

Report

Report to:	Planning Committee
Date of Meeting:	10 March 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/1809
Planning proposal:	Erection of 28 flatted dwellings with associated car parking and works

1 Summary application information

Application type:	Detailed planning application
Applicant:	Carmichael Homes and Interiors
Location:	Westmains Garage West Mains Road East Kilbride South Lanarkshire G74 1NH

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.
- (2) Detailed planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the provision of affordable housing, educational facilities and community facilities.

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not

already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above section 75 Obligation shall be borne by the developers.

3 Other information

- ♦ Applicant's Agent: Calum MacCalman
- ♦ Council Area/Ward: 08 East Kilbride Central North
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (2015)**
Policy 2 - Climate change
Policy 4 - Development management and placemaking
Policy 5 – Community infrastructure assessment
Policy 9 - Neighbourhood centres
Policy 13 - Affordable housing and housing choice
Policy 15 - Natural and historic environment

Supplementary Guidance 1: Sustainable Development and Climate Change

Supplementary Guidance 3: Development Management, Placemaking and Design

Policy DM1 – Design
Policy DM7 - Demolition and redevelopment for residential use

Supplementary Guidance 4: Community Infrastructure Assessment

Supplementary Guidance 6: Town Centres and Retailing

Supplementary Guidance 7: Affordable Housing and Housing Choice

Supplementary Guidance 9: Natural and Historic Environment

Policy NHE3 - Listed buildings
Policy NHE7 - Conservation areas

Proposed South Lanarkshire Local Development Plan 2 (2018)

Policy 2 - Climate Change
Policy 5 - Development Management and Placemaking
Policy 7 - Community Infrastructure Assessment
Policy 9 - Network of Centres and Retailing
Policy 12 - Affordable Housing
Policy 14 - Natural and Historic Environment
Policy DM1 - New Development Design

Policy DM7 - Demolition and Redevelopment for Residential Use
Policy NHE3 - Listed Buildings
Policy NHE6 - Conservation Areas

South Lanarkshire Council Residential Development Guide

◆ **Representation(s):**

▶	2	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads and Transportation Services (Development Management Team)

Roads and Transportation Services (Flood Risk Management Team)

Education Resources - School Modernisation Team

Housing Services

Community and Enterprise Resources - Play Provision Community Contributions

Environmental Services

Scottish Water

WOSAS

East Mains Community Council

Planning Application Report

1 Application Site

- 1.1 The application relates to the site of a former petrol filling station and associated retail unit at West Mains Road, East Kilbride. In addition to the filling station and shop the site was also previously utilised as a car sales facility. However all of these uses have ceased operations on site. Part of the site remains in use as a tyre garage and car wash at this time.
- 1.2 The application site, which measures approximately 0.2 hectares in area, is bounded to the west by residential properties and by Glebe Crescent, to the north by Glebe Street with residential properties located directly opposite, to the east by a church hall and to the south by West Mains Road with residential properties located directly opposite. The site, which is accessed from West Mains Road, slopes gently upwards from south to north.

2 Proposal(s)

- 2.1 The applicants, Carmichael Homes and Interiors, propose to remove the existing commercial buildings from the site and construct a four storey flatted development comprising 28 two bedroom flats. The building would be located towards the north and west of the site with parking and refuse facilities provided adjacent to the access from West Mains Road, which would be upgraded to facilitate the development. Pedestrian accesses would also be provided from both Glebe Street and Glebe Crescent to the proposed development. The proposed building would be finished in facing brick and smooth cladding throughout.

3 Background

3.1 Local Plan Status

- 3.1.1 In land use terms, the site is identified within the adopted South Lanarkshire Local Development Plan 2015 (LDP) as forming part of the East Kilbride Village neighbourhood centre (Policy 9 – Neighbourhood Centres) and the East Kilbride Village Conservation Area (Policy 14 – Natural and Historic Environment and Policy NHE7 – Conservation Areas). In addition to the above policy designation, the proposed development is affected by a number of additional policies within the Local Plan, as follows:

- Policy 2 – Climate change
- Policy 4 – Development management and placemaking
- Policy 5 – Community infrastructure assessment
- Policy 13 – Affordable housing and housing choice
- Policy DM1 – Design
- Policy DM7 – Demolition and redevelopment for residential use
- Policy NHE3 – Listed buildings

