

Report to:	Planning Committee
Date of Meeting:	3 November 2009
Report by:	Executive Director (Enterprise Resources)

Application No	HM/07/0136
Planning Proposal:	Demolition of existing house and associated structures and the erection of 25 dwellinghouses with associated access road and landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Consort Homes (Scotland) Ltd
- Location : Hillfoot Nursery
Sidehead Road
Stonehouse

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 the Conditions Attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine the application.
- (2) If planning consent is granted, the decision notice should be withheld until a landscaping bond is agreed and submitted by the applicant.
- (3) If planning consent is granted, the decision notice should be withheld until a financial contribution of £12500 for the improvement of community facilities in the area is agreed and submitted by the applicant.

3 Other Information

- ◆ Applicant's Agent: Drew Deans Design
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Plan**
Policy RES6 – Residential Land Use Policy
Policy ENV31 – New Housing Development
Policy DM1 – Development Management
Policy ENV11 – Design Quality
Policy ENV12 – Flooding
Policy ENV16 – Renewable Energy Development

Policy ENV32 – Design Statements
Policy ENV35 – Water Supply
Policy ENV36 – Foul Drainage and Sewerage
Policy ENV37 – Sustainable Urban Drainage
Systems
Residential Development Guide

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

Leisure Services (Amenity Services)

Environmental Services

Stonehouse Community Council

Roads and Transportation Services (Hamilton Area)

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Power Systems

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

TRANSCO (Plant Location)

Land and Fleet Services (Arboriculture)

Planning Application Report

1 Application Site

- 1.1 The application relates to Hillfoot Nursery which is located on Sidehead Road at the south-eastern periphery of the village of Stonehouse. The site extends to approximately 0.95 hectares, it is mainly flat and rectangular in shape and is currently occupied by a dwellinghouse and tomato nursery. The site is bounded to the north and west by existing residential properties, to the south by agricultural land and to the east by Sidehead Road with agricultural land immediately across the road. A number of trees are located on the north, south and west boundaries of the site with a hedgerow on the eastern boundary. Vehicular access to the site is via Sidehead Road.

2 Proposal(s)

- 2.1 This is a detailed planning application which necessitates the demolition of the existing dwelling and structures on site to accommodate the erection of twenty five dwellinghouses and associated access road. The proposed dwellings will incorporate four different house types all of which are two storey in height. Seventeen of the proposed dwellings will be detached 3 and 4 bedroom houses while the remaining eight will be 3 bedroom semi-detached dwellings. All of the dwellings will incorporate pitched roofs and the proposed external finishes will be a mixture of render and brick walls, concrete roof tiles and white UPVC windows. Each plot will have its own driveway with direct access off the proposed access road. A toddlers play area will be provided within the central area of the site. A SUDS (Sustainable Urban Drainage System) pond will be positioned at the south east corner of the site and a 5m wide landscaped buffer strip will be planted along the southern boundary of the site. It is proposed that the new access road to service the development will take direct access from Sidehead Road. A 2 metre wide footpath (constructed to the satisfaction of the Roads Authority) will be provided across the frontage of the site.
- 2.2 The original layout submitted indicated the erection of twenty nine dwellings. Following discussions with the Planning Service the number of dwellings was reduced to 25 with the layout amended to allow for the provision of a five metre wide planted buffer strip along the southern boundary of the site and the provision of a SUDS pond at the south-eastern side of the site.
- 2.3 A Flood Risk Assessment and a tree survey have been submitted in support of the application.

3 Background

3.1 Local Plan Policy

- 3.1.1 The application was lodged in March 2007 prior to the adoption of the South Lanarkshire Local Plan. Through the adoption process settlement boundaries within South Lanarkshire were reassessed (including Stonehouse). This resulted in the application site which was previously identified as greenbelt under the now superseded Hamilton District Local Plan being included within the settlement boundary of Stonehouse as identified within the recently adopted South Lanarkshire Local Plan.
- 3.1.2 The application therefore requires to be assessed against the adopted South Lanarkshire Local Plan which identifies the site as being located within the settlement boundary of Stonehouse. As such the relevant policy covering the site is Policy RES 6 – Residential Land Use Policy. In addition supplementary design

criteria that all new developments should adhere to is identified in Policies ENV31 – New Housing Development, DM 1 – Development Management, ENV11 – Design Quality, ENV12 – Flooding, ENV16 – Renewable Energy, ENV35 – Water Supply, ENV36 – Foul Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems.

