

Report to:	Planning Committee
Date of Meeting:	23 February 2010
Report by:	Executive Director (Enterprise Resources)

Application No	CL/09/0521
Planning Proposal:	Erection Of 4 Two Storey Detached Dwellings, 1 Single Storey Dwelling, Formation Of Access, And Creation Of Flood Compensation Storage Area

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Stay Home Construction Ltd
- Location : Former Mauldslie Castle Nurseries
Mauldslie Estate
Mauldslie Road
Carluke
ML8 5QE

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (subject to conditions – based on conditions attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Ewan Cameron Architects
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted)**
Policy STRAT3: The Green Belt and Urban Settlements In The Green Belt
Policy CRE1: Housing in the Countryside
Policy ENV4: Protection of the Natural and Built Environment
Policy ENV12: Flooding
Policy ENV21: European Protected Species
Policy ENV29: Regional Scenic Area and Areas of Great Landscape
Policy ENV34: Development in the Countryside
Policy DM1: Development Management

- ◆ Representation(s):
 - ▶ 7 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters
- ◆ Consultation(s):

Environmental Services

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

Roads and Transportation Services (South Division)

S.E.P.A. (West Region)

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application site is centred on the former walled garden of Mauldslie Estate, by Carluke and the single track, private access road up to Mauldslie Road. This part of the Mauldslie Estate is low lying, level ground adjacent to the River Clyde bordered by woodland which rises steeply to the north and east, with narrow private roads serving renovated estate buildings and other domestic buildings. The topography of the area and maturity of the woodland significantly contribute to the areas unique character and sense of isolation, with the walled garden being redolent of the Estate's functionality and grandeur.
- 1.2 The walled garden itself is contained within 4 metre high brick walls, and extends to nearly a hectare, with a southward slope towards the river. This fall is two metres while the gradient across the site, west to east is level throughout. Whilst the garden has been disused for a number of years a number of buildings remain on site including a two storey brick built gardeners house, a sandstone gardener's cottage and an extensive range of horticultural buildings. The buildings exhibit a range of disrepair through to derelict with roofs completely collapsed inward.
- 1.3 The application site is bordered to the north by a detached dwelling, Woodland Cottage which sits within a triangular shaped plot. Although this property is surrounded on all sides by the application site, it is not in the applicant's ownership and does not form part of this planning application. Just to the north of Woodlands Cottage lies Mauldslie Waste Water Treatment Works. Adjoining Woodlands Cottage and to the north-east of the site the ground rises (Haugh Hill) and contains a variety of mature trees, and is the site of a historic burial ground. This high ground spreads southwards towards the river and wraps round the eastern perimeter of the walled garden and eventually connects to woodland which includes the Clyde Valley Woodlands SAC. To the west of the walled garden there is level ground with a mixture of semi-improved grassland, scrub and trees. The trees around the burial ground are covered by a Tree Preservation Order. This mixture of vegetation means that no one major view of the site is apparent, but rather a succession of views can be gained from the opposite side of the river Clyde from the A73, Rosebank particularly in the vicinity of the Popinjay and neighbouring garden centres. The Clyde Walkway is within 100 metres of the application site's southern edge. The south-west of the site lies within the Clyde's floodplain.
- 1.4 Some buildings adjoining the application site have recently been removed, namely two large greenhouses which sat on the south elevation of the walls, along with scrub vegetation in the vicinity. Access tracks, particularly around the west of the garden have also been cleared of vegetation sufficient to enable ground clearing machinery to reach the south.
- 1.5 The nearest settlement is Rosebank which lies on the other side of the River Clyde, and the nearest group of houses lie approximately 400 metres to the north, where the former Mauldslie Stables have been converted into four dwellings.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of five detached dwellings, four of which would be two storey in height and the final one a single storey building. Following discussions with the applicant an initial proposal for the erection of seven, two storey dwellings was revised to those currently proposed. The current proposal will also necessitate the demolition of the four metre high garden wall and all built structures within the garden and those in the immediate vicinity. Only one, a former

boiler house to the south- west of the garden would be retained as part of the mitigation measures necessary for the protection of protected species.

- 2.2 The five proposed houses will be of a contemporary design with an emphasis on “solar gain” achieved by having south, and some west, facing walls formed entirely from glazing. To ensure that temperatures and glare are not excessive, the houses also feature large overhangs which will shelter their terraces and balconies. The four, two storey houses in particular will appear to have floating roofs due to the preponderance of glazing on what will essentially be the public elevations i.e facing south towards the river and the Clyde Walkway. Each of the houses will also feature a large central chimney breast which will act as a “mass wall” absorbing heat to radiate back into the house. All of the houses will feature four bedrooms, two or three public rooms, and integral double garages.
- 2.3 Land-raising through cut and fill operations will occur within the southern portion of the site, particularly Plots 3, 4 and 5, of between 1.5 and 2.5 metres. The applicant proposes to form a boundary wall, utilising bricks from the demolished 4 metre high wall, along the southern boundary of the houses. The wall will vary in height to allow views out to the surrounding area from the houses on plots 2 – 5. A retaining wall will also be formed in the north-east corner of the site and will extend down the eastern boundary.
- 2.4 Access to the site will be by an existing private road from Mauldslie Road, to the north of the site. This road is approximately 1km in length and is of varying condition along its length. It drops in level from Mauldslie Road to the entrance to the development. The road would be upgraded to a suitable standard with intervisible passing places.
- 2.5 To mitigate for the loss of a bat roost from the rear elevation of the existing two storey, brick gardeners house it is necessary to provide a replacement roost suitable for hibernating bats and to provide roosting opportunities for the three species of bats recorded on the site. This roost will be based in an existing boiler house which lies to the south of the walled garden.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Plan identifies the application site at Mauldslie as lying within the greenbelt, and within an Area of Great Landscape Value. It is also close to the Clyde Valley Woods Special Area of Conservation (SAC) and the Clyde Walkway. The relevant policies for the assessment of the proposal to erect five dwellings are therefore STRAT3, CRE1, ENV29 and ENV34. Policies ENV4, ENV12 and ENV21, and DM 1 are also applicable.
- 3.1.2 Policy STRAT 3: The Green Belt and Urban Settlements in the Green Belt advises that there shall be a general presumption against all development except where it can be shown to be necessary for the furtherance of agriculture, horticulture, forestry, recreation, establishments or other uses considered by the Council to be appropriate to the Green Belt, or where development forms part of a larger proposal for the rehabilitation or change of use of disused or redundant traditional buildings where this consolidates such groups. Any housing development within the Green Belt should conform to policies CRE 1- Housing in the Countryside.
- 3.1.3 Policy CRE 1: Housing in the Countryside requires all new housing proposals to be assessed against a number of criteria relating to siting, design and connection to infrastructure. Within Areas of Great Landscape Value, Policy ENV 29 advises

