



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 19 March 2018

Dear Councillor

Planning Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 10 October 2017

Time: 10:00

Venue: Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Members are reminded to bring their fully charged tablets to the meeting

Yours sincerely

Lindsay Freeland
Chief Executive

Members

Alistair Fulton (Chair), Isobel Dorman (Depute Chair), John Ross (ex officio), Alex Allison, John Bradley, Walter Brogan, Archie Buchanan, Stephanie Callaghan, Margaret Cowie, Maureen Devlin, Mary Donnelly, Fiona Dryburgh, George Greenshields, Mark Horsham, Ann Le Blond, Richard Lockhart, Katy Loudon, Julia Marrs, Kenny McCreary, Richard Nelson, Carol Nugent, Graham Scott, David Shearer, Bert Thomson, Jim Wardhaugh, Sheena Wardhaugh

Substitutes

John Anderson, Jackie Burns, Janine Calikes, Gerry Convery, Margaret Cooper, Allan Falconer, Colin McGavigan, Mark McGeever, Davie McLachlan, Lynne Nailon, Collette Stevenson, Collette Stevenson, Jared Wark, Josh Wilson,

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

3 - 6

Minutes of the meeting of the Planning Committee held on 12 September 2017 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

- | | | |
|----------|---|---------|
| 3 | Application HM/17/0295 - Residential Development (105 Units) and Associated Roads and Infrastructure, Including Footpaths, Open Space, SUDs and Landscaping at Clyde Avenue, Blantyre Mill Road, Bothwell
Report dated 2 October 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 7 - 30 |
| 4 | Application EK/17/0184 - Corridor Improvements Project Including 7.3 Metres Wide Dualling of the Existing Carriageway with Associated Shared Cycleway/Footways, Roundabouts, Site Clearance, Drainage, Earthworks, Lighting, Controlled Crossings, Fencing, Structures and Accommodation Works at Greenhills Road/A726 Strathaven Road Corridor Improvements, East Kilbride
Report dated 3 October 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 31 - 60 |
| 5 | Application HM/17/0312 - Erection of 26 Flats and 16 Terraced Houses with Associated Amenity Space and Car Parking at Carlisle Road, Ferniegair, Hamilton
Report dated 2 October 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 61 - 76 |
| 6 | Application HM/17/0060 - Residential Development (12 Terraced Units) at Building Plot North West of Glebe Wynd, Bothwell
Report dated 2 October 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 77 - 90 |
| 7 | Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance – Addendum to South Lanarkshire Landscape Capacity Study for Wind Energy 2016
Report dated 27 September 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 91 - 94 |

Urgent Business

8 Urgent Business

Any other items of business which the Chair decides are urgent.

For further information, please contact:-

Clerk Name: Pauline MacRae

Clerk Telephone: 01698 454108

Clerk Email: pauline.macrae@southlanarkshire.gov.uk

PLANNING COMMITTEE

2

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 12 September 2017

Chair:

Councillor Alistair Fulton

Councillors Present:

Alex Allison, John Bradley, Walter Brogan, Archie Buchanan, Maureen Devlin, Mary Donnelly, Isobel Dorman (Depute), Fiona Dryburgh, George Greenshields, Mark Horsham, Ann Le Blond, Kenny McCreary, Julia Marrs, Lynne Nailon (*substitute for Councillor Lockhart*), Richard Nelson, Carol Nugent, Graham Scott, Collette Stevenson (*substitute for Councillor Callaghan*), Bert Thomson, Jim Wardhaugh, Sheena Wardhaugh

Councillors' Apologies:

Stephanie Callaghan, Margaret Cowie, Richard Lockhart, Katy Loudon, John Ross (ex officio), David Shearer

Attending:

Community and Enterprise Resources

G Cameron, Headquarters Manager, Planning and Building Standards Services; L Campbell, Area Manager, Planning and Building Standards Services (Hamilton); T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride)

Finance and Corporate Resources

J Davitt, Media Officer, P MacRae, Administration Officer

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 15 August 2017 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Application EK/17/0229 - Change of Use of Floors 8, 9, 10 and 12 of Building From Offices (Class 4) to Form 102 Bedroom Hotel (Class 7) with Associated Bar and Restaurant at The Plaza Tower, The Plaza, Town Centre, East Kilbride

A report dated 5 September 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0229 by EK Devco Limited for the change of use of floors 8, 9, 10 and 12 of a building from offices (Class 4), to form a 102 bedroom hotel (Class 7) with associated bar and restaurant at The Plaza Tower, The Plaza, Town Centre, East Kilbride.

The Committee decided: that planning application EK/17/0229 by EK Devco Limited for the change of use of floors 8, 9, 10 and 12 of a building from offices (Class 4), to form a 102 bedroom hotel (Class 7) with associated bar and restaurant at The Plaza Tower, The Plaza, Town Centre, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

4 Application HM/17/0292 - Erection of 29 Flats With Associated Amenity Space and Parking at Site at the Junction of Hillhouse Road and Wellhall Road, Hamilton

A report dated 30 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0292 by Link Group Limited for the erection of 29 flats with associated amenity space and parking at a site at the junction of Hillhouse Road and Wellhouse Road, Hamilton.

The Committee decided: that planning application HM/17/0292 by Link Group Limited for the erection of 29 flats with associated amenity space and parking at a site at the junction of Hillhouse Road and Wellhouse Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

5 Application CL/17/0331 - Erection of 18 Flats Incorporating Photovoltaic Panels Within the Roofs and Formation of Associated Car Parking, Bin Stores, Landscaping and Sustainable Urban Drainage System (SUDs) at South Vennel, Lanark

A report dated 28 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0331 by South Lanarkshire Council for the erection of 18 flats incorporating photovoltaic panels within the roofs and the formation of associated car parking, bin stores, landscaping and sustainable urban drainage system at South Vennel, Lanark.

The Committee decided: that planning application CL/17/0331 by South Lanarkshire Council for the erection of 18 flats incorporating photovoltaic panels within the roofs and the formation of associated car parking, bin stores, landscaping and sustainable urban drainage system at South Vennel, Lanark be granted subject to the conditions specified in the Executive Director's report.

6 Application CL/08/0727 - Alterations to Planning Conditions at Penbreck Wind Farm, Penbreck and Carmacoup Forest, Near Douglas

A report dated 28 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on the proposed addition of 3 planning conditions to planning application CL/08/0727 to secure radar mitigation measures required by Glasgow Prestwick Airport (GPA).

At its meeting on 21 June 2014, the Committee had approved planning application CL/08/0727 by PNE Wind UK Limited for the erection of 9 wind turbines and associated infrastructure at Penbreck and Carmacoup Forest, near Douglas. Approval had been granted subject to the conclusion of an appropriate obligation under Section 75 of the Planning Act.

Since the application was approved, there had been ongoing discussions between the applicant and the Council in relation to the legal agreement. In addition, the applicant had been in discussion with GPA regarding the required aviation technical solution to safeguard the safety and efficiency of GPA air traffic control service and its primary surveillance radar. GPA had advised the Council that, to mitigate the impact of the wind farm, it would be appropriate to add 3 further conditions to planning application CL/08/0727 to secure the implementation of the identified mitigation measures. This would satisfy the requirements of GPA. The conditions were attached as Appendix 1 to the report and, if approved, could be added before the legal agreement was concluded and the decision notice issued.

The Committee decided: that planning conditions 51, 52 and 53, detailed in Appendix 1 to the Executive Director's report, be attached to planning application CL/08/0727 to secure the radar mitigation measures required by Glasgow Prestwick Airport.

[Reference: Minutes of 24 June 2014 (Paragraph 13)]

7 Urgent Business

There were no items of urgent business.

Report

3

Report to:	Planning Committee
Date of Meeting:	10 October 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	HM/17/0295
Planning Proposal:	Residential Development (105 units) And Associated Roads And Infrastructure, Including footpaths, Open Space, SUDs And Landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Miller Homes
- Location : Clyde Avenue
Blantyre Mill Road
Bothwell

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

3 Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

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 Greenspaces

Policy 15 - Natural and Historic Environment

Policy 16 - Travel and Transport

Policy 17 - Water Environment and Flooding

South Lanarkshire Local Development Plan (Supplementary Guidance)

Development Management, Place Making and Design SG

DM1 - Design

DM13 - Development within General Urban Area/Settlement

Affordable Housing SG

Green Belt and Rural Area SG

Green Network and Greenspaces SG

Natural and Historic Environment SG

NHE9 - National Nature Reserves and Sites of Special Interest

NHE13 - Tree Preservation Orders

NHE18 - Walking, Cycling and Riding Routes

NHE19 - Protected Species

Community Infrastructure Assessment SG

Sustainable Development and Climate Change SG

SDCC 2 - Flood Risk

SDCC 3 - Sustainable Drainage Systems

SDCC 4 - Water Supply

SDCC 5 - Foul Drainage and Sewerage

Residential Design Guide SG

Representation(s):

▶	33	Objection Letters
▶	0	Support Letters
▶	2	Comments Letters

◆ Consultation(s):

- Countryside and Greenspace
- Roads and Transportation Services (Flood Risk Management Section)
- Scottish Water
- West of Scotland Archaeology Service
- SP Energy Network
- S.E.P.A. (West Region)
- Roads and Transportation Services (Geotechnical Section)
- Bothwell Community Council
- National Grid UK Transmission
- Education Resources - School Modernisation Team
- Environmental Services [
- Community - play provision/community contributions
- Scottish Natural Heritage
- Roads Development Management Team
- Housing Services
- Arboricultural Services
- Estates Services

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of land, associated with the former Bothwell Bank Farm, which extends to some 10.5 hectares in area and is located on the western edge of the settlement of Bothwell. The site is defined as two main areas, one to the north and the other to the south separated by an access to a sewerage treatment works. The northern area is further dissected by a steep depression running east to west midway through the site.
- 1.2 The site is bound to the north, beyond Blantyre Mill Road, by a wooded area and to the east by residential properties and a recreational ground. The western boundary is formed by both an existing sewerage works and the River Clyde. The latter also forms the southern boundary.
- 1.3 Access to the site is via Blantyre Mill Road to the north and Clyde Avenue to the south. It is also noted that Blantyre Mill Road also allows pedestrian access to Blantyre via the David Livingstone Memorial footbridge.
- 1.4 Areas of land within the application site, mainly around the perimeter on the banks of the River Clyde are designated as on the SNH Ancient Woodland Inventory and as Sites of Importance for Nature Conservation (SINC). The land to the north of the site, beyond Blantyre Mill Road is designated as a Site of Special Scientific Interest (SSSI). It is noted that a part of the application site is located within a designated Tree Preservation Area (Bothwell Riverbank) which covers the banks of the River Clyde to the west and south. A further TPO (Bothwell Castle Riverbank) bounds the site to the west and north.

2 Proposal(s)

- 2.1 The applicants propose the erection of a residential development of 105 units; including 25 affordable housing units, and associated landscaping, roads and drainage infrastructure.
- 2.2 As stated above, due to current ground restrictions, three development areas are proposed. The northern and central areas will accommodate 15 and 32 detached dwellings, respectively, accessed via a new junction directly from Blantyre Mill Road. The southern site will provide 33 detached dwellings and 25 affordable housing units (terraced and cottage style flatted units) which will be accessed via an upgraded junction at Clyde Avenue, which will also serve the existing sewerage works.
- 2.3 Amenity open space area will be provided throughout the development, including existing ground features along the western boundary and between the north and central areas.
- 2.4 An existing gas pipe, serving the sewerage works, would be re-routed to accommodate the proposed development. Furthermore, it is noted that a new pumping station, located within the central development area is proposed in association with the development.
- 2.5 The development is classified as a 'Major' development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was the subject of pre-application consultation, including a public exhibition held in Bothwell Bridge Hotel on the 30 October 2016 and a further presentation to Bothwell Community Council.

- 2.6 A number of documents have been provided in support of the application, which includes a Design & Access Statement, Transport Assessment, Energy Statement, Factoring Plan, Habitat Survey, Pre-application Consultation Report and Noise Assessment.

3 Background

3.1 Relevant Government Advice/Policy

- 3.1.1 Scottish Planning Policy (2014) (SPP) highlights that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision-making and advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, 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 Local Plan

- 3.2.1 For the purposes of determining planning applications, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan (2015) and associated Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.2.2 In terms of the SLLDP, the application site is largely identified as a Residential Masterplan Site (Policy 1- Spatial Strategy) and forming part of the Council's housing land supply (Policy 12 - Housing Land). Residential uses are supported within such sites, subject to compliance with normal development management criteria. It is also noted that the majority of the application site is also designated as forming part of the Green Network (Policy 14 - Green Network and Greenspaces) and that a small section within the southern site is designated as Green Belt (Policy 3 - Green Belt and Rural Area).
- 3.2.3 A number of other policies within the adopted SLLDP are also considered appropriate to the determination of this application, namely Policy 6 - General Urban Area/Settlements, 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. These policies are supported by Supplementary Guidance, which forms part of the Development Plan for South Lanarkshire, including:
- Development Management, Place Making and Design SG
Policy DM 1 – Design and Policy DM13 – Development within General Urban Area/Settlement.
 - Affordable Housing SG
 - Green Belt and Rural Area SG
 - Green Network and Greenspaces
 - Natural and Historic Environment SG
Policy NHE9 - National Nature Reserves and Sites of Special Interest, NHE13 - Tree Preservation Orders, Policy NHE18 - Walking, Cycling and Riding Routes and Policy NHE19 - Protected Species.
 - Community Infrastructure Assessment SG
 - Sustainable Development and Climate Change SG
 - Policies SDCC 2 - Flood Risk, SDCC 3 - Sustainable Drainage Systems, SDCC 4 - Water Supply and SDCC 5 - Foul Drainage and Sewerage
 - Residential Design Guide SG

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

- 3.2.4 An assessment of the proposal against these specific policies and guidance is contained in Section 6 of this report.

3.3 **Planning Background**

- 3.3.1 It is noted that a planning application for the erection of 60 residential units on part of the current application site was submitted in 2014 (Application ref.: HM/14/0460). This was presented to the Council's Planning Committee in 2016 with a recommendation for approval, subject to the conclusion of a legal agreement to ensure the provision of a financial contribution toward educational and recreation facilities in the area. The applicants withdrew the planning application prior to the conclusion of this matter and no formal decision was issued by the Council.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management Team)** – initially recommended the deferral of any decision on the basis of changes required to road details, parking and footpath standards.

Response: Following the initial comments from Roads, the applicants have revised the layout to take account of these. Roads have now confirmed that the proposal is acceptable, subject to conditions being attached to any consent issued.

- 4.2 **Roads and Transportation Services (Flood Risk Management Section)** – have offered no objections to the proposal subject to compliance with the Council's SUDs Design Guidance, the undertaking of a Flood Risk/Drainage Assessment and advise that that the application will also require the approval of both Scottish Water and SEPA.

Response: These requirements can be addressed, where appropriate, through the use of appropriately worded conditions/informatives should consent be issued. It is noted that the applicants have been in further discussions with the Flooding Team to address the matters raised.

- 4.3 **Roads and Transportation Services (Geotechnical Section)** – have advised that they offer no objections to the proposal subject to conditions relative to ground stability.

Response: These requirements can be conditioned as part of any consent that is issued.

- 4.4 **Environmental Services** – offer no objections subject to the inclusion of conditions and/or informatives relative to noise control, the provision of a Noise Piling Method Statement, residential waste control, contaminated land, and smoke control areas. Notwithstanding the above, they recommended the deferral of any decision until the impact of the noise associated with the sewerage works was fully assessed.

Response: Whilst noting that Environmental Services had initially recommended the deferral of any decision pending the further assessment of noise from the adjacent sewerage works, it is noted that these matters have now been addressed. Appropriately worded conditions/informatives can be attached, where appropriate, to address the remaining matters raised should consent be issued.

- 4.5 **Facilities, Waste and Ground Services (Arboriculture)** – raised concerns regarding the loss of trees.
Response: It is noted that the development will result in the loss of some trees within the site, primarily a small group of trees within the site close to Grieve Croft. However, the mature tree belt around the perimeter will be retained and largely unaffected by the proposed development. Furthermore, the submitted Landscape Masterplan indicates that new woodland planting is proposed within the existing gully area and other boundary area. Tree planting is also proposed within garden areas, streets and public amenity space. These works will compensate any loss of trees and provide a valuable amenity setting for the development.
- 4.6 **Housing and Technical Resources** – raised no objections to the provision of affordable housing on site.
Response: The applicants have proposed the provision of 25 affordable housing units within their development which is consistent with the requirements of the Council's affordable housing policies and guidance.
- 4.7 **Countryside and Greenspace** – whilst raising no objections to the proposal, have highlighted the as the area is identified as a component of the strategic green network consideration should be given to maintaining and enhancing the site's functional value and biodiversity. In addition, it is highlighted that there are opportunities to connect the site, in relation to walking and cycling, to the adjacent areas.
Response: Where appropriate, conditions can be attached to address these matters.
- 4.8 **Community – Play Provision** – have advised that a financial contribution would be required to address any impact of the development on existing recreational facilities within the area. Furthermore, it is noted that any play area/open space within the development would not be adopted by the Council's Ground Services.
Response: It is confirmed that the requirement for a financial contribution towards any impact on community facilities, would be addressed through the conclusion of the Planning Obligation between the developer and the Council to ensure the provision of appropriate funding. These monies would contribute to the proposed upgrade of Wooddean Park.
- 4.9 **Education Resources - School Modernisation Team** – have advised that a financial contribution toward existing educational facilities would be required.
Response: This matter would be addressed through the conclusion of a legal agreement, or other appropriate means, between the applicants, land owner and the Council, to ensure the provision of appropriate funds.
- 4.10 **Estate Services** – have offered no objections to the application.
Response: Noted.
- 4.11 **S.E.P.A. (West Region)** – have offered no objections to the proposal. They note that foul drainage from the site is to be discharged to the public sewerage system, via pumping stations, which should be built to Scottish Water adoptable standards. They further advise that surface water drainage must be in accordance with the principles of the SUDs Manual and recommend that construction/demolition works be carried out with due regards to the guideline on avoidance of pollution. SEPA have also highlighted that the Council may wish to consider if the proposal is compatible with the adjacent sewerage works due to residual odour.
Response: These requirements can be addressed, where appropriate, through the use of appropriately worded conditions/informatives. With regard to the issue of odour

it is confirmed that this matter has been considered by Environmental Services and no issues were highlighted.

