

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>8 October 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/1100
Planning proposal:	Erection of 57 residential dwellings (including 12 cottage flats) with associated roads and landscaping

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Persimmon Homes and South Lanarkshire Council
Location:	Land 45M South Of 56 Ell Crescent Ell Crescent Cambuslang Glasgow South Lanarkshire

## 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:
- ♦ Council Area/Ward: 13 Cambuslang West
- ♦ Policy Reference(s): South Lanarkshire Local Development Plan:  
Policy 1 Spatial strategy  
Policy 3 Green belt and rural area  
Policy 4 Development management and placemaking  
Policy 5 Community infrastructure assessment  
Policy 6 General urban area/settlements  
Policy 12 Housing land  
Policy 13 Affordable housing and housing choice  
Policy 14 Green network and green space

Policy 16 Travel and transport  
Policy 17 Water environment and flooding

**Supplementary Guidance 1: Sustainable development and climate change**

Policy SDCC2 Flood risk  
Policy SDCC3 Sustainable drainage systems  
Policy SDCC4 Water supply  
Policy SDCC5 Foul drainage and sewerage

**Supplementary Guidance 3: Development Management, Placemaking and Design**

Policy DM1 Design  
Policy DM13 Development within general urban area/settlement

**Proposed South Lanarkshire Local Development Plan 2**

Policy 1 Spatial Strategy  
Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
Policy 11 Housing  
Policy 12 Affordable Housing

◆ **Representation(s):**

▶	10	Objection Letters
▶	0	Support Letters
▶	2	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

Estates Services - Housing and Technical Resources

SEPA Flooding

Housing Planning Consultations

Countryside and Greenspace

Educ Res School Modernisation Team

Halfway Community Council

## **Planning Application Report**

### **1 Application Site**

- 1.1 This application site relates to an area of open grassland which is located to the south of Gilbertfield Road in Cambuslang. The site is an area designated for social housing as part of the previously approved residential development by Persimmon Homes and covers an area of approximately 1.67ha. To the west is established residential development at East Greenlees and to the rear is open farmland. Further to the south is Gilbertfield Farm and beyond, Gilbertfield Castle.

### **2 Proposal(s)**

- 2.1 The applicants (Persimmon Homes/SLC Housing and Technical Resources) propose the erection of a residential development of 57 dwellings consisting a mix of 12 cottage flats and terraced and semi-detached dwelling. The application relates to the on-site affordable housing element as required by the Section 75 legal agreement of the previously approved housing development granted to Persimmon in 2017.
- 2.2 The development will be accessed from Gilbertfield Road via the main access which currently serves Ell Crescent. There is an existing SUDs basin for the site which is located in the north-west corner of the overall site. The site will tie in with new footpath links being provided throughout the site. As part of the proposal, the houses will be constructed by Persimmon Homes on behalf of SLC Housing under a 'turn-key' arrangement. This will ensure that the site is tenure blind and not easily distinguishable from the rest of the houses being constructed.

### **3 Background**

#### **3.1 Relevant Government Advice/Policy**

- 3.1.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements.

#### **3.2 Planning History**

- 3.2.1 As outlined above, the site represents the on-site affordable housing element of the previously approved development for Persimmon Homes (CR/15/0239) as required by the relevant Section 75 legal agreement. This was a detailed application and was approved in October 2017.

#### **3.3 Local Development Plan**

- 3.3.1 In determining this planning application the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.

- 3.3.2 In land use terms, the application site is identified within the adopted SLLDP, as being within both a general residential area (Policy 6) and as forming part of the Council's housing land supply (Policy 12). Policy 6 requires that new proposals should not adversely impact on the amenity and character of such areas. In terms of those sites identified as part of the Council's housing land supply (Policy 12), their development for residential purposes is supported (subject to compliance with normal development management criteria), as this will assist the Council in meeting its housing needs.
- 3.3.3 With regard to normal development management criteria, a number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely Policy 4 - Development Management and Placemaking, Policy 5 - Community Infrastructure Assessment, Policy 13 - Affordable Housing and Housing Choice, Policy 15 - Natural and Historic Environment, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding.
- 3.3.4 These principle policies are supported by its specific policy guidance provided through approved Supplementary Guidance on the following topics:
- Development Management, Place Making and Design SG 3  
Policy DM 1 – Design and Policy DM13 – Development within General Urban Area/Settlement),
  - Affordable Housing and Housing Choice SG 7
  - Natural and Historic Environment SG 9  
Policy NHE18 - Walking, Cycling and Riding Routes and Policy NHE19 - Protected Species
  - Community Infrastructure Assessment
  - Sustainable Development and Climate Change SG 1  
Policy SDCC 2 - Flood Risk, Policy SDCC 3 - Sustainable Drainage Systems, Policy SDCC 4 - Water Supply and Policy SDCC 5 - Foul Drainage and Sewerage.
  - Green Networks and Greenspaces SG 8

