

Application No:

19/00510/FUL

Proposed Development:

86 Detached, Semi-Detached and Terraced Dwellinghouses and Associated Infrastructure

Site Address:Site at Cleland Hospital
Bellside Road
Cleland
ML1 5NR

Date Registered:

26th April 2019

Applicant:Persimmon Homes Ltd.
Broxden House
Broxden Business Park
Lamberkine Drive
Perth
PH1 1RA**Agent:**

N/A

Application Level:

Major Application

Contrary to Development Plan:

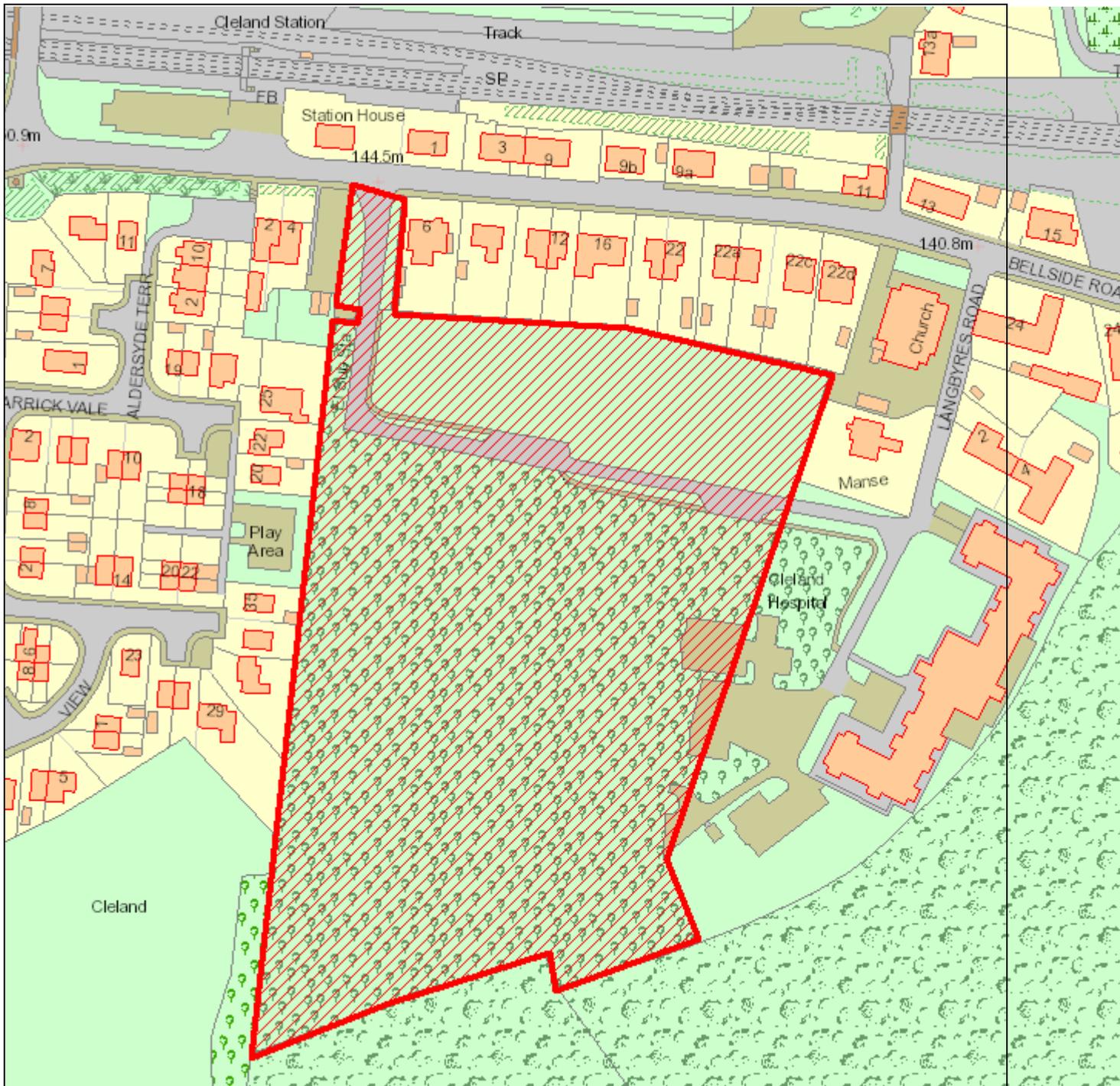
Yes

Ward:20 Murdostoun
Robert McKendrick, Cameron McManus,
Louise Roarty, Nicky Shevlin,**Representations:**

12 representations received

Recommendation:**Minded to Grant subject to conditions and the conclusion of a Section 75 Obligation (or other appropriate mechanism) securing Education contributions.****Reasoned Justification:**

The proposed residential development on this site is considered an acceptable departure from the Community Facilities policy of the North Lanarkshire Local Plan as the site is no longer required for such use. The site is therefore brownfield land within a predominantly residential urban area. The proposed development can be accommodated without detriment to the surrounding area and will contribute towards the supply of new housing in the Southern housing sub-market area.



Reproduced by permission of the Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023396.