- 4.12 **SP Energy Network** – whilst having no objection to the proposal have highlighted the presence of apparatus within the area.

Response: The applicants are aware of this information.

- 4.13 **Scottish Water** – have offered no objections to the proposal.

Response: Noted.

- 4.14 **Scottish Natural Heritage** – have offered no objections to the proposal subject to the following requirements:

- Submission of the further bat surveys recommended within the Section 4.1.1 of submitted “Bothwell Bank Farm Protected Species Survey (EnviroCentre dated February 2017).
- implementation of the mitigation measures identified within the submitted protected species survey (Section 4.1.2) in respect of badgers
- that pre-construction checks are undertaken for otter and water voles where suitable habitats exists.
- that the recommendations contained within Section 4.1.4, in terms of nesting birds, of the protected species survey.

With regards to their initial concerns over the potential impact of the proposal on the adjacent SSSI, they have confirmed that they are satisfied with the additional assessment undertaken and have no objection in this regard.

Response: These matters can be addressed, where appropriate, through the use of appropriately worded conditions/informatives.

- 4.15 **National Grid UK Transmission** – have offered no response to date. Notwithstanding this, it is noted that they offered no objections to the previous application for residential development of the site but highlighted that a medium pressure gas main lies within the site.

Response: The applicants are aware of this and have indicated the relocation of the gas main within the submitted drawings.

- 4.16 **West of Scotland Archaeology Service** – have highlighted that the development site lies within an area of some sensitivity for archaeology as such they have recommended that a condition relating to potential archaeological issues should be imposed on consent should it be issued.

Response: An appropriately worded condition can be attached to address this.

- 4.17 **Bothwell Community Council** – have commented that they note the objections from residents and urge that full cognisance of these is taken these as part of the determination of the application. They have also requested that any community benefit is paid upfront to contribute to the improvements at Wooddean Park. The related Wooddean Community Project Organisation also commented that they would prefer that the play park within the site was not implemented but that the monetary equivalent was added to the monies available through developers’ contributions for the improvements at Wooddean Park.

Response: Noted. The points of objection are fully addressed and summarised in Section 5 of the report. Discussions are ongoing regarding both the play area and other connected projects and the timing of the payments and the agreed action will be contained in the final Section 75 Agreement.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser due to the non notification of neighbouring properties and as a development contrary to the development plan. In response, 33 letters of objection and 2 letters of comment on the proposal were received in respect of the proposals.

5.2 The grounds of objection can be summarised as follows:

- a) **Traffic generation and road safety concerns, in particular with access from Clyde Avenue and potential restrictions for emergency vehicles/sewerage vehicles.**

Response: - It is noted that Roads and Transportation Services, after assessment of the submitted Traffic Statement, do not support these concerns having offered no objection to the use of either Clyde Avenue or Blantyre Mill Road as access to the development.

As with any residential street, due care and attention must be paid so as not to restrict access for residents, the emergency services or sewerage vehicles. The proposal can therefore be considered acceptable in terms of these issues.

- b) **Concerns of the lack of neighbour notification of proposal.**

Response: - It is confirmed that the notification of neighbours was carried out in accordance with current requirements. The resident in question's property was located outwith the notification area. Having said that it is further noted that the application for the proposal was also advertised in the local press.

- c) **Proposal is contrary to local plan policy given the area's Green Belt designation.**

Response: - Whilst it is noted that a small portion of the southern area remains designated as green belt, the majority of the current application site is identified within the adopted South Lanarkshire Local Plan as a development priority location for housing and is no longer designated as Green Belt. The area of greenbelt will not contain any development but will be planted up with woodland species to form a landscape buffer. The impact of the proposal on the area designated green belt will be considered within Section 6 of this report.

- d) **Concerns over potential adverse impact on privacy and amenity due to overdevelopment of the site, loss of daylight etc.**

Response: - It is considered that the proposed layout accords with the general aims of applicable policies and guidance, as detailed above, on the design and location of residential developments. Given the proposed layout of the development and location of the proposed dwellings in relation to existing properties, it is not considered that there will be any significant issues in this regard.

- e) **Concerns over the impact on nature conservation/wildlife.**

Response: - Appropriate survey work has been undertaken with regard to such matters and it is considered, in consultation with SNH, to be acceptable subject to any appropriate recommendations being conditioned as part of any consent issued.

- f) **Concerns over the impact of the proposed development on Bothwell's designation as a Conservation Area.**

Response: - The application site is not within the designated conservation area and is sufficiently remote from this area that there will be no adverse impact on this designation.

g) Concerns over potential drainage/flood risk.

Response: - It is noted that neither SEPA nor the Council's Roads and Transportation Service (Flood Risk Management) have raised any concerns, subject to conditions relative to the undertaking of a Flood Risk/Drainage Assessment prior to works commencing on site. It is understood that the applicants have been in discussions with the Council's Flood Risk Management Team regards drainage provision. Notwithstanding this a condition can be attached to address this matter.

h) Concerns over the proximity of the proposed housing to the sewerage works, particularly with regard to noise and odour.

Response: - These concerns were raised through the determination of the previous application submission and it was considered that there was no significant issue in terms of odour from the sewerage works. In terms of potential noise concerns it is confirmed that an assessment has been undertaken which recommends the provision of attenuation around part of the site. These details would be the subject of a condition, should consent be issued. On this basis, it is considered that there will be significant concerns in this regard.

i) Concerns over the impact on existing doctors and school facilities.

Response: - The provision of appropriate medical health care services would ultimately be a matter for the local health centre's management and the NHS to determine. In this regard, it is noted that a new medical centre has been erected at Bellshill Road, Uddingston.

In terms of the impact on school facilities, it is confirmed that Education Services (School Modernisation) have advised that a financial contribution towards school accommodation would be required in this instance.

j) Concerns over the impact of the proposal on existing right of way and cycleways within the area, particularly with regard to the safety of public using these facilities.

Response: - It is noted that established walkways and cycleways are located in close proximity to the development site and that there is potential to provide further linkages through the development.

It is noted that neither Roads and Transportation Services or the Council's Access Officer raised any concerns in this regard. Through proper site management there should be no issues in this regard.

k) Overdevelopment of Site

Response: It is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is further considered that the proposed development will be in keeping with the existing residential development in the surrounding area.

l) Impact of the proposed development on the sale/lease of existing properties within the area

Response: This is not material planning considerations.

m) **Concerns over the historic sensitivity of the site**

Response: It is noted that the West of Scotland Archaeological Society have offered no objections to the proposed development of the site, subject to the inclusion of a condition requiring that the applicants undertake an agreed scheme of archaeological works. Should planning permission be granted, a condition can be attached to any consent issued.

n) **Concerns over the need for further housing within Bothwell**

Response: There is a requirement for the Council to maintain a minimum 5 year effective supply of private sector housing land. Bothwell Bank was identified through the Housing Land Audit and is supported through the Local Development Plan Policies as suitable for housing purposes.

5.3 In addition to the above, two letters of representation were received which whilst offered no objection made the following comments:

i) **The opportunity provided by the development for the upgrade of existing rights of way and cycle routes is welcomed.**

Response: This matter was also raised by the Council's Landscape and Access Development Manager and can be addressed, where appropriate, through the use of appropriately worded conditions and/or informatives.

ii) **Highlighted that an existing boundary was removed through the demolition of the former farm building and sought the Council's support in ensuring that a suitable replacement is put in place.**

Response: The applicants are aware of this matter and it is considered that through the assessment, and agreement, of boundary treatments for the proposed development, if approved, can address this matter to the satisfaction of the residents.

5.4 The above letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

6.1 The application relates to the erection of a residential development (105 units) and associated works at Bothwell Bank Farm, Bothwell. 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 where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted local plan as a housing site and therefore the proposed use raises no issues from a land use perspective and is therefore considered to accord with national planning policy.

6.4 The adopted South Lanarkshire Local Development Plan (2015) (SLLDP) identifies the application site as being primarily within a general residential area (Policy 6) and as a residential masterplan/proposed housing site (Policies 1 and 12.) Again, the principle of the use is acceptable in this regard, subject to compliance with normal development management criteria. It is noted that a small part of the land adjacent to the affordable housing site is designated as Green Belt (Policy 3) within the adopted

SLLDP, however, it is loss is not considered to have a significant impact on the Green Belt designation, due to its small scale and remaining area of Green Belt at this location which is to be retained. The area designated as green belt will be planted to form a woodland buffer. The proposal, therefore, raises no issues in terms of Policy 3 Green Belt and Rural Area and its supporting guidance

- 6.5 The matters considered appropriate, in terms of this criterion, are set out within Section 3.2.3 above. Principally, the stated policies and guidance 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, can be adequately serviced and has been designed in manner which takes cognisance of appropriate guidance and the area within which it is located. Having considered the design and layout of the development, I am satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance.
- 6.6 In terms of the detailed design of the development, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is further considered that the proposed development will be in keeping with the existing residential development in the surrounding area. The proposal, therefore, accords with Policies 4, DM 1, DM13 of the SLLDP and supplementary guidance.
- 6.7 No specific concerns, subject to conditions, have been raised by the various consultees. The site has an urban location with sewerage and water infrastructure nearby. On this basis it is considered that the proposal accords with Policies 17, SDCC 2, SDCC 3, SDCC 4 and SDCC 5 of the SLC LDP and supplementary guidance.
- 6.8 Whilst the proposal will result in the development of a site which is largely undeveloped, I am satisfied that the proposed development has been designed in such a manner that it takes cognisance of the surrounding area and has properly assessed any impact on wildlife species and habitats and will have no significant impact on the designated ancient woodland, SSSI, tree preservation order areas and green networks. The proposal accords with Policies 14, 15, NHE9, NHE13 and NHE19. Furthermore, the site is capable of integrating well with the adjacent footpath network and amenity areas (Policy NHE18 applies).
- 6.9 With regard to road safety Policy 16 requires all new development proposals to consider the resulting impacts of traffic growth. A Transport Statement was submitted in respect of the redevelopment of the site and it is noted that Roads and Transportation Services have, in principle, offered no objections, subject to conditions. The proposal can therefore be accommodated in transportation terms.
- 6.10 The Council's adopted policy on Community Infrastructure Assessment (Policy 5) advises that a financial contribution from developers will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. Through an assessment of the proposal, it is considered that contributions will be required in terms of educational and community facilities. In terms of the Council's expectation, through Policy 13 and associated Supplementary Guidance (Affordable Housing and Affordable Housing and Housing for Particular Needs (2011)), the applicants are proposing 25 affordable housing units within the development..

- 6.11 The third party representations received in respect of the development are either unsupported or are not of significant weight or merit to warrant the refusal of the proposal. The matters raised within the additional comments received have been responded to. Any requirements of the various consultees can be addressed through the use of conditions, when appropriate to do so.
- 6.12 Whilst the proposal will result in the loss of a small portion of the site which is designated as Green Belt in the newly adopted plan, this will have no significant impact on the designated Green Belt at this location. The Planning Act allows for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. In this instance, it is considered that a departure from the Development Plan is justified for the following reasons:
- a) The area of the site designated as Green belt is only a small part of the wider application site and its development will not prejudice the Green belt as a whole or set an unwelcome precedent in relation to adopted Green belt policy.
 - b) The proposal complies with all other relevant Local Development Plan policies set out in Section 7.1 below
 - c) The proposed development raises no significant environmental or infrastructure issues.
 - d) The proposed development can be satisfactorily implemented without detriment to residential amenity or road safety concerns, and
 - e) no issues have been raised that would merit, or justify, a refusal of planning permission in this instance.
- 6.13 It is, therefore, recommended that planning permission be granted, subject to the conditions listed. However, the consent should be withheld until the conclusion of the Section 75 Obligation, or other appropriate agreement, to ensure the submission of the necessary financial contributions.

7 Reasons for Decision

- 7.1 The proposal will have no adverse impact on residential or visual amenity and raises no road safety concerns. The development complies with the applicable provisions of the South Lanarkshire Local Development Plan (adopted 2015) namely (Policies 1 - Spatial Strategy, Policy 3 - Green Belt and Rural Area, 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 Greenspaces, 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.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

2 October 2017

Previous References

- ◆ HM/14/0460 – Erection of 60 dwellings.

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ South Lanarkshire Local Development Plan Supplementary Guidance (Various)
- ▶ Neighbour notification letter dated 26/06/2017
- ▶ Newspaper Advert dated 06/07/2017

- ▶ Consultations

Roads Development Management Team	14/08/2017
Housing - planning consultations	19/07/2017
S.E.P.A. (West Region)	11/07/2017
Bothwell Community Council	21/09/2017
Scottish Natural Heritage	17/08/2017
Environmental Services	18/07/2017
Countryside & Greenspace	26/07/2017
SP Energy Network	29/06/2017
Countryside & Greenspace	27/06/2017
Education Resources - School Modernisation Team	06/07/2017
Bothwell Community Council	20/09/2017
Wooddean Community Project Organisation	21/09/2017
Community - play provision/community contributions (Judith Gibb)	06/07/2017
West of Scotland Archaeology Service	10/07/2017
Scottish Water	10/07/2017
Roads & Transportation Services (Flood Risk Management Section)	04/07/2017
Scottish Water	04/07/2017

- ▶ Representations

Representation from :	Francis Timmons , 71 Clyde Avenue, Bothwell, G71 8DT, DATED 05/07/2017 13:47:25
Representation from :	Mr Dennis Walker, Sustrans Volunteer, 5 North Deanpark Avenue, Bothwell, G71 8HH, DATED 10/07/2017 22:06:50
Representation from :	Mrs Jean Borrowman, 37 Blantyre Mill Road, Bothwell, G71 8DZ, DATED 14/07/2017
Representation from :	David McIlvenna, via email, DATED 01/08/2017
Representation from :	Iain D McMaster, 25 Grieve Croft, Bothwell, G71 8LU, DATED 13/07/2017

Representation from : A Harvey, 22 Castle Wynd, Bothwell, DATED 15/07/2017 19:53:09

Representation from : Susan Fotheringham, 13A Main Street, Bothwell, DATED 03/08/2017

Representation from : Mrs Hazel Kennedy, 84 Clyde Avenue, Bothwell, G71 8DU, DATED 18/07/2017

Representation from : James Smith, 53 Clyde Avenue, Bothwell, DATED 18/07/2017

Representation from : Rhona Marcuccilli, 32 Grieve Croft, Bothwell, G71 8LU DATED 18/07/2017

Representation from : Martin and Pauline Super, 23 Grieve Croft, Silverwood, Bothwell, G71 8LU, DATED 18/07/2017

Representation from : Kumar Periasamy & Ranitha Kumar, 33 Grieve Croft, Bothwell, DATED 18/07/2017

Representation from : Matthew & Jane Barsauckas, 22 Grieve Croft, Bothwell, G71 8LU, DATED 18/07/2017

Representation from : Dr Gavin Gall, 2 Silverwells Drive, Bothwell, G71 8FF, DATED 19/07/2017

Representation from : Andrew McLinden, via email, DATED 19/07/2017

Representation from : Debra Campaigne, 5 Silverwells Drive, Bothwell, DATED 19/07/2017

Representation from : Colin McQueen, 67 Clyde Avenue, Bothwell, G71 8DT, DATED 07/07/2017

Representation from : E Bulkeley, 31 Grieve Croft, Bothwell, G71 8LU, DATED 10/07/2017 21:22:00

Representation from : Karen Cornwell, , DATED 04/07/2017

Representation from : J J Wilson, 24 Clyde Avenue, Bothwell, G71 8DU, DATED 21/07/2017

Representation from : Joan Symington , 8 Clyde Avenue, Bothwell, G71 8DU, DATED 26/07/2017

Representation from : Scott Wotherspoon, 55 Clyde Avenue, Bothwell, DATED 14/07/2017

Representation from : Stephen McQuade, via email , DATED 26/07/2017

Representation from : Sandra Jones, via email, DATED 27/07/2017

Representation from : Mr H Dykes, 4 Grieve Croft, Bothwell, G71 8LU, DATED 15/07/2017 15:46:56

Representation from : Heather Laurie, 50 Clyde Avenue, Bothwell, G71 8DU
DATED 21/07/2017

Representation from : John & Isobel Greenshields, 51 Grieve Croft, Bothwell, G71
8LU, DATED 21/07/2017

Representation from : Mr & Mrs J Campbell, "Glenelm", 34 Dunclutha Drive,
Bothwell, G71 8SQ, DATED 24/07/2017

Representation from : Matthew & Jane Barsauckas, 22 Grive Croft, Bothwell, G71
8LU, DATED 24/07/2017

Representation from : Mr & Mrs J McMeekin, via email, DATED 21/07/2017

Representation from : Margaret Mitchell MSP, via email, DATED 25/07/2017

Representation from : Gerry Carroll, via email, DATED 19/07/2017

Representation from : Elspeth and Iain Buchanan, via email, DATED 17/07/2017

Representation from : Graham and Margaret Rose Gartshore, 90 Clyde Avenue,
Bothwell, G71 8DU, DATED 04/07/2017

Representation from : Luciana Fullarton, 15 Grieve Croft, Bothwell, DATED
13/07/2017

Contact for Further Information

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

James Watters
(Tel: 01698 454970)
E-mail: james.watters@southlanarkshire.gov.uk

CONDITIONS

- 1 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.
- 2 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.
- 3 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.
- 4 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 3 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 5 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.
- 6 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 5 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 7 All trees to be removed must be replaced by semi-mature/mature trees of a similar species at the locus to the satisfaction of the Council as Planning Authority.
- 8 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.

