

Report

Report to:	Planning Committee
Date of Meeting:	28 August 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/18/0172
Planning proposal:	Erection of 3 retail units and repositioning of Block D (formerly Block C1) as a revision to planning permission HM/17/0312

1 Summary application information

Application type: Detailed planning application

Applicant: Clyde Valley Housing Association
Location: Carlisle Road
Ferniegair
Hamilton

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: John Russell Partnership
- ◆ Council Area/Ward: 17 Hamilton North And East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**
Policy - 1 Spatial strategy
Policy 2 - Climate change
Policy 4 - Development Management and Place Making
Policy 10 - New Retail/Commercial Proposals
Policy 12 - Housing land
Policy 14 - Green Network and Green Space
Policy 16 - Travel and Transport
Policy 17 - Water Environment and Flooding

Development Management, Place Making and Design Supplementary Guidance (2013)

Residential Design Guide (2011)

Proposed South Lanarkshire Local

Development Plan 2 (Volumes 1 and 2)

Policy 1 - Spatial Strategy

Policy 2 – Climate Change

Policy 5 - Development Management and Place Making

Policy 10 - New Retail/Commercial Proposals

Policy 11 - Housing

Policy 13 - Green Network and Greenspace

Policy 15 - Travel and Transport

Policy 16 - Water Environment and Flooding

Policy DM1 - New Development Design

Policy SDCC2 – Flood Risk

Policy SDCC3 - Sustainable Drainage Systems

Policy SDCC4 – Sustainable Transport

Policy DM15 - Water Supply

Policy NHE18 – Walking, cycling and riding routes

Policy NHE20 - Biodiversity

◆ Representation(s):

▶	4	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ Consultation(s):

Education Resources School Modernisation Team

Environmental Services

Roads Flood Risk Management

Roads Development Management Team

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located adjacent to Carlisle Road at the southern side of Ferniegair. The site is bounded directly to the north east by the Hamilton/Larkhall railway line and to the south west by Carlisle Road. The remainder of the site is essentially bounded by residential properties. The site slopes from north-west to south-east and there is a significant fall in level from the roadway to the boundary with the railway track. The site extends to approximately 0.9 hectares and currently includes a mix of unmaintained grass, semi mature trees and scrub.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 3 retail units and the repositioning of Block D (formerly Block C1) as a revision to planning permission HM/17/0312 for the erection of 26 flatted dwellings and 16 terraced dwellinghouses on the site. The submitted supporting information advises that the proposal includes a small development of one and two bedroom flats and three bedroom terraced houses which are to be considered as 'affordable homes' and are to be built on behalf of Clyde Valley Housing Association. The applicant initially proposed hot food takeaway facilities for two of the three retail units. However, following discussions with the Planning Service, for amenity reasons, this aspect of the proposal was removed.
- 2.2 The proposed retail units would be located adjacent to the north western boundary of the site within a building which would be two storeys in height when viewed from the front elevation and three storeys in height when viewed from the rear where it follows the contours of the site. The three retail units proposed would comprise one larger unit measuring approximately 234 square metres in floor area in addition to two smaller units measuring approximately 54 and 90 square metres. The three units would be located on the ground floor of the building. The upper floor of the building would comprise 6 flatted dwellings and the lower ground floor would include one flatted dwelling and a stock room associated with the largest retail unit. The proposed building would incorporate a traditional hipped roof and would be finished with concrete roof tiles, a mixture of buff and grey facing brick for the exterior walls and UPVC windows and doors.
- 2.3 Block D of the proposal, which was formerly referred to as Block C1 in the previously approved development, would be re-positioned in line with Block B of the approved scheme. This block would also be increased in height from two storeys to three with four additional flatted dwellings included to compensate for the loss of units required to accommodate the retail aspect of the proposal. This building would also incorporate a hipped roof and would be finished with concrete roof tiles, a mixture of buff and grey facing brick with grey lining board for the exterior walls and dark grey UPVC window frames. The car parking associated with the block would also be redesigned but would still be located to the north east of the block.
- 2.4 A Train Noise Impact Assessment, Design and Access Statement, Extended Phase 1 Habitat Survey and a Geotechnical and Geo-Environmental Interpretative Report were submitted with the application as supporting documents.