3.1.3 Policy RES6 requires that the amenity of existing residential areas be protected from the introduction of inappropriate uses

3.1.4 Policy DM1 requires that proposals take account of the local context and built form. Development should not take place in isolation and must take cognisance of scale, position and materials of adjacent buildings and surrounding streetscape. Proposals should also aim for the best possible quality of external materials. Policies ENV11 and ENV31 promote the principles of sustainable development through design and layout, and seek to achieve developments which make a positive contribution to the character and appearance of the area within which they are located and which are well related to existing development, public transport, local services and facilities. Policy ENV12 – Flooding advises that in accordance with the precautionary principle, the Council will seek to avoid increasing any flood risk resultant from the development. Policy ENV16 – Renewable Energy Development advises that SPP6 shall be a principle material consideration, in respect of incorporation on-site zero and low carbon equipment to contribute to a reduction in CO2 emissions. Policies ENV35 – Water Supply and ENV36 – Foul Drainage and Sewerage seek to ensure that the development is suitably serviced. Policy ENV37 – Sustainable Urban Drainage System promotes the Council's requirements for SUDs in appropriate developments following liaison with SEPA, Scottish Water and the Council's Flood Prevention Unit.

3.1.5 South Lanarkshire Council's Residential Development Guide must also be considered. This guide provides additional advice and sets out the criteria against which new housing development should be assessed. In general, the minimum rear garden depth should be 10 metres, the minimum distance between the side elevation of a house and a side boundary should be 2 metres and the minimum distance between windows of directly facing habitable rooms (i.e. living rooms, dining rooms and bedrooms) should be no less than 20 meters.

3.2 Relevant Government Advice/Policy

3.2.1 Scottish Planning Policy 3 (Planning for Housing) stresses the need to protect the landscape setting of settlements as well as respecting the local architectural building styles. Care should be taken, especially in smaller settlements, to ensure that the scale of development is appropriate and consideration should be given to the cumulative impact of developments, especially where important public views are affected.

3.3 Planning Background

3.3.1 None relevant.

4 Consultation(s)

- 4.1 **Environmental Services** – Have no objection to the proposal subject to the attachment of an advisory note in respect of noise levels during construction and demolition.
Response: Noted. The appropriate informative will be attached to any consent granted.
- 4.2 **Arboricultural Manager** – Commented that the trees on the Sidehead Road boundary are in good condition and is concerned that these trees will be removed for no good reason and would seem to be in a position where they could successfully be retained and provide the setting with some maturity. It is, therefore, suggested that these trees are retained if possible. He further commented that some of the trees on the northern aspect are not in a good condition and that these trees should be removed prior to any development on the site. The trees to be removed from the southern edge are mature beech hedging of limited amenity and it is agreed that they should be removed.
Response: The applicant was advised of the Arboricultural Manager's comments and a tree survey was undertaken. The applicant has intimated that they have no objection to the existing trees along the boundary running parallel with Sidehead Road being retained if they are not in the way of the proposed new footpath which will run the length of the site along Sidehead Road or the new access point. Only trees affected by the new proposals will be removed and subsequently replaced. If consent is granted conditions relating to these matters can be attached as appropriate
- 4.3 **Scottish Power** – Have no objections to the proposals, however, they have submitted plans showing the location of their apparatus in the area.
Response: Noted. This information has been passed on to the applicant.
- 4.4 **Roads and Transportation Services** – Have advised that the new road should be constructed in accordance with South Lanarkshire Council Guidelines for the Development of Roads. They have no objection to the proposal subject to the attachment of appropriate conditions relating to the required visibility splays of 2.5 metres x 90 metres each way at Sidehead Road, the provision of a 2 metre footway along the front of the site and the formation of driveways and car parking constructed in accordance with their current guidelines. They have stated that additional road drainage may be required to prevent ponding of water on the public road
Response:- Noted. Conditions will be attached to any consent granted in terms of the above requirements.
- 4.5 **SEPA:** - Originally formally objected to the application on the grounds of insufficient information in respect of flooding, the proposed culvert and the foul drainage arrangements. SEPA has concerns that a small tributary of the Watstone Burn flows through the site and a flood risk assessment should be undertaken to quantify the risk posed by the watercourse and demonstrate compliance with SPP7 – Planning and Flooding. SEPA also objected to the proposal on foul drainage grounds unless, and until, the applicant demonstrates that it will not lead to a worsening of the current situation at Stonehouse treatment centre where there is only residual capacity within the existing sewerage network and treatment systems. This gives concern that the increased loading would cause a deterioration in the receiving water quality. SEPA also requested that should planning consent be granted conditions be attached requiring the applicant to treat surface water from the site in accordance with the principles of SUDS.
Response: – Noted. The applicant was advised of SEPA's concerns and subsequently entered into lengthy discussions with both SEPA and Scottish Water to resolve the above issues. The applicant submitted a further flood risk assessment