The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and result in no significant adverse impact.

- 3.3.5 In addition, the Council has prepared a Residential Design Guide. The aim of the associated policies and guidance is to seek well designed development which is located in appropriate locations and is appropriately serviced. An assessment of the proposal against these specific policies is contained in Section 6 of this report.
- 3.3.6 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, Policies 1, 3, 5, 11 and 12 are all relevant.

## 4 Consultation(s)

- 4.1 **Roads and Transportation Services (Flood Risk Management Section)** - have no objections subject to conditions in relation to the implementation of a Sustainable Drainage Design designed and independently checked in accordance with the Council's SUDS Design Criteria Guidance. In terms of flood risk, a Flood Risk/Drainage assessment (FRA) was requested. All above ground maintenance of the SUDs features shall be factored for maintenance in perpetuity.  
**Response:** Conditions have been added in this respect.
- 4.2 **Scottish Water** – no objections.  
**Response:** Noted. A condition will be attached to ensure adequate provision of water and sewerage infrastructure.
- 4.3 **S.E.P.A. Flooding** – No objections.  
**Response:** Noted. The maintenance of the SUDs infrastructure will be carried out by both the Council and the applicant. A condition has been attached to ensure all works and maintenance are carried out appropriately.
- 4.4 **Roads and Transportation Services (Development Management)** – no objections to the proposals subject to conditions relating to construction traffic management. The proposal will be subject to a further Roads Construction Consent.  
**Response:** Noted. A number of conditions will be attached to any consent granted in respect of these issues. Contributions will also be sought through the associated legal agreement.
- 4.5 **Environmental Services** – no objections subject to conditions relating to noise and contaminated land strategy.  
**Response:** Noted. These conditions have been attached.
- 4.6 **Housing Resources** – the site is identified in the Council's Strategic Housing Investment Plan and is prioritised for Scottish Government grant funding for social rented housing in 2020/21.  
**Response:** Noted.
- 4.7 **Countryside and Greenspace** – no objections to the proposed development subject to appropriate footpath provision.  
**Response:** Noted. This requirement has been conditioned
- 4.8 **Halfway Community Council** – no response to date.  
**Response:** Noted.

## 5 Representation(s)

- 5.1 Following neighbour notification and the application being advertised in the Rutherglen Reformer in respect of Non-notification of Neighbours, 10 letters of objection and 2 letters of comment have been received. The points raised are summarised below:

## **Representations**

- a) **The development will cause conflict between construction traffic and existing residents, particularly with children. Construction will also lead to increased noise.**

**Response:** Whilst construction is an accepted part of any development, a condition has been attached to ensure appropriate traffic and construction management. In addition, all construction work will require to be contained within agreed hours to avoid any potential noise issues. An associated Traffic Management Plan will require to be agreed prior to work commencing. This will include staff parking details together with the site compound operation and wheel washing facilities.

- b) **Concerns over drainage and flooding issues in relation to the proposed development and the implications. There have been a number of incidents during construction of the existing houses, particularly to the rear of the site. This was not a common occurrence previously. There is already a stress on the existing watercourse. The applicants have confirmed that no new drainage will be installed.**

**Response:** Roads and Transportation Services (Flood Risk Management) and SEPA have assessed the proposal and have no objection to the proposed development subject to a number of conditions in relation to the proposed SUDs scheme. The site will have drainage infrastructure designed to deal with the water and will, thereafter, be appropriately maintained. Any on-going issues will be dealt with as and when they arise as has been the case so far. This drainage scheme was designed when the original application was submitted.