Planning Application: 19/00510/FUL
Name of applicant: Persimmon Homes Ltd.
Site Address: Site At Cleland Hospital
Bellside Road
Bellside, Cleland
Motherwell
ML1 5NR
Development: 86 Detached, Semi-Detached and Terraced Dwellinghouses and Associated Infrastructure



Proposed Conditions:-

1. That the development hereby permitted shall be carried out strictly in accordance with the approved details submitted as part of the application and no change to those details shall be made without prior written approval of the Planning Authority. For the avoidance of doubt drawings approved include:

LP-001 (location plan)
CMNL-DL-001 revision I (site layout)
NS_V6-TF-0613t(15)504 (Portree house type)
NS_V6-TF-0931d(15)504 (Kearn house type)
NS_V6-TF-0957d(15)501 (Elgin house type)
NS_V6-TF-1217d(15)504 (Balerno house type)
V6-TF-0886t(15)504 (Newmore house type)
V6-TF-0990d(15)501 (Brodict house type)
V6-TF-0799t(15)502 (Dunblane house type)
V6-TF-1022d(15)501 (Bothwell house type)
V6-TF-1033d(15)504 (Leith house type)
V6-TF-1233d(15)504 (Thurso house type)
STD-SGDH(7x3)-501 (single garage)
FT-F18 (fence details)

Reason: To clarify the drawings on which this approval of permission is founded.

2. That none of the trees shown as being retained in the Alan Motion Tree Consulting Ltd. "Tree Survey and Arboricultural Constraints" report dated 13 August 2019 shall be lopped, topped, felled, or otherwise affected, (apart from in the manner set out in that report) without the prior approval in writing of the Planning Authority. 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 to protect the trees and roots from damage during construction works, as shown on the approved plans. Such protection measures shall not be removed until construction activities with potential to impact upon the trees have been completed.

Reason: To ensure the retention of and avoid damage to existing mature trees which contribute to the character and amenity of the site.

3. That BEFORE the development hereby permitted is commenced, a scheme of landscaping for all landscaped areas and all boundary treatments 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 additional tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted.
 - (c) A timetable for the completion of these works contemporaneously with the development.

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

4. That unless otherwise agreed in writing by the Planning Authority, before the development hereby permitted is brought into use, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition 3 above, shall be completed; and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased within two years of completion of the development, shall be replaced within the following year with others of a similar size and species.

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

5. That prior to the occupation of the first dwellinghouse on the site, details of the exact siting, boundary treatment, surfacing and play equipment of the 500sq/m equipped children's play denoted on the approved site layout plan shall be submitted to and approved in writing by the Planning Authority. Such play area shall thereafter be provided as approved prior to the occupation of the last dwellinghouse on the site.

Reason: In order to ensure the provision of appropriate children's play facilities.

6. That prior to the occupation of the first dwellinghouse on the site, 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) the proposed grassed, planted and landscaped areas;
 - (b) any communal fences and walls;
 - (c) the play area(s); and
 - (d) the SUDS pond and related infrastructure

Such management and maintenance scheme shall thereafter be brought into operation prior to the occupation of any dwellinghouse on the site (or by such other time as may be approved in writing by the Planning Authority).

Reason: To ensure the maintenance of the landscaping scheme in the interest of amenity.

7. That BEFORE development commences a scheme of biodiversity enhancements shall be submitted to and approved in writing by the Planning Authority. Such scheme shall include (unless otherwise approved):
- (a) native species planting at boundaries (e.g. hawthorn, hazel, holly, dog rose, willow and/or elder);
 - (b) inclusion of bird and/or bat boxes and/or swift bricks at suitable locations within the development; and
 - (c) use of nectar-rich native plants and food plant for caterpillars in the landscaping.
- Such scheme of biodiversity enhancements shall thereafter be implemented as approved.

Reason: To provide biodiversity enhancements to offset the loss of mature trees as a result of the development.

8. That BEFORE any works of any description start on the application site, unless otherwise agreed in writing with the Planning Authority, a detailed remediation strategy setting out the remediation and mitigation measures required to address the contamination/gassing issues identified in the Geotechnical Report shall be submitted to and approved in writing by of the said Authority. Such remediation measures shall (unless otherwise agreed) include capping layer, barrier pipes and vapour membranes in foundations sufficient to mitigate against risks from hydrocarbons present in the soil.

Reason: To ensure the implementation of appropriate mitigation measures to address ground contamination issues, in the interests of the amenity and wellbeing of future residents.

9. That the remediation works approved in relation to Condition 8 above shall be carried out in accordance with an implementation timetable. This timetable shall be agreed in writing with the Planning Authority before any works start on site. No individual dwelling shall be occupied until a certificate (signed by a chartered Environmental Engineer) has been submitted to the Planning Authority confirming that any applicable remediation works have been carried out in accordance with the agreed Remediation Strategy.

Reason: To ensure the implementation of appropriate mitigation measures to address ground contamination issues, in the interests of the amenity and wellbeing of future residents.

10. That BEFORE development commences a detailed coal mining legacy risk remediation scheme shall be submitted to and approved in writing by the Planning Authority. Thereafter the approved remediation scheme shall be implemented as approved, and no dwelling shall be occupied until a verification report confirming implementation of the work on the applicable section of the site has also been submitted to and approved in writing by the Planning Authority.

Reason: To ensure that legacy risks from historic coal mining are adequately addressed, in the interests of public safety.

11. That the SUDS compliant surface water drainage scheme shall be fully implemented contemporaneously with the development unless otherwise agreed in writing by the Planning Authority. Within three months of the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer experienced in drainage works) 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 adjacent to and within the development site.

12. That driveways and unadopted parking courts shall be surfaced in permeable paving materials, details of which shall first be approved in writing by the Planning Authority.

Reason: In the interests of amenity and design by ensuring that external materials are appropriate for the site.

13. Unless otherwise approved in writing by the Planning Authority, no dwelling hereby permitted shall be occupied until such time as a detailed scheme of traffic calming to be installed on Bellside Road has been submitted to and approved in writing by the Planning Authority, and such approved traffic calming measures have been installed to the standards specified in the Council's Roads Development Guidelines.

