amenity of the surrounding area

6. That before the development hereby permitted starts, full details of robust tree and hedgerow protection measures in accordance with British Standard BS 5837 shall be submitted to and approved in writing by the Planning Authority. These shall be erected along the drip line of the trees/hedgerow located to the east of the site, as shown green on the approved plans, and shall not be removed without the approval in writing of the Planning Authority.

Reason: To protect the amenity of the surrounding area

7. That the use of the garage on Plot 22 hereby approved shall be restricted to the occupiers of the dwellinghouse on that Plot and shall not be used as a general office within which non-resident staff are employed. All storage use within the garage shall be for the domestic needs of the associated dwellinghouse.

Reason: To limit the commercial use of the building in the interests of the residential amenity of adjacent residents.

8. That the two dormer extensions on the southern elevation of the garage on Plot 22 hereby approved shall be permanently fitted with opaque glazing.

Reason: To limit the degree of overlooking from this building in the interests of the residential amenity of adjacent residents.

9. That a visibility splay of 4.5 metres by 90 metres, measured from the road channel, shall be provided on both sides of the vehicular access to the Phase 2 area (plots 8 to 21 inclusive) and before the development hereby permitted is brought into use, 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: In the interests of traffic and pedestrian safety.

10. That no dwellinghouse hereby permitted shall be occupied until the road and footpath adjacent to it have been constructed to basecourse standard and the road and footpath shall be maintained thereafter to the satisfaction of the Planning Authority during the construction phase.

Reason: To ensure continuity in the development of the Estate.

11. That before the last of the dwellinghouses hereby permitted at plots 8 to 21 inclusive is occupied, all roads and footways shall be completed to final wearing course.

Reason: To ensure continuity in the development of the Estate.

12. That before any of the dwellinghouses hereby permitted are occupied 2 car parking spaces shall be provided within the curtilage of the plot and outwith the public road or footway, and thereafter be maintained as parking spaces.

Reason: To ensure the provision of adequate parking facilities within each house plot.

13. That before any of the dwellinghouses hereby permitted are occupied, dropped kerb vehicular accesses shall be provided, in accordance with the specifications of the Roads Authority and as described in the Roads Guidelines published by the said Roads Authority.

Reason: In the interests of traffic and pedestrian safety.

14. That the first 2 metres of each driveway shall be paved over its entire width

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

15. That prior to the works commencing on site, the applicant must confirm in writing to the Planning Authority that the foul drainage can be connected to the public sewer in accordance with the requirements of Scottish Water. The surface water must be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland published by CIRIA in March 2000.

Reason: To prevent groundwater or surface water contamination in the interests of environmental and amenity protection.

16. That the SUDS compliant surface water drainage scheme approved in terms of condition 15. above shall be implemented contemporaneously with the development in so far as is reasonably practical. Following the construction of the SUDS, a certificate signed by a suitably qualified Civil Engineer shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant CIRIA Manual and the approved plans.

Reason: To safeguard adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future residents.

17. That before the 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 enable the Planning Authority to consider these aspects.

18. That following the completion of all or any of the works required under the terms of condition no. 17 above, a certificate from a suitably qualified person or body shall be submitted to the Planning Authority confirming that all necessary works have been carried out in full and to a satisfactory standard.

Reason: To ensure the compliance with condition no. 5 in the interests of health and safety.

19. 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, particularly the mature trees shaded green on the approved plans.
 - (d) details of the maintenance of these works.

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

20. That within one year of the occupation of the fourth last dwellinghouse 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 19 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: In the interests of residential amenity

21. That within one year of the occupation of the fourth last dwellinghouse within the development hereby permitted, the management and maintenance scheme approved under the terms of condition 19 shall be in operation.

Reason: In the interests of amenity

22. That before the dwellinghouse at plot 22 is occupied, the access lane, hatched red on the approved plans shall be surfaced in an impervious material and provided with a dropped kerb and drainage facility to the satisfaction of the Planning Authority.

Reason: In the interests of traffic safety and to prevent deleterious material being carried onto the carriageway.

23. That before any of the dwellinghouses hereby permitted are occupied, dropped kerb vehicular accesses shall be constructed at each respective plot in accordance with the specifications of the Roads Authority and as described in the Roads Guidelines published by the said Roads Authority.