3 Background

3.1 Local Plan Policy

3.1.1 The application site is designated for residential use in the adopted South Lanarkshire Local Development Plan where it is identified as part of the 2014 Housing Land Supply. The site also forms Site B of the Ferniegair Community Growth Area and is covered by the Green Network. The relevant policies for the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 4 - Development Management and Place Making, Policy 10 – New Retail/Commercial Proposals, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 – Water Environment and Flooding in addition to the supplementary guidance of the Proposed Development Management, Place Making and Design Supplementary Guidance relating to 'Design'. An assessment of the proposal against the above policies is contained in Section 6 of this report.

3.1.2 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, Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 10 - New Retail/Commercial Proposals, Policy 11 Housing, Policy 13 Green Network and Greenspace, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding are relevant. Volume 2 of the Proposed Plan contains further policy guidance that will be used when assessing planning applications. In this instance, Policies DM1 - New Development Design, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, SDCC4 - Sustainable Transport, DM15 - Water Supply, NHE18 - Walking, cycling and riding routes and NHE20 – Biodiversity are relevant.

3.2 Relevant Government Advice/Policy

3.2.1 In terms of residential development, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

3.3 Planning Background

3.3.1 Detailed planning permission was granted to Clyde Valley/Wilson Developments for the erection of 26 flatted dwellings and 16 terraced dwellinghouses with associated amenity space and car parking within the site on 13 October 2017 (HM/17/0312).

4 Consultation(s)

4.1 **Environmental Services** – have no objections to the proposal subject to a condition requiring the submission of a Noise Management Plan prior to the occupation of the retail units to prevent disturbance to local residents resulting from deliveries and collections to and from the property.

Response:- Noted. Any consent granted would incorporate an appropriately worded condition to address the above matter.

- 4.2 **Roads Development Management Team** – have no objections to the application subject to conditions requiring the provision of adequate visibility splays and the provision of a Sustainable Urban Drainage System to treat the adoptable road surface water.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the above matters.

- 4.3 **Roads and Transportation Services (Flood Risk Management)** - have no objections to the application subject to conditions requiring the submission of a Flood Risk/Drainage Assessment for the Council's further approval and the provision of a sustainable urban drainage system (SUDS) within the site designed and independently checked in accordance with the Council's current SUDS Design Criteria Guidance Note.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the above matter.

- 4.4 **Education Resources School Modernisation Team** - have no objections to the application.

Response:- Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser under the heading Non Notification of Neighbours. Four letters of representation have been received in relation to the application. The grounds of objection are summarised below:

- a) **The layout and density of development is excessive for such a confined area. It is a large unnecessary development on a small piece of land with overcrowding, parking and increased cars.**

Response: The site forms part of the Ferniegair Community Growth Area. The proposed layout complies with the main guidance contained within the Council's Residential Design Guide. It is considered that the proposal does not represent overdevelopment of the site and would be in keeping with development in the surrounding area.

- b) **The increase in traffic flow resulting from the commercial part of the development onto a busy main road is a major concern considering the existing accesses already there and the accident history on the said road.**

Response: Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues and that a sufficient amount of car parking is being provided for the development.

- c) **Late night traffic noises/possible disturbances from people loitering outside the commercial premises/litter and odours will affect the amenity of Leven Road residents in particular and those in the surrounding area.**

Response: No adverse comments have been raised by any of the consultees in relation to these matters. Anti social behaviour would be a matter for Police Scotland to address where necessary.

- d) **Security concerns as a result of an increase in visitors especially in the evening.**
Response: Whilst it is not anticipated that the proposed development would lead to any additional security concerns, such matters would be for Police Scotland to address where necessary.
- e) **You should be made aware of the clause stated and action by the Duke of Edinburgh forbidding the opening of any retail establishment in the town of Ferniegair.**
Response: This is not a material planning consideration.
- f) **Potential safety issues where the facility may attract young children from the neighbouring estates along or across a busy main road.**
Response: Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues.
- g) **Overlooking and loss of privacy to 56 Leven Road from the proposed buildings.**
Response: The proposal initially included two standard upper floor kitchen windows on the side elevation of the proposed retail block facing onto the existing flatted development on Leven Road. Amended plans were submitted which show the two standard kitchen windows replaced by two high level windows to ensure that there is no adverse impact on the amenity of adjacent properties in terms of overlooking and loss of privacy.
- h) **In relation to environmental issues what impact will there be on animals and vegetation in the area due to the loss of one of the very few natural areas of land left in the area.**
Response: Whilst the site is covered by the Green Network, it is not covered by any statutory wildlife designations. However, a Habitat Survey was submitted with the application which highlights that habitats and species are typical of those found on brownfield land with no notable species found within the site. There was no evidence of any bats, otter, badger or water vole within the site.
- i) **Concerns regarding drainage infrastructure and additional waste from the development.**
Response: No adverse comments were raised by any of the consultees in this regard. However, any consent granted would include conditions requiring the provision of appropriate drainage infrastructure prior to the development being occupied.

