

Application No: **C/06/01594/FUL**

Date Registered: 21st September 2006

Applicant: **Murlin Residential
Unit 12 Larkhall Industrial Estate
Larkhall
ML9 2PA**

Agent: Caldwell Lindsay Associates
Unit 8 Block 2 Larkhall Industrial Estate
Larkhall
ML9 2PA

Development: **Erection of Flatted Development Comprising of 12 Flats**

Location: **Home Farm
Station Road
Caldercruix
North Lanarkshire
ML6 7QN**

Ward: 46 Plains And Caldercruix Councillor Thomas Morgan

Grid Reference: 281671 667929

File Reference: C/PL/CC5676/IJ/LR

Site History: 90/640 Erection of Plotted Residential Development (in outline)
Granted 1990
05/00373/FUL Partial Non Compliance with Condition (2) in Respect
of Commencement of Phase 5 of Planning Application 90/640
Granted June 2005
05/01580/REM Erection of 17 Dwellinghouses (Phase 5) Granted
November 2005
06/00682/AMD Erection of 14 Semi-Detached Dwellinghouses and
16 Flatted Dwellings Withdrawn May 2006
06/00940/AMD Erection of Twenty semi-Detached Dwellinghouses
Granted September 2006

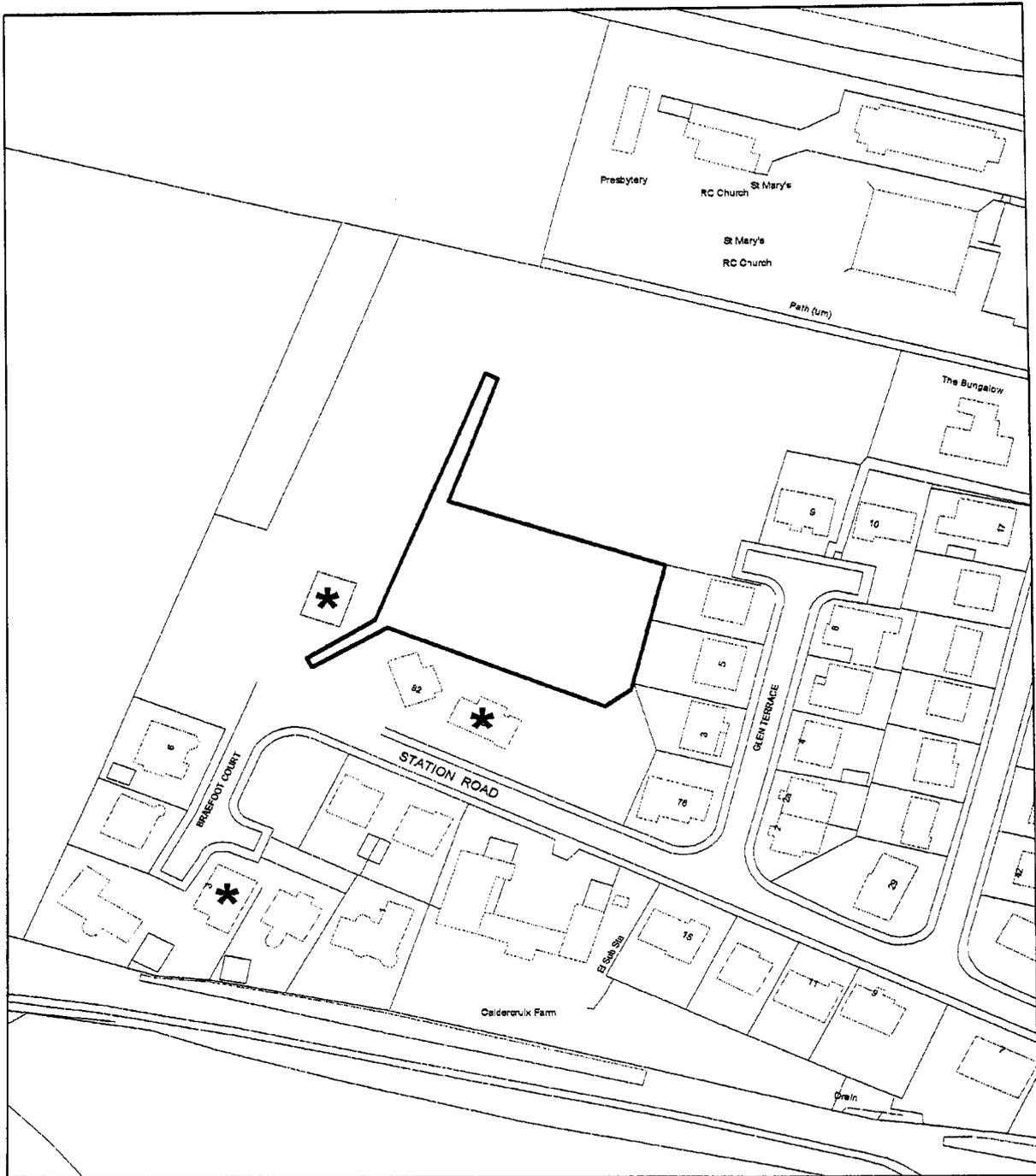
Development Plan: The site is covered by policy HG3/25: Private Sector Housing in the
Monklands District Local Plan 1991. Policy HG9 (Housing Policy for
Existing Residential Areas) also applies.