Reason: To ensure the timely provision of appropriate traffic calming measures in the vicinity of the new junction in the interests of road safety.

14. That before the development hereby permitted starts, full details of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by the Planning Authority and the development shall be completed in accordance with the approved details.

Reason: In the interests of amenity and design by ensuring that external materials are appropriate for the site.

15. Where 12 months or more has elapsed between the timing of the habitat and protected species surveys hereby approved, and development commencing, further updated survey(s) shall be undertaken on the site to determine the presence of any statutorily protected species, the said survey(s) shall thereafter be submitted to and approved in writing by the Planning Authority before any development commences on the site. As a result of the studies, should any mitigation measures be required for any protected species, this shall be implemented in accordance with the species protection plan agreed in writing with the Planning Authority in consultation with Scottish Natural Heritage before works commence on the site.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Regulations 1994 (as amended); the Wildlife and Countryside Act (1981) as amended; the Protection of Badgers Act 1992 (as amended); and the Nature Conservation (Scotland) Act 2004. (Note: The applicant is also advised of the requirement to obtain a bat license from Scottish Natural Heritage).

16. Notwithstanding the terms of condition 15 above, before the development hereby permitted starts, pre-start surveys shall be undertaken to determine the presence of any statutorily protected species. Should species be identified, any mitigation measures for their protection or relocation shall be submitted to, and approved in writing by the Planning Authority and thereafter implemented in accordance with a timetable agreed in writing with the Planning Authority in consultation with Scottish Natural Heritage before works commence on the site.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Regulations 1994 (as amended); the Wildlife and Countryside Act (1981) as amended; the Protection of Badgers Act 1992 (as amended); and the Nature Conservation (Scotland) Act 2004.

Background Papers:

Consultation Responses:

The Coal Authority, received 31st July 2019
NLC Education, received 19th June 2019
NLC Greenspace, received 29th May 2019
NLC Landscape, received 23rd August 2019
NLC Play Services, received 13th May 2019
NLC Protective Services (including Pollution Control), received 14th May 2019
NLC Traffic & Transportation, received 28th October 2019
Scottish Environment Protection Agency, received 28th May 2019
Scottish Natural Heritage, received 9th September 2019
Scottish Water, received 9th May 2019

Contact Information:

Any person wishing to inspect these documents should contact Mr Keith Bathgate at 01236 632500

Report Date:

31st October 2019

APPLICATION NO. 19/00510/FUL

REPORT

1. Site Description

- 1.1 The application site comprises the majority of the grounds of the old Cleland Hospital, and consists of grassland interspersed with mature trees which were originally part of the landscaping of the former hospital. Aside from a set of stone gate pillars near the entrance and a tree-lined driveway leading across the site to the present hospital, all of the old hospital buildings and most of the associated roadways have been removed and grassed over, leaving the site with an open, parkland character. The present Cleland Hospital borders the site to the east and a small part of its car park is also within the application site. The site extends to 2.93 hectares and is generally level, with a very gradual slope down toward the south. Access to the site is by way of a private driveway leading south from Bellside Road (B7029) near Cleland railway station, but the majority of the site is located behind existing houses and is not visible from the street.
- 1.2 The site is bordered by the back gardens of houses on Bellside Road to the north, and by gardens on Carrick Vale and Auchinlea Drive to the west. These gardens are bounded by an assortment of fences and walls, and there are mature trees on the site along both of these boundaries, with the trees along the western boundary forming a more or less continuous row. The new Cleland Hospital to the east is a predominantly single storey building used for the long-term care of elderly patients. The hospital car park is adjacent to the application site, the boundary with which is currently unmarked, and some reconfiguration of the car park would be necessary as a result of the development (but not part of this application). To the south, a cluster of trees and scrub separate the site from a disused railway line with rough grazing land beyond. There is an electrical substation surrounded by palisade fencing situated near the north-western corner of the site.

2. Proposed Development

- 2.1 Full planning permission is sought for a development of 86 houses, comprising a mixture of 2, 3 and 4-bedroom detached, semi-detached and terraced houses. Most of the houses would be two storey, but fifteen of the terraced units would be 2½ storeys with rooflights in the attic space and (on six units only) front dormers. Six of the detached houses would have detached single garages. Agreement of the precise finishing materials would be subject to a condition, but it is envisaged that the houses would be finished in a mixture of red or yellow facing brick and white or magnolia render, with dark grey concrete rooftiles. The new houses would be private sector homes for sale.
- 2.2 The layout of the development has been the subject of extensive discussions and amendments during the course of the application, primarily with the aim of retaining more of the significant trees on the site. A high proportion of the existing trees around the perimeter of the site would be retained, although there would be some thinning out of the trees on the western boundary to create gaps for light, and the large area of (mainly scrubby) trees at the southern end of site would be removed, partially in order to excavate the SUDS pond. Within the site it is proposed to retain a group of three large and prominent trees near the north-west corner of the site, within an area which would serve as a landscape feature at the site entrance and would contain an equipped play area. It is also proposed to retain most of the north side of the existing avenue of trees which flanks the east-west access into the hospital. The south side of the avenue and various individual trees on the site would be removed to facilitate the development, although there would be some new street trees and ornamental planting throughout the site.
- 2.3 The existing private access onto Bellside Road would be upgraded to an adoptable standard, with associated alterations to the junction and the provision of traffic calming measures on Bellside Road. The existing stone gate pillars on this access would be dismantled and repositioned accordingly. Within the site there would be a new loop road serving the new houses and also providing continued access through the site to Cleland Hospital, where the new loop road would connect with a stub of the existing hospital driveway at the north-east corner of the site. Most of the new houses would have private driveways, but there would also be two shared parking courts and two short shared driveways within the development. There would also be four areas of road/parking which would be laid out as shared surface zones, these being positioned at junctions and corners within the site. Parking for the new houses would be provided at the rate of 3 allocated spaces per house (except for the ten 2-bedroom mid-terraces which would have 2 allocated spaces each), plus 25 unallocated visitor parking spaces.