- 3.1.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals

contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:

- Policy 2 – Climate change
- Policy 5 – Development Management and Placemaking
- Policy 7 – Community infrastructure assessment
- Policy 9 - Network of Centres and Retailing
- Policy 12 – Affordable Housing
- Policy 14 – Natural and Historic Environment
- Policy DM1 – New Development Design
- Policy DM7 – Demolition and Redevelopment for Residential Use
- Policy NHE3 – Listed Buildings
- Policy NHE6 – Conservation Areas

3.2 **Planning Background**

3.3.1 As the site is located within the East Kilbride Village Conservation Area and the demolition of existing buildings is proposed, a concurrent application for Conservation Area Consent in respect of the proposed demolition works is also currently under Council consideration (Planning Ref: P/19/1823).

3.3.2 In terms of site history, planning consent was granted in January 2014 for the change of use of the petrol filling station within the site to form a car sales facility (Planning Ref: EK/13/0320). However, this facility has since ceased operations on site. Three subsequent change of use applications relating to the site have been withdrawn by their respective applicants prior to determination due to concerns raised by the Planning Service relating to the proposals set out below:

- EK/16/0163 - Change of use to car hire facility, alterations and erection of wash bay for hire vehicles
- EK/17/0343 - Change of use to hot food takeaway and catering business
- P/18/1503 - Change of use to hot food takeaway

4 **Consultation(s)**

4.1 **Roads and Transportation Services (Development Management Team)** – Initially requested clarification regarding a number of matters including parking, access and visibility splays. Following the submission of revised drawings clarifying these matters, they offered no objection to the proposed development subject to conditions.

Response: Noted. Appropriate conditions would be added to any consent granted.

4.2 **Roads and Transportation Services (Flood Risk Management Team)** - advised that they have no objections subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems and flood risk.

Response: Noted. Appropriate conditions would be attached to any consent granted.

- 4.3 **Education Resources - School Modernisation Team** - In accordance with policy on Community Infrastructure Assessment, a financial contribution has been sought to address the impact of the proposals on the capacity of schools within the catchment area of the site.
Response: Noted. If Committee agrees to grant consent, developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.4 **Housing Services** - In accordance with policy on affordable housing provision, a financial contribution is sought in respect of the provision of affordable housing.
Response: Noted. If Committee agrees to grant consent, developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.5 **Community and Enterprise Resources - Play Provision Community Contributions** - In accordance with policy on Community Infrastructure Assessment, a financial contribution is sought in respect of community and play facilities in the local area.
Response: Noted. If Committee agrees to grant consent, developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.6 **Environmental Services** - Initially requested clarification regarding the provision of suitable refuse facilities within the site. Following the submission of revised drawings in respect of the matters raised they offered no objection to the proposed development subject to relevant conditions. In particular it is noted that they have requested the attachment of a condition to any consent issued requiring the removal of the disused petrol filling station tanks from the site as part of the development.
Response: Noted. Appropriate conditions can be added to any consent granted, including a condition requiring the removal of the disused petrol filling station tanks.
- 4.7 **Scottish Water** – Offered no objection to the proposed development.
Response: Noted
- 4.8 **WOSAS** – Requested that a condition be attached to any consent issued requiring a programme of archaeological works to be agreed and implemented on site to ensure that any features, deposits or artefacts of archaeological merit encountered are suitably excavated and recorded prior to their removal.
Response: Noted. The requested condition would be attached to any consent issued.
- 4.9 **East Mains Community Council** – Objected to the application due to concerns relating to the scale of the development proposed, the level of parking provision within the site and the capacity of surrounding infrastructure to cater for the proposed development.
Response: The comments submitted by the Community Council are noted. The points raised have been considered as part of the assessment of the planning application. However, following a detailed assessment, the view is taken that the proposed development is acceptable and, as such, it is considered appropriate that planning permission be granted, subject to appropriate conditions.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised for neighbour notification purposes, as development affecting the setting of a listed building and as development affecting the character of a conservation area. Three letters of representation were received, the points of which are summarised below:

- a) **The removal of trees from within the site may create overlooking issues to adjacent properties.**

Response: While it is noted that a number of trees would require to be removed from the site to facilitate the development as proposed, it is not considered that there would be an unacceptable degree of overlooking created as a result of the development as proposed. It is, therefore, not considered appropriate for planning permission to be refused for this reason.