which contained a topographical survey plan, additional information in respect of the installation of a replacement drainage pipe and a proposed realignment of the existing culvert. Scottish Water also provided analytical information which demonstrated that Stonehouse Treatment Works would not be adversely affected by the proposed development. In light of the additional information supplied from both the applicant and Scottish Water, SEPA are now satisfied that the proposed drainage provision will be satisfactory and the risk of flooding negated and as such have withdrawn their objection to the proposal. To ensure that the proposed works in respect of the realignment of the culvert and foul drainage arrangements are undertaken any consent granted will be appropriately conditioned that no dwellings shall be occupied until satisfactory sewerage and drainage systems are in place and the site is served by a surface water scheme designed to SEPA's specification which accords with the principles of SUDS.

- 4.6 **Roads and Transportation Services (Flooding):-** Have commented that they have no objections to the proposal subject to the attachment of appropriate conditions in relation to the submission of a Drainage Impact Assessment, the provision of an appropriate SUDS scheme, the submission of details in respect of flood prevention and the site being served by an appropriate sewerage scheme. In addition they concur with SEPA's comments that the small watercourse within the site should remain open.

Response – Noted. Any consent granted will be conditioned to ensure that no dwellings are commenced until satisfactory sewerage, water and drainage schemes are in place. It should be noted that SEPA's original concerns in respect of the small waterflow within the site have been resolved as the existing drainage pipe will be replaced and the culvert realigned to their satisfaction.

- 4.7 **Scottish Water:** - Have no objections to the proposal. They have commented that whilst there is currently sufficient capacity within the Camps Water Treatment Works and Stonehouse Waste Water Treatment Works to accommodate the proposed development there may be issues to be addressed in respect of water pressure and network upgrading. The developer should therefore contact Scottish Water direct to discuss these issues. In addition a totally separate system will be required for surface water drainage. Such a scheme should comply with the principles of SUDS.

Response: Noted. In accordance with standard practice any consent granted will be conditioned to ensure that no dwellings are commenced until the developer provides written agreement from Scottish Water that the site can be served by an appropriate sewerage and water scheme. The applicant has revised the proposed layout to incorporate a SUDS pond within the development and has been informed that the onus is on him to discuss these matters in detail with Scottish Water and potentially pay for any required upgrading to the system.

- 4.8 **Scotland Gas Networks** - Have no objections to the proposal, they have submitted details indicating the location of their apparatus in the area.

Response:- Noted. This information has been passed on to the applicant.

- 4.9 **Stonehouse Community Council:** - Have objected to the proposal and have raised a number of concerns, namely:

- a) the proposals ability to comply with national and local policy guidance
- b) protection of existing trees on site and lack of details regarding site boundary treatments
- c) concerns regarding increased traffic onto Sidehead Road
- d) sewerage provision

In addition the Community Council are concerned that the development should not be split into plots and that the road/pavement is kept clear. They have suggested that a substantial bond be obtained to ensure that works are completed and have suggested that the applicant contribute £5000 per house to fund community facilities.

Response:- Noted. In response I would offer the following comments:

a) The application has been fully assessed against national and local policy and is considered acceptable in this regard. It is acknowledged that when the application was submitted in March 2007 the proposal was contrary to the adopted Hamilton District Local Plan. Previously the site fell outwith the settlement boundary of Stonehouse and was designated as Greenbelt. However under the local plan review process the site was redesignated and included in the settlement boundary of Stonehouse as identified in the adopted South Lanarkshire Local Plan. As such the proposal now raises no concerns in regard to compliance with national and local policy.

b) The applicant has agreed to retain trees along the frontage with Sidehead Road and to plant a 5 metre wide landscape boundary strip along the Southern boundary. Appropriate conditions will be attached to any consent granted to ensure these works are undertaken to the satisfaction of the Council as Planning Authority and to safeguard trees worthy of protection within the site.