3. Applicant's Supporting Information

3.1 The applicant has provided supporting information, summarised as follows:

- Pre-Application Consultation Report;
- Design and Access Statement;
- Tree Survey;
- Bat Survey;
- Extended Phase 1 Habitat Survey;
- Geotechnical Report;
- Borehole Investigations Report;
- Street Engineering Review;
- Acoustic Consultant's Statement

3.2 Whilst not part of this application, the owner of the site (NHS Lanarkshire) provided a Transport Statement for an 80 house development at the time of pre-application discussions in 2016.

4. Site History

4.1 The original Cleland Hospital buildings were demolished around 10 years ago. There is no subsequent planning history.

5. Development Plan

5.1 The proposal is for development of a strategic scale as defined by Clydeplan Schedule 14, and it therefore requires to be assessed against Clydeplan Diagram 10. As the proposal does not conflict with the relevant policies on housing land supply and affordable housing it would be consistent with the Strategic Development Plan.

5.2 The North Lanarkshire Local Plan 2012 designates the whole of the original Cleland Hospital Site as a Community Facility, where Policy HCF1 B1 applies. This policy indicates that the Council will maintain community wellbeing by protecting designated community facilities.

5.3 Policies DSP1 to DSP4 apply to all applications for planning permission. Policy DSP1 requires that potential additions of more than 10 units to the planned housing land supply require to be justified in terms of supply and demand, while Policy DSP2 sets out locational assessment criteria for such sites. Policy DSP3 requires that the impact of development on community facilities and infrastructure be appropriate, with developer contributions towards any necessary improvements where applicable. Policy DSP4 specifies that development will only be permitted where high standards of site planning and sustainable design are achieved.

6. Consultations

6.1 North Lanarkshire Council Traffic and Transportation notes that the development is likely to generate less traffic than the former hospital use, and has no objection to the proposal subject to the provision of suitable junction radii, visibility splays and traffic calming measures on Bellside Road. The proposed traffic calming arrangements appear to be acceptable in principle but will require to be subject to public consultation under Roads legislation. A wholly segregated access into the remaining hospital would be preferable, but it is recognised that this is not possible. Some concerns are raised in relation to details of the internal road layout and parking, and these are discussed below.

6.2 North Lanarkshire Council Education Service notes that the site lies within the catchment areas of Cleland and St Mary's Primary Schools for primary education, and of Coltness and Taylor High Schools for secondary education. There are currently capacity issues within both the primary and secondary sectors in this catchment, but the Service already has plans to manage secondary capacity issues which should provide sufficient capacity to accommodate the development. However, in order to address primary school capacity shortfalls a developer contribution of £1182.43 per unit is requested.

6.3 North Lanarkshire Council Protective Services has no objection to the proposal subject to final agreement of the site investigation and contaminated land remediation strategy, and to limiting hours of work during the construction period.

- 6.4 North Lanarkshire Council Play Services recommend a play area of at least 500sq/m, the siting, boundary treatment and equipment for which should be agreed with Play Services prior to the proposal being implemented.
- 6.5 North Lanarkshire Council Greenspace Service has no objection to the proposal but notes that the site is currently well used as an informal recreation space. They recommend conditions in relation to protection of nesting birds and protected species, and the inclusion of biodiversity enhancements in the landscaped areas.
- 6.6 North Lanarkshire Council Landscape Services note that the proposed removal of 17 of the 30 lime trees forming the avenue leading to the hospital is disappointing as this is a major landscape feature of the site. They recommend that the number of house plots should be reduced so as to allow retention of the whole avenue.
- 6.7 The Coal Authority has no objection to the proposal subject to a condition relating to remediation of coal mining legacy risks.
- 6.8 SEPA have no objection to the proposal subject to foul drainage being connected to the public sewerage system and surface water disposal being by way of Sustainable Urban Drainage Systems (SUDS).
- 6.9 Scottish Natural Heritage advises that a bat license will be necessary for the removal of the trees used as bat roosts. They comment that a Bat Low Impact license is likely to be appropriate for these works,
- 6.10 Scottish Water has no objection to the proposal, and has advised that there is currently sufficient capacity in local water supplies and waste water infrastructure to accommodate the development.

7. Representations

7.1 The application was subject to the statutory neighbour notification and publicity in the local newspaper. It was subsequently subject to re-notification and re-publicity following the receipt of amended plans. Representations have been received from Cleland Community Council and eleven individuals/households, including one representation which is stated to be on behalf of three households. Ten of these representations (including that from the community council) object to the proposed development, while the other two do not object to the principle of residential development but raise concern about the detail of the proposal. Some of the objectors have submitted multiple letters of representation.