development will only be permitted if it can be accommodated without adversely affecting the overall quality of the designated landscape area, and that particular care is required to ensure that the design of development respects those features which contribute to an area's local distinctiveness or character.

3.1.4 Similarly Policy ENV 34: Development in the Countryside requires development to conserve the natural and built environment and to respects existing landscape form with new buildings and structures being designed to complement and enhance the surrounding landscape. Buildings must be of a high quality traditional or contemporary, innovative design which interprets and adapts traditional principles and features whilst being sensitive to and respecting its immediate setting. Policy DM 1: Development Management reinforces the importance of local context, layout and quality design in supporting the Council's wish to safeguard basic amenity and promote sensitive design which respect and contributes positively to its surroundings.

3.1.5 In relation to flooding, policy ENV 12: Flooding Policy the Council will seek to avoid increasing the flood risk by refusing permission for new development where it would be at risk from flooding or increase the risk of flooding elsewhere. All development proposals, at potential risk of flooding, will require to be accompanied by hydrological studies - a Flood Risk Assessment. Policy ENV 21: European Protected Species encourages the management and maintenance of areas supporting habitats and species, which contribute to the coherence of the Natura network or are of major importance. Planning permission will not be granted unless it is demonstrated that the proposal will either not adversely affect any European Protected Species in the area, or that all three tests in Regulation 44 of the Habitats Regulations are likely to be satisfied.

3.2 **Relevant Government Advice/Policy**

3.2.1 A consolidated Scottish Planning Policy was published by the Scottish Government on 4 February 2010. In terms of development in the Green Belt, the SPP advises that Green Belt designation should be used to direct development to suitable locations and not simply prevent development from happening. Where development is considered acceptable it must be of a suitable scale and form for the location. Many uses will only be appropriate when the intensity is low and any built elements are ancillary to the main use, small-scale and of high quality design.

3.2.2 The section on housing acknowledges that there is a steady demand for housing in rural areas, and Councils should consider this as part of the development of a sustainable settlement strategy, with the majority of new housing being met within or adjacent to rural settlements. All planning authorities must set out the circumstances in which new housing outwith settlements may be appropriate in their areas, including redevelopment of brownfield land and opportunities for new homes on greenfield sites where appropriate. Brownfield land in rural areas usually means sites that are occupied by redundant or unused buildings or where the land has been significantly degraded by a former activity. In the rural area, opportunity to replace rundown housing and steadings should be supported when the new development is designed to fit onto the landscape setting. All new development should seek to achieve high design and environmental standards and respond to specific local character.

3.3 **Planning History**

None relevant to this application site.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** (Area Manager, Clydesdale) – Advises that normally no more than 5 houses would be served from a private road. This figure is exceeded due to the number of existing houses that take access from the private road from Mauldslie Road. However, this can be relaxed exceptionally in this case given the proposal represents the redevelopment of a previously developed site. The access road should be improved to an appropriate standard and intervisible passing places provided along its length. Following the submission of a speed check they are also satisfied that existing sightlines at the junction of the access road with Mauldslie Road are acceptable. The internal layout in terms of parking, turning and servicing is acceptable.
Response: Noted. The upgrading the road can be covered by a suspensive condition requiring details of these works to be approved by the Council before work starts on site. I note that the relaxation of the normal guidelines is an exception in this case and should not be taken as setting a precedent elsewhere.
- 4.2 **Roads and Transportation Services** (Flooding Unit) – advise that a flood risk assessment and subsequent revision have been received. As there will be no building development within the functional flood plain, and that the FRA found that there is no need for compensatory storage, the Flood Prevention Unit has no objection in principle to the proposed development, subject to conditions relating to sustainable drainage design and its future maintenance, and consultation with SEPA in relation to foul drainage.
Response: The Council has procedures in place to ensure that all new development are designed to comply with current legislation with regard to Flood Risk, which includes the provision of Sustainable Drainage Systems. Such systems must take cognizance of site characteristics and ground conditions and their precise details will be the subject of conditions attached to any planning consent issued.
- 4.3 **Environmental Services** – have no objection to the proposal subject to a number of conditions requiring the provision of further information on contaminated land, and details of the location and design of facilities for uplifting refuse from the five proposed dwellings.
Response: Noted. Suitable conditions will be attached to any planning consent granted.
- 4.4 **SEPA** – Originally objected to the proposed development as at least part of the site is within the 1 in 200-year flood envelope (i.e. the flood with a 0.5% chance of occurring in any single year) and could be at medium to high risk of flooding. However, they recommended that the design flow be re-estimated using the most up-to-date methods as estimates used in the FRA were significantly different from SEPA estimates. It is thought that a re-estimation of flow and subsequent re-run of the model could demonstrate that the proposed development is outwith the functional floodplain, thus negating the need for any mitigation.

The revised Flood Risk Assessment has been submitted that demonstrates the proposed development is outwith the functional floodplain and is therefore in accordance with government guidance. SEPA are now in a position to remove the objection to the proposed development on flood risk grounds.

In addition this advised that foul drainage to serve the development should be connected to the public sewer system.

Response: Noted. Levels within the site and the finished floor levels of the houses have been revised in light of the amended Flood Risk Assessment. Details of surface water drainage including a SUDS will require further assessment, and I propose to

attach conditions to any consent granted requiring the submission of a drainage strategy. Following further discussions with the applicants, SEPA have accepted that connection to the public sewer is not necessary and that the proposed private system is acceptable, although the details will need to be subject to an application under the CARS Regulations. A condition requiring approval of these details before work starts on site would be attached to any consent issued.