- 9 That prior to the occupation of any property within the proposed development, or as otherwise agreed in writing with the Council as Planning Authority, the applicant shall provide a 2.0 m wide footway adjacent to Blantyre Mill Road, over the full frontage of Area A to the existing footway at the junction with Blantyre Road. Details of which should be submitted to and approved by the Council, as both Planning and Roads Authority. Thereafter all work shall be undertaken to the satisfaction of the Council as Roads Authority.
- 10 That before each phase of the development hereby approved is completed or brought into use, or as otherwise agreed in writing with the Council as Planning Authority, the new vehicular access serving that part of the development so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 11 That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site for each phase of development to enable vehicles to enter and leave the application site in forward gears at all times.
- 12 That before each phase of the development hereby approved is completed or brought into use, a private vehicular access or driveway should be provided to the following standards:
- i) Driveways should be accessed via a drop kerb.
 - ii) Double width driveways should be a minimum 5.0m wide and be a minimum of 6.0m in length.
 - iii) Single width driveways should be 2.75m wide and be a minimum of 12.0m in length.
 - iv) The first 2.0m of this should be of bound or block construction to ensure that loose material is not deposited on to the road.
 - v) All driveways should be perpendicular to the road.
 - vi) The minimum gradient of the driveways should be 1:10 as per SLC Specification.
 - vii) All surface water should be contained, controlled and discharged within the confines of the driveway so that there is no discharge of water onto the footway/road.
- 13 That before each of the phase the development hereby approved is completed or brought into use, the entire access road and footpath network serving that part of the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 14 That before each phase of the development hereby approved is completed or brought into use, internal visibility splays of 2.4 metres by 25 metres measured from the road channel shall be provided on both sides of all junctions 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.

Furthermore, a visibility splay of 2.5 metres by 90 metres shall be provided in both directions to provide clear visibility between all points 0.9m in height above road channel level at the new junction with Blantyre Mill Road and Clyde Avenue.

All works are to be undertaken to the satisfaction of the Council as Roads

Authority.

- 15 Prior to the completion of the works hereby approved a footway link/cycle route shall be provided from Blantyre Mill Road, through the site to link up with Clyde Avenue. All footways should be of bound construction, no block paved footways will be permitted.
- 16 That unless otherwise agreed prior to works starting on site a detailed design of Blantyre Mill Road shall be submitted for the consideration and approval of the Council as Planning and Roads Authority, and thereafter implemented by the applicant in accordance with the agreed scheme.
- 17 That prior to the occupation of the first residential property details of a welcome pack, to encourage alternative sustainable methods of travel to and from the development shall be submitted and approved by the Council as Planning and Roads Authority to encourage sustainable travel to and from the development.
- 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 prior to any work starting on site, a Drainage Assessment in accordance with 'Flood Risk/Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.
- 20 That the required drainage scheme shall be completed in accordance with the approved details prior to the occupation of any house hereby approved.
- 21 That no development shall commence until details of surface water drainage arrangements and its maintenance following installation 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.
- 22 That prior to the commencement of works on site a report on the ground stability for the site shall be submitted to, and agreed, with the Council as both Planning and Roads Authority. Any ground stabilisation works necessitated by the development will be undertaken to the satisfaction of the Council.
- 23 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.
- 24 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.
- 25 Prior to development commencing on site, a dust management and monitoring scheme, for the control and mitigation of dust, shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the

approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority. Monitoring results shall be readily available to Officers of the Council investigating adverse comments.

- 26 Development shall not commence until an assessment of the potential for the existing sewerage works use to cause noise nuisance including, if applicable, noise produced by the ventilation equipment, to occupants in the new development, has been submitted to the Council as Planning Authority. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.

- 27 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.

- 28 That before any work commences on site, an Outdoor Access Plan for the provision of walking, cycling and horse riding shall be submitted to the Council as Planning Authority, comprising:-

(a) A plan, at an appropriate scale, indicating the location and alignments of all existing formal and informal access routes, paths and tracks within and across the site and including linkages with adjacent areas;

(b) A report detailing the existing condition of those routes;

(c) An assessment of current levels of use, types of user and purpose of trips, together with a reasoned estimate of how this might change as a result of the development or otherwise;

(d) A plan, at an appropriate scale, indicating the proposed scheme of access routes for walkers, cyclists and horse riders [as appropriate] including linkages with adjacent areas;

(e) A statement showing how this scheme complies with the requirements of the Disability Discrimination Act 1995;

(f) Detailed specifications for the construction of all routes, and for all associated artefacts and structures such as seating, cycle racks, lighting, handrails, access controls, signage and interpretation;

(g) A programme for completion and subsequent maintenance.

No work shall commence on site until the written approval of the Council as Planning Authority has been given.

- 29 That, unless agreed in writing with the Council as Planning Authority, the mitigation measures identified with the Extended Phase 1 Habitat Survey undertaken by EnviroCentre (dated February 2017) should be fully complied with.

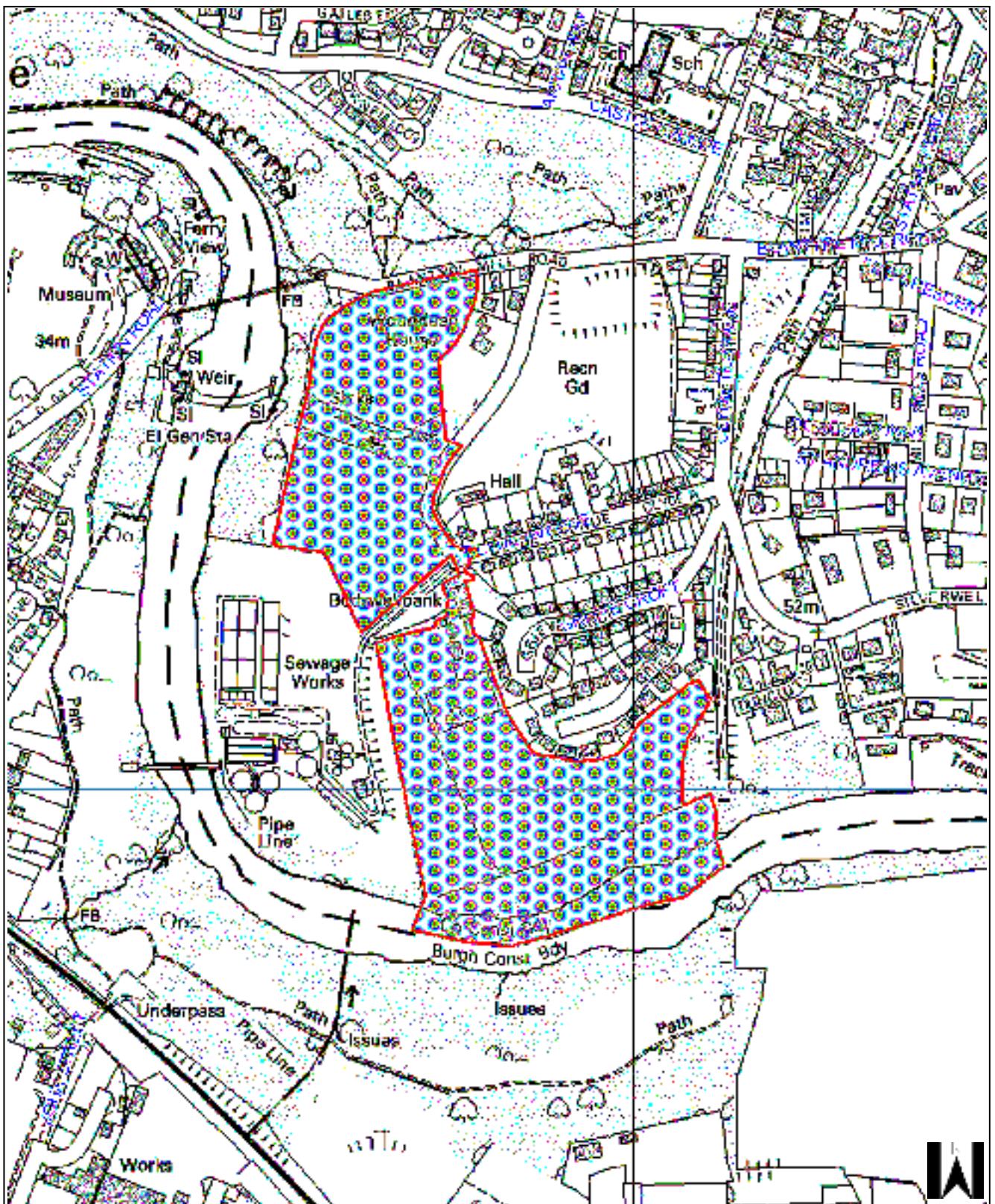
Notwithstanding the above, should no works commence on site within 6 months of the date of the Updated Survey further surveys should be undertaken and the finding submitted to, and agreed by, the Council as Planning Authority in consultation with Scottish Natural Heritage.

- 30 No tree removal shall be undertaken on site between April and October, which coincides with the breeding season.
- 31 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 32 That the area identified as "Affordable Housing Area" on drawing no.:BOT/SK-001 RevA shall be developed as affordable housing (as defined in the Council's approved Affordable Housing Supplementary Guidance document) and shall be used for no other purpose, unless otherwise agreed in writing with the Council as Planning Authority.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 These details have not been submitted or approved.
- 3.1 These details have not been submitted or approved.
- 4.1 In order to retain effective planning control
- 5.1 In the interests of the visual amenity of the area.
- 6.1 In the interests of amenity.
- 7.1 In the interests of amenity.
- 8.1 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 9.1 In the interest of public safety
- 10.1 In the interest of public safety

- 11.1 In the interest of public safety
- 12.1 To prevent deleterious material being carried into the highway.
- 13.1 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 14.1 In the interest of road safety
- 15.1 In the interest of road safety
- 16.1 In the interest of road safety
- 17.1 To encourage more sustainable forms of travel.
- 18.1 To ensure the provision of a satisfactory land drainage system.
- 19.1 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 20.1 To ensure the provision of a satisfactory land drainage system.
- 21.1 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.
- 22.1 These details have not been submitted or approved.
- 23.1 To ensure the provision of a satisfactory sewerage system
- 24.1 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.
- 25.1 To minimise the risk of nuisance from dust to nearby occupants.
- 26.1 To minimise noise disturbance to adjacent occupants.
- 27.1 To minimise noise, vibration and disturbance to neighbouring residents/occupants during construction.
- 28.1 To ensure that development makes appropriate provision for outdoor access and to achieve the completion and subsequent maintenance of the access proposals within an appropriate timescale.
- 29.1 To ensure that provision is made to safeguard the ecological interest on the site.
- 30.1 To ensure that provision is made to safeguard the ecological interest on the site.
- 31.1 In order to safeguard any archaeological items of interest or finds.
- 32.1 To ensure the provision of alternative housing types and tenures.



For information only

For information only

Report

4

Report to:	Planning Committee
Date of Meeting:	10 October 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	EK/17/0184
Planning Proposal:	Corridor Improvements Project Which Includes 7.3m Wide Dualling of the Existing Carriageway with Associated Shared Cycleway / Footways, Roundabouts, Site Clearance, Drainage, Earthworks, Lighting, Controlled Crossings, Fencing, Structures, Accommodation Works

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council - Roads and Transportation Services
- Location : Greenhills Road/A726 Strathaven Road Corridor Improvements
East Kilbride

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning consent - Subject to Conditions (based on the conditions attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: South Lanarkshire Council - Roads and Transportation Services
- ◆ Council Area/Ward: 09 East Kilbride West
07 East Kilbride Central South
06 East Kilbride South
05 Avondale and Stonehouse
10 East Kilbride East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 2 - Climate Change
Policy 3 (Green Belt and Rural Area)
Policy 4 - Development Management and Placemaking
Policy 7 (Employment)

Policy 14 - Green Network and Greenspace
Policy 15 - Natural and Historic Environment
Policy 16 - Travel and Transport
Policy 17 - Water Environment and Flooding

Supplementary Guidance

Development Management, Place Making and Design

Green Belt and Rural Area

Green Network and Green Spaces

Natural and Historic Environment

Sustainable Development and Climate Change

◆ Representation(s):

▶	24	Objection Letters
▶	0	Support Letters
▶	3	Comments Letters

◆ Consultation(s):

Auldhouse and Chapelton Community Council

Countryside and Greenspace

Roads and Transportation Services (Flood Risk Management Section)

Scottish Water

West of Scotland Archaeology Service

Strathclyde Partnership for Transport

Legal Services (Planning)

SP Energy Network

Scottish Gas, Digital Records Department

British Telecom

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

Leisure Services (Facility Manager)

The Coal Authority - Planning and Local Authority Liaison Department

Roads and Transportation Services (Geotechnical Section)

Murray Community Council

Transport Scotland

Historic Environment Scotland

Roads and Transportation Services (Street Lighting)

National Grid UK Transmission

Police Architectural Liaison Officer

South Lanarkshire Access Panel

Environmental Services [e-consult]

Facilities, Waste & Ground Services (Landscape officer)

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

St. Leonards Community Council

Scottish Natural Heritage

Roads Development Management Team

Housing - planning consultations

Building Standards Services (East Kilbride Area)

Arboricultural Services

Planning Application Report

1 Application Site

- 1.1 The application site is located in the south east area of East Kilbride along Greenhills Road and the A726 Strathaven Road. The site includes the existing roads, areas bounding the road and a number of wider areas of undeveloped land along both roads. It is bounded by residential areas in the north west, south east and north east, by industrial areas to the west of Strathaven Road, the south of Greenhills Road and some areas to the north of Greenhills Road. It is also bounded by Calderglen Country Park to the east. The route consists of single carriageway roads with associated roundabouts and junctions. The road is bounded by woodland along much of Strathaven Road although is more open along Greenhills Road. The roads themselves are generally level; however, adjacent land rises away from the carriageway on much of the Strathaven Road and sections of Greenhills Road.

2 Proposal(s)

- 2.1 The proposal is to upgrade this section of Greenhills Road and Strathaven Road for single carriageway to dual carriageway including associated shared cycleway/footways, roundabouts, site clearance, drainage, earthworks, lighting, controlled crossings, fencing, structures, accommodation works. The improvement works will commence at the junction of High Common Road and A726 Strathaven Road, extend along the Strathaven Road to the roundabout with Greenhills Road, and then extend along Greenhills Road to the roundabout with Shields Road and Quarry Road. Improvements to the road will consist of widening the width of the road from single carriageway to dual carriageway, between the existing dual carriageway on Strathaven Road to the roundabout with Greenhills Road and extending along Greenhills Road to the west to the existing roundabout which forms the access into the Development Framework Site (Langlands West). The proposal includes two new roundabouts and improvements to existing junctions. The improvements will also include the widening of the existing footway on the southern side of Greenhills Road extending the cycleway to link with Shields Road. The proposal also includes the provision of five new pedestrian / toucan crossings along the route, bus lay-bys and improved footways. The proposal is supported by a Sustainable Urban Drainage System (SUDS) including five SUDS basins and two cellular storage areas as part of an overall drainage scheme for the upgraded roads.
- 2.2 The construction of the road improvements will require the removal of areas of trees and shrubs adjacent to Strathaven Road and Greenhills Road, however many areas of trees and shrubs will be retained. The proposal also includes significant new planting of semi mature trees, smaller trees and shrubs planting and grassed areas. The road improvements will require the erection of sound barriers along stretches of the road which will range in height from 1.8m to 2.2m. The general locations of the barriers are on the north side of Greenhills Road on the western section at Whitehills, on the eastern side of Strathaven Road adjacent to Torrance Avenue and a small section adjacent to the entrance to Calderglen Country Park. The barriers will consist of a close boarded timber fence on the residential side with a woven willow fence on the road side which will be a living willow structure. An additional lower, 1.2m high, single sided willow fence will be erected along the eastern side of Strathaven Road between the Strathaven Road and the access road to the New Farm Restaurant as a barrier to prevent light glare from vehicle headlights.

- 2.3 Construction of the road and associated works is estimated to take approximately 13 months and, should planning consent be granted, it is expected that the road improvements will be completed by May 2019. The location of the construction compounds are likely to be on the vacant site to the north of Greenhills Road at Hurlawcrook Roundabout, a small area to the north of Greenhills Road and the west of Singer Road and to the south of Greenhills Road at the roundabout into the Development Framework Site (Langlands West). The location and scale of the temporary compounds will be confirmed once contractors have been appointed. Working times during the construction period have been requested to be, and will be limited by a planning condition, to between 08.00 and 19.00 Monday to Friday and 08.00 and 13.00 on Saturdays with no working on Sundays and Bank Holidays. Details of construction traffic will be confirmed once a contractor has been appointed. Construction traffic will be controlled through a Traffic Management Plan covering a range of mitigation and control measures to limit the impact of construction traffic. A planning condition has been attached requiring the submission and approval of a Traffic Management Plan. It is anticipated that the existing roads will be closed, in sections, at times with diversions in place, although much of the widening will be carried out adjacent to the existing road allowing that section of road to remain open.
- 2.4 An Environmental Report has been submitted in support of this application. A full EIA was not required; however, a detailed 'Environment Report' (ER) has been prepared containing the assessment of potential environmental effects. This consists of a report and a number of appendices and figures. Assessment of the proposal takes into account good practice with respect to assessing the impacts of road schemes as set out in the Design Manual for Roads and Bridges (DMRB) Volume 11, published by the Department for Transport. The applicant has also submitted supporting information in the form of a Planning Statement, a Design and Access Statement, a Pre Application Consultation (PAC) Report, a Flood Risk Assessment, Tree Survey and Arboricultural Report, Ground Investigation Report, and a Traffic Modeling, Economics Report, Confidential Badger Annex and an updated Drainage Design Statement.

3 Background

3.1 Local Plan Status

- 3.1.1 The South Lanarkshire Local Development Plan (SLLDP) (Adopted 2015) identifies the proposal as an Upgrade to Infrastructure under Policy 16 (Travel and Transport) and in Table 7.1 Road Schemes. Areas to the north and south of Greenhills Road and a small area to the east of Strathaven Road are identified both as Green Network and Priority Greenspace under Policy 14 (Green Network and Greenspace). The land to the north and south of Greenhills Road at Langlands and the area to the west of Strathaven area Core Industrial and Business Areas identified under Policy 7 (Employment). The majority of the land to the east of Strathaven Road is identified as being Green Belt under Policy 3 (Green Belt and Rural Area). In addition, Policy 2 (Climate Change), Policy 4 (Development Management and Place Making), Policy 15 (Natural and Historic Environment) apply in relation to the protection of habitats/protected species and historic features, Policy 16 (Travel and Transport) and Policy 17 (Water Environment and Flooding) also apply. In addition, the following Supplementary Guidance will require to be taken into consideration: Green Belt and Rural Area, Development Management, Place Making and Design, Green Network and Green Spaces, Industrial and Commercial Development, Natural and Historic Environment and Sustainable Development and Climate Change.