7.2 The following is a summary of the comments and objections:

(a) Policy Issues

- Contrary to Clydeplan and proposed LDP as the site is not listed as a current or proposed housing site and there is no current shortfall in housing land supply;
- Contrary to North Lanarkshire Local Plan policies DSP2 and DSP4 on location and quality of development;
- Affordable and social housing is needed within the village;

(b) Open Space / Natural Heritage Issues

- Site is used as open space by local people, which would be lost with no alternative space available locally;
- Loss of mature trees and grassland/wild plants;
- Loss of wildlife habitat (deer, birds, rabbits, bats, foxes, etc.);
- Adverse impact on nearby Site of Importance for Nature Conservation (SINC);

(c) Road Safety / Traffic Impacts

- Additional traffic would have adverse impact on road safety on Bellside Road, which is relatively narrow and is already busy and dangerous due to HGVs, speeding and on-street parking;
- Junction onto Bellside Road cannot be upgraded to a safe standard as applicant does not have control over hedgerows etc. within the required visibility splays;
- Bellside Road unsuitable for proposed traffic calming because it is already too narrow for existing traffic, and traffic calming would cause delays to emergency vehicles;
- Potential loss of on-street residential parking as a result of traffic calming. Some houses on Bellside Road do not have driveways, and there are already parking pressures in the street

- due to overspill from the railway station (including use of the hospital access road);
- Traffic using the junction would make access/egress to nearby driveways dangerous;

(d) Local Amenity Issues

- Noise and air pollution from additional traffic;
- Loss of privacy in back gardens due to loss of trees and overlooking by the new houses;
- Overshadowing/loss of light to gardens in Bellside Road, especially in relation to proposed townhouses;
- Proposed buildings are too high as former hospital buildings were single storey only (note: the hospital was in fact a mix of one and two storey buildings);
- Noise from new homes/gardens will reduce amenity of existing gardens, which currently back onto a quiet site;
- Rear access paths behind existing gardens may attract antisocial behaviour;
- Car parking hard against the boundaries of existing gardens (note: this comment related to the superseded layout, and parking against boundaries is no longer proposed)
- Superseded layout with gables facing Bellside Road was preferable as that would have caused less overlooking;
- Superseded layout preferable as it retained more trees adjacent to 31 Auchinlea Drive;
- Displacement of vermin into neighbouring houses;
- Impact on house values and loss of views are of major concern to residents and ought to be material planning considerations

(e) Infrastructure and Community Facilities

- Lack of capacity in local schools;
- Lack of local amenities in Cleland (e.g. shops, entertainment);
- Lack of capacity in local sewerage network;
- Proposal may exacerbate previous localised flooding from a field drain behind Bellside Road;
- Previous issues of subsidence at former hospital

(f) Construction Issues

- Noise, dust and air pollution during construction, in particular at weekends/unsocial hours;
- Impact of construction noise on neighbouring shift workers' sleep;
- Road safety impacts of construction traffic, including additional HGVs and mud on road;
- Construction worker parking may obstruct driveways and make it difficult for residents to park on Bellside Road.

7.3 Prior to submitting the application the applicant undertook statutory pre-application consultation (PAC) with the local community, and a PAC Report has been provided summarising the responses received. Whilst around 30 people attended the applicant's public exhibition few made comments at that stage, and the only person who provided feedback supported the development of housing provided that roads and education impacts were addressed.

7.4 In their representation, Cleland Community Council have requested that a planning hearing take place as part of the consideration of this application. As the application is subject to more than six objections and is recommended for approval, it meets the criteria in the Council's hearings protocol.

8. Planning Assessment

8.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. The main issues to consider in the assessment of the application are the compatibility of the proposal with current and emerging development plan policy, the impact of development upon the amenity of surrounding houses, the suitability of the proposed design and layout including its impact on existing trees, and the impacts on road safety and local infrastructure.

Development Plan Policies

8.2 Whilst the proposal is of a strategic scale, it is not of strategic importance and does not conflict with any Clydeplan objectives, and it can therefore be assessed in terms of relevant North Lanarkshire Local Plan (NLLP) policies. The site is part of a former hospital which the NLLP designates for community uses under policy HCF 1 B1. Within such areas the Council will maintain community wellbeing of by protecting community facilities so allocated. In this case the allocation reflects the former use of the site, and as the land is surplus to NHS requirements the original rationale for the community use designation no longer applies. Therefore, whilst the redevelopment of the site for residential purposes is contrary to policy HCF1 B1 it is considered that the site is no longer needed

for community uses and that it forms a brownfield windfall site within the urban area which is in principle appropriate for housing. Furthermore, whilst housing is contrary to the land use allocation in the adopted plan, it would be consistent with the land use policy contained in the emerging local development (see paragraph 8.7).

- 8.3 Since the former hospital buildings were demolished the land has assumed an attractive parkland appearance, and it is understood that some informal use of the site is made of the site by local residents as an area of amenity open space. However, the land has never been designated as a public park, and its designation as a community use under HCF 1 B1 was never intended for this purpose. Whilst the loss of an attractive open space which is valued by some members of the local community is always regrettable, it is not considered reasonable to prevent redevelopment in these circumstances.
- 8.4 The NLLP also requires all proposed developments to be assessed against policies DSP 1 to DSP 4). The proposal is consistent with policies DSP 1 (Amount of Development) and DSP 2 (Location of Development) because although the site is not currently allocated for housing in the development plan and does not form part of the Council's housing land supply, it is nevertheless a brownfield site within the urban area and it would use the existing infrastructure/services at the location.
- 8.5 In terms of Policy DSP 3 (Impact of Development), there is a shortfall in capacity at local schools and in order to address this a developer contribution of £1182.46 per dwelling is recommended. Technical consultations re discussed below, but there is sufficient capacity in local water and sewerage networks and the impact on local roads is considered acceptable. There is a lack of capacity in local schools, but this can be addressed by a developer contribution. Accordingly, the proposal is consistent with policy DSP 3.
- 8.6 DSP 4 (Quality of Development) requires that all applications should have a high standard of site planning and design. Assessment criteria for DSP 4 include respecting the existing character and features of the site, safeguarding existing features of natural or historic interest, achieving a high quality of development, and making adequate provision for open space and green networks. The design issues are discussed below, and it is considered that the proposed design is appropriate and that the application is consistent with policy DSP 4.