- 4.5 **West of Scotland Archaeology Service** – have advised that little is known about the early history of the Mauldslie Estate, but it is known that at one time it was a Royal Hunting Forest (in the 13th century). There is further documentary evidence that may imply that the Estate had been transferred from Crown ownership into ecclesiastical ownership. There are historical references to monks being associated with the Mauldslie Estate, though none of this has ever been confirmed. There is however known to have been an earlier peel (castle) at Mauldslie before the later Adam House was built and there is also a record of there having been a church within the Estate also dating to the medieval period. None of the earlier buildings, which are thought to have existed previously on the Estate, have been properly located, and experience elsewhere has shown that a walled garden, with its deep imported soil, can sometimes mask archaeological evidence of earlier structures.

The proposed redevelopment of the former nurseries has the capacity to disturb unknown, buried archaeological remains of significance. Current best practice for addressing a potential archaeological issue of this nature is for the applicant to arrange for an evaluation by trial trenching to take place before the Council determines the planning application. Alternatively an option is the attachment of a suitable archaeological condition to ensure that there is a controlled approach to evaluation and excavation of any archaeological remains which may be present on the site.

Response: Noted. A suitably worded suspensive condition will be attached to any planning consent granted requiring the implementation of archaeological evaluation on site, before any development commences. The applicant has been made aware of this requirement.

- 4.6 **Scottish Water** - has no objections to this planning application as the Camps & Daer Water Treatment Works currently has capacity to service this proposed development, as does the Mauldslie Waste Water Treatment Works. In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. It should be noted that although Scottish Water has given approval at this stage, this does not guarantee a connection to Scottish Water's infrastructure and a separate application from the developer will be necessary.

Response: Noted. This would be addressed by a suitably worded condition if consent is granted.

- 4.7 **Scottish Natural Heritage** – requested the submission of further information from the applicant to allow an informed assessment of the environmental impact of the development. The proposal lies close to the Clyde Valley Woods Special Area of Conservation (SAC), designated for its mixed woodland associated with rock slopes habitat. We understand from the information submitted that there will be no direct impacts on the SAC, including from use of the proposed access track to the site. Therefore in our view, it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. The proposal lies close to Jock's Gill SSSI, notified for its woodland habitat. There are natural heritage interests of national importance in the SSSI, but these will not be affected by the proposal.

Three bat roosts have been identified on site, as well as the potential for a hibernation roost to be present, but not confirmed. SNH advise that additional information should be requested from the applicant in respect of hibernating bats. A detailed specification and plan for a proposed replacement roost has been received, showing how this will provide compensatory roosting habitat for the bat species identified as being present on site.

SNH note that otters will "almost certainly" be using a stretch of the River Clyde adjacent to the site, with opportunities for holt establishment. Although a survey for signs for use of the river by otters was undertaken, it did not extend to the area of potentially greatest value to otters. Subsequent survey work has identified two features considered to be "possible/potential" otter holts on the banks of the river, and SNH advise that to minimise disturbance to otters during works, an area within at least 30m of an otter shelter be declared out of bounds to all persons at all times. As the proposed work will require activity within 20m of one of the features identified in the survey, SNH advise that a license from the Scottish Government may be needed before the development can proceed. If the presence of a holt is confirmed mitigation will be required.

With respect to the Badger survey SNH agrees with its findings and are generally content with the Method of Working outlined in the Precautionary Method of Working Statement for Badgers. Given that works will however take place within 10m of the sett, SNH advise that it may result in an offence under the Protection of Badgers Act (1992). It is also considered that it is not practical to make further changes or apply further mitigation that would avoid such impacts. A licence from SNH is therefore required by the applicant before starting the development.

In respect of reptiles, SNH are also generally content with the Method of Working outlined in the Precautionary Method of Working Statement for Reptiles. Care should be taken to ensure that ground clearance work is undertaken in a systematic manner to avoid creation of isolated islands of suitable reptile habitat where the individuals may become isolated from areas outwith the construction zone.

The Phase 1 Habitat Survey indicates that woodland, single trees, scattered scrub, ruderal and semi-improved grassland habitats will be impacted by the proposed development. If planning permission were granted for this development, the following mitigation measures are advised to assist in avoiding, reducing or remedying potentially adverse impacts associated with this:

- Ensure adequate separation of the development site from the surrounding environment through the use of fencing or other appropriate means of demarcation.
- Planting should utilise native broadleaf species appropriate to the location.
- Include scrub species within the replanting proposals for the site.
- Provide rubble/log piles within areas outwith the development site but within the applicant's control to provide potential terrestrial places of shelter for reptiles and amphibians.

Response: The applicant has updated the flora and fauna surveys and suggested some mitigation measures such as the construction of a replacement bat roost. The details of all mitigation measures will be the subject of conditions attached to any grant of planning consent, and in particular there will be a requirement for the applicant to construct the replacement roost prior to the demolition of any existing roosts. The applicant will be required to review the ecology surveys prior to the commencement of development. The need for licences from the Scottish

Government and SNH in relation to otters and badgers is noted, and the applicant has been advised accordingly.

The area immediately adjoining the application site will also be the subject of conditions as the flora may provide habitats for other locally important species. Accordingly a detailed landscaping scheme is necessary and the emphasis will be on nature conservation and the formation of habitats to ensure that the bio-diversity of this area is maintained.

5 Representation(s)

5.1 Following the statutory neighbour notification period, and advertisement in the local press as Development Potentially Contrary to the Development Plan, 7 letters of representation were received. These letters are summarised as follows

- a) **Mauldslie Castle Nurseries is accessed via an attractive wooded, single track, unsurfaced and private country road, maintained by the financial and physical efforts of the current residents, who share concerns about the effect of the extra traffic from the development on the wear and tear on the road, and will increase the problems of agreeing a maintenance plan. There are also concerns about the state of the bridge not only from increased traffic but also from heavy construction traffic.**

Response: The maintenance of the road would be a private legal matter between the interested parties. It would be upgraded to a suitable standard and therefore represent a considerable improvement to the existing situation. It is not intended the bridge referred to will be used.