3.2 Relevant Government Advice

3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 which details the Scottish Government's national outcomes, one of which is "A more connected place". The SPP sets out how the NPF3 aims to strengthen transport links within Scotland are delivered. The SPP introduces a presumption in favour of development that contributes to sustainable development which is guided by the principle of "supporting delivery of infrastructure." The SPP states that "Development plans should identify any required new transport infrastructure."

3.3 Planning History

3.3.1 The proposed construction of the Greenhills Road/ A726 Strathaven Road Corridor Improvement Scheme has been identified in the Development Plan for a number of years. The previous South Lanarkshire Local Plan (March 2009) identified the route for the road improvement works on the Proposals Map and set out the Council's support for the scheme in Policy TRA 7A New Roads Infrastructure. The current adopted South Lanarkshire Local Development Plan (2015) also identifies the route for the road improvement works on the Proposals Map and set out the Council's support for the scheme in Policy 16 (Travel and Transport) and in Table 7.1 Road Schemes. The requirement for road improvement works along this route was set out in the SLC Transport Strategy 2013-2023 as a means of improving transport connections around the industrial areas of Langlands, Langlands West and Kelvin. Funding for the road will be sought through the Glasgow City Deal.

4 Consultation(s)

4.1 **Roads and Transportation Services (Development Management)** – have no objections to the proposal.

Response: Noted.

4.2 **Roads and Transportation Services (Geotechnical)** – have no objections to the proposal.

Response: Noted.

4.3 **Roads and Transportation Services (Lighting Section)** – have no objection to the proposal subject to a condition being attached in respect of control of construction lighting.

Response: Noted. A condition in this respect will be added to any consent.

4.4 **Environmental Services** – have no objections, subject to conditions in relation to road traffic noise and noise mitigation measures, working hours, contamination mitigation, dust management, floodlighting management.

Response: Noted. Appropriate conditions and informatives will be added to any consent issued.

4.5 **Roads and Transportation Services (Flood Risk Management Section)** – have confirmed that the development will require to comply with the Council's sustainable drainage criteria and associated requirements.

Response: Noted. Appropriate conditions will be added to any consent issued.

4.6 **Estates Services** – have no objections to the proposed development.

Response: Noted.

4.7 **Legal Services** – have no outstanding objections to the proposed development.

Response: Noted.

- 4.8 **Facilities, Fleet and Ground Services (Arboriculture)** – have no objections subject to further details on replanting and appropriate tree protection measures.
Response: Noted. Appropriate conditions and informatives will be added to any consent issued.
- 4.9 **Countryside and Greenspace** – have no objections to the proposed development
Response: Noted.
- 4.10 **SEPA (West Region and West Region Flooding)** – have no objections to the proposed development.
Response: Noted.
- 4.11 **Scottish Water** – no response to date.
Response: Notwithstanding this, conditions will be attached to any consent issued ensuring the protection of the water environment and water supply, in particular in respect of the requirement for the approval and implementation of a Construction and Environmental Management Plan and the detailed SUDs arrangements for the proposed Corridor Improvement Scheme.
- 4.12 **SP Energy Network** - have no objections in respect of distribution to the proposed development. Following comments by transmission, the proposed lighting scheme has been amended.
Response: Noted. A condition has been attached in respect of statutory undertaker's apparatus. Arrangements in respect of SP apparatus are a matter between the applicant and SP Energy Networks.
- 4.13 **Scottish Gas Networks (TRANSCO)** – no response to date, however, the applicant has been in discussion with and has started formal processes to obtain the relevant consents from SGN.
Response: Notwithstanding this, conditions will be attached to any consent issued ensuring the protection of statutory undertaker's apparatus. The applicant has been in direct consultation with SGN in respect of the proposal and any required relocation of SGN apparatus and assets.
- 4.14 **Leisure Services (Facility Manager)** – have no objections to the proposed development.
Response: Noted.
- 4.15 **Transport Scotland** – have no objections to the proposed development .
Response: Noted.
- 4.16 **Historic Scotland** – confirmed that they have no comments in respect of the proposed development.
Response: Noted.
- 4.17 **Coal Authority** – have no objections to the proposed development.
Response: Noted.
- 4.18 **West of Scotland Archaeology Service** – have no objections subject to a condition requiring the submission and approval of a written scheme of investigation, and any resultant mitigation measures.
Response: Noted. A condition will be imposed on any consent issued regarding a written scheme of investigation.

- 4.19 **Police Scotland** – have no objections to the proposed development.
Response: Noted.
- 4.20 **South Lanarkshire Access Panel** – have no objections to the proposed development.
Response: Noted.
- 4.21 **Strathclyde Passenger Transport (SPT)** –have no objections to the proposed development subject to conditions in respect of the detail design of bus stops, road markings, kerb types and lay-bys and respect of arrangements for public transport during the construction period.
Response: Noted and conditions have been attached in respect of these matters.
- 4.22 **Scottish Natural Heritage** – have no objection to the proposed development subject to conditions including protected species surveys, protection and mitigation measures in respect of badgers and bats.
Response: Noted and conditions have been attached in respect of these matters.
- 4.23 **Building Standards Services (East Kilbride Area)** - have no objections to the proposed development.
Response: Noted.
- 4.24 **British Telecom** - no response to date.
- 4.25 **Auldhouse and Chapelton Community Council** — no response to date
- 4.26 **Murray Community Council** – no response to date.
- 4.27 **St. Leonards Community Council** – no response to date.

5 Representation(s)

- 5.1 Statutory notification was undertaken and the proposals advertised in the local press for non-notification of neighbours, nature and scale of development and development contrary to development plan. Following this, 27 letters of representation, consisting of 24 objections and 3 letter of comment. The issues raised in all representations can be summarised as follows:

Requirement for Corridor Improvement Scheme

- a) **Questions the amount of traffic the improved road will generate and whether the existing single carriageway would be sufficient to handle this traffic.**

Response: The proposed Greenhills Road/ A726 Strathaven Road project is identified in the South Lanarkshire Local Transport Strategy for 2013-2023 which sets out the justification for the proposal. This corridor is identified as an extremely busy transport network and these works are intended to ease congestion, enhance the local and strategic network around East Kilbride and the wider South Lanarkshire area, and provide enhanced capacity and access to key development and recreational sites. A Traffic Modelling Report and the Outline Business Case Report have been submitted in support of this application which demonstrates that the chosen scheme provided the most effective solution.

- b) The proposed Corridor Improvement Scheme is not a good use of public money.**

Response: The scheme has been identified for a number of years in both the adopted South Lanarkshire Local Development Plan and the previous South Lanarkshire Local Plan and the requirement for the scheme has been justified through the SLC Transport Strategy 2013 – 2023.

Traffic and Transportation

- c) Residents are advised that the speed limit will remain at 40mph however vehicles already drive along this road at excessive speeds. Widening this road will increase the speed at which vehicles drive at.**

Response: The speed limit will remain at 40 mph, however, any road users exceeding the speed limit would be a matter for the police.

- d) This proposal has implications in terms of road safety given that the roads are opposite a number of housing estates.**

Response: This proposal is for works to widen an existing road corridor. This design includes a number of safety measures including new and improved pedestrian and toucan crossings, signage, lighting and improved footways. In addition, as set out above, the road will retain the existing speed limit of 40 mph.

- e) The footpath to the rear of Torrance Avenue is currently separated from the single carriageway by a fence, hedge, trees and soft landscaped strip. The fence and planting are to be removed leaving no protection for pedestrians. It is therefore requested that a separating fence 1.2 metres in height be erected from Torrance Roundabout to at least the New Farm access to provide separation from the heavy traffic. At the public event it was advised that a fence would be erected to separate pedestrian and vehicular traffic along Strathaven Road.**

Response: The proposed footway will be located adjacent to the new carriageway with the proposed noise barrier and existing rear garden fences between the footway and the residential properties. This is proposed in order to maximise the effect of the noise barrier. It is not unusual for a pedestrian footway to be adjacent to a dual carriageway with a speed limit of 40 mph, and is not considered to raise significant safety issues. Vehicles on this stretch of the south bound carriageway will be slowing on their approach to the roundabout and will be travelling at speeds of less than 40 mph.

- f) Strathaven Road is only congested at the roundabouts at either end of it; the inclusion of another roundabout at the park entrance will only exacerbate this and possibly endanger pedestrians entering and exiting the park.**

Response: Greenhills Road/ A726 Strathaven Road Corridor Improvement Scheme is identified in the South Lanarkshire Local Transport Strategy for 2013-2023 which sets out the justification for the proposal. The provision of a roundabout at the exit from Calderglen Country Park aims to improve safety at

this junction, making it safer for vehicles exiting the park. It also aims to reduce speeds on this stretch of road, previously a long uninterrupted section, by requiring vehicles to slow down for the roundabout.

Impact on Residential Amenity

- g) The proposed development will contribute to increased noise affecting the residents along this traffic corridor. This road is already very noisy with heavy HGV use and buses illegally stopping and idling at back gardens.**

Response: The Environmental Report sets out a Noise Impact Assessment carried in respect of the proposed development. The ER concluded that the majority of properties undergo a negligible increase in daytime traffic noise in the long-term. The development incorporates mitigation measures, including noise barriers which would be implemented at several locations along the route to reduce any impact on residential amenity. The Council's Environmental Services were consulted and raised no objections to the proposed development.

- h) Questions the level of sound proofing the proposed 2m high sound barrier will provide. Can it be demonstrated that the sound will not travel over and around this barrier. An earth bund with planting on top to mitigate the effects of road noise should be formed by the developer instead of a 2.0 metre noise barrier which would be ineffective. If a bund cannot be formed, then a noise barrier of at least 3.0 metres in height should be implemented.**

Response: The Environmental Report submitted assesses in detail the mitigation provided by the proposed noise barriers at their various locations. This report concludes that the predicted increases in noise levels experienced at adjacent properties would be sufficiently reduced by the proposed barriers to meet the Noise Insulation (Scotland) Regulations criteria. There is therefore no justification to raise this to 3.0 metres or form a bund. The details of the types of noise barrier will require to be submitted for approval prior to installation. The Council's Environmental Services were consulted and raised no objections to the proposed development.

- i) Property at Torrance Avenue should be provided with triple glazing and sound insulation as mitigation of any potential noise impact of the proposed scheme.**

Response: The Environmental Report concludes that the predicted increases in noise levels experienced at adjacent properties would be sufficiently reduced by the proposed barriers to meet the Noise Insulation (Scotland) Regulations criteria. The Council's Environmental Services were consulted and raised no objections to the proposed development.

- j) In terms of the Environmental Report submitted with the application, the baseline monitoring location shown on Sheet title 9.1 sheet 1 of 1 was not on the residential side of the road and appears to be on the other side. It would be more reasonable for the purposes of assessing the impact on residents to have a monitoring base within Torrance Avenue where residents' quality of life is already impacted by the road.**

Response: Figure 9.1 identifies the general location of the Noise Monitoring Locations. Although location M2 appear on the plan to be located closer to the western side of Strathaven Road the description of the location in the Noise Report is given as being representative of the closest residential properties to Strathaven Road (to the north of Torrance Roundabout, properties on Torrance Ave and New Farm premises). Environmental Services have confirmed that these locations were suitable and raised no objections in this respect.

- k) **The increase in traffic in recent years has resulted in vibration to residential properties causing damage to properties.**

Response: In respect of vibration, the Environmental Report concludes that the development would result in temporary vibration impacts however this is expected to be during construction only. Increases in vibration once the corridor improvements are complete and the road is fully operational are predicted to be minimal, particularly with the proposed barriers providing mitigation to airborne vibration.

- l) **The proposed development will contribute to increased noise and pollution affecting the residents along this traffic corridor which is contrary to the Council's objective to reduce carbon emissions. This road is already very noisy with heavy HGV use and buses illegally stopping and idling at back gardens.**

Response: The Environmental Report sets out an Air Quality Assessment carried in respect of the proposed development. This assessment concluded that the impact of the additional emissions from road traffic during operation of the road is considered to be not significant. Mitigation measures would ensure that during the construction period the effects on air quality would not be significant. Conditions can be attached to ensure mitigation measures are implemented.

- m) **The increase in traffic will reduce the privacy to the adjacent residential properties.**

Response: Whilst it is not considered that the proposed works will result in any significant loss of privacy to adjacent properties, it is noted that a noise barrier of 2.0 metres in height will be erected adjacent to the road at several locations where there are residential properties which would provide further screening for these properties.

- n) **This proposal will direct the road closer to the properties at Graham Wynd. Should the application be approved it is requested that further work is carried out to explore alternative options to avoid the road coming closer to Graham Wynd.**

Response: The provision of the new roundabout adjacent to Graham Wynd is necessary to allow full two way access to Whitehills from Greenhills Road. This addition to the proposed scheme was a result of comments made by Whitehills residents at the pre-application public meetings. Any planning permission granted would be for the scheme as detailed on the submitted plans.

Loss of Greenspace/Impact on Nature Conservation

- o) **This is a further example of a loss of “green areas” in East Kilbride.**

Response: The widening of the existing transport corridor will result in a small loss of greenspace however the quality of the remaining greenspace will be enhanced by improved footways, cycle paths, landscaping and planting.

- p) **Will the local nature reserve be disturbed? Consideration should be given to whether this proposal would be detrimental to wildlife and any other flora and fauna.**

Response: An Environmental Report has been submitted in respect of this proposal which includes an extensive study on ecology and nature conservation. This concludes that the recommended mitigation measures will reduce, remove or offset impacts. Scottish Natural Heritage (SNH) raised no objections to the proposed development subject to a number of conditions, as set out in Section 4 above.

Removal of Trees

- q) **Concern regarding the appearance of the land around the road due to the removal of large areas of grass and trees.**

Response: Whilst it is acknowledged that the construction of the road improvements will require the removal of areas of trees and shrubs adjacent to Strathaven Road and Greenhills Road, many areas of trees and shrubs will be retained. The proposal also includes significant new planting of semi mature trees, smaller trees and shrubs planting and grassed areas. A full tree survey has been carried out and a Tree Survey Report submitted, together with a detailed landscaping and planting scheme. Once agreed, these works will be implemented during the first available planting season or completion of the development approved.

Impact on Listed Building

- r) **This proposal will result in a road being closer to the Gatehouse, which is a listed building at the entrance to Calderglen Park. This could have an impact on the character of the listed building as well as resulting in a loss of privacy, light etc.**

Response: The proposal will involve improvement works on land adjacent to this listed building however it is not considered this will impact on the character of the listed building or result in any loss of privacy or light. Historic Environment Scotland raised no objections to the proposed Corridor Improvement Scheme.

- s) **No seismic testing had been carried out; this is necessary to preserve the integrity of the listed building and the walls which also form part of the listing.**

Response: In respect of vibration, the Environmental Report concludes that the development would result in temporary vibration impacts however this is expected to be during construction only. Increases in vibration once the corridor improvements are complete and the road is fully operational are predicted to be minimal, particularly with the proposed barriers providing mitigation to airborne vibration. As detailed above, Historic Environment Scotland raised no objections to the proposed Corridor Improvement Scheme.

Impact of Construction Works

- t) **The development could result in disruption to utility services.**

Response: Statutory Undertakers have been consulted and have raised no objections to the construction of the proposed Corridor Improvement Scheme. All steps will be taken by the developer to ensure that any disruptions to utility services are minimised.

- u) **The development could disturb vermin; will the Council be reimbursing every household for pest control costs?**

Response: A condition would be attached to any consent requiring the submission and approval of a Construction and Environmental Management Report which could address issues of pest control. Pest Control is a matter dealt with through Environmental Regulations and Environmental Services have raised no objections to the proposed scheme. An Advisory Note will also be attached to any consent in this respect.

Requirement for Further Consultation

- v) **Monthly public consultations should be held during the construction phases where issues can be raised, recorded, investigated etc.**

Response: A Construction and Environmental Management Plan will be submitted and approved by the Council prior to any works commencing on site which will include a range of measures to manage and reduce the impact on residential amenity during the construction period. Contact details for the site manager will be provided during the construction period should any issues arise.

Impact on Property Values / Compensation

- w) **Approval of this proposal will have an impact on property values. It is also suggested that compensation and mitigation works to the property at 13 Torrance Avenue be provided and that the owners of this property would prefer the Council to fully compensate them for their property purchased 10 years ago.**

Response: Property values and financial compensation are not material planning considerations.