- c) **The developers have fixed the internet providers so that no property can change to an alternative supplier.**

**Reason:** Internet provision is currently not a material planning consideration and is a matter between householders and Persimmon.

- d) **The proposed development would have an adverse impact in terms of traffic and road safety. There is a history of traffic congestion and traffic accidents and the proposal will make this worse.**

**Response:** Roads and Transportation Services have assessed the proposal and have no objection subject to a number of conditions. In addition, the developer has already made a number of off-site improvements to assist with traffic movement and access to public transport. These include improved cycle infrastructure, increased pedestrian infrastructure (with street lighting), money towards park and ride facilities and bus infrastructure. In addition, traffic calming will be installed to slow down any additional traffic.

- e) **The scale of the proposed development and the slope of the land will result in the overlooking, privacy and views to the south. The 'social housing' should have been mixed throughout the site and not concentrated in this one area. Residents of Ell Crescent were told by the developer that the 'social housing' would have its own access and would be fenced off from the private houses.**

**Response:** The development meets with all the requirements set out in the Residential Design Guide. The distance between new dwellings to existing dwellings, and the position and orientation of dwellings is such that there is not considered to be any unacceptable impacts in terms of overlooking, privacy and loss of light. The site is relatively level with the houses which sit directly to the front (north). The application site was retained as part of the previously approved layout of 386 houses. The area for affordable housing was clearly marked on the approved drawings which also showed the access point. In addition, the overall site was zoned for housing in the adopted local development plan. Such plans do not require distinction between a 'social' housing site and a 'private' site. Development was always proposed for this area of the site whether the houses are 'affordable' or not. The design is in keeping with the existing site to the north which will mean that there will be little or no differentiation. Whilst a right to a view is not a material planning consideration, as detailed above, we are satisfied that the proposed layout is acceptable in relation to the existing properties.

- f) **The development will place an enormous strain on community facilities which are already struggling to cope. There are an insufficient number of GP surgeries and dental surgeries to cope with demand. How does this promote inclusive growth and connectivity? In addition, schools and nurseries are over sub-scribed.**

**Response:** In accordance with Policy 5, and as part of the larger development, Persimmon Homes are making financial contributions towards education and community facilities. In addition, off-site road works will be undertaken by the developer. The NHS are consulted as part of the local development plan process which designated the site for housing. The proposal provides much needed affordable housing and the layout shows the proposed units well integrated within this locality.

Education Resources have confirmed that the catchment schools for this development are not operating at full physical capacity and have scope for additional pupils. This development, including the social housing proposed, was taken account of in planning for nursery and school places. As part of the overall development, Persimmon are contributing £1.279m towards additional education infrastructure.

The Scottish Government's programme is to increase child care provision to 1140 hours and at South Lanarkshire Council we are currently working in partnership with the Scottish Government to provide additional nursery places in Cambuslang to accommodate this new provision. This is being undertaken by a variety of options including two new build nurseries in Cambuslang, increasing registrations in existing nurseries and expanding hours of operation at a number of existing nurseries. Given this, local primary and nursery places will be available.

- g) **The affordable housing should be constructed on Auld Kirk Road or the old Cairns Primary site.**

**Response:** SLC Housing is already being proposed on Auld Kirk Road. The application has always been proposed and was clearly shown on the approved drawings.

- h) **Who will maintain the open space around the new properties? The private properties have to pay money to a factor.**

**Response:** The site will be maintained by the Council in conjunction with the factor.

- i) **There is a pathway between Phase 1 and the proposed Affordable Housing area. This will encourage people to walk through the landscaping buffer at Murdoch Avenue as a shortcut between Gilbertfield Road and East Greenlees Road. What measures will be implemented to prevent this from happening.**

**Response:** Boundary fencing will be erected around the site prior to the occupation of the first house and this will prevent any pedestrian access to or from Murdoch Avenue as outlined in the consent for CR/15/0239. This will be re-enforced by a planning condition.