- b) **This access road is heavily used by walkers, joggers, dogs and horses, and there are several bends where there have already been accidents and near misses. Further traffic will exasperate these safety issues.**

Response: The proposed improvements to the access road would improve road safety for all users.

- c) **Traffic for the development should utilise the West gate, Rosebank and not the East Gate, Mauldslie Road on the grounds of security and safety due to the gradients on the track. Forming new passing places on this eastern access route will not be possible as the grass verges are actually owned by someone other than the applicant.**

Response: The application seeks approval for the use of the eastern access road and therefore it is that route that has been considered. The issue of ownership of land to provide passing places is a private legal matter.

- d) **Access to the Estate will require to be improved to accommodate the increased traffic and minimise risk to all users. Such improvements will need to include – adequate surfacing and drainage; gates and security lighting around gates; traffic calming i.e. speed humps; passing places. The improved roadway will need to be satisfactorily maintained and measures to ensure implementation must be contained in the conditions attached to the planning consent.**

Response: The ownership of the access road will remain private. Maintenance of the road thereafter will be a private legal matter.

- e) **The developer and all his consultants always uses the Rosebank access road when visiting the site an even the photographs in the latest design statement are, again in the main are from the Rosebank access road. The reason for altering the access road to the Carluke end appears to be that it**

reduces the number of properties that required to be neighbour notified. These other properties need to be notified unless the Council and the Developer can assure all parties that only the Carluke access will be used by the construction traffic and new residents.

Response: During the validation of this application, the drawings were amended to show how access to the public road would be achieved from the site. The applicant has advised the Council that access, eastward towards Carluke is the only one over which he has a legal right of access. Neighbour notification is the responsibility of the Council, and requires the notification of property or land within 20 metres of the application site, including the access road. The application was also advertised in the local press to allow the wider public to make representations. A condition will be attached to any consent granted requiring the submission of a Method Statement covering construction traffic, its access and the maintenance of existing access for residents and pedestrians.

- f) **There are currently two dwelling houses (a semi-derelict house and cottage) on the site. The proposed developments gives no acknowledgement to the history of the site. If these two houses were replaced with two traditionally designed dwellings, within the existing footprint of the walled garden it would be more in keeping and not as excessive as the current proposal. This is an old country estate which currently has a range of traditional houses created from existing farms/cottages/lodges/stables which each had a role in the old estate. This development would completely change the character of the estate.**

Response: The applicant has submitted a detailed design statement that explains the concept of the proposed development. A contemporary approach has been taken in order to avoid mimicking the traditional style elsewhere in the area but rather to set a high standard of modern design. Acknowledgement of the site's history is made through the reuse of the bricks from the nursery walls to form the southern boundaries of the new dwellings.

- g) **Neighbouring land owners of long standing have been refused planning permission to erect a single dwelling on their land, and were only granted permission on appeal to the Scottish Government. They were then confined to erecting a bungalow with simple facades. This development proposal has no historic links with the area and is of a design and scale out of character with Mauldslie.**

Response: Each planning application is assessed on its own merits and against the policies of the statutory local plan in use at that time. The scale and design of the proposed houses is considered acceptable in the context of the landscape setting of the area.

- h) **Mauldslie Woods, the riverside and Clyde Walkway attract many visitors who enjoy the rural character of the area. The proposed development would alter this by bringing five new households into a currently peaceful area. The four properties closest to the river will be visually obtrusive and have large glass frontages and would alter the character of the area.**

Response: Following discussions with the applicant, the proposal has been amended to include a boundary wall of varying height along the site's southern boundary. This will provide some screening of the domestic development from the Clyde Walkway. In addition, new planting would be used to reinforce the self-containment of the site. The design of the houses is of a contemporary quality and will add interest to the visual amenity of the area.

- i) **It would be more acceptable to the character of the area for the developer to bring the two existing properties back to their former glory through renovation and usage of the traditional stone.**
Response: The renovation of buildings has been discussed with the applicant, but a structural report has been submitted to demonstrate why this can not be undertaken.
- j) **The new houses will be visible not only from Mauldslee bridge but also from all surrounding areas of Rosebank, the walkway and from properties elsewhere in the estate. Their modern design will only increase the visual impact of the development.**
Response: A condition will be attached to any consent granted requiring, prior to the commencement of development, the submission of a comprehensive landscaping plan which will incorporate areas of additional tree planting to minimise the visual impact of the dwellings from the wider area.
- k) **The application will destroy areas of trees and scrub currently used by wildlife between the development and the walkway to create views. If permission is granted, adequate screening in the form of trees and shrubs should be retained, and where necessary added, between the houses and the walkway/river in order to protect the privacy. Could it be stipulated that these should comprise native broad-leaved species, in keeping with good wildlife conservation practice?**
Response: Conditions will be added to any consent granted requiring the submission of detailed landscaping proposals and it is the Council's intention that these will utilise species appropriate to this locality whilst assisting in bio-diversity and formation of new habitats.
- l) **Is the Council confident that the proposal is sensible given that it sits on the 100-200 year flood plain?**
Response: Following the submission of an amended flood Risk Assessment, SEPA have removed their objection to the proposal as it has been demonstrated that the proposed development is outwith the functional floodplain.
- m) **The development could take many years to construct as the developers perhaps sell one house to pay for building the next. Meanwhile the existing residents of the estate will have the inconvenience of construction traffic using an unsuitable road for a long period.**
Response: Noted. A condition requiring details of the phasing of the construction will be attached to any planning consent granted, together with one requiring the submission of a method statement during construction.
- n) **If permission is given for these houses, this may be seen as a "green light" for further development and urbanization of the nearby area in Mauldslee Estate and the Clyde Valley, by either developers or other speculative individuals. Should this happen, the unique character of the area - one of the reasons it is so popular - could easily be lost forever. Such development within the green belt is contrary to policy, and as the Local Plan was only recently adopted it would be strange for the Committee to contradict their own local plan at such an early date.**
Response: Each application is assessed against the South Lanarkshire Local Plan which has a range of policies to direct development to appropriate areas. This proposal provides a unique opportunity to provide a high quality development on a previously developed site.