c) In terms of road safety Roads and Transportation Services were consulted and raised no concerns regarding the proposed increase in traffic. They were satisfied that the proposed development was acceptable as long as the new road was constructed to their specification and appropriate conditions are attached regarding the provision of sightlines, footpaths and off-street parking. These conditions have been duly attached and I am therefore satisfied that the proposal raises no road safety issues

d) The applicant has had lengthy discussions with SEPA and Scottish Water. Initial concerns regarding sewerage provision have been addressed to the satisfaction of both SEPA and Scottish Water.

The consent relates to a housing development not a plotted development and as such consent will not be issued for individual plots. A Landscape bond will require to be submitted before the planning consent is released to ensure that the proposed landscaping works are undertaken. Furthermore in addition to providing a small toddlers play area within the site the applicant has agreed to provide a financial contribution of £12500 towards upgrading recreational provision in the area in lieu of providing full play facilities within the site, this would be payable to the Council prior to the issue of consent.

- 4.10 **Leisure Services:** - Stated that whilst they had no objections in principle to the proposed development the plans were indicative and did not show any landscaping or play area detail. Given the rural setting of the site it would be appropriate to incorporate a boundary hedge with one or two small to medium trees.

Response:- Following discussions with the Planning Service revised drawings have been submitted incorporating a 5 metre wide planted boundary strip along the southern boundary of the site with additional trees planted along the eastern boundary of the site parallel to Sidehead Road. Appropriate conditions will be attached to any consent granted in respect of enabling a detailed assessment of the proposals of both the landscape area and the play area. In addition a landscape bond will require to be submitted before any consent is released.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser as Development Potentially Contrary to the Development Plan. Two letters of objection were received. The grounds of objection are summarised as follows:

- (a) **The proposed development will result in an increase in traffic on a restricted road and further degradation of the condition of the road.**

Response: The applicants propose the formation of a new access road into the site from Sidehead Road. Roads and Transportation Service have been consulted on the proposal and have raised no concerns in terms of road and public safety. Furthermore, no requirements for additional road improvements have been highlighted within the Roads and Transportation Service's consultation response.

- (b) **The development could result in a negative impact on the water and electricity supply to the surrounding properties .**

Response: Scottish Water and Scottish Power were consulted in respect of the proposal. Scottish Power raised no issues and Scottish Water did not object subject to the attachment of appropriate conditions. I am therefore satisfied that relevant conditions can be attached to any consent granted which will address these concerns.

- (c) **Previous works at the nursery resulted in increased instances of flooding as the drainage ditch created was not connected to the main drain. The objector is concerned that this proposal will further increase instances of flooding and as such will negatively affect the existing drainage and sewerage provision.**

Response: The applicant has been in extensive consultation with SEPA and Scottish Water in regard to sewerage, water and drainage provision on the site. Given the applicant intends to realign the culvert and replace the existing drainage pipe with one of increased dimensions which will "pond" into the proposed drainage system, there should be an overall improvement to both surface and foul water drainage. In addition SEPA and Scottish Water are satisfied that the proposed measures will not have a negative impact on drainage and sewerage provision. These measures will be safeguarded by the attachment of appropriate conditions.

- (d) **The proposal will result in a loss of value to the property at 71 Patrickholm Avenue due to a loss of the view of the countryside.**

Response: Whilst neither loss of value or loss of view are material planning considerations I am satisfied that given the above property is located approximately 58 metres (at the nearest point) from the application site boundary the outlook of the above property will not be adversely affected by the proposed development.

- (e) **The proposal will result in a loss of daylight and overshadowing to the property at 71 Patrickholm Avenue.**

Response: The proposed development complies with the Council's Residential Design Guide which ensures that there are appropriate distances between dwellings as well as ensuring that no overshadowing occurs. The above property is located approximately 58 metres (at the nearest point) from the application site boundary. Given the distance involved I am satisfied that the proposals will have no adverse impact on adjacent properties in relation to loss of daylight or overshadowing.