- j) **There is an absence of a footpath between the overall site and Cambuslang Park which was part of the original proposals. This will prevent residents from using the park as intended. This is also the case with a pedestrian junction at Vicarland Road.**

**Response:** The original footpath was intended for Cairns Road, however, this has not been possible to construct. As an alternative, the developers and Council are currently working on an alternative proposal to link the site with Cambuslang Park.

- k) **The applicant has incorrectly stated that no trees are within the site. There are a number on the southern boundary.**

**Response:** Whilst there are trees within the overall site, none of them will be affected by this development.

- l) **The proposal will result in an additional 113 units than was previously intimated in the 2015 application. This is from the 54 previously noted in the Committee report and the 57 now proposed.**

**Response:** 57 units are proposed as part of the original proposal. These units are not on top of the 54 previously identified in the previous application. As a result, only 3 additional units are proposed. As the development includes flats and terraces, there is little additional land being taken up from what was previously envisaged. I am, therefore, satisfied that the proposal can meet the aims of the residential design guide and maintain residential amenity.

- m) **The Council has failed in its statutory duty in not notifying enough properties within the vicinity of the development.**

**Response:** Due to a mapping error, not all properties were correctly notified originally. When this error was noted, all additional properties were notified. In addition, the application was advertised in the Rutherglen Reformer for non-notification of neighbours. As a result of these measures, the Council has fulfilled its statutory duty,

- n) **The traffic calming measures already installed on Gilbertfield Road and Cairns Road are inadequate.**

**Response:** The traffic calming measures which have now been installed are as requested by Roads and Transportation Services as part of the original proposal. The Traffic calming has been designed with the total number of properties from both this application and the previous one.



- o) **Residents are also concerned about the potential increase to crime within the estate if this proposal goes ahead. Families have spent hundreds of thousands of pounds on these houses, and do not want their children to feel unsafe playing the street by increased traffic, or new residents to the social houses who may have criminal convictions, drug and alcohol issues or other social problems. This is a private estate and South Lanarkshire Council should welcome the investment we have brought to the area, and take our concerns into consideration. The residents of the private housing were not given their say about the possibility of the affordable housing site.**

**Response:** The site was identified for social housing as part of this larger development and was clearly identified on the drawings when the planning application was granted in 2017. The design and layout of the site has been considered to ensure maximum correlation with the existing houses. All relevant properties within 20 metres have been notified. This process allows for public comment on the planning application.

- p) **The proposed layout will cause confusion for drivers etc as it will not tie in with the existing scheme of numbering on Ell Crescent.**

**Response:** This matter will be dealt with when the development is completed. Housing Technical Resources will allocate the appropriate addresses and site the appropriate signage.

#### **Letters of comment**

- a) **Do not object to the proposal but comment that developments such as Newton CGA, Greenlees Road and East Whitlawburn do not have affordable housing provision.**

**Response:** Although there are no areas of social rented housing in the early phases of Newton, affordable housing is considered on a phase by phase basis with each new application. East Whitlawburn is primarily a new development for social rented housing and in line with the Council's Housing Service's requirements at the time, the Greenlees Road development attracted an off-site financial contribution towards affordable housing. The money received from that development will be spent on other affordable within the Cambuslang/Rutherglen area.

- b) **Understand that the development was always going to happen, however care should be taken by construction vehicles and hours of construction should be limited.**

**Response:** Noted. A condition has been attached requiring the submission of a Traffic Management Plan (TMP). This will require the agreement of the developer and Roads and Transportation Services.

- 5.2 These letters of representation have been copied and are available for inspection in the usual manner and on the Planning Portal.

## **6 Assessment and Conclusions**

- 6.1 The applicants propose the erection of a residential development of 57 dwellinghouses associated landscaping and access on land to the south of Ell Crescent, Cambuslang as part of a previously residential development granted in

2017. The main determining issues in assessing this proposal are whether it accords with local plan policy, its impact on amenity and road safety matters.