- o) **The site sits within the green belt, in a Strategic Green Network, and is zoned as an Area of Great Landscape Value, very close to a Special Area of Conservation, an SSSI and ancient woodland. There are many policies with which the proposed development appears not to accord.**

Response: An assessment against policies in the adopted South Lanarkshire Local Plan is made in section 6 of the report.

- p) **Constant changes to the application by the developer indicate that they are receiving favourable advice and is confusing to members of the public who may wish to object to the application.**

Response: The application was amended from seven house to five during the validation of the application following discussions with the applicant about design and layout issues. Other changes, such as the red line application boundary were for procedural reasons and to reflect guidance set out by the Scottish Government.

5.2 These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

6.1 The determining issues that require to be addressed in respect of this application are compliance with the adopted local plan, the impact on the visual amenity of the area, infrastructure implications and the implications for flora and fauna. Other material considerations have also to be taken into assessed in the processing of applications, and in this instance includes government guidance.

6.2 In land use terms the application site is located in the greenbelt where Policy STRAT3: The Green Belt and Urban Settlements in the Green Belt of the adopted South Lanarkshire Local Plan applies. This policy states that there shall be a general presumption against all development except where it can be shown to be necessary for the furtherance of agriculture, horticulture, forestry, recreation, or where development forms part of a larger proposal for the rehabilitation or change of use of disused or redundant traditional buildings where this consolidates such groups. Any housing development should comply with Policy CRE1.

6.3 The proposed use does not fall within any of the categories listed under Policy STRAT3 as it is not necessary for the furtherance of agriculture, horticulture, forestry or recreation and does not constitute a rehabilitation of existing buildings. In terms of policy CRE1, this sets out the exceptional circumstances where new houses will be acceptable and includes agricultural dwellings, houses in association with existing or proposed businesses, the conversion of existing buildings or replacement houses. None of these circumstances apply and therefore the proposal cannot be justified under policy CRE1. In view of this I consider the proposal does not comply with Policy STRAT3.

6.4 The Council must consider whether there are other material considerations that outweigh this policy in this particular case. Government Guidance relating to this application has been summarised under section 3.2 of this report. Advice on development in the Green Belt in the SPP states this designation should not prevent development from happening. Government guidance also advises that development plan policies should encourage rehabilitation of brownfield sites in rural areas and in appropriate locations, allow for their re-development. Brownfield sites are broadly defined as sites that have previously been developed; in rural areas this usually means sites that are occupied by redundant or unused buildings or where the land has been significantly degraded by a former activity. Planning Authorities are also required to consider the opportunities for the economic re-use of such land. As

detailed in paragraph 1.2 above, the former walled gardens of Mauldslie Estate contain a number of buildings including two houses, greenhouses, potting sheds and boiler houses, all in varying states of disrepair. Given the size of the walled garden and the amount of dereliction associated with the buildings particularly those along its north wall, the site can be classed brownfield. The applicant has submitted a structural survey which sets out the reasons for demolishing all buildings and structures, bar one of the boiler houses which lies outwith the confines of the walled garden. The footprint of the proposed houses is broadly similar to that of the extent of the former use of the site and the development does not encroach beyond that of the previous built form. I am also satisfied that the objectors of Green Belt policy would not be affected by this proposal. Accordingly I consider the principle of the development proposal is acceptable.

- 6.5 As stated in paragraph 6.4 above, the proposal does not comply with Policy STRAT3 so therefore the proposal does not strictly comply with Policy ENV34, however there is still merit in assessing the proposal against the criteria in this policy. The site is situated within the Mauldslie Estate away from the public road where the only passing traffic is likely to be pedestrians; the site itself is not easily seen from wider views due to its location on the banks of the River Clyde with a backdrop of mature woodland. Glimpses of the site will however be possible when travelling along the A72 in the Rosebank area, with the most obvious view being attained in the vicinity of the Popinjay and nearby garden centres. This locale will see the glazed southern elevations of the dwellings, Plots 2 – 5, and gain a perspective of their scale and layout. Discussions with the applicants have led to the finished floor levels being lowered in order to reduce visual impact. The houses are of a contemporary design but will use traditional materials. The re-use of the bricks in the walled garden ensure the existing character of the site is retained. Given the nature of the site, its location and the rural character of the area, I propose to attach a number of conditions to ensure that compensatory planting is carried out and that an essential element of this will comprise of tree planting to provide screening.
- 6.6 Policy DM1: Development Management also applies and this policy states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding areas in terms of scale, massing, design, external materials and impact on amenity. In addition the policy states that the proposal should provide suitable access, parking and have no adverse implications for public safety and should make appropriate infrastructure provision to serve the development. The proposal conforms to the Council's Residential Development Guide in terms of parking provision, separation distances and privacy issues, and the dwellings will be served by a private treatment system that SEPA agree is acceptable in principle. Access to the site from the public road network will be via an upgraded private road which Roads and Transportation Services confirm is acceptable. Sightlines at the junction of the road with Mauldslie Road are also appropriate. I am satisfied that there will be no adverse impact on residential amenity as the nearest dwelling lies 45 metres to the north.
- 6.7 Due to the site's location, approximately 100 metres from the River Clyde the proposal requires to be assessed against Policy ENV12: Flooding. Following the submission of a further Flood Risk Assessment, SEPA have no objections to the proposal subject to setting the houses out with a minimum finished floor-level of 38.617m AOD (above ordnance datum). The submitted plans show that each of the dwellings will be set above this level. SEPA advise that the applicant has been demonstrated that the proposed development is outwith the functional floodplain and is therefore in accordance with government guidance. A sustainable urban drainage scheme (SUDS) has been included in the development layout to ensure that surface

water run-off post development does not exacerbate flooding elsewhere. Based on SEPA's advice, I am of the opinion that the proposal complies with Policy ENV12.

