

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>16th August 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0387
Planning proposal:	Amendment to Planning Permission CL/03/0257 involving substitution of house types on plots 131-161

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Persimmon Homes
Location:	Land 92M North Of 1 Bourtree Crescent Bourtree Crescent Law Carluke South Lanarkshire

## 2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): SLDP2: Policy 2 Climate change  
SLDP2: Policy 3 General Urban Areas  
SLDP2: Policy 5 Development Management and Placemaking  
Placemaking  
SLDP2: Policy DM1 New Development Design

### ◆ Representation(s):



▶	2	Support Letters
▶	1	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Scottish Water

Roads Flood Risk Management

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site, extending to 1.3 hectares, is located between Bourtree Crescent and St Andrews Drive, on vacant land comprising an area of scrub, weeds and wasteland. Topographically the site rises gradually in a north/south direction. There are groups of scrub trees scattered throughout the site and along some of the perimeter boundaries.
- 1.2 The site is located within the settlement boundary of Law and is bounded on all sides by existing two storey dwellings, a mixture of detached, semi-detached and four in a block dwellings along Bourtree Crescent, St Andrews Drive and Patterson Drive. There is an existing access link from Bourtree Crescent into the southern section of the site and to the north from St Andrews Drive is an existing 8m wide sewer wayleave into the site.

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

- 2.1 The applicant seeks planning permission to substitute house types on plots 131 – 161 approved under Planning Permission CL/03/0257. This site represents the last undeveloped area covered by Planning Permission CL/03/0257 which has largely been completed and relates to finished dwellings to the north and south of Bourtree Crescent. The road/footpath layout, amenity space and play area is the same as the plans for the original approval.
- 2.2 The proposed house types are different in style and design however they are on approximately the same footprint as the originally approved plots with some minor variations. The proposal comprises 31 two storey dwellings ranging from 3 to 4 bedrooms. A variety of conventional and contemporary designs are proposed, appropriate to an urban setting. Parking provision has been allocated for each plot based on number of bedrooms. For one to 3 bedroom dwellings two spaces have been allocated and for 4 bedrooms and above it is three spaces in accordance with current standards.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In the adopted South Lanarkshire Local Development Plan2 the following Policies 2 - Climate Change, 3 - General Urban Areas and Settlements, 5 - Development Management and Place Making and DM1 - New Development Design are of relevance to the determination of this application.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 In terms of residential development, Scottish Planning Policy (SPP) advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintain at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. In terms of development in the rural area, SPP states that most new development should be guided to locations within or adjacent to settlements. Planning should take every opportunity to create high quality places and direct development to the right places, in particular by encouraging the re-use of brownfield sites.

### **3.3 Planning Background**

- 3.3.1 Planning Permission CL/03/0257 for 164 dwellinghouses and associated infrastructure was granted by Planning Committee on 11 May 2004 subject to financial contributions of £41,000 towards upgrading open space and recreational provision in the surrounding area and £37,500 towards junction improvements at the Brownlee Road/Horsely Brae junction in North Lanarkshire and the submission of a Landscaping Bond prior to the issue of consent. The necessary contributions and Bond were submitted, and Consent was issued in February 2005.

## **4 Consultation(s)**

- 4.1 **Roads & Transportation Services** – No objection subject to a 3m wide pedestrian access onto St Andrews Drive and confirmation of approval from Scottish Water for connection into their system. Also, a wheel washing facility and traffic management scheme are required. In addition to these comments, there are six roads related conditions which are proposed to be used which would cover the following matters:

- ◆ Ensuring that the access roads and footways are completed to base course level at the appropriate time;
- ◆ Ensuring that the access roads and footways are completed to their final wearing course level at the appropriate time;
- ◆ Provision of electric vehicle charging points;
- ◆ Provision of wheel wash facilities;
- ◆ Roads sweeping where necessary;
- ◆ Submission of a traffic management plan;
- ◆ Provision of phasing details;
- ◆ Provision of a turning area and staff parking within the development site; and
- ◆ Details of the access route for all delivery and construction vehicles.

**Response:** The applicant does not have control over the land connecting onto St Andrews Drive, also the requirement for a pedestrian link was not a condition of the original approval, otherwise the other matters can be covered by appropriately worded conditions.

- 4.2 **Scottish Water** – There is sufficient capacity in Camps Water Treatment Works and Maudslie Waste Water Treatment works. Scottish Water indicate that there is live infrastructure in the proximity of the development area that may impact on existing Scottish Water assets. The applicant must identify potential conflicts with Scottish Water and contact their Asset Impact Team for an appraisal of the proposals.

**Response:** The infrastructure referred to is the drainage for the substitute houses and others within the wider development. The applicant is retaining the previously approved road layout and will connect to the existing infrastructure.

- 4.3 **Flood Unit** - No response has been received to date.