- 6.2 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise.
- 6.3 Scottish Planning Policy (2014) highlights that development proposals which accord with up-to-date plans should be considered acceptable in principle. The application site has been in the development plan (South Lanarkshire Local Plan 2009 and South Lanarkshire Local Development Plan 2015) as a housing site and, therefore, raises no issues in this regard. It is, therefore, considered that the proposal is in accordance with both development plan policy and national policy.
- 6.4 With regard to the adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and associated Supplementary Guidance (SG), the application site, as stated above, is identified as being both a proposed housing site (Policy 12) and located within a general residential area where Policy 6 applies. The site was previously identified as a Residential Masterplan area to provide mixed tenure housing adjacent to Cairns. This site is essentially the social housing element of the previously approved development. Initially, SLC Housing were to construct the properties themselves, however, the houses will now be constructed by Persimmon on their behalf. This will ensure that the development will be delivered quicker than anticipated and will provide a tenure blind development, thereby ensuring the houses blend in with those already constructed.
- 6.5 The issues considered relevant from a development management perspective, are set out within Section 3.3 above. Principally, 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. The overall design and layout are considered to provide a high quality residential area which complies with the relevant planning policies. I am, therefore, satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance. The layout complies with the Council's approved Residential Design Guide in terms of window to window distances, plot size and permeability.
- 6.6 Given the site's location, it is considered that the site can be appropriately serviced in terms of water and sewerage as it forms part of a larger development which already has an established drainage scheme for both surface and foul water. No objections have been received from consultees in this regard. The site has been assessed by SEPA and the Council's Flood Risk Management Team who are satisfied subject to a number of conditions in relation to the proposed SUDs scheme, the level of treatment proposed and maintenance. In addition, the development will require to comply with the Council's sustainable drainage criteria and associated requirements. This can be achieved through the use of appropriately worded conditions. The proposal is, therefore, acceptable when assessed against Policy 17 - Water Environment and Flooding of the SLLDP and Policies SDCC 2 - Flood Risk and SDCC 3 - Sustainable Drainage Systems of the Sustainable Development and Climate Change SG (December 2014).

- 6.7 With regard to road safety, Policy 16 - Travel and Transport - requires all new development proposals to consider the resulting impacts of traffic growth. The site has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions. Through the overall development, Persimmon are undertaking a number of off-site improvements such as the provision of new footpaths, street lighting, signalised crossing points, new bus stops and funding towards potential park and ride facilities, all of which have been agreed with Roads and Transportation Services. The proposal can, therefore, be considered acceptable in transportation terms.
- 6.8 The Council's adopted policy on Community Infrastructure Assessment (Policy 5) advises that a financial contribution from the developer will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. As part of the overall development, contributions are being made to educational and community facilities. In addition, the current application is ultimately being delivered through this agreement. The proposal, therefore, complies with both Policy 5 and the relevant affordable housing policy - Policy 13.
- 6.9 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. 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, Policies 1 – Spatial Strategy, 3 – General Urban Area Settlement, 5 – Development Management and Placemaking, 11 – Housing and 12 – Affordable Housing are all relevant and all have similar aims to those in the existing plan. I am, therefore, satisfied that the proposal also complies with these policies.
- 6.10 10 letters of representation and 2 letters of comment have been received which have been addressed in Section 5 above. The requirements of the statutory consultees can be addressed through the use of conditions, where appropriate.
- 6.11 In summary, it is considered that the application conforms to both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. Therefore, I am satisfied that the proposal fully complies with the South Lanarkshire Local Development Plan 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 and raises no road safety concerns. The development complies with the provisions of the adopted South Lanarkshire Local Development Plan (adopted 2015) namely (Policies 4 - Development Management and Placemaking, 5 - Community Infrastructure Assessment, 6 - General Urban Area /Settlements, 12 - Housing Land, 13 - affordable Housing and Housing Choice, Policy 14 - Green Network and Greenspace, 15 - Natural and Historic Environment, 16 - Travel and Transport and 17 - Water Environment and Flooding). In addition, the proposal accords with the relevant Development Plan Supplementary Guidance. In addition, the proposal

also complies with policies 1 – Spatial Strategy, 3 – General Urban Area Settlement, 5 – Development Management and Placemaking, 11 – Housing and 12 – Affordable Housing in the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 19 September 2019