- b) **The roots of the trees proposed to be removed may cause damage to adjacent properties.**

Response: Any damage to private property resulting from the development would be a civil matter to be resolved privately between the parties involved. Nonetheless, provided that all works are carried out in an appropriate manner, it is unlikely that there would be any adverse impact on adjacent properties in this regard.

- c) **The loss of the tyre garage from the site would have an adverse impact on the local economy and would adversely affect the mix of uses within the neighbourhood centre.**

Response: It is noted that the development would result in the garage, which occupies the north-eastern part of the site, requiring to relocate in order to continue operations. However, this is not considered to be justification for refusal of the planning application. In this instance, following a detailed assessment against Council planning policy, it is considered appropriate for planning permission to be granted for the residential development as proposed in this instance. If required, the Council's Economic Development Service can provide assistance with regard to the relocation of the garage to suitable premises elsewhere in the local area.

- d) **The design of the proposal would amount to overdevelopment of the site and would have an adverse impact on the character of the conservation area within which the site is located.**

Response: The proposal has been assessed in detail and it is not considered that the proposal would amount to overdevelopment of this neighbourhood centre location or would have an adverse impact on the conservation area. In particular, given the relatively poor condition and appearance of the existing buildings, the view is taken that the development, as proposed, would have a positive overall impact by allowing the redevelopment of an unattractive and partly disused site for an appropriate use.

- e) **The height, design and layout of the development, as proposed, would be out of context with surrounding properties.**

Response: It is noted that surrounding development is of a variety of styles and character and that there is no particularly predominant style of development in the local area. In this context, it is considered that the development, as proposed, would not appear out of context with its surroundings and would allow an unattractive site to be developed for a use that is more in keeping with its surroundings than the current use.

- f) **Additional details should have been provided in terms of the impact of the proposals on the conservation area and nearby adjacent properties.**

Response: It is considered that sufficient detail has been provided by the applicants to allow a full assessment of the proposals to be undertaken in this instance. Following a full assessment of the proposed development against Council planning policy, it is considered appropriate for planning permission to be granted for the development, as proposed.

- g) **It should be ensured that no protected species are harmed as a result of the proposed development.**

Response: A species survey has been submitted in respect of the site which has confirmed that, subject to adherence to the recommendations of the report, there would be no adverse impact on protected species arising from the proposed development. A condition would be attached to any consent issued requiring the recommendations of the report to be followed at all times on site and, on this basis, there are no further concerns with regard to protected species in this instance.

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

6 Assessment and Conclusions

- 6.1 The applicants, Carmichael Homes and Interiors, propose to remove the existing commercial buildings and construct a four storey flatted development comprising 28 two bedroom flats on the site of West Mains Garage, West Mains Road, East Kilbride. The proposed building would be located towards the north and west of the site with parking and refuse facilities provided adjacent to the access from West Mains Road, which would be upgraded to facilitate the development. Pedestrian accesses would also be provided from both Glebe Street and Glebe Crescent to the development. The proposed building would be finished in facing brick and smooth cladding throughout.
- 6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local development plan policy.
- 6.3 The adopted South Lanarkshire Local Development Plan 2015 (LDP) identifies the site, in land use terms, as forming part of the East Kilbride Village neighbourhood centre as defined by Policy 9 – Neighbourhood Centres. Within neighbourhood

centres the Council seeks an appropriate mix of uses, including retail, office and residential developments. As such, the principle of the proposed redevelopment of the site for residential purposes is considered to complement the mix of uses in the area and is compliant with the provisions of Policy 9.