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

6 Assessment and Conclusions

- 6.1 The determining issue that requires to be addressed in respect of this application is compliance with local plan policy, as set out in the South Lanarkshire Local Development Plan 2015 (SLLDP), associated Supplementary Guidance and any other material considerations.
- 6.2 In terms of the SLLDP, as stated in paragraph 3.1.1 above, the plan identifies the proposal as an Upgrade to Infrastructure under Policy 16 (Travel and Transport) and in Table 7.1 Road Schemes. Areas to the north and south of Greenhills Road and a small area to the east of Strathaven Road are identified both as Green Network and Priority Greenspace under Policy 14 (Green Network and Greenspace). The land to the north and south of Greenhills Road at Langlands and the area to the west of Strathaven area Core Industrial and Business Areas identified under Policy 7 (Employment). The majority of the land to the east of Strathaven Road is identified as being Green Belt under Policy 3 (Green Belt and Rural Area). In addition, Policy 2 (Climate Change), Policy 4 (Development Management and Place Making), Policy 15 (Natural and Historic Environment) apply in relation to the protection of habitats/protected species and historic features, Policy 16 (Travel and Transport) and Policy 17 (Water Environment and Flooding) also apply.
- 6.3 SLLDP Policy 2 (Climate Change) sets out a range of criteria which new development should consider in seeking to minimise and mitigate against the effects of climate change. The proposed road scheme is consistent with many of these aims, particularly by including opportunities for active travel routes through new cycle routes and links to the wider path network and increasing the provisions for public transport through new bus routes and facilities. It aims to improve air quality across the area and reduce carbon emissions through reducing congestion at peak times. The proposed development is considered to be consistent with Policy 2 of the SLLDP and with the policy guidance set out within the associated Supplementary Guidance Sustainable Development and Climate Change.
- 6.4 Policy 3 (Green Belt and Rural Area) seeks to resist the encroachment or introduction of urban uses but supports appropriate development for the purposes of agriculture, horticulture, forestry and recreation. The only elements of the road improvement scheme which are proposed to be located within the Green Belt are one of the SUDs basins and part of the wider planting scheme. It is therefore considered that the proposal is acceptable and would not have a detrimental impact on the Green Belt and therefore consistent with Policy 3 of the SLLDP and with the policy guidance set out within the associated Supplementary Guidance Green Belt and Rural Area.
- 6.5 Policy 4 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated with the local context and built form. Proposals should have no significant adverse impacts on the local community and include where appropriate measures to enhance the environment. It is considered that the overall benefits of the development proposal including improved air quality and reduction in congestion at peak times, improvements in road safety on the existing road network, together with the proposed upgraded footpath network and new cycle routes and enhanced landscape planting will have an overall positive impact on the wider community. The road improvements and associated works have been designed to minimise the impact on the local community with mitigation measures including noise barriers and landscape planting. The proposed improvements will not result in any loss of Priority Greenspace or any significant loss of Green Network and the proposed improvements to the footpath network, enhanced planting and links to the wider Green Network will mitigate against any loss. The proposed development is

considered to be consistent with Policy 4 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Development Management, Placemaking and Design.

- 6.6 The SLLDP aims to safeguard the local green network and priority greenspace through Policy 14 (Green Network and Greenspace). As set out in paragraph 3.1.1 above, areas to the north and south of Greenhills Road and a small area to the east of Strathaven Road are identified both as Green Network and Priority Greenspace. The proposed improvements will not result in any loss of Priority Greenspace or any significant loss of Green Network and the proposed improvements to the footpath network, enhanced planting and links to the wider Green Network will mitigate against any loss therefore it is considered consistent with Policy 14. The scheme is also considered to be consistent with the guidance set out in the Green Network and Greenspace Supplementary Guidance in respect of the principles of the Urban Green Network.
- 6.7 Policy 15 (Natural and Historic Environment) seeks to protect important natural and historic sites and features. There are no internationally designated sites within the development site. One nationally designated site falls within the boundary of the application site. An area of woodland located to the east of Strathaven Road at Calderglen is designated as being part of the SNH Ancient Woodland Inventory. This area will be protected during the construction period by the erection of a protective barrier separating it from the construction area.
- 6.8 In terms of local designations, the area to the east of Strathaven Road is designated as a Special Landscape Area, an Extension to the Clyde Valley Special Landscape Area and as a Country Park, Calderglen Country Park. Development in these areas would only be permitted where, following the implementation of mitigation measures, there would be no significant adverse impact on these designations. The proposed scheme will not have any significant adverse impact on these designations in that physical development will only affect a small area of these designations and a significant planting scheme will be undertaken to replace any vegetation removed with trees, mixed planting, wildflower meadow areas and grassed areas. The scheme will also result in improved vehicle, pedestrian and cycle access to and egress from the park. The proposed SUDs bio-retention basin has been designed as far as possible to be a natural feature with grassed slopes, grass and herbaceous mixed planting on the basin floor.
- 6.9 A number of sections of designated Core Path will be upgraded by the improvement of footpaths and new cycle route along the proposed road together with connections to the wider path network being maintained and new sections of cycle route linking to the existing wider cycle route network.
- 6.10 In relation to protected species, following assessment of the Environmental Report, separate confidential badger annex report, proposed mitigation measures and suggested planning conditions, by the Council and Scottish Natural Heritage the proposed development is not considered to have an unacceptable adverse impact on protected species or habitats. Further survey work will be undertaken prior to the commencement of development and various protection measures will be put in place during construction process in respect of protected species and habitats. Detailed measures will be set out in the Construction and Environmental Management Plan which will require approval of the Planning Authority in consultation with the relevant agencies prior to the commencement of construction works. Scottish Natural Heritage had no objection to the proposed development subject to a number of conditions in relation to protect species survey and mitigation measures.

- 6.11 In respect of the historic environment there is one Grade C Listed Building, Torrance House Lodge, and a Grade C Listed Bridge, Torrance House Bridge, both of which are located adjacent to the site boundary. The potential impact on these listings is considered to be low due to the footprint of the proposed road and improved junction being largely within the footprint of the existing road network. The proposed landscape scheme will also mitigate against any potential adverse impacts on the setting of these listings. There are a number of other Listed Buildings in the wider area, however, the proposed scheme is not considered likely to have any adverse impact of these listings.
- 6.12 In respect of archaeological features, the only identified site within the site boundary is located to the west of Strathaven Road, within the Country Park, to the north of the exit to the park. It is a Torr (Torrán) which is an artificial mound with motte, and is within the boundary of the Ancient Woodland. No construction works are proposed within the vicinity of this Torr and it will be protected by the protective Barrier which will be erected to protect the Ancient Woodland during the construction period. Historic Scotland and WoSAS had no objection to the proposed development subject to conditions.
- 6.13 As set out in paragraphs 6.7, to 6.12 above, the proposed development is considered to be consistent with the various issues set out in Policy 15 and with the policy guidance set out within the associated Supplementary Guidance Natural and Historic Environment.
- 6.14 In relation to road infrastructure issues Policy 16 (Travel and Transport) of the SLLDP states that new development proposals must consider, and where appropriate, mitigate the resulting impacts of traffic growth, particularly development related traffic, and have regard to the need to reduce the effects of greenhouse gas emissions and at the same time, support and facilitate economic recovery, regeneration and sustainable growth. It also confirms that proposals must conform to the Local Transport Strategy, Core Path Plan and the Council Guidelines for Development Roads. The proposed corridor improvement scheme is listed in Table 7.1 Road Schemes and identified on the Proposals Map. The proposed corridor improvement scheme is considered to comply with Policy 16 in that it is consistent with and included in the SLC Local Transport Strategy 2013 – 2023. The aims of the corridor improvement scheme are to
- Improve infrastructure to employment areas across East Kilbride and reduce traffic impacts on neighbouring residential type roads;
 - Reduce congestion at peak times with associated carbon emission reduction;
 - Improve public transport reliability and bus/rail integration in the area by removing congestion and through traffic from existing routes;
 - Enhance access for cyclists and pedestrians, by upgrading the capacity and quality of the wider footpath and cycle network;
 - Provide environmental benefits in terms of air quality across the road network; and
 - Improve road safety on the existing road network.

In relation to SLC Core Path Plan, the existing sections of Core Path which are located in the vicinity of the proposed corridor improvement scheme will be upgraded by the improvement of footpaths and new cycle route along the proposed road together with connections to the wider path network being maintained and new sections of cycle route linking to the existing wider cycle route network.

- 6.15 Policy 17 (Water Environment and Flooding) states that developments which have a significant adverse impact on the water environment will not be permitted and that consideration will be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment. The applicants submitted a detailed Flood Risk Assessment and, should consent be granted, a detailed Construction and Environmental Management Plan will be required to be submitted and approved by the Planning Authority in consultation with SEPA and Scottish Water. SEPA had no objections to the proposed development subject to conditions in relation to the CEMP.
- 6.16 Policy 7 (Employment) of the Local Development Plan details the Council's support for sustainable growth and regeneration of business through the identification of employment land. The policy aims to protect employment land through assessing proposals in these areas against a range of criteria. The proposed corridor improvement scheme will not result in the loss of any employment land and as set out in paragraph 6.14 above, aims to improve infrastructure to employment areas across East Kilbride and reduce congestion at peak times. In terms of Economic Development, the proposal will support and stimulate future commercial and business development within the town through improving access to existing businesses and a number of development opportunities in the south of East Kilbride. The scheme includes the relocation of parking at a number of premises in Young Place where improved parking will be provided.
- 6.17 It is also considered that the proposal accords with the policies contained in the SLLDP Supplementary Guidance on Development Management Place Making & Design, Green Network and Green Spaces, Sustainable Development and Climate Change, and Natural and Historic Environment.
- 6.18 Following a full and detailed assessment of the proposed development, it is considered that the proposed road is in accordance with the South Lanarkshire Local Development Plan and associated Supplementary Guidance and on that basis, it is recommended that planning permission is granted.

7 Reasons for Decision

- 7.1 The proposal complies with Policies 2, 3, 4, 7, 14, 15, 16 and 17 of the Adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance Development Management Place Making & Design, Green Belt and Rural Area, Green Network and Green Spaces, Sustainable Development and Climate Change, and Natural and Historic Environment.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

3 October 2017

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Neighbour notification letter dated 02/06/2017, 26/06/2017 & 07/09/2017

▶ Consultations

Strathclyde Partnership for Transport	18/07/2017 & 15/09/2017
Scottish Natural Heritage	28/06/2017, 06/06/2017 & 08/09/2017
Roads & Transportation Services (Flood Risk Management Section)	13/06/2017 & 12/09/2017
West of Scotland Archaeology Service	08/06/2017 & 15/06/2017
SP Energy Network	08/06/2017 & 08/09/2017
Historic Environment Scotland	13/06/2017
The Coal Authority – Planning and Local Authority Liaison Department	19/06/2017 07/08/2017
Building Standards	15/09/2017
Countryside & Greenspace	12/09/2017
Facilities, Waste & Ground Services (Landscape officer)	12/09/2017
Environmental Services	12/09/2017
Roads Development Management Team	28/06/2017
Transport Scotland	20/06/2017
S.E.P.A. (West Region)	19/07/2017 15/09/2017
S.E.P.A. (West Region) (Flooding)	19/07/2017 15/09/2017
Estates Section	19/09/2017
Leisure Services (Facility Manager)	15/09/2017
Roads & Transportation Services (Street Lighting)	12/09/2017
Roads & Transportation Services (Geotechnical Section)	14/09/2017
Police Scotland	22/09/2017

► Representations

Representation from : William Frier, 53 Lomond
East Kilbride
G75 0BP
DATED 13/06/2017

Representation from : Suzanne McGinley, 23 Drumloch Gardens
East Kilbride
G75 0UT
DATED 21/06/2017

Representation from : Matthew Lindley, 51 Lomond
East Kilbride
G75 0BP
DATED 20/06/2017

Representation from : Ann McFadden, DATED 21/06/2017

Representation from : James Reilly MA (Hons) ARTPI,
DATED 22/06/2017

Representation from : Alan Lowe, 18 Torrance Wynd
East Kilbride
G75 0RY, DATED 21/06/2017

Representation from : Vacca and Sheeran, 13 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : John Clements, 12 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Andy and Margaret Hynde, 11 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Scott and Tracey Bingham, 14 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Mr Hamilton, 10 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Lesley Davidson, 11 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Momo Silla and Julie McFadden, 2 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Mr M Singh, 3 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Diana Gaffney, 6 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Mr McNiven, 7 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Alan Whitaker , 8 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Mr M McCann, 9 Torrance Avenue
East Kilbride
G75 0RN, DATED 22/06/2017

Representation from : Joe Allan, 94 Franklin Place
Westwood
East Kilbride
G75 8LS, DATED 15/06/2017

Representation from : Bill McCreath, DATED 21/06/2017

Representation from : Michael Shanahan, 42 Graham Wynd
East Kilbride
G75 0FG, DATED 12/06/2017

Representation from : Frances Todd, 24 Rangerhouse Road
Whitehills
East Kilbride
G75 0UU
DATED 17/06/2017

Representation from : Alison McLaren, DATED 23/06/2017

Representation from : William Frier, 53 Lomond, East Kilbride, G75 0BP
DATED 06/06/2017

Representation from : William Frier, 53 Lomond
East Kilbride
G75 0BP, DATED 15/06/2017

Representation from : DM Hall / Baird Lumsden Chartered Surveyors, 17

Corstorphine Road, Edinburgh EH12 6DD
DATED 22/06/2017

Representation from : Gillian Lloyd, 28 Graham Wynd,
East Kilbride G75 0FG
DATED 25/09/2017

Contact for Further Information

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

Morag Neill, Planning Officer, Montrose House, Hamilton
Ext 5053, (Tel : 01698 455053)
E-mail: morag.neill@southlanarkshire.gov.uk

CONDITIONS

- 1 The development shall be carried out strictly in accordance with the terms of the application and the accompanying Environmental Report, including all mitigation measures as stated in it subject to the conditions below and no change shall take place without the prior written approval of the Council as Planning Authority.
- 2 Prior to the commencement of development on site, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the planning authority setting out the steps that shall be taken to monitor the environmental effects of the development during the construction phase and the operational phase. The plan shall make specific reference to landscaping, habitat creation, species protection, biodiversity impact, ground water, surface water, noise and dust. Thereafter, the plan shall be implemented to the satisfaction of the Planning Authority in consultation with SEPA and SNH. The methodology of such monitoring, including locations, frequency and gathering of information on background levels should be agreed with the planning authority for approval prior to the commencement of works on site. Results of such monitoring to be submitted to the planning authority on a 2 monthly basis, or on request.
- 3 Prior to the commencement of the development a Construction Phasing Plan shall be submitted to and approved by the Council as Planning Authority.
- 4 Prior to the commencement of the development a Construction Traffic Management Plan shall be submitted to and approved by the Council as Roads and Planning Authority. This will include, but is not limited to, the numbers and types of vehicles including construction personnel transport, the routing of vehicles, access and exit points, wheel washing facilities, route directional signage and onsite parking facilities.
- 5 Prior to the commencement of the development a plan to a scale of (1:500) shall be submitted to the planning authority showing the location of any contractor's site compound and laydown areas required temporarily in connection with the construction of the development. Each plan shall indicate the location of the buildings, laydown areas, car parking, material stockpiles, oil storage, lighting columns and boundary fencing. The plans shall describe the surfacing of each Site compound, the means of drainage and dust suppression within the compound and should set out the activities that will take place within that compound. Thereafter any temporary Site compound at the Site shall be put in place and used in accordance with the approved plans.
- 6 All temporary contractors' site compounds and laydown areas shall be removed and the land reinstated to its former profile and condition no later than 3 months following the date of completion of development to the satisfaction of the Council as Planning Authority.
- 7 Before development begins on site, a scheme for the protection of bats (Bat Protection Method Statement) shall be submitted to and approved in writing by the Council as Planning Authority. Any development shall thereafter be carried out in accordance with the approved scheme.

- 8 Prior to commencement of construction work a site specific method statement for badgers must be drawn up to ensure that all known badger setts are recorded, mitigation is identified and implemented, and where necessary, a licence to disturb badgers or destroy setts is obtained from SNH. This Method Statement shall provide details of measures to protect the site from potential future badger activity, measures to allow the free movement of badgers through the site, measures to reduce the risk of badger road mortalities and measures to prevent badgers establishing new setts within the application site during the various phases of development. This must include an additional survey of the site to ascertain presence and location of badger activity within the vicinity of the development area immediately prior to works commencing on site.
- 9 Prior to commencement of construction work a suitably qualified ecologist should survey upstream and downstream of all watercourses for the presence of otter. This should include a search area of 100 metres, both upstream and downstream, be searched for evidence of otter including holts, couches and pathways. Where development is to be located within 200 metres of fresh water environments, the developer should undertake survey work to identify any otter holts, couches or pathways within the development footprints, and within 100 metre radius of said footprints. Where otter are recorded by the survey, and disturbance to this species is concluded to be likely, the developer must identify appropriate mitigation, where, or seek licence to disturb otters from the Scottish Government to undertake operations within affected areas. All water crossings should included mammal ledges within their design to allow unrestricted otter movements. Otter ledges should be placed 15cm above the highest flood level and, where possible, be approximately 50-60cm in width.
- 10 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.
- 11 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.
- 12 No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority in agreement with the West of Scotland Archaeology Service.
- 13 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.

- 14 (a) The applicant shall be required to 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 the advice given in the following:
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 – ‘Model Procedures for the Management of Land Contamination (CLR 11) – issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 – 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.
- 15 (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.
- 16 Prior to development commencing on site, details of any proposed construction floodlighting together with a lighting assessment shall be submitted to and approved by the Council as Planning Authority. The scheme shall include, where appropriate, details of all aspects of the installation including specific luminaire and lamp type; beam control; wattage; use of reflectors; baffles; louvers; cowling; lux contours/distribution diagrams and column type.

The approved scheme shall be implemented prior to the commencement of the development and shall thereafter be operated in accordance with the approved

scheme to the satisfaction of the Council as Planning Authority.

- 17 That before any development commences on site or before materials are ordered or brought to the site, details and samples of retaining wall facing materials to be used shall be submitted to and approved by the Council as Planning Authority.
- 18 The following activities must not be carried out on site:
- (a) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - (b) No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - (c) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
 - (d) No mixing of cement or use of other materials or substances shall take place within a Root protection Area, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area.
 - (e) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Council as Planning Authority.
- 19 Prior to the commencement of development on site, a Scheme for the protection of Retained Trees "Tree Protection Plan" shall be submitted to and approved in writing by the planning authority setting out the steps that shall be taken to protect all retained trees. The plan shall include a specific Arboricultural Method Statement and provide full details of Root Protection Areas, Tree Protection Barriers, Schedule of Tree Works, Ground Protection Zones, Construction Exclusion Zones and full details of all working methods in respect of protection of retained trees and phasing of tree protection works. Thereafter, the Scheme for the protection of Retained Plans "Tree Protection Plan" shall be implemented to the satisfaction of the Council as Planning Authority.
- 20 Prior to the development commencing, the applicant shall undertake an updated noise and vibration survey in keeping with BS5228-1-2009 Code of practice for noise and vibration control on construction and open sites, Part 2 Vibration. The survey shall be calculated in accordance with either the measurement or predictive methodologies within the aforementioned document. It shall include the TUV NEL building in The Scottish Enterprise Technology Park as a Sensitive Receptor. Mitigation as appropriate shall be based on the guidance figures within the document.
- The survey shall be submitted to and approved by the Planning Authority and where potential vibration disturbance is identified, it shall include a scheme for protecting the vibration sensitive receptors from construction vibration. Thereafter, the survey shall be implemented to the satisfaction of the planning authority.