**Previous references**

- ◆ CR/15/0239

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated
- ▶ Consultations
  - Roads Development Management Team 19.09.2019
  - Environmental Services 19.09.2019
  - Roads Flood Risk Management 19.08.2019
  - Scottish Water 06.08.2019
  - SEPA Flooding 09.08.2019
  - Housing Planning Consultations 20.08.2019
  - Educ Res School Modernisation Team 07.08.2019
- ▶ Representations
  - Miss Emma McClintock, 25 Ell Crescent, Cambuslang, G72 8ZJ Dated: 19.08.2019
  - Amber Tyrrell, Received Via Email 29.08.2019
  - Mr Stuart Roach, 5 Upper Ell Gate, Cambuslang, Glasgow, South Lanarkshire, G72 8ZL 30.08.2019
  - Mr And Mrs Hendry, 29 Ell Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 8ZJ 15.08.2019
  - Myra Mackie And Christopher Namyslak, 31 Ell Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 8ZJ 30.08.2019
  - Emma & Craig Borland, 25 Ell Crescent, Cambuslang, G72 8ZJ 20.08.2019

Jordan Muir, 56 Ell Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 8ZJ	03.09.2019
Mr & Mrs R Reid, 54 Ell Crescent, Cambuslang, G72 8ZJ	12.08.2019
Mr May And Mrs Fleming, 2 Upper Ell Gate, Cambuslang, G72 8ZL	21.08.2019
Mr And Mrs Paterson, 46 Murdoch Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 8WP	15.08.2019
Mr And Mrs J Louis Obike, 31 Ell Crescent, Cambuslang, G72 8ZJ	02.09.2019
Jordan Muir, Received Via Email	07.08.2019

**Contact for further information**

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

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Detailed planning application

Paper apart – Application number: P/19/1100

### **Conditions and reasons**

01. 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.

02. That the landscaping scheme required by condition 1 above 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.

03. 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.

04. That all proposed footpaths should be of a bound surface and a minimum of 1.8m wide to allow shared use.

Response: In the interests of public safety.

05. 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.

06. 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.

07. 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 6 above, 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.

08. That before any of the dwellinghouses hereby approved are occupied, details of the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority. Thereafter, prior to the occupation of any dwelling, the approved scheme shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

09. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: To safeguard the residential amenity of the area.

10. That all new residents within the approved site shall be issued by the developer with a Residential Travel Pack.

Reason: In the interests of public safety

11. That the applicant shall provide a Traffic Management Plan (TMP), including details of the site compound, site parking and wheel washing facilities. The TMP should restrict all site work (incl. vehicle movements) from operating within the school opening and closing times. No work shall commence until the TMP has been approved in writing by the Council as Planning Authority.

Reason: In the interests of road and public safety.

12. (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved 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 as Planning Authority, confirming that the works have been carried out in accordance with the approved 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 as Planning Authority 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 require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: To ensure the site is free of contamination and suitable for development.

13. That internal noise levels with windows closed must not exceed 35 dB daytime (07:00 – 23:00) and 30 dB night-time (23:00 – 07:00). The external noise levels must not exceed 55 dB daytime in any garden areas, when measured as  $L_{Aeq,T}$ .

Reason: In the interests of amenity

14. That within 6 weeks of each phase being completed, the business operator shall undertake compliance and validation measurements using an independent consultant to demonstrate compliance with the above condition. This shall demonstrate that the projections as detailed within the Noise Impact Assessments are reliable and meet with the relevant condition.

Reason: In the interests of amenity

15. That if the proposed mitigation measures, as detailed in the corresponding report from the applicant i.e. provision of an acoustic barrier and validation test demonstrating the effectiveness of the barrier, fail to meet the conditions stated in point 1, further mitigation will require to be undertaken to ensure the stated levels are achieved.

Reason: In the interests of amenity

16. That at the reasonable request of the Planning Authority and following a complaint to it relating to noise, the developer shall appoint an independent noise consultant, whose appointment shall require to be approved by the Planning Authority, to measure the level of noise at the property to which the complaint related.



Where an assessment of any noise, in the opinion of the Planning Authority acting reasonably, is found to be in breach of the noise limits set out in World Health Organisation Guidelines for Community Noise (1999) and/or BS 8233:2014 the developer shall carry out mitigation measures to remediate the breach so caused. Details of any such mitigation measures required are to be submitted to the planning authority for prior approval.