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

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the demolition of the existing house and associated structures and the erection of 25 dwellinghouses with associated access road and landscaping at Hillfoot Nursery, Sidehead Road, Stonehouse. The determining issues that require to be considered in respect of this application are compliance with local plan policy, road safety, the proposal's impact on the visual amenity of the surrounding area and its impact on the residential amenity of adjoining dwellings.
- 6.2 In terms of local plan policies the adopted South Lanarkshire Local Plan represents the Council's Policy on land use throughout the Council's area and the Plan designates the site for residential use within a newly amended settlement boundary for Stonehouse. The principle of residential use on the site is therefore acceptable, subject to compliance with normal development control criteria.
- 6.3 In this instance development control criteria consists of Policies DM1 – Development Management, ENV11 – Design Quality, ENV12 – Flooding, ENV16 – Renewable Energy Development, ENV31 – New Housing, ENV32 – Design Statements, ENV35 – Water Supply, ENV36– Foul Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems of the adopted Local Plan.
- 6.4 These policies seek to ensure that any development within an area which is predominantly residential in character does not adversely impact on the amenity of such areas and that any such proposal can be adequately served by appropriate services, has been designed in a manner which takes cognisance of appropriate guidance and takes account of Government policies on the provision of low and zero carbon developments. Having considered the design and layout of the development in detail, I am satisfied that the proposed development has been designed in a sensitive manner which incorporates a high standard of materials that will be in keeping with the character of existing residential development within the surrounding area without detriment to the adjoining greenbelt. Furthermore a landscape bond will require to be submitted before the planning consent is released and the applicant has also agreed to provide a financial contribution of £12500 towards upgrading recreational provision in the area in lieu of providing full play facilities in the site, which would be payable to the Council prior to the issue of consent. As such I am satisfied that proposal is acceptable and capable of being developed, subject to conditions, without conflict with the requirements of the above policies and guidance.
- 6.5 In relation to the Residential Development Guide, which aims to provide advice and guidance on the key development standards for residential developments, I am satisfied that the proposed development satisfactory meets the criteria identified in this document particularly in regard to rear garden depth, minimum distance between dwellings, minimum distance between windows and parking provision.
- 6.6 In regard to road safety, Roads and Transportation Services are satisfied that the proposed access road will be constructed to their specification. They have no objection to the detail of the development subject to the attachment of appropriate conditions regarding the provision of sightlines, footpaths and off-street parking. These conditions have been duly attached. I am satisfied that on this basis the proposal is acceptable and raises to road safety concerns.
- 6.7 The issues of drainage and sewerage were raised as matters of concern by a number of parties i.e. SEPA, objectors and the Community Council. These issues

have now been resolved through negotiation and the submission of additional survey information to the satisfaction of both SEPA and Scottish Water. SEPA have formally withdrawn their objection to the proposal but have requested that a number of conditions requiring the provision of satisfactory sewerage and drainage schemes to their specification be attached to any consent. Appropriately worded conditions will be attached to any consent granted.

- 6.8 With regard to the concerns raised by adjoining residents, these are discussed in detail in Section 5 of the report. It is considered that these concerns have been satisfactorily addressed and appropriate conditions have been attached where considered necessary. I am satisfied that the concerns raised are not sufficient to warrant the refusal of this planning application.
- 6.9 In summary, the proposal to develop the site for housing is in accordance with the adopted South Lanarkshire Local Plan which designates the site for residential use within the settlement boundary of Stonehouse. I am satisfied that the proposed development has been designed in a sensitive manner and will be beneficial to the settlement without detriment to the landscape character of the adjoining greenbelt. The 5 metre structural planting will provide a well defined settlement boundary treatment and the proposal raises no access or infrastructure implications.
- 6.10 On the basis of the above I therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The development accords with Policy RES6 – Residential land Use, of the adopted South Lanarkshire Local plan. Furthermore the proposal raises no concerns in respect of compliance with the design criteria as detailed in policies DM1 – Development Management, ENV31 – New Housing Development, ENV11 – Design Quality, ENV12 – Flooding, ENV16 – Renewable Energy Development, ENV35 – Water Supply, ENV36– Foul Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems. There will be no road safety issues or visual detriment to the surrounding greenbelt, and no loss of amenity to nearby residential properties resulting from the proposal.