- 21 Prior to the commencement of the development further details of all proposed Noise Barriers shall be submitted to and approved by the Council as Planning Authority. Details shall include the location, height, materials, design and construction methods for all Noise Barriers. Thereafter, the approved Noise Barriers shall be installed and maintained to the satisfaction of the Council as Planning Authority.
- 22 Prior to the commencement of the development a dedicated Noise Insulation (Scotland) Regulations 1975 assessment shall be submitted to and approved by the Council as Planning Authority.
- 23 Prior to the development commencing, the applicant shall undertake a noise and vibration survey in keeping with BS5228-1-2009 Code of practice for noise and vibration control on construction and open sites, Part 1 Noise. The survey shall be calculated in accordance with the ABC Method contained within this document. The cumulative noise level at noise sensitive receptors shall be calculated in accordance with as outlined within Figure F.1 of the aforementioned document.
- The survey shall be submitted to and approved by the Planning Authority and where potential noise disturbance is identified, it shall include a scheme for protecting the noise sensitive receptors from construction noise. Thereafter, the survey shall be implemented to the satisfaction of the planning authority.
- 24 Construction activities on site, including deliveries to the site (with the exception of maintenance works not audible outside the site boundary), shall be restricted to the following hours of operation:
Mondays to Fridays: Between 08:00 and 19:00
Saturdays: Between 08:00 and 13:00
Sundays & Public Holidays: No Working
- 25 That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and include signed appendices. Thereafter, the detailed scheme shall be implemented to the satisfaction of the Planning Authority.
- 26 Prior to the commencement of the development the detailed design of proposed bus infrastructure, junction design in respect of bus manoeuvres and phasing of installation of bus infrastructure should be submitted to and approved by the Council as Planning Authority in consultation with Strathclyde Partnership for Transport. Thereafter, these measures shall be implemented to the satisfaction of the Planning Authority.
- 27 That the public road adjacent to the site shall be kept clear of mud or other deposited material at all times. If the carrying of material onto the public highway becomes evident then appropriate wheel cleaning facilities shall be installed within a timescale agreed, in writing, with the Council as Planning Authority.

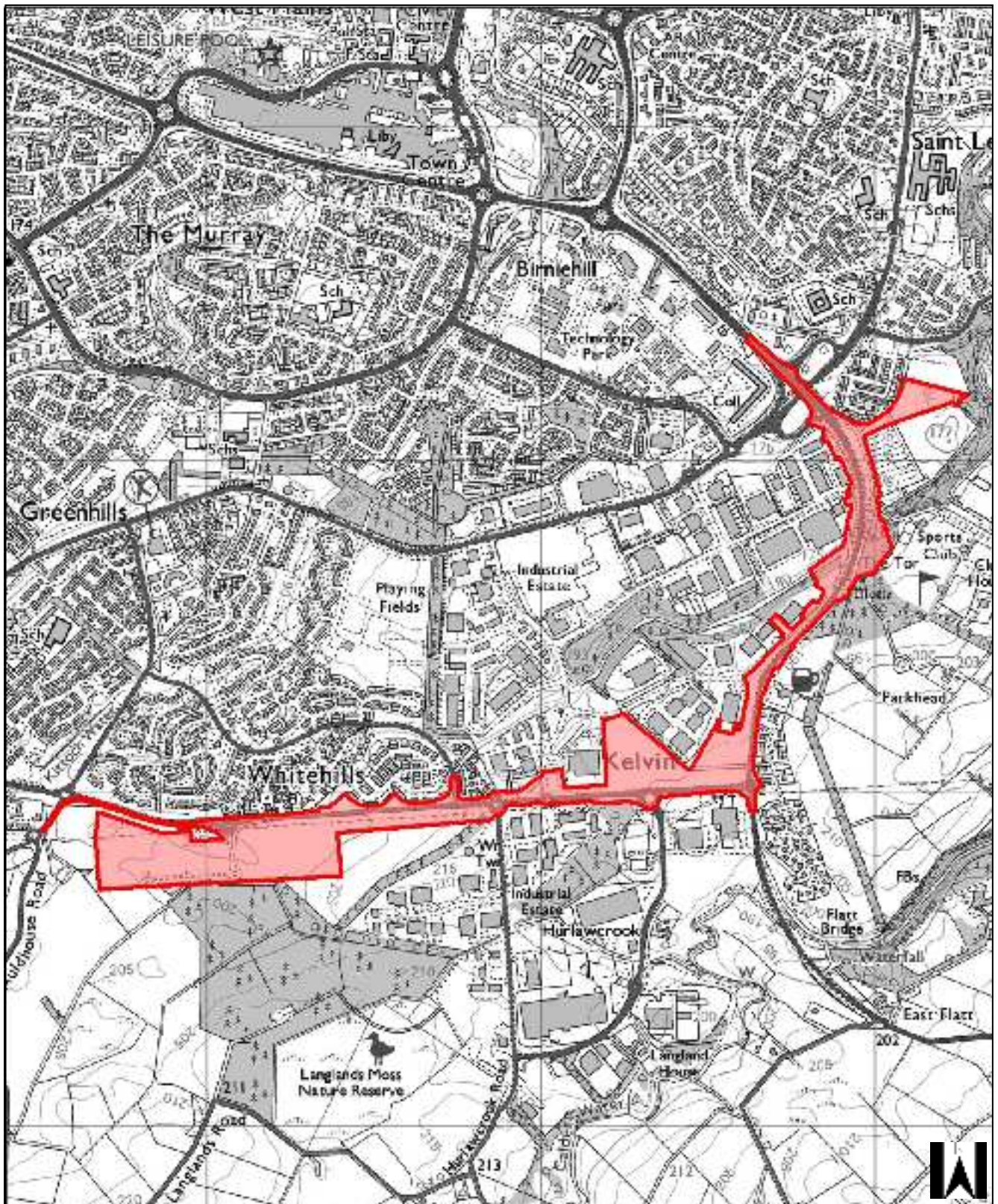
- 28 At all times during the carrying out of operations authorised or required under this permission water bowsters, sprayers, whether mobile or fixed shall be used at such times as it is necessary to minimise the emission of dust from the site. At such times as the prevention of dust nuisance by these means is not possible, movement of soils and overburden shall temporarily cease until such time as the weather conditions improve.
- 29 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 In order to retain effective planning control
- 4.1 To safeguard the amenity of the area.
- 5.1 In the interests of amenity and in order to retain effective planning control.
- 6.1 In order to retain effective planning control
- 7.1 To ensure the protection of Bats.
- 8.1 To ensure the protection of Badgers.
- 9.1 To ensure the protection of Otters.
- 10.1 In the interests of the visual amenity of the area.
- 11.1 In the interests of amenity.
- 12.1 In order to safeguard any archaeological items of interest or finds.
- 13.1 In order to retain effective planning control
- 14.1 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 15.1 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 16.1 To minimize the risk of nuisance from light pollution to nearby occupants.
- 17.1 In the interests of amenity and in order to retain effective planning control.

- 18.1 In order to protect trees and to retain effective planning control.
- 19.1 In order to protect trees and to retain effective planning control.
- 20.1 To minimise noise, vibration and disturbance to neighbouring residents/occupants during construction.
- 21.1 To safeguard the residential amenity of the area.
- 21.2 To minimise the risk of nuisance from noise to non-business occupants.
- 21.3 In order to retain effective planning control
- 22.1 To minimise the risk of nuisance from noise to residents and in order to retain effective planning control.
- 23.1 To minimise noise, vibration and disturbance to neighbouring residents/occupants during construction.
- 24.1 To minimise noise disturbance and to protect residential amenity.
- 25.1 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.
- 26.1 In the interests of traffic and public safety.
- 27.1 To clarify those details approved and in the interests of pedestrians and vehicular traffic safety.
- 28.1 To minimise any nuisance from dust and to protect residential amenity.
- 29.1 To minimise the risk of nuisance from dust to nearby occupants.

For information only



For information only

Report

5

Report to: **Planning Committee**
 Date of Meeting: **10 October 2017**
 Report by: **Executive Director (Community and Enterprise Resources)**

Application No HM/17/0312
 Planning Proposal: Erection of 26 Flatted Dwellings and 16 Terraced Dwellinghouses With Associated Amenity Space and Car Parking

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Clyde Valley/Wilson Developments
- Location : Carlisle Road
Ferniegair
Hamilton

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission - Subject to Conditions (based on the conditions attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: John Russell Partnership
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
 Policy 1 - Spatial Strategy
 Policy 4 - Development management and placemaking
 Policy 12 - Housing Land
 Policy 14 - Green Network and Greenspace
 Policy 16 - Travel and Transport

Development management, placemaking and design supplementary guidance (2015)

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

◆ Consultation(s):

Network Rail

Roads & Transportation Services (Flood Risk Management Section)

Scottish Water

Environmental Services

Community Services – play provision/ facilities

Roads Development Management Team

Housing Services

Planning Application Report

1 Application Site

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

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 26 flatted dwellings and 16 terraced dwellinghouses with associated amenity space and car parking. The submitted supporting information advises that the proposal comprises a small development of two bedroom flats and three bedroom terraced houses which are to be considered as 'affordable homes' and are to be built on behalf of Clyde Valley Housing Association.
- 2.2 The proposed terraced dwellinghouses would be located within a fairly central location on the site and would be two storeys in height incorporating traditional pitched roofs. The dwellings would be finished with dark grey concrete roof tiles, a mixture of white render and buff brick walls and dark grey UPVC windows. The flatted dwellings would comprise a four storey block located to the rear of the site close to the site's northern boundary and a three storey block to the south of the proposed access road. Both blocks would incorporate traditional hipped roofs with windows on all elevations. The two flatted blocks would be set down within the contours of the site to ensure that their height is no higher than that of the existing block of flats located directly to the north of the site. The proposed finish materials for the flats are concrete roof tiles, a mixture of buff and grey facing brick with grey lining board for the exterior walls and dark grey UPVC window frames.
- 2.3 Access to the site would be via a new road taken directly from Carlisle Road. Car parking would be located to the front of the dwellings with parking provision provided at one space per flat and two spaces for each house. The proposed parking courts would be finished with permeable paving with the space under the parking utilised for SUDS control. Throughout the development the road is bounded by landscaping in private gardens and amenity spaces. The landscaping throughout the site would be designed using native species of trees such as Rowan, Lime, Ash, Alder, Birch, Beech, Crab Apple and Pine. It is also intended to use beech hedging throughout the development.
- 2.4 A Design and Access Statement and Geotechnical and Geo-Environmental Interpretative Report were submitted with the application as supporting documents.

3 Background

3.1 Local Plan Policy

- 3.1.1 The application site is designated for residential use in the adopted South Lanarkshire Local Development Plan where it is identified as part of the 2014 Housing Land Supply. The site also forms part of the Ferniegair Community Growth Area and is covered by the Green Network. The relevant policies for the assessment of the application are Policy 1 - Spatial Strategy, Policy 4 - Development Management and Place Making, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 – Water Environment and Flooding.

An assessment of the proposal against the above policies is contained in Section 6 of this report.

3.2 **Relevant Government Advice/Policy**

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

3.3 **Planning Background**

- 3.3.1 There have been no previous planning applications submitted for this site.

4 **Consultation(s)**

- 4.1 **Environmental Services** – requested that a decision on the application be deferred until a Noise Assessment (NA) is submitted by the applicant to determine the impact of rail noise on the proposed development in addition to a comprehensive site investigation report.

Response:- Noted. A Noise Assessment report and a Site Investigation Report have been submitted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised and ensure that the recommendations of the report are fully implemented.

- 4.2 **Roads Development Management Team**– have no objections to the application subject to conditions requiring the provision of adequate visibility splays, parking provision within the site, driveway surfacing and drainage and the provision of wheel washing facilities.

Response:- Noted. The submitted site layout incorporates the appropriate level of car parking for the development and any consent granted would incorporate appropriately worded conditions to address the above matters.

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

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

- 4.4 **Scottish Water** – have no objections to the application.

Response:- Noted. Any planning consent granted would be conditioned to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards.

- 4.5 **Housing Services** – raised no objections to the proposal.

Response:- Noted.

- 4.6 **Community Services** – have no objections to the proposal. The planning application is acceptable in principle from a community/play provision perspective. If any open spaces/play areas were to be progressed as part of the development it should be noted that the Council's Grounds Services would not adopt any of the areas for future maintenance and, as such, consideration of a factoring arrangement or similar would be required. The Council's Residential Design Guide should be used throughout the application process.

Response:- The above comments are noted. In addition, as the proposal relates to the provision of affordable housing, no financial contributions would be requested by the Council in this instance.

- 4.7 **Network Rail** – have no objections to the application subject to the inclusion of a number of conditions and advisory notes to any consent granted relating to matters including drainage, lighting, boundary treatment, etc.

Response:- Noted. The consent incorporates appropriately worded conditions and informatives where required.

5 Representation(s)

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

- a) **The proposed development will result in a loss of nature. The application site comprises a field of wild flowers including bluebells which are protected under the Wildlife and Countryside Act 1981. There are also animals including and not restricted to rabbits, foxes, birds and badgers which will be affected.**

Response: The site is not covered by any statutory wildlife designations however following the objections from neighbours, the applicant has been requested to submit a Habitat Survey and has instructed this to be carried out. Conditions will be attached to any consent issued to ensure that this is submitted and approved prior to any works commencing on site and the recommendations contained within the report are implemented.

- b) **The development would adversely affect highway safety. There have been numerous accidents even though traffic speeds have had to be reduced from 50 to 40 and in parts 30 mph since the Robertson Homes houses began opposite this site.**

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

- c) **Drainage will be a huge impact as the road can flood in winter.**

Response: No adverse comments have been raised by any of the consultees in relation to this matter. However, any consent granted would incorporate conditions requiring the submission of a Flood Risk/Drainage Assessment for the Council's further approval and the provision of a sustainable urban drainage system (SuDS) within the site.

- d) **The effect of the development on the character of the neighbourhood should be considered as it would no longer be rural.**

Response: The application site is designated for residential use in the adopted South Lanarkshire Local Development Plan where it is identified as part of the 2014 Housing Land Supply. The site also forms part of the Ferniegair Community Growth Area.

- e) **Traffic Generation is already having an impact on existing properties due to the increase of housing in the new development opposite and the noise and disturbance with further housing would add to this impact.**

Response: Whilst Environmental Services requested the submission of a Noise Assessment to determine the impact of rail noise on the proposed development, they raised no adverse comments in terms of any potential impact that the proposed development may have on existing properties in the area.

- f) The visual impact of the development on 213 Carlisle Road should be considered.**

Response: The design and layout of the proposal is considered to be acceptable. This matter is discussed in detail in Section 6 of this report.

- g) It would appear that the drying area associated with 213 Carlisle Road is now incorporated in this development. It would now appear to be marked as amenity area for this new development and will also impact on the property's car parking area. It should be clarified if the drawings are indeed correct or if there is an error on these plans?**

Response: Whilst this is a legal matter which requires to be resolved by the parties concerned the matter has been raised with the applicant's agent who has confirmed in writing that all of the land contained within the application site is within the applicant's ownership.

- h) The proposal will have an adverse effect on the residential amenity through loss of privacy.**

Response: The proposed buildings are positioned such that they comply with the minimum 20 metres distance required between directly facing habitable windows which ensures that there will be no adverse impact to those properties in terms of overshadowing or loss of privacy.

- i) The density of the proposed development will feel overbearing. There are already two new housing developments directly in front of the site which have affected the open aspect of the whole neighbourhood.**

Response: The proposed layout complies with the guidance contained within the Council's Residential Design Guide. It is considered that the proposal does not represent overdevelopment of the site and is in keeping with development in the surrounding area.

- j) In reading through the various forms, there is an error in the initial application by the company - page 4 of 7 regarding Trees and the existence of trees on or adjacent to the proposed site. The applicant indicated no which is incorrect. There are trees and overhanging canopy.**

Response: This matter has been raised with the applicant who has advised that this was an error during the submission of the application. The trees are evident on site.

- k) We have a private park for our children here in the Robertson Homes development and this is going to be overflowing with children that do not live here.**

Response: This is not a valid planning consideration.

- l) Ferniegair is overcrowded as it is and there are insufficient amenities or infrastructure. There is no local shop, nursery or school. This proposal is going to be an absolute disruption to the community.**

Response: The site forms part of the Ferniegair Community Growth Area and is part of a larger planned housing release. As part of this release, the capacity of existing infrastructure was assessed and developer contributions

have been requested for all private dwellings built within the area. This will contribute to additional community and educational facilities and road upgrades. This site will provide affordable housing within the area.

- m) Would like to see more plans detailing how far back the flats will be situated from the road and my property.**

Response: It is considered that the submitted drawings, which are available to view on the Council's website, show a sufficient level of detail to enable a proper assessment of the proposal.

- n) The land has been classified as "contaminated during construction". Procedures will be undertaken to make the land safe and workers will be required to use PPE. I require an explanation and assurance of procedures for mitigation of contamination to our personal property while remediation and construction is ongoing.**

Response: A Site Investigation Report was submitted by the applicant which identified some contamination within the site. It is anticipated that this will be resolved through the implementation of the required earthworks however a small area of the site will require to be capped. Conditions will be attached to ensure that the works recommended by the Site Investigation Report are carried out to the satisfaction of the Council.

- o) Construction of the buildings will block our satellite signal. How will our loss of satellite signal be remedied? This is protected by the EU Court of Human Rights.**

Response: This is not a relevant planning matter.

- p) The introduction of a four storey block of flats parallel to our windows will result in a loss of privacy and greatly diminish the natural light we receive.**

Response: An amended site plan was submitted which shows the block of flats referred to above, Block A is positioned approximately 20.02 metres away from the existing adjacent building which complies with the minimum 20 metres distance required between directly facing habitable windows. It is considered that the proposed buildings will be positioned a sufficient distance away from existing properties to ensure that there will be no adverse impact to those properties in terms of overshadowing or loss of privacy.

