

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>12 March 2024</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

<b>Reference no:</b>	P/22/1466
<b>Proposal:</b>	Residential development with associated parking, landscaping, open space and drainage (Planning Permission in Principle)
<b>Site Address:</b>	Land Adjacent to Stewart Avenue, Hamilton
<b>Applicant:</b>	Mr Thomas Barr
<b>Agent:</b>	Barton Willmore
<b>Ward:</b>	18 - Hamilton West and Earnock
<b>Application Type:</b>	Planning Permission in Principle
<b>Advert Type:</b>	Non-notification of Neighbours Development Potentially Contrary to the Development Plan
<b>Development Plan Compliance:</b>	Yes
<b>Departures:</b>	No
<b>Recommendation:</b>	Grant subject to conditions and legal agreement
<b>Legal Agreement:</b>	<p>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.</p> <p>In accordance with agreed procedures, 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.</p>

	<p>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.</p> <p>All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the developers.</p>
<b>Direction to Scottish Ministers</b>	No

## **1. Reason for Report**

- 1.1. This application is required to be determined by the Planning Committee within the context of the approved Planning Application Decision Making Process (2015) as the proposal relates to more than 10 residential units.

## **2. Site Description**

- 2.1. The application site extends to approximately 0.8ha. The site relates to an area of undeveloped land with the southern part of the site being woodland. The site is identified as being part of the Hamilton Community Growth Area (CGA) within the adopted South Lanarkshire Local Development Plan 2.
- 2.2. The site is enclosed to the north by Highstonehall Road, including a roundabout, and further by residential properties. The site is enclosed to the east by Stewart Avenue, which includes a road bridge, and further by open space. The site is enclosed to the south by a watercourse and further by open space and to the east by open space.
- 2.3. The site has considerable level differences and the gradient of the site falls from west to east towards Stewart Avenue and north to south towards the watercourse.

## **3. Description of Proposed Development**

- 3.1. This is an application for planning permission in principle for residential development with associated parking, landscaping, open space and drainage at land adjacent to Stewart Avenue, Hamilton.
- 3.2. An indicative layout has been submitted which illustrates a development of 12 residential units on the site and the formation of a vehicle access from Highstonehall Road. The proposal also includes an indicative road layout, a SUDS attenuation system and amenity areas. In addition, the layout includes retaining structures along the western boundary of the site.
- 3.3. Following review, the originally submitted layout was revised and the key changes were a reduction from 18 to 12 residential units, which allowed for the removal of retaining structures in the southern part of the site. In addition, the proposed vehicle access from Highstonehall Road was repositioned approximately 4m to the east.

## **4. Relevant Planning History**

- 4.1. A screening opinion was undertaken for the 'erection of residential development (approximately 18 dwellings) with associated parking, landscaping, open space and drainage (Environmental Impact Assessment (EIA) Screening opinion request)' (P/22/1185) at the site. The screening opinion concluded that the proposal would not constitute EIA development.

## **5. Supporting Information**

- 5.1. In support of the planning application, the applicant has submitted the following:-
  - ◆ Planning Statement including an NPF4 Addendum
  - ◆ Report of Phase 1 Habitat Survey, Protected Species Survey and Preliminary Ecology Appraisal
  - ◆ Transportation Statement on Relocated Access
  - ◆ Drainage and Engineering Assessment Report

## **6. Consultations**

- 6.1. Environmental Services - No objection to the proposal, subject to the attachment of a condition to ensure that a comprehensive site investigation is submitted in relation to the future matters specified in conditions application.  
Response: Noted.
- 6.2. Scottish Water - No objection to the proposal.  
Response: Noted.
- 6.3. Estates Services - No objection to the proposal.  
Response: Noted.
- 6.4. Countryside and Greenspace - No objection to the proposal.  
Response: Noted.
- 6.5. NatureScot - No objection to the proposal.  
Response: Noted.
- 6.6. Education Resources School Modernisation Team - No objection to the proposal subject to the applicant agreeing to a financial contribution towards addressing education requirements.  
Response: Noted.
- 6.7. Roads Development Management Team – Following the amendments to the proposed layout and the submission of additional supporting documentation, they have advised that they have no objection to the proposal subject to the attachment of conditions to ensure that further information is brought forward as part of a future matters specified in conditions application. These conditions include the submission of a Construction Phase Traffic Management Plan, the layout and construction of the car parking spaces, the submission of an invasive weed survey and the provision of minimum visibility splays.  
Response: Noted.
- 6.8. Roads Geotechnical - No objection to the proposal, subject to the attachment of a condition to ensure that a slope stability analysis is submitted in relation to the future matters specified in conditions application.  
Response: Noted.