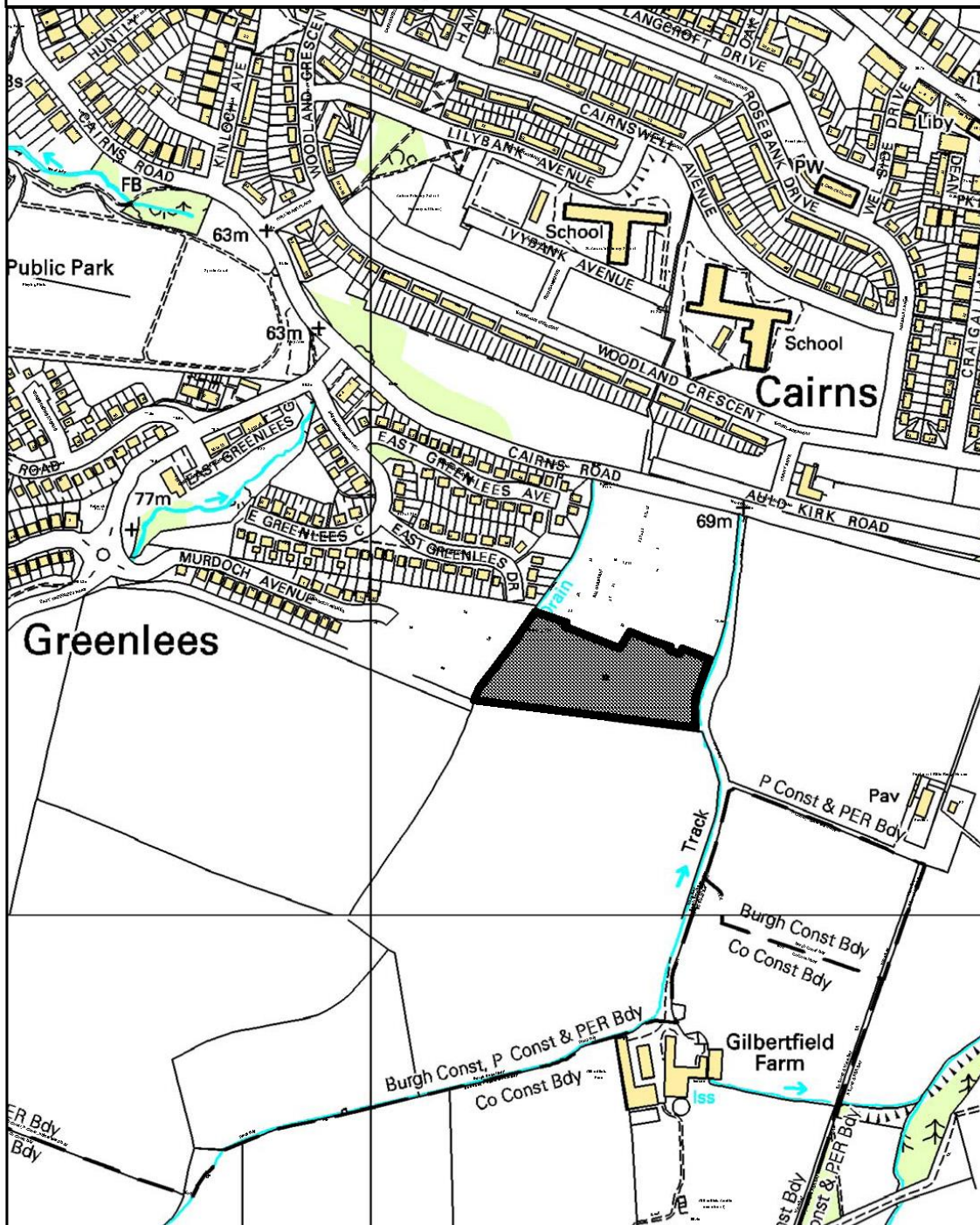
Reason: In the interests of amenity

17. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1992 'Evaluation of human exposure to vibration in buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

Reason: In the interests of amenity

P/19/1100

Land 45m South of 56 Ell Crescent, Cambuslang



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**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development