- q) The plans include food waste, refuse and recycling bins located in the car park side closest to our building. A large collection of these bins is known to produce strong odours. Would the architect consider moving the bin storage to the opposite side of the car park to allow greater 'diffusion' of the odours before they reach our windows?**

Response: The applicant submitted an amended site layout which shows the proposed bin storage area re-located away from the front of the site. The bin storage area would be located approximately 12.40 metres away from the existing block of flats adjacent to the site. No adverse comments have been raised by Environmental Services in relation to the position of the bin storage.

- r) **The development company should be able to give us a timetable for their construction start date and estimated length of project. An assurance that on site sanitation and portable toilets will be maintained and emptied regularly so not to cause odours in close proximity to our personal living spaces.**

Response: The applicant is required to advise the Planning Service in writing of the initiation and completion dates of the development. Matters relating to odours would be addressed by Environmental services where necessary.

- s) **There should be an assurance from the developers that workers employed by this company will be proactively respectful of the close proximity of our personal living spaces.**

Response: This is not a valid planning consideration.

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

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of 26 flatted dwellings and 16 terraced dwellinghouses with associated amenity space and car parking. The submitted supporting information advises that the proposed development comprises a small development of two bedroom flats and three bedroom terraced houses which are to be considered as 'affordable homes' and are to be built on behalf of Clyde Valley Housing Association. The determining issues in consideration of this application are its compliance with national and local plan policy and its impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of national planning policy relative to residential development, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity. In this instance, the application site has been identified as a proposed housing site in the adopted Local Plan. The site would be accessible by public transport as all dwellings would be located within close proximity of both the nearest bus route and Chatelherault train station and the development would be well integrated into existing walking and cycling networks. In terms of green networks, it is considered that the proposal incorporates an appropriate level of amenity space and landscaping linked by footpaths. Biodiversity is encouraged in these areas through the provision of a wildflower meadow, SUDS pond and structure planting. A footpath/cycle connection to the wider Green Network to the south is also provided to ensure continuity in the Network. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.3 In terms of local plan policy, the application site is designated for residential use in the adopted South Lanarkshire Local Development Plan where it is identified as part of the 2014 Housing Land Supply. The site also forms part of the Ferniegair Community Growth Area and is covered by the Green Network. The relevant policies for the assessment of the application are Policy 1 - Spatial Strategy, Policy 4 - Development Management and Place Making, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding.

- 6.4 Policy 1 encourages sustainable economic growth and regeneration, protection and enhancement of the built and natural environment and a move towards a low carbon economy. This will be partly achieved through the delivery of the development proposals identified in Table 3.1: Spatial Strategy Development Priorities including the Ferniegair Community Growth Area (CGA). As the application site is located within the Ferniegair CGA the proposal conforms with the terms of Policy 1. As the proposal is for residential use and the application site is located within an area designated for housing under Policy 12 the proposal raises no policy issues and conforms with the terms of Policy 12.
- 6.5 With regard to the detailed design of the development, Policy 4 generally requires new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. It is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in both the Council's Masterplan Development Framework for the Ferniegair Community Growth Area and the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, window to window distances, rear garden depths, amenity open space and car parking provision. It is considered that the proposed development is of a high quality design incorporating a suitably high standard of materials and that it will be in keeping with the recent phases of new residential development in the surrounding area. The proposed buildings will be positioned a sufficient distance away from existing properties to ensure that there will be no adverse impact to those properties in terms of overshadowing or loss of privacy. It is, therefore, considered that the proposal meets the terms of the above policies and guidance.
- 6.6 Policy 14 states that development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:
- i placemaking,
 - ii mitigating greenhouse gases,
 - iii supporting biodiversity,
 - iv enhancing health and quality of life,
 - v providing water management including flood storage, and buffer strips,
 - vi providing areas for leisure activity, and
 - vii promoting active travel.
- 6.7 Policy 16 - Travel and Transport seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. As discussed, the site would be accessible by public transport as all dwellings would be located within close proximity of both the nearest bus route and Chatelherault train station and the development would be well integrated into existing walking and cycling networks. Roads and Transportation Services are satisfied that the proposal will not have an adverse impact on traffic flows or road safety and that a sufficient amount of car parking is being provided for the development. On this basis, it is considered that the proposal complies with the terms of Policy 16.
- 6.8 The proposals have been assessed by the relevant bodies in terms of Policy 17. With regard to flooding no adverse comments were raised subject to subject to conditions requiring the submission of a Flood Risk/Drainage Assessment for the Council's further approval and the provision of a sustainable urban drainage system (SuDS) within the site. In addition, Scottish Water has confirmed that they have no objections to the application. Conditions would be attached to any consent to ensure that the

development would be designed to sustainable urban drainage system requirements. It is, therefore, considered that the proposed development is in accordance with the Policy 17.

- 6.9 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 1, 4, 12, 14, 16 and 17 of the adopted South Lanarkshire Local Development Plan and the supplementary guidance of the Proposed Development Management, Place Making and Design Supplementary Guidance relating to 'Design.'

Michael McGlynn
Executive Director (Community and Enterprise Resources)

2 October 2017

Previous References

- ◆ HM/15/0043

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted 2015)
- ▶ Development Management, Place Making and Design Supplementary Guidance (2013)
- ▶ Residential Design Guide (2011)
- ▶ Neighbour notification letter dated 23.06.2017
- ▶ Press Advertisement, Hamilton Advertiser dated 06.07.2017

- ▶ Consultations
 - Roads Development Management Team 08/09/2017
 - Environmental Services [e-consult] 18/07/2017
 - Scottish Water 13/07/2017
 - Community - play provision/community contributions (Judith Gibb) 26/07/2017
 - Roads & Transportation Services (Flood Risk Management Section) 11/07/2017
 - Network Rail 12/07/2017

► Representations

Representation from : Danielle , 12 Buttercup Crescent, Ferniegair, Hamilton,
DATED 17/07/2017 17:29:10

Representation from : Jen McCorkell, DATED 24/08/2017

Representation from : Alana McGlynn, 8 Buttercup Crescent, Ferniegair , DATED
07/07/2017 17:57:24

Representation from : Miller Property Management Limited, 27 Bothwell Road,
Hamilton, ML3 0AS, DATED 14/09/2017

Representation from : Jennifer McCorkell, received via email, DATED 28/08/2017

Representation from : C Moffat, 14 Buttercup Crescent, Ferniegair, DATED
07/07/2017 20:17:32

Representation from : Margaret and Charles Zokas, 213L Carlisle Road,
Ferniegair, ML3 7TU, DATED 11/07/2017

Representation from : Danielle , 12 Buttercup Crescent, Ferniegair, Hamilton,
DATED 17/07/2017 17:25:04

Representation from : Jennifer McCorkell, received via email, DATED 31/08/2017

Contact for Further Information

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

Jim Blake

(Tel : 01698 453657)

E-mail: jim.blake@southlanarkshire.gov.uk

CONDITIONS

- 1 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.
- 2 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.
- 3 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 2 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 4 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.
- 5 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.
- 6 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.
- 7 That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garage.
- 8 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.
- 9 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.

- 10 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.
- 11 Details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.
- 12 That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 13 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 14 That before the development hereby approved is completed or brought into use, an internal visibility splay of 2.4 metres by 25 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 15 The surface of all non-adopted driveways shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 16 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.
- 17 That none of the garage driveways shall have a gradient in excess of 1:10.
- 18 That all dwellinghouses with garages shall have driveways with a minimum length of 6 metres measured from the heel of the footway/service strip and the first 2 metres of each driveway as measured from the heel of the footpath shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.
- 19 The scheme for the mitigation of noise shown in the Report on Supermarket Noise by Charlie Fleming Associates dated 9 December 2013 shall be implemented prior to the development being brought into use and where appropriate, shall be maintained in accordance with the scheme to the satisfaction of the Council as Planning Authority. The internal noise limits of 30 dB(A) daytime and 25 dB(A) at night, as stated within the assessment, shall

apply.

- 20 (a) Remediation of the site shall be carried out in accordance with the remediation plan, Johnson, Poole & Bloomer Remediation Strategy document dated July 2015, prior to the proposed development being brought into use. Any amendments to the remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.
- (b) On completion of the remediation works, the developer shall submit a completion report to the Council, confirming that the works have been carried out in accordance with the remediation plan and that the works have successfully reduced these risks to acceptable levels.
- (c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then be submitted to and approved in writing by the Council as Planning Authority.
- 21 That before any of the dwellinghouses hereby approved are occupied, details for the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority and thereafter maintained all to the satisfaction of the Council.
- 22 That prior to any works taking place on site, a Habitat Survey will be submitted for approval to the Council as Planning Authority. Following approval, any recommendations of the Habitat Survey will be fully implemented to the satisfaction of the Council as Planning Authority.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 These details have not been submitted or approved.
- 3.1 In order to retain effective planning control
- 4.1 In the interests of amenity and in order to retain effective planning control.
- 5.1 In the interests of the visual amenity of the area.
- 6.1 In the interests of amenity.
- 7.1 To retain effective planning control and safeguard the amenity of the area.
- 8.1 In order to retain effective planning control
- 9.1 To ensure the provision of a satisfactory sewerage system
- 10.1 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.

- 11.1 In the interests of amenity and in order to retain effective planning control.
- 12.1 In the interest of public safety.
- 13.1 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 14.1 In the interest of road safety.
- 15.1 In the interest of public safety.
- 16.1 To ensure the provision of a satisfactory land drainage system.
- 17.1 In the interest of public safety
- 18.1 In the interest of public safety
- 19.1 To safeguard the amenity of the area.
- 20.1 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 21.1 To safeguard the amenity of the area.
- 22.1 To safeguard the amenity of the area.

For information only



For information only

Report

6

Report to:	Planning Committee
Date of Meeting:	10 October 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	HM/17/0060
Planning Proposal:	Residential Development (12 Terraced Units)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Soparr Ltd
- Location : Building Plot to North West of Glebe Wynd Bothwell

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission (Subject to Conditions) – Based on Conditions Attached

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Detailed planning permission should not be issued until an appropriate financial contribution towards the upgrading of community facilities is received.

3 Other Information

- ◆ Applicant's Agent: IIXII Architects
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**
Policy 4 - Development Management and Place Making
Policy 6 - General Urban Area /Settlements
Policy 15 - Natural and Historic Environment
Policy 17 - Water Environment and Flooding

South Lanarkshire Local Development Plan (Supplementary Guidance)

Development Management, Place Making and Design SG

DM1- Design

DM13 - Development Within General Urban
Area/Settlement

Natural and Historic Environment SG

NHE13 - Tree Preservation Orders

NHE19 - Protected Species

Sustainable Development and Climate Change

SDCC 3 - Sustainable Drainage Systems

SDCC 4 - Water Supply

SDCC 5 - Foul Drainage and Sewerage

Residential Design Guide

◆ Representation(s):

- ◆ 6 Objection Letters
- ◆ 0 Support Letters
- ◆ 0 Comments Letters

◆ Consultation(s):

Roads and Transportation Services (Development Management Team)

Roads and Transportation Services (Flood Risk Management)

Environmental Services

Community Services – Play provision

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site relates to a vacant area of ground at the end of Glebe Wynd, Bothwell. The site was previously cleared in connection with a previous approval for residential development within the site (HM/15/0226). The site slopes up from either side of the central access from Glebe Wynd.
- 1.2 The site is bound on three sides by residential properties of varying sizes and styles and an area of mature trees is located to the rear of the site.
- 1.3 Whilst the site is located outwith the Bothwell Conservation Area, it is within an area affected by The Glebe, Bothwell Tree Preservation Order.

2 Proposal(s)

- 2.1 The applicant proposes the erection of 12 terraced properties in the form of 4 blocks. The proposed properties are of a modern 3 storey design, which given the contours of the site all dwellings will be cut into the hillside with two storeys to the rear and 3 storeys to the front. Two blocks are located on either side of the access road which will be an extension of Glebe Wynd.
- 2.2 In support of their submission the applicant has submitted a Supporting Statement, Flood Risk Assessment and Trial Pit Details.

3 Background

3.1 Local Plan Policy

- 3.1.1 In terms of the adopted South Lanarkshire Local Development Plan, the application site, in land use terms, is located within a general residential area (Policy 6 - General Urban Area/Settlements), where new development proposals should not adversely impact on the amenity and character of such areas.
- 3.1.2 In addition to the above land use designations, there are other policies within the adopted Local Development Plan which are considered appropriate to the determination of this application namely, Policy 4 - Development Management and Place Making, Policy 15 - Natural and Historic Environment of the Plan and Policy 17 - Water Environment and Flooding.
- 3.1.3 These policies are supported by the following Supplementary Guidance, which forms part of the Development Plan for South Lanarkshire,
 - Development Management, Place Making and Design SG (Policies DM1 – Design and DM13 - Development within General Urban Area/Settlement)
 - Natural and Historic Environment SG (Policies NHE13 - Tree Preservation Orders and NHE19 - Protected Species)
 - Sustainable Development and Climate Change SG (Policies SDCC 3 - Sustainable Drainage Systems, SDCC 4 - Water Supply and SDCC 5 - Foul Drainage and Sewerage)
- 3.1.4 The aim of these policies and guidance is to seek well designed developments which are located in appropriate locations, appropriately serviced and result in no adverse impact. In addition the Council has also prepared a Residential Design Guide which aims to provide guidance to developers on the key issues to be considered for

residential development. A full assessment of the proposal against these specific policies is contained in Section 6 of this report.

3.2 **Planning Background**

- 3.2.1 The application site has a history of planning approvals for the development of 4 detached residential properties with planning permission being granted in 2015 (HM/15/0226), 2006 (HM/05/0407) and 2014 (HM/14/0348). However, none of these proposals progressed to development stage.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management Team)** – raised initial concerns over the proposal due to parking and access requirements. However, the applicants have undertaken minor amendments to the scheme and Roads have confirmed that they now have no objections to the proposal, subject to condition.

Response: Appropriate conditions can be attached to any consent issued to ensure the provision of appropriate parking and access standards.

- 4.2 **Roads and Transportation Services (Flood Risk Management)** – have offered no objections to the proposal, subject to compliance with their adopted SUDs Design Criteria Guidance.

Response: It is advised that conditions/informatives can be attached to any consent issued to address these matters.

- 4.3 **Environmental Services** – have offered no objections to the proposal, subject to conditions and/or informatives being attached to any consent issued regarding piling works, waste control, noise, pest control and contamination.

Response: It is advised that conditions/informatives can be attached to any consent issued to address these matters.

- 4.4 **Community Services – Play Provision** – have confirmed that a financial contribution of £1500 per dwelling would be required to address any impact on existing play facilities.

Response: The applicants are aware of this requirement and have agreed to make an appropriate contribution prior to the issue of any planning consent.

- 4.5 **Scottish Water** – have offered no response to date.

Response: Notwithstanding this, a condition would be attached to any consent issued requiring the applicants to provide confirmation that the site can be satisfactorily served by a sewerage system designed in accordance with Scottish water's standards prior to commencement of works on site.

5 **Representation(s)**

- 5.1 Statutory neighbour notification procedures were undertaken and the proposal advertised in the Hamilton Advertiser; due to non-notification of neighbouring land. In response, 6 letters of representation were received in respect of the proposals.

- 5.2 The grounds of objection can be summarised as follows:

a) **Development represents an overdevelopment of the site.**

Response: It is considered that the site is capable of accommodating the scale of the proposed development. The footprint of the proposed terraced blocks is broadly similar to that of the previously approved scheme, which was considered to be consistent with the Council's applicable policies and guidance.

- b) **Visual impact, character and layout of terraced properties on the existing area.**
Response: It is noted that the existing properties within the area are characterised by a variety of varying house types and design located within varying plot sizes. The application site is located at the end of a cul-de-sac road and will not be read with the existing properties or streetscape. The introduction of the terraced properties will not, therefore, impact adversely on the visual amenity or character of the area. As stated above, the site is considered to easily be able to accommodate the proposed development and, given the variety in plot sizes with adjacent properties, will not impact adversely on the general layout of the area.
- c) **Impact in the setting of Bothwell Conservation Area.**
Response: The application site is located outwith the designated Bothwell Conservation Area and it is not considered that the proposal will adversely impact on its setting. Notwithstanding this, it is considered that the scale and design of the proposed development would not in itself be inappropriate within a conservation area, subject to being appropriately located.
- d) **Road safety – traffic generation.**
Response: It is noted that Roads and Transportation Services have offered no concerns in this regard and the proposal can therefore be considered acceptable in road safety terms.
- e) **Developer insurance- damage to other properties, subsidence or road damage.**
Response: Any damage to existing properties as a result of the development of this site would be a private matter between the parties involved. Damage to the publicly adopted road network as a result of this development would be a matter to be pursued through appropriate Roads legislation rather than through the planning process.
- f) **Tree removal within the site.**
Response: Any works carried out on site, in terms of tree removal, in connection with a previous planning approval (HM/15/0226) and were agreed with the Council's Planning Service. However, the development of that scheme did not progress.
- g) **Drainage issues in connection with the development.**
Response: It is noted that the Council's Flood Risk Management Team have considered information submitted in terms of drainage for the site and offered no objections in this regard.
- h) **Impact on wildlife habitats**
Response: It is noted that the development platform has been cleared of trees and vegetation. This area was assessed, in terms of any potential impacts on existing habitats, through the previously approved and was considered acceptable, subject to mitigation measures being put in place. The development area remains consistent with the previous schemes and it is considered that this matter can continue to be addressed through the use of appropriately worded conditions, should consent be granted.
- i) **Loss of privacy and overshadowing**

Response: Given the proposed layout of the development and location of the proposed dwellings in relation to existing properties it is not considered that there will be any significant issues in this regard.

j) Siting of security fencing - road safety concerns

Response: These concerns relate to the provision of a fence/barrier along the northern boundary of the site (The Glebe). This was erected primarily for public safety given the ground slope within the application site. As a result of its initial location and sections falling down it presented an obstacle to users of the road. The Glebe is a private road and ultimately it would be a private matter between the owners of the road and the site owners to resolve. Having said that, the concerns were highlighted to the site owner at the time and the fence was repositioned to reduce any obstruction.