- 6.4 In terms of the detail of the proposal, Policy 4 of the LDP states that all planning applications should take fully into account the local context and built form, while Policy 2 seeks to ensure that proposed developments, where possible, seek to minimise and mitigate against the effects of climate change. In addition, Policies DM1 and DM7 of the associated Development Management, Placemaking and Design Supplementary Guidance provide specific policy and guidance with regard to design issues and the demolition and redevelopment of sites respectively. Furthermore, any proposal should not result in significant adverse environmental or amenity impacts. Further guidance on design matters is contained in the Council's Residential Design Guide.
- 6.5 In terms of the submitted layout, it is noted that the proposal is for 28 two bedroom flats, with associated parking and landscaping facilities. The design and layout of the development is considered to be acceptable and it is not considered that there would be any significant adverse impact on adjacent properties or the surrounding area in terms of overlooking, loss of light or other amenity issues. Furthermore, it is noted that the site is located in a particularly sustainable location, in close proximity to both East Kilbride Village and East Kilbride Town Centre as well as both East Kilbride railway and bus stations. As such, this accessibility, in terms of walking and public transport, would ensure that the proposed development would minimise and mitigate against the effects of climate change. Furthermore, it is noted that the Council's Roads and Transportation Services and Environmental Services have offered no objections to the proposed development, subject to conditions which would be attached to any consent issued. It is, therefore, considered that the proposals comply with both Policies 2 and 4 and their associated supplementary guidance, as well as with the Council's Residential Development Guide.
- 6.6 Policy 15 – Natural and Historic Environment and its associated supplementary guidance seeks to ensure that no natural and historic assets or their settings are adversely affected as a result of any proposed developments. In addition, Policies NHE3 and NHE7 provide specific policy and guidance with regard to listed buildings and conservation areas respectively. In this instance, while it is noted that a sizeable residential development is proposed within the East Kilbride Village Conservation Area, it is also noted that the site is currently in poor condition and that only part of the site is in operational use at this time. As such, it is considered that the proposed redevelopment of the site would have an overall positive impact on the conservation area by returning the entirety of the site to a functional use, while not adversely impacting on any historically important features. While it is noted that there are a number of listed buildings located in relatively close proximity to the application site, it is not considered that any would be adversely impacted by the proposed development.
- 6.7 In addition, following consultation with the West of Scotland Archaeology Service, a condition would be attached to any consent issued requiring a programme of archaeological works to be implemented on site, to ensure that any features of archaeological interest encountered during the construction process can be retrieved. Furthermore, with regard to the natural environment, a protected species

survey has been carried out in respect of the site which has confirmed that there is no evidence of the presence of any such species within the site. It is noted that a number of trees would require to be removed from the site to facilitate the development, as proposed, however, it is considered that the trees in question are of relatively low merit and, therefore, there are no concerns with regard to their removal. As such, it is considered that the proposed development would not have any adverse impact on the natural or built environment and would be fully compliant with the provisions of Policy 15 and its associated supplementary guidance in this instance.

- 6.8 The Council's adopted policy on Community Infrastructure Assessment (Policy 5) advises that a financial contribution from developers will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. In this instance, education and community infrastructure contributions have been broadly agreed and staged payments would be secured through a Section 75 legal agreement between the Council and the developer. In addition, contributions would also be similarly secured in respect of the provision of affordable housing in the area. This approach is acceptable to Housing Services and accords with Policy 13 – Affordable Housing and Housing Choice and with all relevant associated Supplementary Guidance.
- 6.9 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with the relevant policies detailed in section 3.1.3 above.
- 6.10 In summary, it is considered that the development, as proposed would represent a significant improvement in the appearance of the site, would allow the provision of 28 residential flat dwellings within the East Kilbride Village neighbourhood centre and would be fully compliant with the relevant provisions of both the South Lanarkshire Local Development Plan (adopted 2015) and the Proposed South Lanarkshire Local Development Plan 2 2018. It is, therefore, recommended that planning permission is granted for the proposed development, subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposal would have no significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan and Supplementary Guidance (Policies 2, 4, 5, 9, 13, 15, DM1, DM7, NHE3 and NHE7) and the Proposed South Lanarkshire Local Development Plan 2 (Policies 2, 5, 7, 9, 12, 14, DM1, DM7, NHE3 and NHE6). There are no additional material considerations which would justify refusing to grant consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 18 February 2020

Previous references

- ◆ P/19/1823
- ◆ P/18/1503
- ◆ EK/17/0343
- ◆ EK/16/0163
- ◆ EK/13/0320

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 6/12/2019
- ▶ Consultations
 - WOSAS 17.12.2019
 - Roads and Transportation Services (Development Management Team) 31.01.2020
 - Environmental Services 11.02.2020
 - Scottish Water 17.12.2019
 - Education Resources School Modernisation Team 20.12.2019
 - Housing Services 17.12.2019
 - Community and Enterprise Resources Play Provision 17.01.2020
 - Community Contributions 10.01.2020
 - East Mains Community Council 10.01.2020
 - Roads and Transportation Services (Flood Risk Management Team) 10.01.2020
- ▶ Representations
 - Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS Dated: 22.01.2020
 - Broadgrove Planning Development Ltd, 23.12.2019
 - Scott Martin, Received Via Email 20.12.2019