## **7. Representations**

- 7.1 Following the statutory period of neighbour notification and advertisement no representations have been received.

## **8. Development Plan**

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

## 8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places and productive places.

### National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the Climate and Nature Crises
- ◆ Policy 2 - Climate Mitigation and Adaptation
- ◆ Policy 3 – Biodiversity
- ◆ Policy 4 - Natural Places
- ◆ Policy 13 - Sustainable Transport
- ◆ Policy 14 - Design, Quality and Place
- ◆ Policy 15 - Local Living and 20 Minute Neighbourhoods
- ◆ Policy 16 - Quality Homes

## 8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

### SLLDP2 Volume 1 Policies

- ◆ Policy 1 - Spatial Strategy
- ◆ Policy 2 - Climate Change
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 13 - Green Network and Greenspace
- ◆ Policy 15 - Travel and Transport

## 9. **Guidance**

9.1. None

## 10. **Assessment and Discussion**

### 10.1. Principle of Development

Planning permission in principle is sought for a residential development with associated parking, landscaping, open space and drainage at land adjacent to Stewart Avenue, Hamilton. The determining issues in the consideration of this application are its compliance with national policy, local development plan policy and its impact on residential amenity, traffic safety, environmental matters and infrastructure issues.

10.2. Policy 16 of NPF4 seeks to encourage, promote, and facilitate the delivery of more high quality, affordable and sustainable homes in the right locations. Whilst the site is situated within the designated Hamilton Community Growth Area, it is not specifically allocated for housing within the local development plan (LDP). Therefore in terms of Policy 16 part (f), the proposal is contained within the defined settlement boundary where the principle of development is considered to be acceptable in accordance with the LDP and NPF4 and is therefore considered to comply with part (iii) as the proposal is for smaller scale opportunities within an existing settlement boundary. A timing condition will be applied to any permission

granted in line with part (i). Overall, the principle of the small-scale housing development can therefore be accepted in this case. Therefore, the principle of the development of the site for a residential use raises no issues within the context of Policy 16 of NPF4.

- 10.3. The application site is designated as being a Community Growth Area for Hamilton under the terms of Policy 1 of the Local Development Plan. The proposal involves the development of an area of vacant land, at a sustainable location in Hamilton as part of the Community Growth Area. Therefore, it is considered that the proposal raises no issues within the context of Policy 1 of the Local Development Plan.

10.4. Climate Change

Policy 1 of NPF4 requires that when considering all development proposals, significant weight will be given to the global climate and nature crises. Policy 2 of NPF4 seeks to minimise and mitigate against the effects of climate change by considering various criteria including being sustainably located, the reuse of vacant and derelict land, the avoidance of flood risk areas, incorporating low and zero carbon generating technologies, opportunities for active travel routes and trips by public transport and the provision of electrical vehicle charging infrastructure. The site is situated at a sustainable location in Hamilton, in close proximity to existing supporting facilities and local services and in future should incorporate low and zero carbon generating technologies and electrical vehicle charging infrastructure at the site. Therefore, it is considered that the proposal raises no issues within the context of Policies 1 and 2 of NPF4.

- 10.5. Policies 1 and 2 of the Local Development Plan encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. The proposal involves the development of an area of vacant land, at a sustainable location within the designated Community Growth Area and therefore raises no issues within the context of Policies 1 and 2 of the Local Development Plan.