- 6.8 The application should be assessed against Policy ENV29 as the Mauldslee Estate lies within an Area of Great Landscape. This states that development will only be permitted if it satisfies the requirements of STRAT3 and can be accommodated without adversely affecting the overall quality of the landscape, and which preserves those features which contribute to the area's distinctiveness – these include the setting of buildings within the landscape, patterns of woodland, the special qualities of river corridors and prominent views. As detailed in paragraphs 6.3 above, the proposal does not comply with Policy STRAT 3 however a reasoned exception to that policy has been set out. In terms of impact on the landscape character of the area, the site is largely self-contained within extensive woodland and this would be re-inforced through additional planting. Closer views would be possible from the Clyde walking but the design and re-use of existing materials will add interest to this viewpoint.
- 6.9 Policy ENV4: Protection of the Natural and Built Environment and ENV21: European Protected Species apply specifically to the application due to its known proximity to European Protected Species. Ecological surveys have been provided by the applicant outlining a number of mitigation measures, including the conversion of a former boiler house into a bat roost to ensure that there would be no adverse impact on such species. In relation to otters, the survey work has identified the possibility of their presence and that work associated with installing surface water drainage may disturb them. Mitigation works may be required dependant on the status of the otter holt but in any event, Scottish Natural Heritage have advised that a license will be required from the Scottish Government. In assessing the development proposal the Council has considered that the drainage works are a necessary part of the proposal and that there are no alternatives to this form of drainage. There will be no detrimental impact on the otter population as their habitat will be maintained. Similarly, badgers may be disturbed by the development works, but there will be no direct impact on the species and applicant has proposed mitigation measures and set out best working practices to ensure their protection. However, even with the proposed mitigation a license will be required from SNH. With respect to reptiles, SNH have advised that care should be taken to ensure that ground clearance work is undertaken in a systematic manner to avoid the creation of isolated islands of suitable reptile habitat where the individuals may become isolated from areas outwith the construction zone. In relation to the fauna which has become established around the former walled garden, much of this will be lost in the formation of the dwellings, however I intend to attach conditions requiring the submission of further landscaping details, prior to the commencement of works on site, and this will incorporate native species of trees, shrubs and grass mixes appropriate to this low lying, river-bank location. With the use of such conditions, the proposal complies with Policies ENV4 and ENV21.
- 6.10 In summary, this development proposes redeveloping the brownfield site of the former walled gardens and this is acceptable under current government guidance; I have assessed the proposal against detailed policy guidance of the adopted Local Plan and found that there would not be an adverse impact on residential amenity and the opportunity exists to provide mitigation measures for the protection of wildlife and to provide appropriate landscape screening.
- 6.11 Overall, I consider that in this case a departure from the local plan can be justified for the following reasons:

- (i) The site is considered a brownfield site; and the scale and form of development would be similar to that of the previous built form
- (ii) The site is self-contained by woodland and can be additionally screened from the wider countryside through further planting;
- (iii) There would be no impact on the residential amenity of existing properties within Mauldslie Estate;
- (iv) The proposed houses are of a contemporary design
- (v) The overall objectives of Green Belt policy would not be compromised.

I therefore recommend that planning consent be granted.

7.0 Reasons for Decision

7.1 For the reasons set out in 6.11 above.

Colin McDowall
Executive Director (Enterprise Resources)

16 February 2010

Previous References

♦ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Scottish Natural Heritage	21/01/2010 & 20/01/2010
Scottish Water	14/12/2009
S.E.P.A. (West Region)	30/12/2009 & 02/02/2010 & 08/02/2010
Environmental Services	23/12/2009
Roads and Transportation Services (South Division)	15/01/2010
Roads & Transportation Services H.Q. (Flooding)	20/01/2010
- ▶ Representations

Representation from :	Audrey Matthews, Springfield, Mauldslie Stables, Carluke,
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ML8 5QE, DATED 15/12/2009

Representation from : David McKay Brown, Reynald, Mauldslie Estate, Carluke, ML8 5HW, DATED 04/12/2009

Representation from : Mrs Morven Taylor-Peacock, No. 1 Mauldslie, Mauldslie Estate, Carluke, ML8 5QE, DATED 07/12/2009

Representation from : Diane O'Neil, Mauldslie Estate , Carluke, ML8 5QE, DATED 11/12/2009

Representation from : Mr George Neilson, Woodlands Cottage, Mauldslie, Carluke, ML8 5QE, DATED 29/12/2009

Representation from : Ms Alison Burlison, Redwood Stables, Mauldslie Estate, Carluke, ML8 5QE, DATED 03/12/2009

Representation from : Audrey Matthews, Springfield, Mauldslie Castle Stables, Carluke, ML8 5QE, DATED 12/01/2010

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Ailsa Graham

(Tel :01555 673190)

E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 The consent shall be carried out strictly in accordance with drawing numbers: P-001; P-002 RevC; BH-01 RevA; P-005; P-010; P-011; P-015; P-025; P-020.
- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 That no development shall take place within the development site as outlined in red or on land outlined in blue on the approved plans until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with West of Scotland Archaeology Service.
- 4 That no development shall take place within the application site as outlined red or on land outlined in blue on the approved plans, until the developer has submitted to the Council for written approval a Method Statement which details:
 - i) how the existing access road will be upgraded;
 - ii) how drainage will be provided for the existing access road; and
 - iii) how existing trees, including those along the entire route of the access road will be protected for the duration of the construction works.

For the avoidance of doubt, all the above information shall be submitted in a format which clearly demonstrates its relationship with the existing trees on the application site.

- 5 That prior to any works commencing on site, details of a traffic management scheme during the construction phasing of the development including, the circulation of vehicles and pedestrians both to the site and in the vicinity of the site, and the location of the site compound, shall be submitted to and approved by the Council as Planning Authority and thereafter implemented to the Council's satisfaction.
- 6 That no consent is hereby granted for any of works to the access track at its junction with the Mauldslee Estate track as shown on the application plan.
- 7 That no consent is hereby granted for the refuse collection area as shown on the application plan, and that prior to any work commencing on the site, details and design of refuse storage areas within the application site, together with arrangements for transporting refuse to uplifts points, shall be submitted to and approved by the Council as Planning Authority. Thereafter, the storage facilities shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 8 Details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in

writing. Following approval, the development shall be implemented in accordance with the approved scheme.