Reason: In the interests of traffic safety

24. That no works shall commence on the phase 3 area until all road improvements works on Meadowhead Road have been fully completed to the satisfaction of the Planning Authority.

Reason: In the interests of traffic safety

25. That notwithstanding the terms of condition 4 above, all of the dwellings and garages shall be roofed with dark grey coloured roof tiles.

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

Note to Committee:

If granted, the permission will not be issued until an agreement under Section 69 of the Town and Country Planning (Scotland) Act 1997 has been concluded between the applicant and the Council in respect of providing a commuted sum for the provision of upgrading play provision in Plains village.

Background Papers:

Application form and amended plans received 22 December 2006

Memo from NLC Education received 18th June 2004

Memo from Transportation Section received 6th August 2004

Memo from Protective Services Section received 25th June 2004

Memo from NLC Community Services received 7th April 2004

Memo from NLC Education received 23rd June 2004

Letter from Scottish Water received 2nd July 2004

Letter from British Gas Transco received 21st June 2004

Letter from Scottish Power received 21st June 2004

Letter from Nicola Griffin, 6 Ballochnie View, Plains, Airdrie received 6th January 2004.

Letter from Mr & Mrs Donnelly, 'Gable End', Meadowhead Road, Plains, Airdrie, ML6 7JF received 18th June 2004.

Letter from Mr and Mrs Frame 107 Kintyre Crescent, Plains, Airdrie received 6th October 2006

Letter from Mr and Mrs Frame 107 Kintyre Crescent Plains, Airdrie received 17th October 2006

Any person wishing to inspect these documents should contact Colin Marshall at 01236 812376.

Date: 4 January 2007

APPLICATION NO. C/03/01781/REM

REPORT

1. Description of Site and Proposal

- 1.1 Planning permission is being sought for the erection of a total of 22 dwellinghouses at phases 2 and 3 of a housing development site located off Meadowhead Road, Plains. The site is situated on the western edge of Plains village and the remaining undeveloped area extends to some 1.39 hectares.
- 1.2 The application site comprises 2 clearly defined areas of open and vacant land lying between Meadowhead Road and the existing residential areas off Ballochnie Drive and Archaig Avenue. The site is dissected by a group of existing houses located off Ballochnie View. The phase 2 development area is to the north of phase 3 and would accommodate 15 dwellinghouses. The phase 3 area would accommodate 7 dwellinghouses.
- 1.3 The proposed layout comprises a mix of single, 1½ and two storey detached dwellinghouses that would include 3 bedroomed bungalows and 4 bedroomed villas. Two of the villas at plots 13 and 22 would extend to some 2½ storeys in height. A new access road, designed to adoptable standards would be constructed off Meadowhead Road at the phase 2 development area. The proposed cul-de-sac would provide access to 14 houses. The dwellinghouse at plot 22 would be accessed from a private access lane. To the rear of this plot a triple domestic garage/store and office would be constructed. The 7 houses at phase 3 would take individual access from Meadowhead Road with two houses sharing a private driveway at plots 4 and 5. All of these plots would accommodate a vehicle turning area to enable vehicles to enter and leave the respective plots in a forward gear. All of the proposed houses would have double-pitched roofs and finished in render to external walls.
- 1.4 The developer has agreed to enter into a Section 69 Agreement with the Council to enable a commuted sum to the Council's Community Services Department instead of providing a play area within the site.
- 1.5 This application was previously continued by Committee for a site visit and hearing and at that time the recommendation from the department was to refuse permission for the phase 3 area as the layout was substandard in terms of established design guidance and had attracted objections from adjacent neighbours. While some aspects of the phase 2 area were also of concern these were dealt with by restrictive conditions. Amended plans showing a 7th variation to the layout and house types, were received on 22nd December 2006. Neighbours adjacent to the site were re-notified of the alterations.

2. Development Plan

- 2.1 Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by policy HG3 (New Private Sector Housing Development). There are no strategic planning issues.

3. Consultations and Representations

- 3.1 There were no objections from most of the external consultees, however, Scottish Water advised they would object unless the developer met the costs of providing an appropriate drainage scheme including a SUDS scheme. The developer has since reached an agreement with Scottish Water to provide a suitable scheme. The Transportation Section had no objection to the phase 2 development area subject to conditions however recommended the phase 3

development be refused planning permission on road safety grounds. NLC Community Services had no objections subject to a commuted sum of £500 per dwellinghouse (total of £11,000) be provided by the developer instead of a dedicated play area at the site. The Education Department had no objection.