Contrary to Development Plan: Not contrary to site zoning.

Consultations: Scottish Environment Protection Agency (Objection)
British Gas (No objection)
Scottish Power (No objection)

Representations: 10 letters of representation.

Newspaper Advertisement: Not Required



Planning Application No. C/06/01594/FUL
 Erection of Flatted Development Comprising of 15 Flats

Home Farm, Station Road, Caldercruix, Airdrie

***** Representations
 Representations Received from Councillor Thomas Morgan and
 Residents Group Against Home Farm Development
 Site Area 0.22HA

Produced by
 North Lanarkshire Council
 Planning and Environment Department
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 North Lanarkshire Council 11/0023198 2/04



Recommendation: Refuse for the Following Reasons:-

1. That, having regard to the provisions of approved Design Guidance on "New Housing Areas" this development would result in the loss of all public open space serving the surrounding residential properties. As such the proposal is considered to be contrary to the terms of Local Plan Policy HG9 (Housing Policy for Existing Residential Areas) in that the development would adversely affect the amenity of surrounding housing and contrary to the Council's Policy on Open Space provision.
2. There is no additional capacity in the sewage treatment Works into which the site would drain and this may cause an adverse impact on the receiving watercourses.

Background Papers:

Application form and plans received 20th September 2006

Letter from Scottish Environment Protection Agency received 30th November 2006

Letter from British Gas received 23rd October 2006

Letter from Scottish Power received 9th October 2006

Letter from Cllr Morgan received 12th October 2006

Memo from Transportation received 13th November 2006

Memo from Pollution Control Section received 12th December 2006

Memo from Community Services Section received 27th October 2006

Letter from Residents Group Against Home Farm Development, C/o J Woods, 'Wildwood', 8 Glen Terrace, Caldercruix received 18th September 2006.

Letter from A Nicol, Nicol Speirs Properties Ltd, 18 Laverock Road, Stirling Road Industrial Estate, Airdrie, ML6 7UD received 18th September 2006.

Letter from Residents Group Against Home Farm Development, C/o J Woods, 'Wildwood', 8 Glen Terrace, Caldercruix received 6th October 2006.

Letter from Councillor Thomas Morgan, PO Box 14, Civic Centre, Motherwell, ML1 1TW received 9th October 2006.

Letter from C Davies, 7 Braefoot Court, Caldercruix, Airdrie, ML6 7QU received 9th October 2006.

Letter from Councillor Thomas Morgan, Vice-Convener, Education Committee, Ward 46, PO Box 14, Civic Centre, Motherwell, ML1 1TW, received 12th October 2006.

Letter from G Scott, 80 Station Road, Caldercruix, Airdrie, ML6 7QN received 13th October 2006.

Letter from M Hefernan, Glenala, Carroll Crescent, Richmond Grove, Carfin, Motherwell, ML1 5AT received 27th October 2006.

Letter from J Woods, Residents Group Against Home Farm Development, 'Wildwood', 8 Glen Terrace, Caldercruix, ML6 7PY received 8th January 2007.

Letter from B Fleming & I J Elder, 23 Station Road, Caldercruix received 22nd January 2007

Monklands District Local Plan 1991, including Finalised First Alterations A, B & C September 1996

Any person wishing to inspect these documents should contact Mr Ian Johnston at 01236 812382.