Contact for further information

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455049
Email: declan.king@southlanarkshire.gov.uk

Conditions and reasons

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

03. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition3, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That before any work commences on the site, a scheme of landscaping 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., including, where appropriate, the planting of fruit/apple trees;
- (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.

Reason: To ensure the appropriate provision of landscaping within the site.

06. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

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

07. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works 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 the West of Scotland Archaeology Service.

Reason: To ensure that any features, deposits or artefacts of archaeological merit encountered on site are suitably excavated and recorded prior to their removal.

08. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Appendices 1,2,3,4 & 5).

Reason: 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.

09. That the development hereby approved shall not be completed or brought into use until all surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 8 above.

Reason: 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.

10. That before the development hereby approved is brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

11. That before the development hereby approved is completed or brought into use, a private vehicular access or driveway shall be provided and the first six metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

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

12. That before the development hereby approved is completed or brought into use, the existing vehicular access shall be closed off and all vehicular access to the development site hereby permitted shall be via the access detailed in Condition 11 above.

Reason: In the interests of traffic and public safety.

13. That, before the development hereby approved is completed or brought into use, a footway shall be constructed along the entrance to the site to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

14. That, before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

15. That, before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 43 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

16. That, before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

17. That, before the development hereby approved is completed or brought into use, a suitable system of site drainage shall be put in place to the satisfaction of the Council as Roads and Planning Authority to prevent surface water flowing onto the public road.

Reason: To prevent surface water flowing onto the public road.

18. That, during the construction phase associated with the development hereby approved:

- Appropriate cleaning systems shall be put in place within the site to ensure mud and debris is not deposited on the public road;
- Appropriate staff/operative parking and a turning area, as required, shall be provided on site.

Prior to commencement of any works on site full details of the above shall be submitted to and approved by the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

19. That the recommendations of the DAM Geotechnical Services Geotechnical Design & Environmental Risk Assessment Report (Pre-demolition), Ref DAM 3588 dated January 2020 in respect of the development shall be undertaken/adhered to at all times on site. In addition, following the undertaking of the demolition works hereby approved, an updated Site Investigation Report shall be submitted to and approved by the Council as Planning Authority and the recommendations therein, as well as any identified site remediation measures, shall be undertaken on site to the satisfaction of the Council prior to development works being undertaken on site.

Reason: To safeguard the environmental amenity of the area.

20. That, prior to the commencement of any development works on site, the decommissioned fuel tanks of the former garage services premises shall be removed to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the environmental amenity of the area.

21. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228:2009, 'Noise control on construction and open sites'. Prior to commencement of construction activities a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be submitted to and approved by the Council as Planning Authority in accordance with the standard. The imissions at the Noise Sensitive Receptor shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. In addition to noise a vibration report shall be submitted for consideration. The report shall detail projections from Piling and other ground works in keeping with 6472:2008 - Guide to evaluation of human exposure to vibration in buildings. The development shall thereafter be undertaken in accordance with the approved details to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

22. That, at all times, the internal noise levels shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-

- a) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
 - b) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
 - c) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LA,max of 45dB night-time (23:00 - 07:00).
 - d) The external levels shall not exceed an LAeq,16hr of 50dB daytime in any garden areas, when measured free-field
- The Internal Noise Rating Values, within any residential property and resultant from the development, shall not exceed-
- NR25 between 23.00hrs and 08.00hrs
 - NR35 between 08.00hrs and 23.00hrs

Reason: To safeguard the amenity of the area.