5.2 These letters are available for inspection in the usual manner and on the Councils Planning Portal.

6 Assessment and Conclusions

6.1 The applicant seeks detailed planning permission for the erection of 3 retail units and the repositioning of Block D (formerly Block C1) as a revision to planning permission HM/17/0312 for the erection of 26 flatted dwellings and 16 terraced dwellinghouses on the site. The submitted supporting information advises that the proposed development includes a small development of two bedroom flats and three bedroom terraced houses which are to be considered as 'affordable homes' and are to be built on behalf of Clyde Valley Housing Association. The determining issues in consideration of this application are its compliance with national and local plan policy and its impact on the

amenity of adjacent properties and on the local road network.

- 6.2 In terms of national planning policy relative to residential development, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity. In this instance, the application site has been identified as a proposed housing site in the adopted Local Plan and is included within the Ferniegair Community Growth Area. The site would be accessible by public transport as all dwellings would be located within close proximity of both the nearest bus route and Chatelherault train station and the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.3 In terms of local plan policy, the application site is designated for residential use in the adopted South Lanarkshire Local Development Plan where it is identified as part of the 2014 Housing Land Supply. The site also forms part of the Ferniegair Community Growth Area and is covered by the Green Network. The relevant policies for the assessment of the application are Policy 1 - Spatial Strategy, Policy 4 - Development Management and Place Making, Policy 10 - New Retail/Commercial Proposals, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding.
- 6.4 Policy 1 encourages sustainable economic growth and regeneration, protection and enhancement of the built and natural environment and a move towards a low carbon economy. This will be partly achieved through the delivery of the development proposals identified in Table 3.1: Spatial Strategy Development Priorities including the Ferniegair Community Growth Area (CGA). Policy 2 encourages development in sustainable locations, the reuse of vacant and derelict land, the protection of the natural and historic environment and mitigation against the impacts of climate change. In line with these policies the proposal relates to a site located within the Ferniegair Community Growth Area (Site B) in a sustainable location close to Chatelherault train station and includes opportunities for active travel routes and trips by public transport. The proposal is, therefore, considered to be in accordance with the terms of Policies 1 and 2.
- 6.5 As the proposal is for residential use and the application site is located within an area designated for housing under Policy 12 the proposal raises no policy issues and conforms with the terms of Policy 12.
- 6.6 With regard to the detailed design of the development, Policy 4 generally requires new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. It is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in both the Council's Masterplan Development Framework for the Ferniegair Community Growth Area and the Council's Residential Design Guide, particularly in relation to road layout, window to window distances, amenity open space and car parking provision. It is considered that the proposed development is of a high quality design incorporating a suitably high standard of materials and that it will be in keeping with the recent phases of residential development in the surrounding area. The proposed buildings have been designed appropriately and would be positioned a sufficient distance away from existing properties to ensure that there will be no adverse impact to those properties in terms of overshadowing or loss of privacy. It is, therefore, considered that the proposal meets the terms of the above policy and guidance.