Date: 23 January 2007

APPLICATION NO. C/06/01594/FUL

REPORT

1. Description of Site and Proposal

- 1.1 The application site is located off Station Road, Caldercruix, measures 0.22 hectares approximately, is predominantly rectangular in shape and slopes slightly downwards in a north south direction. The site was previously grassed and contained a number of large mature trees which were removed recently. The site forms part of a larger residential development site (Holm Farm) which is in its final phased stage of construction and the application site itself was set aside under previous related planning permissions for open space amenity purposes associated with the surrounding residential development.
- 1.2 The current submission seeks to develop the application site to accommodate 12 flatted units within an elongated 2 storey building positioned in a north south direction and accessed from station road to the north of the site. A courtyard parking area will front the new build and internally each unit will accommodate 2 bedrooms, living room, kitchen and bathroom. Externally the new build will be finished in render with facing brick base course and concrete roof tiles.

2. Development Plan

- 2.1 The site is covered by policy HG3/25:New Private Sector Housing in the Monklands District Local Plan 1991 and HG9 (Housing Policy for Existing Residential Areas) also applies. The proposal raises no strategic issues.

3. Consultations and Representations

- 3.1 Neither Scottish Gas nor Scottish Power offered any objection to this proposal. SEPA object to the proposal on the grounds that the development site is located within the Caldercruix public sewer catchment where there is limited capacity and the introduction of additional residential units may increase the pollutant loading discharges to the receiving watercourse.
- 3.2 NLC Transportation Section offered no objection to the proposal and NLC Pollution Control Section recommended a site investigation survey and a noise assessment survey as part of any planning permission. NLC Community Services recommended against this proposal on the grounds that the site was specifically identified to accommodate play space as part of the larger surrounding development and the non provision of that amenity would be detrimental to the overall development.
- 3.3 Following the initial standard neighbour notification procedures 6 letters of objection were received from the general public. 2 of those letters, representing "Residents Group against Home Farm Development" were accompanied by petitions each representing 54 individual signatures. The main points of objection were as follows:
 - a. The neighbour notification procedures initially carried out pre-dated the submission of the planning application and not all residents have been notified as required.
 - b. At previous meetings with officials and the local member assurances were given that no flats would be built on this site and that no access to the site would be taken from Glen Terrace.
 - c. The proposed flats are not in keeping with the rest of the surrounding development in terms of design and appearance.
 - d. The site was intended to be developed as gardens or a play area.
 - e. The introduction of a 3 storey development would overshadow the surrounding bungalows and would create a privacy issue.
 - f. The level of required car parking would introduce serious noise pollution.
 - g. The development would reduce the house values of the surrounding properties.

- h. The outlook currently allowed to existing properties would be lost as a result of this development.
- i. The resultant increase in traffic would lead to increased flow of traffic raising safety issues for local children and there appears to be a shortfall in parking spaces to serve the development.

Following the submission of amended proposals, reducing the height of the building to 2 storey and reducing the number of units from 15 to 12 the objectors were re-notified and 2 further letters of objection were received, one containing a petition with 54 signatures. Additional points of objection raised are as follows:

- j. It is disputed that the introduction of a play area, as initially proposed for the site would prove a magnet for undesirable youths and be detrimental to the surrounding residents
- k. The repositioning of the building will still overshadow surrounding properties and reduce light into the garden of those adjacent properties.
- l. Title plans for adjacent properties includes the site as a landscaped communal area and this is less likely to attract undesirables than a play area as claimed by the applicants.
- m. There is long standing problems of flooding within the area and the situation would become worse by additional housing which may cause more flooding to the properties to the south of the site.

- 3.4 The local member has also registered his objection to this proposal on the grounds that the flats are not in keeping with the surrounding development.