Emerging Development Plan

- 8.7 The North Lanarkshire Local Development Plan (Modified Proposed Plan) is at a relatively early stage and therefore carries limited weight as a material consideration. However, it does provide a more up-to-date indication of the direction of Council policy than the NLLP. Within this plan the site is no longer allocated for community uses, but rather is simply part of the General Urban Area. Within such areas policy PP 3 seeks to maintain and improve amenity, and there is a general presumption in favour of residential development. The proposal would therefore be consistent with policy PP 3.

Open Space and Natural Heritage

- 8.8 As noted above, although the site has been used informally as parkland it is not considered reasonable to prevent its redevelopment for that reason. The site does however benefit from a large number of mature trees which were originally part of the landscaping of the old hospital grounds. These comprise a mix of species, of which common lime are most numerous, but there are also examples of apple, ash, beech, cherry, copper beech, Corsican pine, elm, goat willow, hawthorn, horse chestnut, Norway maple, Scots pine and sycamore. Whilst these trees are not subject to any tree preservation order they nevertheless contribute substantially to the amenity of the site and the surrounding area, and it is therefore desirable that as many trees as possible should be retained and incorporated into the development. The applicant has provided a detailed tree survey undertaken by an arboricultural consultant. The existing trees on the site and the applicant's intentions for these are as follows:

- A more or less continuous row of trees along the western boundary. Most of these trees are of only moderate individual quality as their proximity to each other has inhibited growth. It is proposed to 'thin out' these trees to create more space between them, retaining around half of them (including those of the highest quality/best condition);
- A less continuous row of trees along the northern boundary. Of these nine trees it is proposed to remove three that are in poor condition and to 'thin out' two small moderate quality trees, retaining the four largest moderate/high quality examples;
- Various trees on the lower ground along the southern boundary. These are mostly in poor condition and their retention would be incompatible with the formation of the SUDS infrastructure, so it is proposed to remove all of this group;

- The avenue of lime trees flanking the driveway into the adjacent hospital. Some gaps have previously been created in this avenue to form passing places. It is proposed to retain 11 of the 15 trees on the north side of this avenue, but only 2 of the 16 trees on the south side. This issue is discussed below;
- A cluster of six trees south of the avenue near the entrance to the site (i.e. the north-west corner). Three of these would need to be removed to accommodate the new road layout, and a fourth tree is in poor condition, but three large and impressive specimens (a lime, a copper beech and a sycamore) would be retained as part of the site's open space/play area;
- Ten individual trees dotted around the centre of the site, of which it is proposed to retain only one (on the eastern boundary with the hospital). Some of the others are of poor quality, but they do include three large and healthy lime trees which it is proposed to remove to accommodate the development.

8.9 The layout of the development has been the subject of much discussion between the applicant and officers, in order to increase the number of trees retained. In general it is considered that the proposals for the perimeter of the site are acceptable, as some thinning out of the dense group of trees is considered reasonable in order to give the remaining trees space and to allow more light into new and existing gardens. The proposal retains all of the highest quality trees and many of the moderate quality trees on the site boundaries. The retention of the group of three high quality trees near the north-west corner is particularly welcome as this will maintain the site's 'green' character at the entrance to the site, and it is considered that the loss of the three large lime trees from the centre of the site is acceptable given the difficulties of incorporating these into the development layout.

8.10 The retention of the avenue of lime trees which runs across the site has proved difficult. Although none of the individual trees concerned is of more than moderate quality, collectively the avenue they form is a very distinctive and attractive feature. Unfortunately the narrow width of this avenue does not lend itself to conversion into a residential street, and any attempt to widen this driveway, to install subsurface services, footpaths or driveway crossings would involve excavations into the root system of these closely-planted trees which they would be unlikely to survive. Therefore, whilst retention of the avenue would be very desirable, to do so would effectively sterilise a sizeable area of the site. Instead, it is proposed to retain the majority of the northern side of the avenue only, and to form a replacement road to the north of these. The remaining trees would continue to form an attractive line along the southern edge of the new street, and new planting on the north side would go some way towards creating a new avenue in due course. On balance, it is considered that this is a reasonable compromise, and that overall the proposed development takes appropriate account of the existing trees on the site.

8.11 An equipped play area of at least 500sq/m would be provided within the open space area in line with the Council's standards for new development, but details of its precise siting and its boundary treatment and equipment have not been provided. These matters can be addressed by a condition.

8.12 The applicant has provided a bat survey and a habitat survey. An initial appraisal highlighted the fact that a number of trees to be felled are suitable for use as bat roosts, and surveys conducted on three nights during July / August 2019 use of the site for foraging or commuting by common pipistrelle and soprano pipistrelle bats. Two active bat roosts for soprano pipistrelle were identified, and whilst the number of bats found was not large (1 and 3 bats respectively) the development would be required to obtain a license from SNH before removing either tree. SNH advise that from the information available a Bat Low Impact licence is likely to be appropriate for these works subject to certain licensing conditions.

8.13 The habitat survey found no evidence of badgers or other protected species on or adjacent to the site, but the mature trees are obviously suitable for bird nesting. The latter issue could be addressed by a condition requiring updated surveys if development does not commence within one year of the original, and by an informative noting legal requirements in relation to felling during the nesting season. Whilst one of the objections had raised concerns about the impact on the Swinstie Burn SINC located to the south of the site, this SINC relates to a watercourse habitat which does not border the site, and it is therefore unlikely that the proposal would impact upon it.