10.6. Layout, Siting and Design

Policies 14 and 15 of NPF4 relate to 20 minute neighbourhoods and liveable places. The proposed development site is located within the Hamilton settlement boundary, which has a wide range of facilities and services. The site is considered to be reasonably well connected (the transport infrastructure will be further improved as more of the Hamilton CGA is developed in future) and situated within a sustainable location, which will contribute to minimising emissions. Therefore, it is considered that the proposal raises no issues within the context of Policies 14 and 15 of NPF4.

- 10.7. In terms of the detailed design of the development, Policy 5 of the Local Development Plan 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. As the application is for planning permission in principle, limited details have been submitted in relation to the detailed design of the proposal. Consequently, any subsequent application(s) submitted for the approval of matters specified in conditions would have to take account of the design guidance contained within the Council's Residential Design Guide and be in keeping with development in the surrounding area whilst protecting and enhancing the local green network. However, in terms of the indicative layout submitted, it is considered that the

proposed development could successfully integrate into the local context and built form. Therefore, the proposal raises no issues within the context of Policy 5 of the Local Development Plan.

10.8. Natural and Historic Environment

NPF4 Policy 3, under part (c), details that all local developments shall include appropriate measures to conserve, restore and enhance biodiversity. The site is greenfield and the existing trees adjacent to the watercourse are ancient semi woodland. Any subsequent application(s) submitted for the approval of matters specified in conditions should not impact on these established trees and should include a high-quality landscaping scheme in order to conserve the biodiversity impact of the development, in accordance with the provisions of Policy 3 of NPF4.

10.9. Policy 4 of NPF4 requires that where proposals are likely to have an impact on a protected species, steps must be taken to establish the presence of the species and the level of protection then afforded. A Phase 1 Habitat Survey, Protected Species Survey and Preliminary Ecology Appraisal for the site has been submitted and assessed in accordance with the provisions of Policy 4 of NPF4.

10.10. The site is designated as part of the established green network and the southern part of the site is designated as priority greenspace. Policy 13 of the Local Development Plan establishes that development proposals should safeguard the green network and identifies that there is a presumption against the loss of areas of priority greenspace. The indicative layout illustrates that the proposed dwellings, road, parking and ancillary works will only occupy a proportion of the development site. In addition, there is no development proposed in the part of the site which is designated as priority greenspace and the neighbouring watercourse, which is an important component of the green network for wildlife movement, will be unaffected. Therefore, it is considered that the proposal would not significantly adversely impact on the priority greenspace or the connectivity of the site within the established South Lanarkshire green network. Therefore, the proposal raises no issues within the context of Policy 13 of the Local Development Plan.

10.11. Transport

Policy 13 of NPF4 provides support for development proposals which have links to local facilities, are accessible via public transport, provide low emission vehicle charging points, provide cycle parking and take into account the transport needs of diverse groups whilst simultaneously reducing the dominance of the car. Whilst construction work at the Hamilton CGA is still ongoing, the site is considered to be accessible, integrated within existing walking networks and the future detailed design shall address these infrastructure requirements, in accordance with the provisions of Policy 13 of NPF4.

10.12. Policy 15 of the Local Development Plan seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options. In this regard, the site is situated adjacent to a key route through Hamilton and the development would be well integrated into existing walking and cycling networks. In addition, Roads and Transportation Services consider that the proposal is acceptable in terms of access and road safety issues. Subsequently, it is considered that the proposal accords with the provisions of Policy 15 of the Local Development Plan.

#### 10.13. Technical Matters

A Sustainable Urban Drainage System (SUDS) would be installed to deal with surface water run-off from the roofs, access road and driveways within the development and this matter can be addressed through the use of a planning condition.

#### 10.14. Conclusion

The site is situated within the Hamilton Community Growth Area and the general impact of the development is considered to be acceptable. In addition, the proposal raises no significant environmental or infrastructure issues. Overall, it is considered that the proposals comply with the provisions of the relevant policies within National Planning Framework 4 and the South Lanarkshire Local Development Plan. However, the issue of consent should be withheld until the conclusion of the associated planning obligation under Section 75 of the Planning Act, or other appropriate legal agreement.