3.2 There were four letters of representation and the material objections can be fairly summarised as follows.

- That the erection of two storey dwellinghouse types on this site would be detrimental to privacy as they would overlook existing bungalows
- The erection of two storey house at plot 7 would affect the outlook from an existing bungalow
- The proposed two storey houses are inappropriate as other houses in the area are single storey and as a result this will lead to overshadowing of adjacent properties.
- The proposed workshop/office block at plot 22 is inappropriate in a residential area as this would be detrimental to amenity of the existing residents.
- Any roof tiles used on the development should be black coloured to be in keeping with the surrounding area.
- The access to plot 22 should be resurfaced with tarmac to reduce noise from the current gravel surface.
- The site boundaries shown on the layout plan are not accurate and the proposed layout would not fit the actual boundaries.

At the time of writing this report none of these objections have been withdrawn following the notification to objectors of the revisions.

4. Planning Assessment and Conclusions

- 4.1 The proposals require to be assessed under the terms of the development plan and any other material considerations. There are no strategic planning issues.
- 4.2 In principle, the proposal accords with the terms of the development plan as the site is zoned as a private housing development site and outline planning permission has previously been granted.
- 4.3 The proposed layout, scale and design of houses are generally considered to be acceptable following receipt of the amended plans. The revised proposals take into account earlier concerns over the size and positioning of some of the houses particularly in the Phase 3 area.
- 4.4 The proposals do not include the provision of a children's play area. However in mitigation the developer has agreed to provide a commuted sum to the Council to allow them to upgrade existing play facilities in Plains village. The Council would be able to secure the commuted sum via a Section 69 Agreement.
- 4.5 There was no significant objection from external consultees and the developer has been in negotiation with Scottish Water over an appropriate drainage scheme for the development. The Transportation Section had no objections subject to conditions. The NLC Community Services had no objections subject to the receipt of satisfactory landscape plans.
- 4.6 Turning to the terms of objection noted above, the following comments can be made.
- The provision of the two storey housing elements on the site would not create any significant privacy problems as they are set within reasonably large garden areas. Whilst the proposed two storey house at plot 11 would sit at a higher level than the existing house

located to the south, it would be positioned approximately 30 metres from the objector's property and this is considered an acceptable distance.

- The current outlook from the objector's property would change, as the entire phase 3 area is located immediately to the south of the objector's property. An individual's right to outlook cannot generally be protected unless there is a significant loss of amenity. In this instance, the proposed 1½ storey house at plot 7 would not cause significant overshadowing or overlooking issues having been positioned to the south east of the plot.
- Whilst most of the houses situated within the immediate locus are single storey, two storey houses are predominant in the adjacent housing area.
- The proposals include provision of a triple garage and ancillary office accommodation to the rear of plot 22. The garage would be restricted to the residents of the adjoining house by condition on any planning permission and the office accommodation within its roof space is acceptable subject to the upper dormer windows being fitted with opaque glass.
- It is agreed that the use of a dark tile would be an appropriate roof finish and this could be a condition of any planning permission granted.
- As the access to plot 22 falls within land owned by the developer it would be appropriate that this access be resurfaced and this would be required under the terms of any planning permission granted.
- The developer has revised the alignment of this particular boundary to accord with the site ownership.

Generally, the terms of objections raised cannot be sustained in this instance and any outstanding issues can be covered by appropriate conditions should planning permission be granted. The transportation issues with the Phase 3

- 4.7 Taking into account, all of the above matters, the proposals are considered to be acceptable. The proposal accords with the terms of the development plan, the layout and design are considered satisfactory and there are no significant objections from external consultees. The terms of objection could not be sustained in this instance. The developer has agreed to resolve outstanding matters regarding the provision of play facilities via a Section 69 Agreement. The acceptability of the phase 3 proposals in terms of the transportation issues will be dependent on off site road works to be carried out by the developer. This could be dealt with by means of a suspensive condition on any permission granted. Accordingly it is recommended that planning permission be granted subject to conditions and the completion of a Section 69 Agreement to ensure an appropriate commuted sum is provided for alternative play facilities.
- 4.8 It should be noted that a previous request has been made by Mr and Mrs Frame, **that the Committee carry out a site visit and hearing** prior to determining this planning application. This request was not withdrawn following receipt of the revised plans.