- 6.7 In terms of the retail aspect of the proposal, Policy 10 requires any proposals for retail or commercial development to be assessed against the following criteria and must:
- i. follow the sequential approach as set out in SPP;
 - ii. not undermine the vitality and viability of the strategic and town centres and/or neighbourhood centres;
 - iii. be supported by the area's catchment population;
 - iv. complement regeneration strategies for the area;
 - v. promote sustainable development;
 - vi. take account of development location and accessibility;
 - vii. minimise environmental and traffic impact;
 - viii. have no significant adverse impact on natural and/or built heritage resources, including Natura 2000 sites and Protected Species
 - ix. promote quality design and accessibility for all;
 - x. take account of drainage and service infrastructure implications.
- 6.8 The policy goes on to say that major development proposals over 2,500 m² (gross) comparison floorspace; 1,000 m² (gross) convenience should be accompanied by a retail assessment. This assessment should include a quantitative assessment of retail impact and capacity, and the qualitative impacts of the proposal. The cumulative effect of recently implemented or consented retail developments in nearby locations should also be taken into account. In particular locations, for example neighbourhood centres, a retail assessment may also be required for developments less than 1,000 m² (gross) floorspace.
- 6.9 In view of the above, the applicant submitted a retail statement to address the criteria listed within the policy. In terms of Criterion i. the applicant has not followed the sequential approach as set out in SPP. With regard to criterion ii. the site is located approximately 2 miles from Hamilton and 3 miles from Larkhall and should, therefore, be considered an out of town centre location. The applicant proposes to develop a small convenience store (retail space 234 sqm) in addition to two smaller retail units (90 sqm and 54 sqm). The size and type of the proposed development has been designed to cater for local needs and consequently it is considered that it would not endanger any of the retail establishments in either Hamilton or Larkhall. In relation to Criterion iii. the village of Ferniegair has undergone a great deal of expansion over the last decade and at present there are no local retail establishments in the village. House builders such as Robertson Homes, George Wimpey, Persimmon Homes, Avant Homes have expanded the village boundaries bringing new households to the area and a new train station has been provided which has encouraged the further expansion of Ferniegair. It is considered that these new households in conjunction with those in the existing village would adequately support the retail units proposed. In terms of Criterion iv. and as noted above, the village of Ferniegair is rapidly expanding and is in need of a local store. In relation to Criterion v. the development would be located in a sustainable location close to the existing train station and bus routes and would be designed to be as energy efficient as possible. As part of the building warrant process there would be SBEM calculations undertaken to ensure the development better the carbon emissions standards set out by The Scottish Government.

- 6.10 In terms of Criterion vi, the retail units would be visible from the main road between Hamilton and Larkhall which is a busy thoroughfare. Instead of taking the access off that road, access to the units would be taken off the road into the approved affordable housing development which would provide a safer vehicular access into the car parking area. The proposed retail units would also be conveniently located for the railway station and the local golf club and would be fully assessable with designated disabled parking bays and level access throughout. In relation to Criterion vii, the development would be within walking distance for most people in Ferniegair who at present need to use a car or public transport to visit any retail store. The proposed convenience store is not regarded as somewhere local residents would do all their weekly shopping but rather as a convenience store where they could top up their weekly shopping which would in turn reduce car journeys. In terms of Criteria viii, ix and x, the development would have no significant adverse impact on natural and/or built heritage resources, including Natura 2000 sites and Protected Species, the proposed buildings have been designed to a high standard to be fully accessible with disabled parking spaces and the proposed retail units are being created as part a larger housing association development with appropriate drainage and sustainable urban drainage (SUDS) incorporated into the development as a whole. In summary, whilst the application does not meet the terms of Criterion i, in terms of the sequential test it is considered that the rapid expansion of Ferniegair to date and the need for a retail facility within the Ferniegair settlement outweighs the requirement for the sequential approach to be followed in this instance. In view of all of the above, it is considered that the proposal meets the terms of Policy 10.
- 6.11 Policy 14 states that development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:
- i placemaking,
 - ii mitigating greenhouse gases,
 - iii supporting biodiversity,
 - iv enhancing health and quality of life,
 - v providing water management including flood storage, and buffer strips,
 - vi providing areas for leisure activity, and
 - vii promoting active travel.
- 6.12 This current planning application is a revision to planning permission HM/17/0312, therefore, in terms of green networks it is considered that the development layout previously approved incorporates an appropriate level of amenity space and landscaping linked by footpaths. A footpath/cycle connection to the wider Green Network to the south would also be provided to ensure continuity in the Network. On this basis, it is considered that the proposal complies with the terms of Policy 14.
- 6.13 Policy 16 - Travel and Transport seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. As discussed, the site would be accessible by public transport as all dwellings would be located within close proximity of both the nearest bus route and Chatelherault train station and the development would be well integrated into existing walking and cycling networks. Roads and Transportation Services are satisfied that the proposal will not have an adverse impact on traffic flows or road safety and that a sufficient amount of car parking is being provided for the development. On this basis, it is considered that the proposal complies with the terms of Policy 16.