### 11. **Recommendation and Conditions**

#### 11.1. The Committee is asked to agree the following recommendation:-

**Grant Planning Permission in Principle (subject to conditions listed and the conclusion of a Section 75 agreement for financial contributions towards education provision, roads and community facilities as necessary):-**

- 1) Planning Permission in Principle 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 applicant(s) and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the following:-

- Financial contribution towards educational facilities
- Financial contribution towards roads infrastructure
- Financial contributions towards 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 applicant.



## 2) Conditions and Reasons

01. The development to which this permission in principle relates shall be begun no later than the expiration of five years beginning with the date of grant of this decision notice.

Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

These matters are as follows:-

- (a) the layout of the site, including all roads, footways, parking areas and open spaces;
- (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
- (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum;
- (d) the design and location of all boundary treatments including walls and fences;
- (e) the landscaping proposals for the site, including maintenance details and details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs, including, where appropriate, the planting of fruit/apple trees;
- (f) the means of drainage and sewage disposal; and
- (g) details of the phasing of development (covering all relevant aspects of development detailed in (a) above).

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.

03. That the further application(s) required under the terms of Condition 2 above shall comply with the guidance on new residential development contained in the Council's Residential Design Guide or any subsequent update to this document.

Reason: In the interests of amenity.

04. That the further application(s) required under the terms of Condition 2 above shall include a comprehensive site investigation as follows:-

- (a) The applicant shall undertake a comprehensive site investigation, carried out to the appropriate Phase level, to be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with advice given in the following:-

- Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995)
- Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11)'- issued by DEFRA and the Environment Agency
- BS 10175:2011 - British Standards Institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'

(b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

Reason: The site appears to consist of filled ground of unknown composition/origin.

05. That the further application required under the terms of Condition 2 above shall include a detailed scheme for surface water drainage for the consideration and detailed approval of 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.

06. 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.

07. That the further application(s) required under the terms of Condition 2 above shall include a scheme of landscaping for the detailed consideration and approval of the Council as Planning Authority 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 proposed trees, shrubs, grass mix, etc;
- (c) details of any top-soiling or other treatment to the ground;
- (d) hard and soft landscape specifications for amenity areas;
- (e) details of the phasing of these works; 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.

08. That the further application(s) required under the terms of Condition 2 above shall include a Construction Phase Traffic Management Plan (CPTMP) which details the matters below. No works shall commence on site prior to the approval in writing of the Construction Phase Traffic Management Plan by the Council as Roads and Planning Authority.
- (i) Proposed delivery route for HGV traffic and construction vehicles using Sherry Drive via Woodfoot Road. No construction traffic shall be permitted to use Highstonehall Road west of the proposed site access.
  - (ii) Details of all temporary construction direction signage and route signage between site and Woodfoot Road.
  - (iii) Arrangements for notifying suppliers and contractors of designated access route referred to under item (i) above and arrangements for monitoring and enforcements.
  - (iv) Provisions for emergency vehicle access.
  - (v) Location and specification for wheel wash equipment to prevent mud, detritus and surface water being deposited on the public road and/or the existing public car park.
  - (vi) Arrangements for additional road sweeping visits as and when required by site activities and conditions or as requested by the Council's Road Inspector.
  - (vii) Arrangement of construction compound(s) and contractor/staff car parking on site to ensure that no vehicles are parked on the public road.
  - (viii) Location and layout of delivery area and turning area within the site to ensure that all construction delivery vehicles can enter and exit site in a forward gear.
  - (ix) Identification of a nominated person to whom any road safety issues can be referred.
  - (x) Arrangements for undertaking initial joint road dilapidation surveys with a representative of the Council Roads Department at locations specified by the Council and for ongoing dilapidation surveys including submission of written reports/photographs for the route referred to under item (i) above.

Reason: In the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

09. That the further application(s) required under the terms of Condition 2 above shall include the submission of a slope stability analysis of the site for approval in writing by the Council as Planning Authority. The analysis shall be carried out by a suitably qualified geotechnical engineer and be based on parameters and stratigraphy obtained by intrusive investigation and shall be backed by suitable public indemnity insurance. In addition, the analysis shall take account of the effects of the watercourse, the groundwater regime, the felling of trees and any proposed SUDS features.