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

6 Assessment and Conclusions

- 6.1 The applicant seeks consent for the redevelopment of a vacant site at the end of Glebe Wynd, Bothwell for residential purposes. The site is within a general residential area and has a history of planning approval for residential development (4 detached units) albeit that the current proposal seeks permission for 12 terraced properties. The determining issues in the consideration of this application are its continued compliance with the adopted local plan policies, its impact on the amenity of the adjacent properties and road safety matters.
- 6.2 In terms of applicable local plan policy and relevant guidance, as set out at Section 3 above, the site is located within a general residential area and is considered capable of accommodating additional residential provision without detriment to the amenity of the existing properties and surrounding environment. The relationship of the proposed buildings to the adjoining properties is such that, due to their scale and orientation, there will be no adverse impact on adjacent properties, in terms of overlooking or privacy. The surrounding properties are a mix of styles and finishes and the proposed buildings will therefore raise no issues or concerns with regards to their design and external finishes. As such it is considered that the proposal accords with the general aims of Policies 4 - Development Management and Place Making, 6 - General Urban Area /Settlements, DM1 - Design and DM13 - Development Within General Urban Area/Settlement of the adopted SLLDP and its Supplementary Guidance, which seek to ensure that new development does not adversely impact on existing properties or the area in general.
- 6.3 The site has previously been assessed in terms of its impact on wildlife habitats and was considered to raise no significant issues at that time, subject to appropriate mitigations being put in place. Whilst the site forms part of a wider area protected with a Tree Preservation Order it is noted that the application site has already been cleared of the majority of trees and vegetation within it and therefore raises no new issues in this regard. It is considered that the application can be conditioned in a similar manner to that previously approved to address these matters. The proposal therefore raises no new issues in terms of Policies 15 - Natural and Historic Environment, NHE13 - Tree Preservation Orders and NHE19 - Protected Species.
- 6.4 Furthermore, given its location within an established urban area, the site can be appropriately serviced, in terms of the requirements of Policies 17 - Water Environment and Flooding, SDCC 3 - Sustainable Drainage Systems, SDCC 4 -

Water Supply and SDCC 5 - Foul Drainage and Sewerage. The application proposal is considered not to raise any new issues in terms of road safety.

- 6.5 In terms of the representations received, the matters raised do not have sufficient merit to justify the refusal of the planning application in this instance. Furthermore, no objections have been raised by statutory consultees and any matter raised can be addressed through the use of conditions, and/or advisory notes, where appropriate.
- 6.6 In conclusion, the site is capable of accommodating development without detriment to the amenity of the neighbouring properties or the area in general, and raises no new wildlife or road safety concerns. Overall, it is considered that the proposal complies with the approved Local Development Plan. The principle of the development was accepted through the determination of the previous applications and the current scheme raises no new concerns which would justify a different conclusion being reached in this instance.
- 6.7 It is, therefore, recommended that planning permission should once again be granted, all factors considered. However, consent should be withheld until the submission of the necessary financial contribution.

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 applicable provisions of the South Lanarkshire Local Development Plan (adopted 2015) namely (Policies 4 - Development Management and Place Making, 6 - General Urban Area /Settlements, 15 - Natural and Historic Environment and Policy 17 - Water Environment and Flooding). In addition the proposal accords with the relevant Development Plan Supplementary Guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

2 October 2017

Previous References

- HM/05/0407
- HM/14/0348
- HM/15/0226

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015
- ▶ South Lanarkshire Local Development Plan (Supplementary Guidance)
 - Development Management, Place Making and Design
 - Natural and Historic Environment
 - Sustainable Development and Climate Change
 - Residential Design Guide
- ▶ Neighbour notification letter dated 22 February 2017
- ▶ Press Advert, Hamilton Advertiser, dated 2 March 2017

- ▶ Consultations

Roads Development Management Team	06/04/2017 26/09/2017
Community - play provision/community contributions (Judith Gibb)	17/03/2017
Environmental Services	28/02/2017
Roads & Transportation Services (Flood Risk Management Section)	15/03/2017 26/09/2017
- ▶ Representations

Representation from :	Roy Gardner, 11 Glebe Wynd, Bothwell, G71 8QT, DATED 09/03/2017 20:18:41
Representation from :	Stephen Devlin, 14 Glebe Wynd, Bothwell. G71 8QT, DATED 15/03/2017 10:06:44
Representation from :	Graeme Smith, via email, DATED 21/03/2017
Representation from :	Derek Keir, 10 Byron Court, Bothwell, G71 8TW, DATED 22/02/2017 20:14:55
Representation from :	Mr Robert Lamb, 25 Fairyknowe Garden, Bothwell, G71 8RW, DATED 14/03/2017
Representation from :	Sheena Meenaghan, 7 Byron Court, Bothwell, DATED 12/05/2017

Contact for Further Information

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

James Watters
 (Tel: 01698 454970)
 E-mail: james.watters@southlanarkshire.gov.uk

CONDITIONS

- 1 That before any development commences on site or before any materials are ordered or brought to the site, unless otherwise agreed with the Council as Planning Authority, 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.
- 2 That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.
- 3 That before any work commences on site, unless otherwise agreed with the Council as Planning Authority, a woodland management and maintenance scheme shall be submitted to the Council as Planning Authority for written approval and it shall include:

(a) proposals for the continuing care, maintenance and protection of the trees, shrubs and hedges including details of the timing and phasing of all such works;

(b) details of the number, variety and size of trees and shrubs to be planted and the phasing of such works.
- 4 That prior to the completion of the development hereby permitted, unless otherwise agreed with the Council as Planning Authority, the woodland maintenance and management scheme approved under the terms of Condition 3 above, shall be in operation.
- 5 That before development starts, unless otherwise agreed with the Council as Planning Authority, 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.
- 6 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.
- 7 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.
- 8 That before the development hereby approved is completed or brought into use, unless otherwise agreed with the Council as Planning Authority, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as

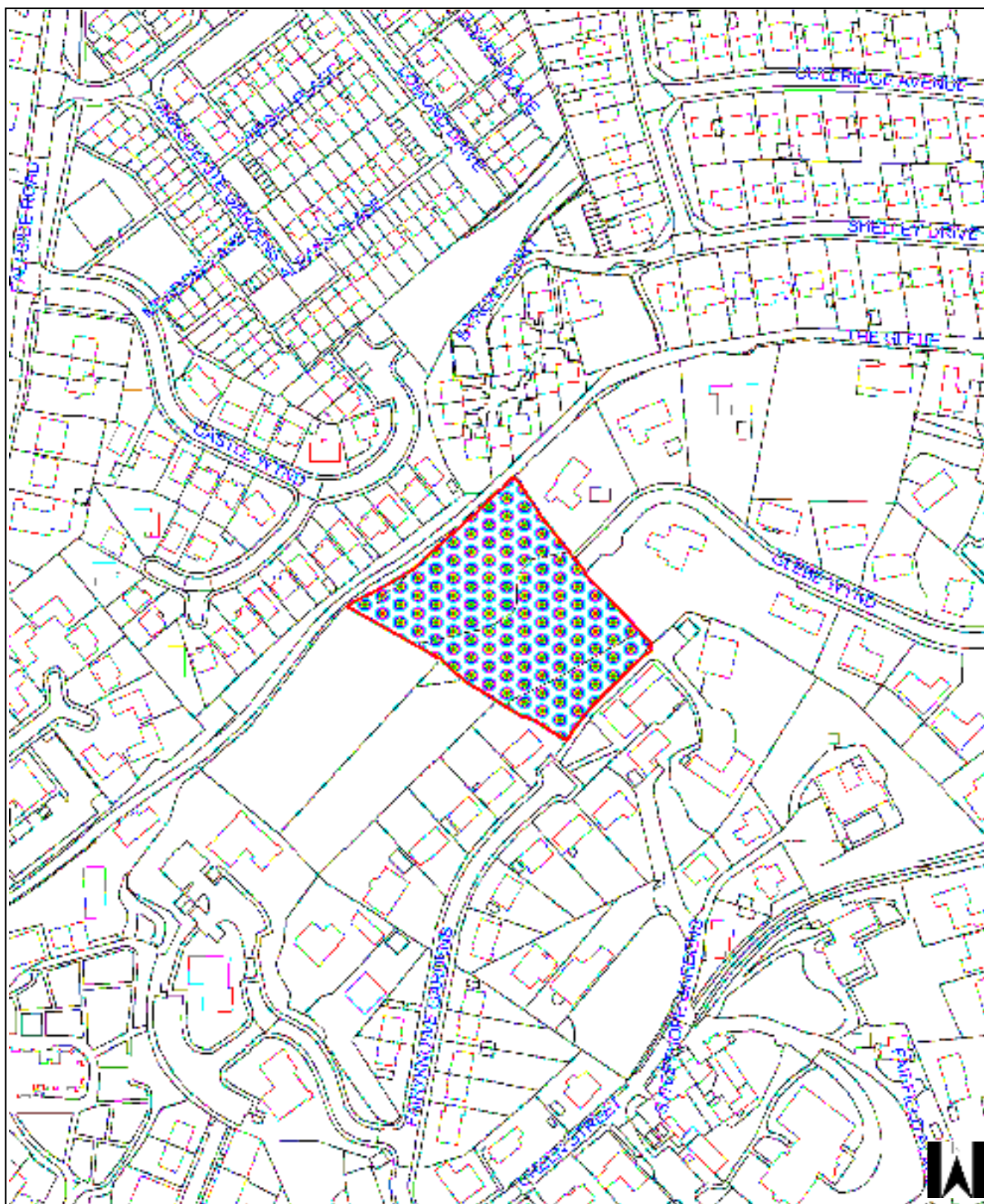
- 9 That before the development hereby approved is completed or brought into use, unless otherwise agreed with the Council as Planning Authority, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 10 That before the development hereby approved is completed or brought into use, unless otherwise agreed with the Council as Planning Authority, a turning space, designed in accordance with the National Roads Development Guide, shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 11 That before the development hereby approved is completed or brought into use, unless otherwise agreed with the Council as Planning Authority, a private vehicular access or driveway shall be provided to the following standards:
- i) Driveways shall be accessed via a drop kerb.
 - ii) Driveways shall be a minimum 6.0m in length.
 - iii) The first 2.0m 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.
 - iv) All driveways shall be perpendicular to the road.
 - v) The minimum gradient of the driveways shall be 1:10 as per SLC Specification.
 - vi) All surface water shall be contained, controlled and discharged within the confines of the driveway so that there is no discharge of water onto the footway/road.
- 12 That, unless otherwise agreed with the Council as Planning Authority, a 2.0m wide contiguous footway shall be provided fronting plots 8 to 12 and terminating at the end of the turning facility. A 2.0m wide grass service strip can be provided for the remainder of the road frontage. Both shall be in accordance with the Guidelines for development roads.
- 13 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.
- Notwithstanding the above a ground percolation test is to be carried out, before designing drainage for the proposed filter drains shown on drawing 02-17-10B and should the surface water drainage be connected to Scottish Water's system a letter thereon is to be submitted confirming capacity and acceptance of the surface water.
- 14 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 15 above.

- 15 That prior to any work starting on site, a Flood Risk/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).
- 16 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.
- 17 That 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.
- 18 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.
- 19 That prior to the commencement of development works the site shall be resurveyed, by an appropriately qualified person, for the presence of bats and badgers and no works shall be commenced until written approval has been given for the works to continue.
- 20 That the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority during all ground disturbances. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeological Service and approved by Planning Authority prior to the commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and the West of Scotland Archaeological Service, in writing, not less than 14 days before development commences.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 3.1 To ensure the protection and maintenance of the existing woodland within the area
- 4.1 In order to retain effective planning control
- 5.1 These details have not been submitted or approved.
- 6.1 In the interests of amenity and in order to retain effective planning control.
- 7.1 In order to retain effective planning control
- 8.1 In the interest of public safety
- 9.1 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 10.1 In the interest of public safety
- 11.1 To prevent deleterious material being carried into the highway.
- 12.1 In the interest of public safety
- 13.1 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.
- 14.1 To ensure the provision of a satisfactory land drainage system.
- 15.1 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 16.1 To ensure the provision of a satisfactory sewerage system
- 17.1 To minimise noise, vibration and disturbance to neighbouring residents/occupants during construction.
- 18.1 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.
- 19.1 To ensure compliance with applicable wildlife and conservation legislation.
- 20.1 To ensure that provision is made to address areas of archaeological interest.

For information only



For information only

Report

7

Report to:	Planning Committee
Date of Meeting:	10 October 2017
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance – Addendum to South Lanarkshire Landscape Capacity Study for Wind Energy 2016
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1. Purpose of Report

1.1 The purpose of the report is to:-

- ◆ Seek Committee approval of the Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance – Addendum to South Lanarkshire Landscape Capacity Study for Wind Energy 2016 as appropriate for consultation;
- ◆ Seek Committee approval of the Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance – Addendum to South Lanarkshire Landscape Capacity Study for Wind Energy 2016.

2. Recommendation(s)

2.1 The Committee is asked to approve the following recommendations:-

- (1) that the Committee approve the Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance – Addendum to South Lanarkshire Landscape Capacity Study for Wind Energy 2016 and agree a 4 week period of consultation;
- (2) that the Head of Planning and Economic Development be authorised to make drafting and technical changes to the guidance prior to its approval.

3. Background

3.1 South Lanarkshire accommodates a number of wind energy developments. This has resulted in the area's remaining capacity for development becoming more restricted. Repowering of existing wind farms is also likely to become more prevalent and increasingly taller turbines are now being considered when developers are both assessing the repowering of existing developments or new wind energy developments.

3.2 In June 2015, the UK Government announced the end to all financial support for onshore wind energy developments. As a result, many wind energy developments that have obtained planning consent but are not yet built and are unable to access subsidies, are now considered unviable. Developers are, therefore, reviewing these consents and to increase the yield from these wind energy developments, they are proposing to increase the height of turbines and revise their layout.

3.3 In March 2017, Renewable Energy Supplementary Guidance (SG) was adopted by the Council which supports Policy 19 Renewable Energy in the South Lanarkshire Local Development Plan. The SG provides more detailed policy and guidance for developers on the requirements for wind energy and other renewable energy

developments. A series of assessments informed the preparation of the SG. These technical studies included the following:

- Landscape Capacity Study for Wind Energy
- South Lanarkshire Local Landscape Character Assessment
- Validating Local Landscape Designations

- 3.4 The Landscape Capacity Study for Wind Energy technical report which formed part of the above suite of documents underwent consultation as part of the Renewable Energy SG in September/October 2015 and the document was finalised and approved in February 2016. The study, however, is based on the assessment of five size categories of wind turbines, with the tallest wind turbine category being 120 metres or more. This study reflected the size of turbines erected in many of the wind farms operating at the time, as well as the height of those turbines being proposed in planning applications. It does not provide detailed guidance on the assessment of turbines significantly taller than 120 metres (e.g. 150m+) in size.

4. Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance

- 4.1 In order to assess the impact of the increasing size of commercial wind turbines being proposed, it is considered necessary to update the Council's existing guidance on landscape capacity to take account of the impacts of taller wind turbines and provide relevant siting and design guidance for these turbines. On this basis Tall Wind Turbines: Landscape Capacity, Siting and Design Guidance (TWT Guidance) has been prepared for public consultation which includes a new category of turbine size of 150m – 200m.

- 4.2 The proposed TWT Guidance has been prepared in accordance with national and local planning policy and Scottish Natural Heritage guidance, and supplements the Council's approved 'Landscape Capacity Study for Wind Energy February 2016'. The proposed TWT Guidance includes:

- A background review of taller turbines; their deployment; and potential issues associated with them;
- Examples of wind farms in South Lanarkshire and other areas where turbines around 140m in height to tip are operational or consented;
- A review of landscape and visual issues relating to taller turbines (150m>);
- Criteria to be considered when assessing applications for wind turbines 150m or greater in height;
- An additional wind turbine size category of 150m > within the Council's strategic guidance.

- 4.3 The TWT Guidance has been available for viewing in Members' areas prior to Committee.

5. The Next Steps

- 5.1 The TWT Guidance will provide technical guidance for the assessment of tall turbines (i.e. 150m+) and, subject to its approval, would be a material consideration when assessing proposals for wind energy developments. However, it is proposed that, prior to its use, the guidance be the subject of consultation during October and November, for a period of four weeks. Consultation would be carried out with renewable energy operators and developers, associated community councils and other third parties with relevant renewable energy interests.

- 5.2 Following conclusion of this period, if any required technical or drafting changes are identified it is proposed that the Head of Planning and Economic Development be authorised to reflect these in a revised version of the TWT Guidance.
- 5.3 The TWT Guidance will subsequently inform the review of the Renewable Energy SG which is to be prepared in conjunction with the proposed South Lanarkshire Local Development Plan (SLLDP2). This is likely to go before the Planning Committee at the start of next year. However, until the SLLDP2 and Renewable Energy SG are published this guidance, subject to its approval, would be a material consideration in assessing planning applications for wind energy developments.
- 6. Employee Implications**
- 6.1 The timescale for the delivery of this guidance outlined is based upon continuity of existing staff resources within Planning and Economic Development. Changes in this resource may impact on the programmes presented.
- 7. Financial Implications**
- 7.1 The financial resources required to deliver the guidance is based upon current budget levels available to Planning and Economic Development. Changes in these resources may impact on the programmes presented.
- 8. Other Implications**
- 8.1 There are no risks associated with this proposal. The proposed guidance will be used to inform proposals for wind energy developments which are aimed at promoting sustainable economic growth whilst at the same time protecting the environment and communities from inappropriate wind energy development in South Lanarkshire.
- 9. Impact Assessment and Consultation Arrangements**
- 9.1 The TWT Guidance does not introduce or revise a policy, plan or strategy and therefore a Strategic Environmental Assessment or Equalities Impact Assessment is not required.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

27 September 2017

Link(s) to Council Objectives

- Supporting the local economy
- Developing a sustainable Council and
- Improving the quality of the physical environment.

List of Background Papers

- Scottish Planning Policy
- South Lanarkshire Supplementary Guidance Renewable Energy March 2016 and associated technical reports
- South Lanarkshire Local Development Plan 2015 and associated Supplementary Guidance
- South Lanarkshire Landscape Capacity Study for Wind Energy 2016

Contact for Further Information

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

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E-mail: ruth.findlay@southlanarkshire.gov.uk