23. That all of the bins identified on the approved plans shall be put in place on site prior to occupation of any of the dwellinghouses hereby approved and shall thereafter be maintained on site to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

24. That, prior to development commencing on site, a scheme for the control, monitoring and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

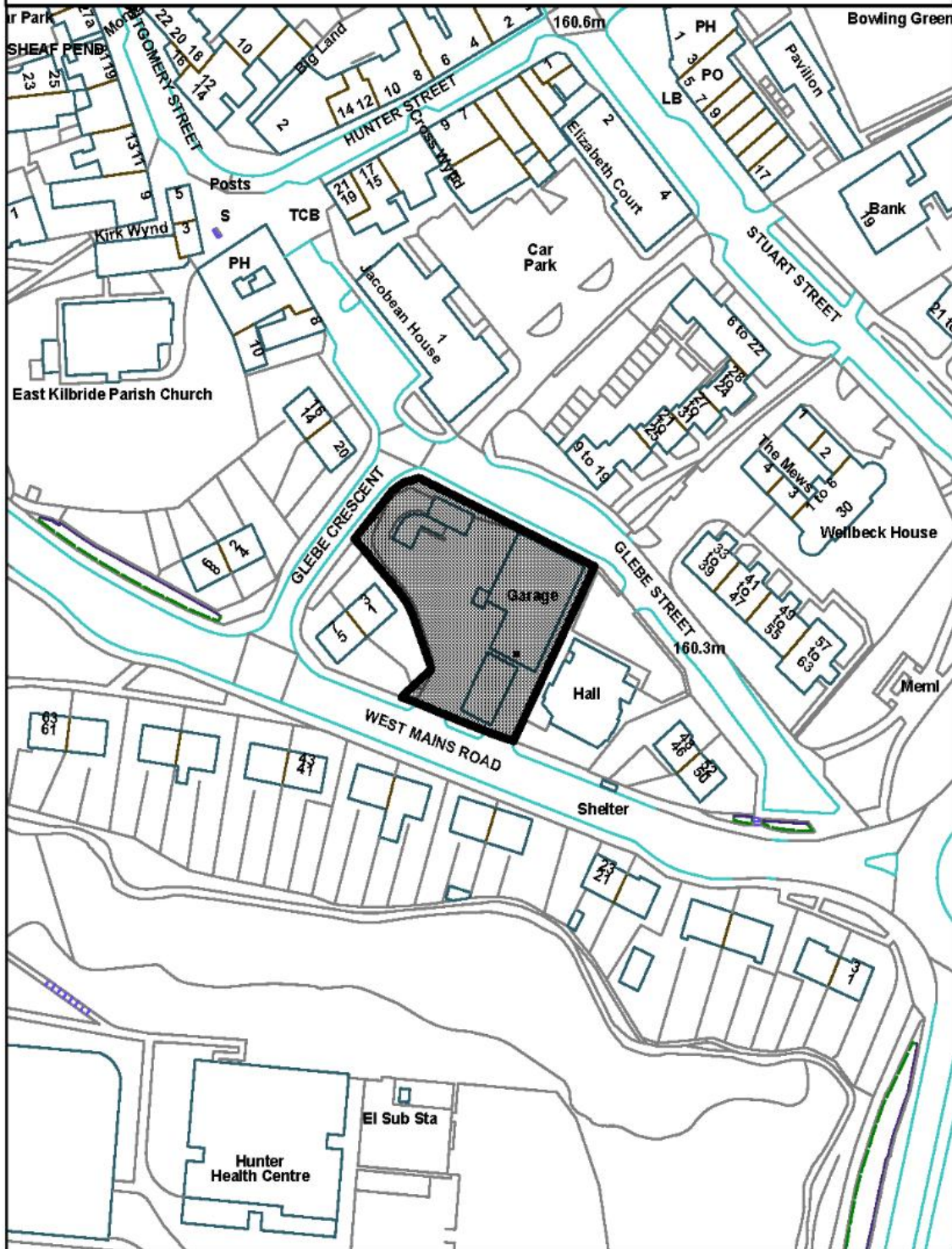
Reason: To safeguard the amenity of the area.

25. That the recommendations of the species survey carried out in respect of the site by Nocturne Environmental Surveyors Limited shall be adhered to at all times on site throughout the development, to the satisfaction of the Council as Planning Authority.

Reason: To ensure that no protected species are harmed as a result of the development.

P/19/1809

Westmains Garage, West Mains Road, East Kilbride



© Crown copyright and database rights 2019 OS
100020730. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, re-use, distribute or sell
any of this data to third parties in any form.



Scale:
1:1,250
Date:
17/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development