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

10. For the avoidance of doubt, no work shall commence on site until the slope stability analysis referred to under Condition 9 above has been approved in writing by the Council as Planning Authority. Any development at the site shall be undertaken in accordance with the requirements of the approved slope stability analysis.

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

11. That the further application(s) required under the terms of Condition 2 above shall include an update to the submitted 'Report of Phase 1 Habitat Survey, Protected Species Survey and Preliminary Ecology Appraisal' (prepared by ESS Ecology). The requirements and recommendations of this report shall be implemented to the satisfaction of the Council as Planning Authority.

Reason: To protect any established species.

12. That the further application(s) required under the terms of Condition 2 above shall include a detailed design of the proposed surface water and foul drainage and written confirmation from Scottish Water that the proposals, including the surface water outfall to the nearby watercourse, are acceptable to them for the purposes of vesting. This information shall include the agreed drainage adoption extents to the satisfaction of the Council as Roads and Planning Authority.

Reason: In order to retain effective planning control.

13. That the further application(s) required under the terms of Condition 2 above shall detail that the proposed retaining wall along the western boundary of the site is located at a sufficient distance from the adoptable development road and outwith the zone of influence of the road.

Reason: In the interests of traffic and public safety.

14. That the further application(s) required under the terms of Condition 2 above shall include the appropriate parking provision in accordance with SCOTS National Roads Development Guide as follows:-

- ◆ 1 bedroom - 1 parking space
- ◆ 2 and 3 bedrooms - 2 parking spaces
- ◆ 4 and 5 bedrooms - 3 parking spaces

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

15. That the further application(s) required under the terms of Condition 2 above shall include driveway parking of a minimum 3.0metre wide by 6.0metre long modules with a separate footway access provided between the prospectively adoptable road and each dwelling entrance.

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

16. That the further application(s) required under the terms of Condition 2 above shall include the submission of a Residential Travel Plan.

Reason: These details have not been submitted.

17. That the further application(s) required under the terms of Condition 2 above shall include an invasive weed survey, which provides details of any required remediation strategy, to be approved in writing by the Council as Roads and Planning Authority.

Reason: These details have not been submitted.

18. That prior to the development being completed or brought into use, a visibility splay of 2.4 metres by 43 metres shall be provided in both directions from the new access and that everything exceeding 0.9 metres in height, when measured above the adjacent road channel level, shall be removed from the visibility splay and thereafter nothing exceeding 0.9 metres in height shall be placed, erected, planted or allowed to grow within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

19. That prior to the development being completed or brought into use, a new 3.0 metre wide shared use footway for pedestrians and cyclists shall be formed from the site entrance around the site boundary to the existing pedestrian refuge island on Stewart Avenue as shown on drawing 22-134(PL)01 Revision M to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

20. That prior to the development being completed or brought into use, the site entrance shown on drawing 22-134(PL)01 Revision M shall be formed as a 5.5metre wide road with 2.0metre wide footways and 6.0metre radii on both sides incorporating dropped kerbs and tactile paving and all to the specification to be approved in writing by the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

21. That prior to the development being completed or brought into use, the first 2.0 metres of the driveway serving each dwelling shall be so surfaced in a bound material and trapped to prevent any surface water or deleterious material from entering the prospectively adoptable road to the satisfaction of the Council as Roads and Planning Authority.

Reason: In order to retain effective planning control.

22. That prior to the development being completed or brought into use, the driveway serving each dwelling shall be constructed such that a gradient of 1 in 12 is not exceeded to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

**12. Reason for Decision**

- 12.1 The proposal raises no significant amenity, environmental or infrastructure issues and complies with Policies 1, 2, 3, 4 13, 14, 15 and 16 of the National Planning Framework 4 and Policies 1, 2, 5, 13 and 15 of the adopted South Lanarkshire Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

**David Booth**  
**Executive Director (Community and Enterprise Resources)**

**Date: 1 March 2024**

**Background Papers**

Further information relating to the application can be found online:-

[P/22/1466 | Residential development with associated parking, landscaping, open space and drainage \(Planning Permission in Principle\) | Land Adjacent To Stewart Avenue Hamilton \(southlanarkshire.gov.uk\)](#)