- 9 For the avoidance of doubt, the replacement Bat Roost shall be constructed prior to the removal of any existing bat roosts, and constructed in compliance with Drawing nos BH-01 rev A, and the roost maintained thereafter, with any loss or damage repaired, all to the satisfaction of the Council as Planning Authority and Scottish Natural Heritage.
- 10 That prior to any work commencing on the site, a maintenance management schedule for the replacement bat roost approved under the terms of Condition 9 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the replacement bat roost shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 11 That all natural stone and brick from the existing buildings, garden walls and other structures within the application site shall be taken down, and stored within the application site as outlined red on the approved plan, for reuse. Thereafter, these bricks and natural stone shall be reused to face the boundary walls, particularly along the applications site's southern boundary, all in accordance with the plans hereby approved.
- 12 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.
- 13 That no consent is hereby granted for the type and distribution of external finishes as shown on the approved plan, and no work shall commence on site until samples of alternative materials have been submitted to and approved in writing by the Council as Planning Authority.
- 14 That notwithstanding the terms of Condition 13 above, the roof of the dwellings hereby approved shall be finished in natural slate, or a high quality slate substitute and the walls finished in a render, of a non white colour, all to the satisfaction of the Council as Planning Authority.
- 15 That prior to the implementation of the works hereby approved, sample panels of the proposed external stone-work finish for the dwellings, and the brick boundary walls shall be provided and no further work on the site shall be commenced until the written approval of the Council as Planning Authority has been granted for this or other such finish as may be acceptable to the Council. The approved sample panel shall remain in place throughout construction.
- 16 That no consent is hereby granted for the type and distribution of external surfacing finishes for access road and driveways within the development or car parking areas as shown on the approved plan, and no work shall commence on site until samples of alternative materials have been submitted to and approved in writing by the Council as Planning Authority.
- 17 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.

- 18 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 19 That the required drainage scheme shall be completed in accordance with the approved details prior to the occupation of any house hereby approved.
- 20 That before any of the dwellinghouses hereby approved is occupied, a septic tank and soakaway designed and constructed in accordance with the current code of practice BS6297:1983 shall be provided.
- 21 That before any work commences on the site, a scheme of landscaping for the application site outlined in red and land outlined in blue on the approved plans, shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) 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; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 22 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 23 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 23 That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.
- 24 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining access road.
- 25 That before development starts, full details of the design and location of all fences, gates and walls, including any retaining walls or structures, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 26 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 25 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 27 That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

- 28 That prior to construction, further details of the design and materials for the application site boundary walls shall be submitted for the written approval of the Council as Planning Authority, and implemented thereafter as approved. For the avoidance of doubt, the wall shall have a minimum height of 1.5m and a maximum height of 3.5m.
- 29 That no trees within the application site as outlined in red and on land as outlined in blue on the approved plans, shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.
- 30 That the existing trees to be retained within the application site as outlined in red and land as outlined in blue on the approved plans, must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 31 That prior to the commencement of any site works, further details of the routes, and means of construction of the swales relative to the existing vegetation and trees both within and immediately adjacent to the application site, shall be submitted to the Council as Planning Authority for further written approval.
- 32 For the avoidance of doubt, all recommendations, mitigation measures and best working practices as set out in the Ecological Assessment by Waterman Energy, Environment and Design Ltd, dated 21 October 2009, and the subsequent Addendum to the Ecological Assessment dated 4 February 2010 shall be followed throughout the entire application site and access road and for the entire period of development works.
- 33 No earlier than 6 months prior to works commencing on site, an updated ecology survey shall be undertaken and approved in writing by the Planning Authority and thereafter the appropriate mitigation measures shall be implemented to the satisfaction of the Council as Planning Authority.
- 34 That prior to the commencement of development, details of any changes to the approved ground levels within the application site shall be submitted for the approval of the Council as Planning Authority.
- 35 Prior to the commencement of development on site, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% reduction in CO₂ emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:
- a) the total predicted energy requirements and CO₂ emissions of the development, clearly illustrating the additional 15% reduction beyond the 2007 building regulations CO₂ standard;
 - b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;

- c) an indication of the location and design of the on-site energy technologies; and
- d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.

- 36 The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.
- 37 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
- (c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.
- 38 That prior to the commencement of development on site, details of the phasing and means of ground clearance works including the position of working zones and no work protection areas for the reasons of nature conservation, and their demarcation, shall be submitted to, and approved in writing by the Council as Planning Authority. For the avoidance of doubt such areas shall be maintained, as approved, throughout the duration of the development works.
- 39 Prior to the commencement of development, and on land outlined blue on the approved plans, rubble/log piles shall be formed and maintained for the duration of the construction works to provide potential terrestrial places of shelter for reptiles and amphibians.
- 40 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 120 metres measured from the road channel shall be provided on both sides of the access at its junction with Mauldslie Road and 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 shall be planted, placed or erected within these sight lines.

- 41 That before the development hereby approved is commenced, a plan shall be submitted and approved in writing by the Council as Planning and Roads Authority showing an appropriate scheme of passing places and the provision of a positive drainage system along the entire length of the private access. For the avoidance of doubt the passing places shall be intervisible or at a minimum of 150 metre centres, and shall be formed prior to the commencement of any works within the application site as outlined red on the approved plans, all maintained as approved and all to the satisfaction of the Council.
- 42 That prior to any work commencing on the site, a maintenance management schedule for the private access, the passing places and the associated drainage approved under the terms of Condition 41 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the private access, the passing places and drainage shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 43 That before any of the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 44 That before the development hereby approved is commenced, further details shall be submitted and approved in writing by the Council as Planning and Roads Authority of the improvements to the private access road, and shall include the use of a sealed/bound surface. For the avoidance of doubt the approved works shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved, and shall be maintained thereafter as approved, all to the satisfaction of the Council.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 In order to safeguard any archaeological items of interest or finds.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 To ensure satisfactory vehicular and pedestrian access facilities to the site, and in the vicinity of the site.
- 6 To retain effective planning control and safeguard the amenity of the area.
- 7 These details have not been provided or approved.
- 8 To retain effective planning control and safeguard the amenity of the area.
- 9 In the interests of nature conservation.
- 10 In the interests of amenity.
- 11 To ensure the retention and reuse on this application site, of the natural stone and bricks.
- 12 To retain effective planning control and safeguard the amenity of the area.
- 13 In the interests of amenity and in order to retain effective planning control.
- 14 To ensure a satisfactory integration of the proposed development with the existing building both in terms of design and materials
- 15 In the interests of amenity and in order to retain effective planning control.