4. Planning Assessment and Conclusions

- 4.1 This application requires to be considered against both the terms of the development plan and any other material considerations.
- 4.2 In terms of the adopted Monklands District Local Plan 1991 the application site, together with the surrounding lands around Holm Farm, are located within an area specifically designated for Private Housing purposes under policy HG3/25. Taken that those surrounding lands have been developed in a phased manner for residential purposes as a result of previous planning permissions then the proposal under consideration is seen as acceptable solely in policy terms.
- 4.3 Notwithstanding the above however it should firstly be noted that the application site forms part of a larger development site around Holm Farm that was granted outline planning permission (ref:90640) in 1990 for the "erection of 67 individual house plots and internal road layout". As part of that approval the current application site was specifically identified for retention as an amenity open space area to serve the overall development. The subsequent detailed planning applications for individual plot development have been built broadly in accordance with the outline permission i.e. in a sequence of 5 phases around the approved road layout while excluding the open space area from development.
- 4.4 The approved design Guidance on "Developer's Guide to Open Space" specifies that Medium Scale Developments (30 – 99 dwellings) should incorporate a total minimum play space of 1,500 square metres with at least 500 square metres of equipped play space. The Community Services Department (Play Services Section) reinforces that for a development consisting 65 dwellings then 1,500 sq. metres of total play space should be provided with a minimum of 650 sq. metres of equipped play space. However, 500 sq. metres of play space, as proposed under planning application P90640, would be considered acceptable taken the specific constraints of that site.
- 4.5 While the developer has intimated that he may be willing to make a financial contribution to the Council in lieu of the non provision of any play area provision within the site this option is not

considered acceptable as there are no areas within the general vicinity that could be utilised or upgraded to accommodate alternative play facilities to serve the surrounding community.

4.6 Having regard to the points of objection raised my comments are as follows:

- a. It was accepted by the applicant that the formal neighbour notification procedures were carried out shortly in advance of the submission of the planning application but I am satisfied that all relevant parties have been properly notified of both the initial planning application and the subsequent amendment. Taken the number of representations received in respect of this matter then the rights of those individuals have not been undermined in this instance.
- b. The Council is required to give full and proper consideration to each and every planning application submission and while a previous submission, which proposed 3 storey flatted development on this site was withdrawn following significant local representation, any determination of a proposal can only be given following full assessment of all material matters. It should be noted that the current submission seeks to access the site from Station Road and not Glen Terrace.
- c. While the outline planning permission initially sought to develop the overall site as individual plots, this principle has been deviated from following a recent planning permission to allow an element of two storey semi-detached units (phase 5 – C/06/00940/AMD). The acceptability of 2 storey housing is well established within the overall site and therefore while the design of the proposed 2 storey flats differ significantly from the surrounding established properties I do not feel that, solely in design terms, the proposal is unacceptable at this specific location.
- d. It is accepted that the site was specifically set aside for open space amenity purposes in the outline permission and the utilisation of the site for that purposes accords with the provisions of the Design Guidance on Open Space Provision within residential developments. It is noted that a number of representations highlight that individual missives specify that the site was to be retained as open space/communal land presumably to reflect the planning permission requirements.
- e. The positioning of the proposed 2 storey building within the site, as amended, should negate any concerns of overshadowing or privacy taken the acceptable distances away from adjacent properties.
- f. The Transportation Section is satisfied with the proposed level of parking associated with this development and this additional level of parking will not in itself create any significant increase in noise level/pollution around the site.
- g. Market values of residential properties is not a material planning consideration.
- h. It is inevitable that development will have an impact on existing outlook from adjacent properties although this is only relevant in planning perms when privacy, overshadowing issues are raised.
- i. Refer to f. above including that the roads around the site are designed to required standards including public footpaths etc. to serve the general public.
- j. Any proposed play area would serve the surrounding community and would be overlooked by those residents to maximise security and deter misuse. The issue of undesirables should best be controlled by the local police.
- k. Refer to e. above
- l. There is no evidence to substantiate any claim that the setting out of the site as a landscaped communal area would be less likely to attract undesirables than a play area.
- m. There has been no recent issue raised within this area of flooding and taken that the current ground levels within the site will be retained, irrespective of development use, then it is unlikely that flooding would occur.

4.7 It should be noted that SEPA have registered an objection to this application on the grounds that the development site is located within the Caldercruix public sewer catchment where there is limited capacity and the introduction of additional residential units may increase the pollutant loading discharges to the receiving watercourse. Taken that any improvements to the public

sewerage system will not be implemented within the near future then SEPA have taken the view that it would be inappropriate to issue any planning consent for this site as it could not be seen as effective.

- 4.8 Having regard to the foregoing, the proposal is considered unacceptable as the development of the site would result in the absence of any open space facilities to serve the adjoining residential development, contrary to the Council's design guidance on open space and detrimental to the amenity of the surrounding residents. It is therefore recommend that planning permission be refused for the stated reasons.
- 4.9 **The applicant has requested that a site visit and hearing take place prior to the determination of this application.**