**Corporate Considerations**

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

**Contact for Further Information**

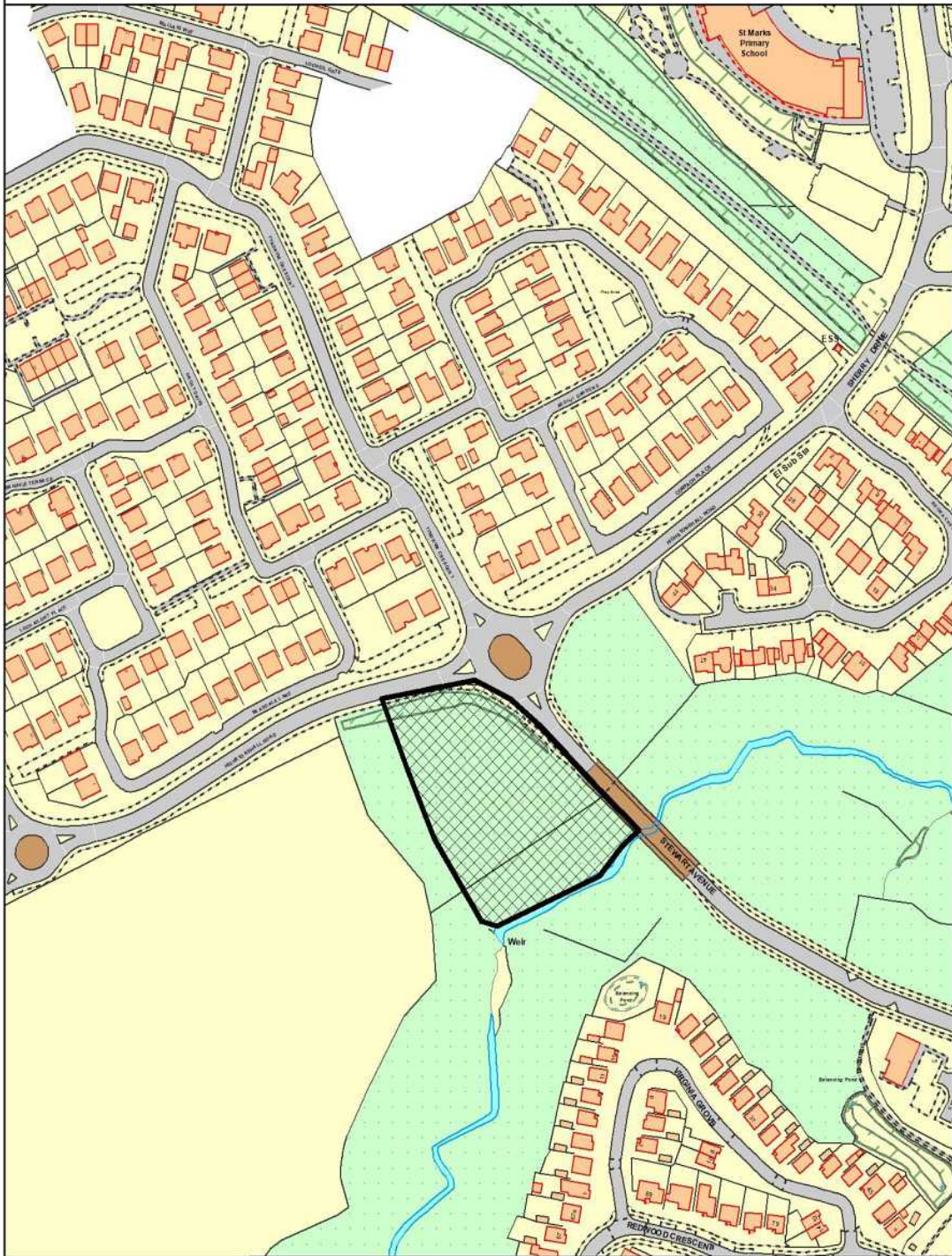
If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)



**P/22/1466 Land 250m Northwest of 2 Cypress Lane, Hamilton**



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Scale:  
1:2,500  
Date:  
08/02/2024



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Regulatory Services