Colin McDowall

Executive Director (Enterprise Resources)

20 October 2009

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ SPP3
- ▶ South Lanarkshire Local Plan
- ▶ SLC Residential Design Guide

- ▶ Consultations
 - Roads & Transportation Services H.Q. (Flooding)

20/03/2007

Environmental Services	22/03/2007
Scottish Water	19/03/2007
Stonehouse Community Council	16/04/2007
Power Systems	28/03/2007
Roads and Transportation Services (Hamilton Area)	28/03/2007
S.E.P.A. (West Region)	06/06/2007
Roads and Transportation Services (Hamilton Area)	02/08/2007
Stonehouse Community Council	19/07/2007
Roads & Transportation Services H.Q. (Flooding)	20/07/2007
S.E.P.A. (West Region)	29/08/2007
S.E.P.A. (West Region)	12/11/2007
Roads & Transportation Services H.Q. (Flooding)	15/02/2008
S.E.P.A. (West Region)	12/03/2008
S.E.P.A. (West Region)	02/09/2009

► Representations

Representation from : Mr D Clark, 71 Patrickholm Avenue
Stonehouse
ML9 3HR, DATED 09/03/2007

Representation from : Mr W. McMahon, No 12 Sidehead Holdings
Stonehouse
Larkhall
ML9 3PG, DATED 11/04/2007

Contact for Further Information

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

Christine Laird
(Tel :01698 453513)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 The development hereby permitted shall be started within three years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 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.
- 4 That no trees within the application site other than those agreed with the Planning Service shall be lopped, topped, pollarded or felled, without the prior written consent of the Council as Planning Authority.
- 5 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 6 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.
- 7 That before any work commences on the site a scheme of detailed 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.; (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.
- 8 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.
- 9 That prior to the occupation of any dwelling on site, the 5 metre landscaped buffer strip highlighted in ORANGE on the approved plan shall be planted and completed to the satisfaction of the Council as Planning Authority.
- 10 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.

- 11 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 Condition 10 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 12 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.
- 13 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90metres 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.
- 14 That before the development hereby approved is completed or brought into use, the parking provision indicated on the approved drawings shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 15 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.
- 16 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.
- 17 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 18 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.

- 19 That the development hereby approved shall not be commenced until the land drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 18 above.
- 20 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 (and the Scottish Executive as Trunk Roads Authority).
- 21 That no dwellinghouse 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.
- 22 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a water provision scheme designed in accordance with Scottish Water's standards.
- 23 That prior to the commencement of development on site, details of the provision of the Sustainable Urban Drainage System, together with subsequent management and maintenance arrangements shall be submitted to and approved by the Council as Planning Authority. The works will require to comply with the Council's Sustainable Drainage Design Criteria and requirements.
- 24 That no dwelling unit shall be occupied until the Sustainable Urban Drainage System measures required under Condition 23 above have been completed in accordance with the approved scheme.
- 25 The consent shall be carried out strictly in accordance with drawing numbers: 07/2006(PL)01,02,003B,004 and 07/2006(PL)12,13,14,15.
- 26 That any garage or car port erected within the curtilage of the site shall be at least 6 metres from the heel of the footway.
- 27 That before the development hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided and the first 2 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.
- 28 That before the development hereby approved is completed or brought into use, a 2 metre wide footway shall be constructed along the frontage of the site to the specification of the Council as Roads and Planning Authority.
- 29 That before any of the dwellings hereby approved are occupied details of the equipment and maintenance in respect of the toddlers play area will be submitted to the Council as Planning Authority for written approval and no work shall be undertaken on the site until approval has been given to these details.

- 30 That no dwellinghouse shall be occupied until the access road and footpaths hereby approved from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority.

REASONS

- 1 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 5 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 6 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.
- 7 In the interests of the visual amenity of the area.
- 8 In the interests of amenity.
- 9 In the interests of amenity.
- 10 These details have not been submitted or approved.
- 11 In the interests of amenity and in order to retain effective planning control.
- 12 These details have not been submitted or approved.
- 13 In the interest of road safety
- 14 To ensure the provision of adequate parking facilities within the site.
- 15 To secure a reduction in carbon dioxide emissions.
- 16 To secure the timeous implementation of on-site zero and low carbon energy technologies.
- 17 In order to retain effective planning control
- 18 To ensure the provision of a satisfactory land drainage system.
- 19 To ensure the provision of a satisfactory land drainage system.
- 20 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 21 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.
- 22 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.
- 23 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.
- 24 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.

- 25 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 26 In the interest of public safety
- 27 To prevent deleterious material being carried into the highway.
- 28 In the interest of public safety
- 29 In the interests of the visual amenity of the area.
- 30 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings

For information only

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