Design and Layout

8.14 As explained above the proposed layout seeks to provide a reasonable balance between tree retention and maximising the development potential of the site. The location of the access and the general position of the SUDS pond are dictated by the boundaries and topography of the site, and its shape lends itself to a 'loop' road arrangement within the main residential area, the alignment of the northern part of this road being selected to minimise loss of trees as discussed above. Whilst incorporating some shared surface areas the road design is relatively conventional, with houses

arranged in rows fronting the streets and most properties having front or side driveways for parking. However, in some places houses would be grouped around shared surface squares and/or parking courts to provide visual variety, and new street trees would be used to break up rows of parking spaces. Density of development and plot sizes are considered to be acceptable, being similar to the density of the existing housing to the west of the site. House types and intentions for materials are also considered to be appropriate, and the final agreement of finishing materials can be controlled by a condition to ensure an appropriate mix of materials throughout the site.

Residential Amenity

8.15 Various existing houses on Bellside Road, Carrick Vale and Auchinlea Drive back onto the application site. There is not likely to be any significant impact on the properties on Carrick Vale, as these back onto the access road and the proposed open space/landscaped areas. The other neighbouring houses would mostly back onto the back gardens of new houses, and there would be adequate window to window and window to boundary separation distances to maintain privacy. Many of the existing trees along these boundaries would be retained, which would also enhance privacy at some plots. Objectors have referred specifically to the proposed townhouses backing onto gardens in Bellside Road, and have expressed concerns about overshadowing and overlooking from these properties. However, there should not be any significant overshadowing as the 2½ storey townhouses are not significantly higher than the 2 storey detached houses, and in terms of privacy the only windows on the second floor would be small rooflights for en-suite WCs. There is one plot (no. 13) where the gable of the new house would be positioned close to the rear boundary of an existing house on Langbyres Road, but there would be no upper floor windows on this gable and the relationship between the properties is considered acceptable. Overall, it is considered that there would not be any unacceptable impacts on the privacy or lighting of neighbours.

8.16 It is recognised that adjoining residents currently back onto a quiet site and that its redevelopment may increase the level of noise which they experience in their rear gardens. However, such noise would be limited to ordinary domestic noise such as children playing in gardens and residential traffic, which is obviously considered to be an acceptable level of noise for residential properties to experience. The proposal would give rise to additional traffic within Cleland, but it is not considered that the impact of additional traffic for 86 houses would significantly affect noise levels or air quality for local residents. As noted by the Roads Service (q.v.), the level of traffic generated by the development would be likely to be less than that arising from a hospital on the site. Construction activity would inevitably involve some noise, but this is a short-term impact which is subject to controls by the Council's Protective Services and it is not considered to be a reasonable grounds for preventing development.

Roads Issues

8.17 The development would utilise the existing access onto Bellside Road, although this would be subject to upgrading works to bring the access up to an adoptable standard. The access would be shared with the present Cleland Hospital, but due to that facility being used for long-term geriatric care it gives rise to a modest level of traffic in comparison to general medical hospitals. The proposed residential development would be unlikely to give rise to significantly more traffic than the former much larger hospital use, and the present driveway and junction bellmouth have previously been widened to facilitate hospital traffic. The bellmouth is already as wide as the site boundary allows, but visibility can be improved by realigning the access to be centred on the junction (instead of being offset, as it is now), and the provision of separate footpaths into the site is also proposed in order to improve pedestrian access into the site and the hospital beyond. These changes would allow 2.4m by 60m visibility splays to be provided, which Traffic and Transportation Service consider to be acceptable subject to the provision of traffic calming on Bellside Road. Amended plans of this junction demonstrate that these visibility splays can be provided within the road boundary.

8.18 Bellside Road functions as a through route connecting Cleland and neighbouring communities to the A73, and it also serves as part of a loop used by high vehicles to circumvent a low bridge on the A73. The street is therefore well trafficked, and it is substandard insofar as it lacks a footpath along its northern side. Objectors have expressed concerns about the volume and speed of traffic currently using Bellside Road and have expressed fears that the proposal will exacerbate safety issues. However, the additional traffic generated by the proposed development would be within the capacity of the local road network, and the proposed traffic calming measures on either side of the upgraded junction should help to improve safety by lowering traffic speeds. Details of the traffic calming measures are not part of this application, and these will require to be subject to statutory public consultation under separate Roads legislation. Residents will therefore have an opportunity to comment on the precise design and placement of traffic calming features through that process. Overall, however, it is considered that an appropriate scheme traffic calming will be achievable.

- 8.19 Some on-street parking currently takes place on Bellside Road and at the access into the application site. This is understood to be a mixture of residents' parking and overspill from Cleland railway station. All of the houses fronting this section of Bellside Road have at least some off-street parking. It is not likely that the introduction of traffic calming would reduce parking opportunities for local residents, and its provision may make egress from private drives onto the road safer. It is not considered reasonable to require the provision of overspill parking for the railway station as part of the redevelopment of this unrelated site.
- 8.20 Within the site, allocated parking spaces would be provided at the rate specified in the Council's adopted parking standards (i.e. 3 spaces per unit, except smaller terraced units which would have 2 spaces each). There would however be a shortfall in the number of unallocated visitor spaces. The parking standard requires 1 visitor space per 3 houses (i.e. 29 spaces), whereas only 25 spaces are proposed. The Traffic and Transportation Service has therefore recommended that the number of visitor parking spaces be increased accordingly, however this would be difficult to achieve without further alterations to the layout or loss of trees, and on balance it is considered that the proposed level of parking is acceptable in this instance. All but ten of the houses have triple driveways, many of them triple-width, whereas a relatively small proportion of households actually have three or more cars (6% of households in the Murdostoun ward at the 2011 census), so it is reasonable to expect some visitors to use spare driveway spaces. Additionally, due to the layout of the site and the proximity of the relatively large hospital car park it is unlikely that any 'overspill' onto Bellside Road will arise.
- 8.21 The Traffic and Transportation has recommended several changes to the internal road design within the site, including the provision of footpaths at the hospital access, some repositioning of individual driveways and parking spaces, and the provision of a barrier to divide the central parking court into two separate courts. It is considered that most of these comments reflect the fact that the proposed layout is a hybrid scheme which incorporates some of the unconventional road design principles advocated in the Scottish Government's 'Designing Streets' guidance, but which is in other respects relatively conventional. As a result, the layout does not fully comply either with the Designing Streets principles or with the roads development standards applicable to conventional layouts. However, the Planning and Place Service considers that a hybrid design is reasonable on this particular site, particularly because access through the site to the hospital is still required and thus a more conventional road design is appropriate for this part of the site. At the same time, it is desirable to incorporate Designing Streets principles where possible. On balance, it is considered that the proposed layout is acceptable.