- 16 In the interests of amenity and in order to retain effective planning control.
- 17 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 18 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 19 To ensure the provision of a satisfactory land drainage system.
- 20 To ensure the provision of a satisfactory sewerage system
- 21 In the interests of the visual amenity of the area.
- 22 In the interests of amenity.
- 23 In the interests of amenity.
- 24 In the interests of amenity and in order to retain effective planning control.
- 25 These details have not been submitted or approved.
- 26 In order to retain effective planning control
- 27 These details have not been submitted or approved.
- 28 In the interests of amenity and in order to retain effective planning control.
- 29 To ensure the protection and maintenance of the existing mature trees within the site
- 30 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 31 In the interests of amenity and in order to retain effective planning control.
- 32 In the interests of nature conservation
- 33 In the interests of nature conservation.
- 34 To clarify those details approved.
- 35 To secure a reduction in carbon dioxide emissions.
- 36 To secure the timeous implementation of on-site zero and low carbon energy technologies.
- 37 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 38 In the interests of nature conservation.
- 39 In the interests of nature conservation.
- 40 In the interest of road safety
- 41 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 42 In the interests of amenity.
- 43 To ensure the provision of a satisfactory drainage system.
- 44 To ensure satisfactory vehicular and pedestrian access facilities to the site.

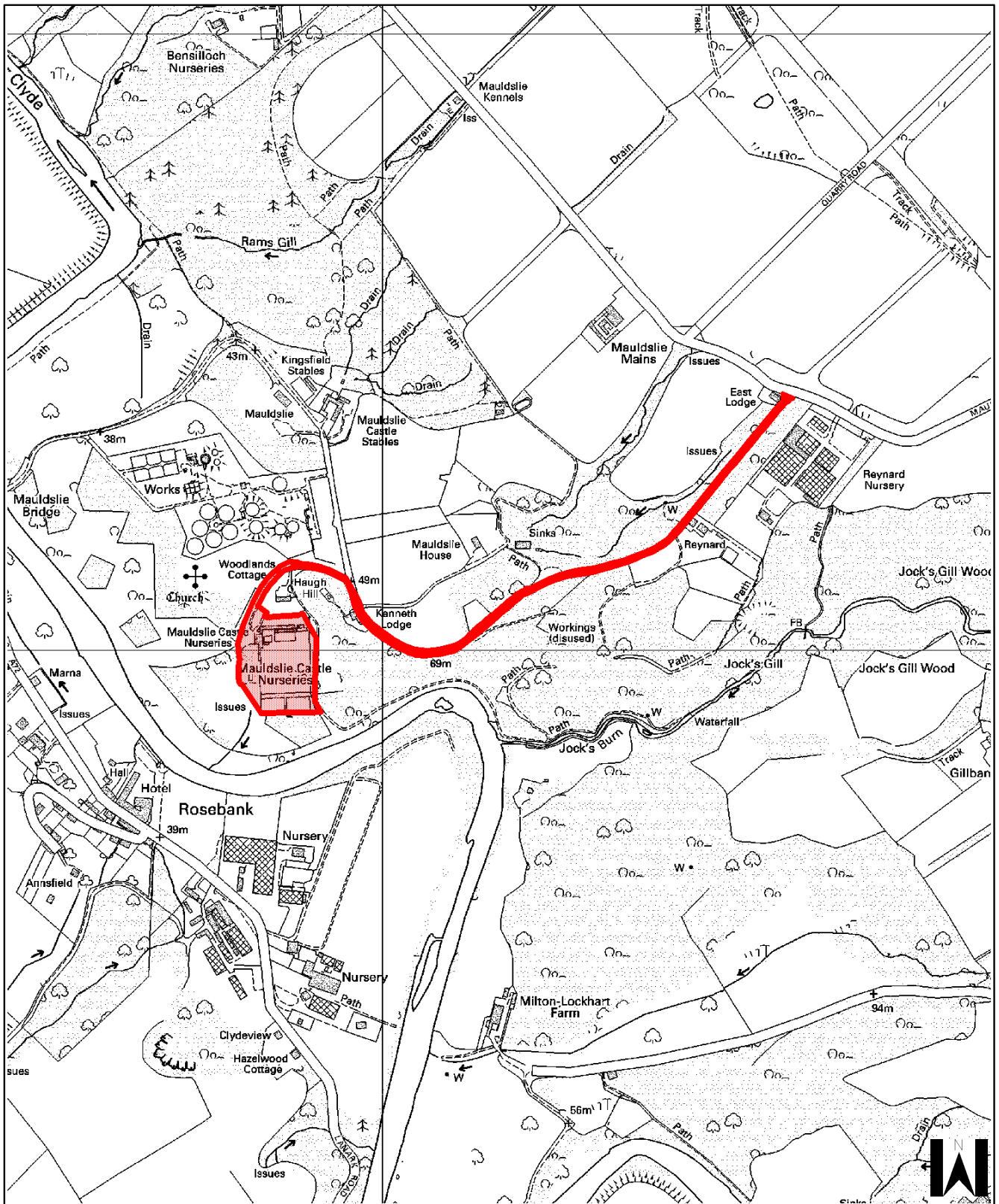
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Former Mauldslie Castle Nurseries, Mauldslie Estate,
Mauldslie Road, Carluke, ML8 5QE

Planning and Building Standards Services

Scale: 1:10000

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