- 6.14 The overall development approved under planning permission HM/17/0312 was assessed by the relevant bodies in terms of Policy 17. With regard to flooding, no adverse comments were raised subject to conditions requiring the submission of a Flood Risk/Drainage Assessment for the Council's further approval and the provision of a sustainable urban drainage system (SuDS) within the site. In addition, Scottish Water confirmed under the above planning application that they had no objections to the proposed development. Conditions would be attached to any consent to ensure that the development would be designed to sustainable urban drainage system requirements. It is, therefore, considered that the proposed development is in accordance with the Policy 17.
- 6.15 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 Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 5 - Development Management and Place Making Policy, Policy 11 Housing, Policy 13 Green Network and Greenspace, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding in the Proposed Plan in addition to Policies DM1 - New Development Design, SDCC3 Sustainable Drainage Systems and DM15 Water Supply of the SLLDP2 Volume 2.
- 6.16 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 1, 2, 4, 10, 12, 14, 16 and 17 of the adopted South Lanarkshire Local Development Plan and the supplementary guidance of the Proposed Development Management, Place Making and Design Supplementary Guidance relating to 'Design.' The proposal also complies with Policies 1, 2, 5, 10, 11, 13, 15, 16 and Policies DM1, SDCC2, SDCC3, SDCC4, DM15, NHE18 and NHE20 of the Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

10 August 2018

Previous references

- ◆ HM/17/0312

List of background papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted 2015)
- ▶ Development Management, Place Making and Design Supplementary Guidance (2013)
- ▶ Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) (2018)
- ▶ Residential Design Guide (2011)
- ▶ Neighbour notification letter dated 03.03.2018 & 18.05.2018
- ▶ Press Advertisement, Hamilton Advertiser dated 14.06.2018

- ▶ Consultations
 - Education Resources School Modernisation Team 12.04.2018

 - Environmental Services 27.03.2018
 - Roads Flood Risk Management 27.03.2018
 - Roads Development Management Team 20.04.2018

- ▶ Representations
 - Mr Kevin Mullarkey, 18 Candytoft Wynd, Ferniegair, Hamilton, ML3 7ZF Dated: 25.03.2018

 - Gary Wedlock, 12 Buttercup Crescent, Ferniegair, Hamilton, ML3 7ZG 15.03.2018

 - Mr Robert Black, 58 Leven Road, Ferniegair, Hamilton, South Lanarkshire, ML3 7WS 20.03.2018

 - Mrs W Craw, 56 Leven Road, Ferniegair, Hamilton, South Lanarkshire, ML3 7WS 04.06.2018

Contact for further information

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 453657
Email: jim.blake@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.

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

02. 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.

03. 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 2, 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.

04. 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 dwellings and the adjoining road.

Reason: To safeguard the residential amenity 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 dwelling shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

Reason: To ensure the provision of a satisfactory sewerage system.

08. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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 before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

10. That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the site.

11. That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 60 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 road safety.

12. The surface of all non-adopted driveways shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.

Reason: In the interest of public safety.

13. That the scheme for the mitigation of noise referred to in the Train Noise Impact Assessment - Revision 00 by New Accoustics dated 6 September 2017 shall be implemented prior to the development being brought into use and where appropriate, shall be maintained in accordance with the scheme to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

14. (a) Remediation of the site shall be carried out in accordance with the Geotechnical and Geo-Environmental Interpretative Report dated September 2013, prior to the proposed development being brought into use. Any amendments to the remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.

(b) On completion of the remediation works, the developer shall submit a completion report to the Council, confirming that the works have been carried out in accordance with the remediation plan and that the works have successfully reduced these risks to acceptable levels.

(c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then be submitted to and approved in writing by the Council as Planning Authority.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

15. That before any of the dwellings hereby approved are occupied, details for the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority and thereafter maintained all to the satisfaction of the Council.

16. That the best practice measures referred to in Chapter 8 of the submitted Extended Phase I Habitat Survey dated September 2017 shall be implemented throughout the construction stage to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

17. That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interest of public safety.

18. That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

19. That prior to the occupation of the retail units hereby approved, a Noise Management Plan covering all aspects of deliveries and collections to and from the units shall be submitted to and approved by the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

P/18/0172

Carlisle Road, Ferniegair, Hamilton



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09/08/2018



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development