Other Consultations

- 8.22 The Education Service has noted capacity issues at local primary schools. These could be addressed by a developer contribution of £1182.43 per house (at present costs), and this could be secured by way of a Section 75 Planning Obligation (or such alternative mechanism as may be agreed with the developer).
- 8.23 There are no objections to the development from the Environmental Health service, the Coal Authority, SEPA or Scottish Water, subject to various conditions relating to contaminated land, coal mining risk and drainage. It is not considered necessary to impose an hours of work condition as any statutory nuisance arising is subject to Environmental Health controls.

Representations

- 8.24 In relation to the representations summarised in paragraph 7.2 above, the following comments are offered:
- 8.25 (a) Policy Issues
Response: The proposal is not considered to be contrary to the North Lanarkshire Local Plan policies DSP 2 or DSP 4 in terms of location or quality of development. It is contrary to policy HCF1 B1 inasmuch as that policy designates the site for community use, but since the closure of the original hospital the site has not been required for that purpose. Whilst there is a policy requirement for provision of affordable/social housing as part of new development within some parts of North Lanarkshire, it is not applicable to the Cleland area. There is no conflict with either Clydeplan or the emerging LDP.
- 8.26 (b) Open Space / Natural Heritage Issues
Response: Whilst the site has been used informally as an open space since the hospital buildings were demolished it is not considered reasonable to prevent redevelopment to protect this relatively recent informal use. There would be no impact on the nearby SINC, and the only protected species likely to be affected are bats, where the impact would be minor and subject to SNH licensing

requirements. The proposal would result in some loss of trees, and whilst this is unfortunate it is not realistic to expect all trees to be retained and it is considered that the proposed layout is a realistic compromise which would retain many of the most important trees.

8.27 (c) Road Safety / Traffic Impacts

Response: Issues relating to road safety, parking and the principle of traffic calming on Bellside Road are discussed in paragraph 8.17 et seq above. The proposed design of the junction would achieve visibility splays which the Traffic and Transportation Service consider to be acceptable. Whilst earlier plans appeared to show one of the visibility splays crossing private land this was due to plotting errors on the Ordnance Survey base map, and amended plans based on site surveys demonstrate that visibility splays can be provided within the public road boundary.

8.28 (d) Local Amenity Issues

Response: The proposal would not generate sufficient additional traffic to have an appreciable impact on noise or air quality in the surrounding area, and noise from the development itself will be limited to acceptable domestic noise from neighbouring houses. The proposed new houses would not be unduly high or positioned close to site boundaries, so they would not give rise to any significant overshadowing or overlooking of neighbouring properties. The proposal retains a high proportion of the existing trees along site boundaries to minimise impacts on neighbouring houses. It is not likely that the few short rear paths for bin access will give rise to antisocial behaviour or that the development will give rise to increased vermin in the area. Whilst any potential to impact upon house prices is acknowledged to be a concern for residents, the issue is not a material planning consideration.

8.29 (e) Infrastructure and Community Facilities

Response: Scottish Water have confirmed that there is capacity in the local water and sewerage networks, while the Coal Authority have no objection to the proposal subject to the proposed coal mining risk assessment. Whilst Cleland is a small village it has two primary schools and a range of local shops, and it is appropriate to allow modest expansion. The Education Service acknowledge that there are capacity issues in the local schools, but these can be satisfactorily addressed by a developer contribution towards increased primary school capacity. The proposal will include a new SUDS pond to deal with surface water drainage, which would be well away from existing houses and would be likely to address any existing localised surface water flooding.

8.30 (f) Construction Issues

Response: Whereas some short-term inconvenience during construction is inevitable, this is not a reasonable grounds for preventing development. Noise, dust, air pollution and mud of the road can all be minimised by effective site management. There should be no need for construction workers to park on Bellside Road as access through the site to the hospital is to be maintained throughout the development period and there is ample room for temporary parking areas on the site.

9 Conclusions

9.1 Whilst the site is allocated for community uses in the adopted local plan, it is redundant from its former hospital use and the principle of residential development is therefore acceptable. The proposal would retain a significant number of the existing trees on the site, and it is considered that its design and layout would be acceptable. There should be no significant adverse impacts on neighbouring homes, and all technical matters are satisfactory or capable of being addressed through conditions. It is therefore recommended that planning permission be granted subject to the conditions set out above.

9.2 In the event of the Committee being minded to grant planning permission, it is recommended that authority to issue the decision be delegated to the Planning and Place Manager in order to allow the completion of a Section 75 planning obligation (or other appropriate agreement) securing developer contributions towards local school capacity improvements.

9.3 As noted in paragraph 7.4 above, a hearing has been requested and the circumstances meet the criteria for hearings in the relevant protocol.