**Response:** If consent is granted previous conditions relating to drainage will be attached to the Decision.

## **5 Representation(s)**

- 5.1 In response to the neighbour notification process, 7 letters of objection, 2 in support and 1 comment letter have been received. The issues raised are summarised below:

- a) **A path should be provided between plots 15-16 to link the new homes with the existing area and provide a more direct walking route to the bus stop etc**

**Response:** The applicant has no control over the land required to form this link.

- b) **Only having one way into the estate will increase the volume of traffic entering the estate from Bourtree Crescent making the area dangerous for children who play in the street.**

**Response:** Roads & Transportation Services in their consultation response have not raised any public or traffic safety concerns. The proposed road layout will reflect what has previously been approved and the number of houses to be constructed within the development will not be increased. There are a total of six roads related conditions are proposed to be attached to any planning consent in order to maintain effective planning control and minimise any impact on the surrounding area, particularly during the construction phase of the development.

- c) **Construction traffic in this area will make it a much more dangerous place for local children.**

**Response:** A condition will be attached, if consent is granted, requiring a traffic management scheme which will ensure that the following matters are suitably addressed and agreed with the council:

- ◆ Operating hours;
- ◆ Wheel wash facilities and road sweeping;
- ◆ Parking for construction workers;
- ◆ Route for delivery/construction vehicles; and
- ◆ Provision of a turning facility for delivery/construction vehicles.

- d) **There is an abundance of wildlife in the proposed development area including hedgehogs – concerned about the destruction of local habitats.**

**Response:** The development of this area is already authorised by the original Planning Permission CL/03/0257 for 164 dwellinghouses which started before the expiry of the consent and is largely complete other than the area in question, therefore planning permission to build on the current application site remains live, the only difference relates to house substitution. Notwithstanding the area has limited value for wildlife and no protected species or habitats will be affected.

- e) **Supportive of the planning application.**

**Response:** Noted.

- f) **Given that the level of the proposed development is below the level of the house and, garden, the proposed property and outdoor area, at the back of their fence will have direct view into the kitchen and dining room. Could consideration be given to this and potentially review the fence which maybe be increased to safeguard privacy.**

**Response:** The objectors house looks onto the side elevation of the proposed dwelling where there are no habitable windows other than a door to a utility room. A condition will be attached requiring a 1.8 metre screen fence along the rear boundaries.

- g) **Noise and disturbance alongwith road safety especially when the proposed construction works are undertaken. The unsociable working hours of building work and disturbance is a large worry as it will significantly disrupt child's sleep pattern.**

**Response:** If consent is granted an informative will be attached to the Decision advising that Noise from construction will be controlled under BS 5228 Parts 1-4 1997, 'Noise control on construction and open sites' and audible construction activities will be limited to: Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm. There will be no audible activity on a Sunday. Construction traffic will have to abide by safety standards for travelling through residential areas. A condition will be attached, if consent is granted, requiring a traffic management scheme.

- h) **Privacy and peace will be lost as gardens now overlook onto their garden.**

**Response:** The objector's house is already bounded on all sides by existing dwellings.

- i) **Impact on privacy.**

**Response:** The proposed dwellings reflect the footprint of the earlier house types approved under Planning Permission CL/03/0257, therefore there is no change in the distance between the proposed and earlier approved dwellings and the existing dwellings. Also, if consent is granted a condition will be attached requiring the installation of a 1.8 metre screen fence along the rear boundaries.

- j) **Loss of view.**

**Response:** Right to a view is not a valid planning consideration.

- k) **Mice and rats appearing.**

**Response:** If consent is granted, an informative will be attached advising that adequate pest control measures should be employed to ensure that associated ground works occurring as part of this development do not give rise to increased pest activities.

- l) **Proximity of play park and noise generated from it.**

**Response:** This application purely relates to house substitutions - there are no plans to alter the location of the play area, which has been approved by the previous consent. Therefore, the nature of this objection is not relevant to the assessment of this application. Notwithstanding, play areas are common features within the urban environment. Environmental Health have separate legislative powers to deal with noise disturbance in the event of any future complaint being received.

- m) **Loss of natural light and overshadowing.**

**Response:** In considering the position and orientation of proposed dwellings relative to surroundings it is considered that there will be no significant loss of light or overshadowing.

- n) **Noise from traffic and more pollution caused that's needed.**

**Response:** The traffic noise will be similar to that generated within an average urban residential area. The site is not located in an Air Quality Management Area therefore there is no evidence of pollution being an issue in this area.

- o) There were no plans for building on that area again another reason for buying house.**

**Response:** The applicant has stated that the Title Deeds for the properties built under the original approval detailed housing on the site, attached a copy of the relevant plan which forms part of each Title for the neighbouring Persimmon properties detailing this. Of the 44 properties that share a boundary with the site, 25 of the neighbouring homeowners were aware that the site would be developed for housing and none of the objections have come from properties on Patterson Drive which are older properties, not forming part of the original Persimmon scheme. Many of the neighbours will be glad to see the waste ground developed.

- p) A significant amount of wildlife now lives in this area including foxes, field mice and butterflies.**

**Response:** This area has been earmarked for a residential development since Planning Permission CL/03/0257 was granted for a residential development in February 2005. The applicant is entitled to proceed with the development – the present proposal is for house substitutions and does not invalidate the original consent. The species referred to are not rare or protected and particularly relating to foxes can adapt to changing environments.

- q) Funding should be acquired as part of the development to reopen the train station.**

**Response:** This is a plot substitution, and it has been confirmed previously by Planning to the landowner that there will be no developer contributions associated with these proposals given that these were made as part of the original consent.

- r) Overlooking by multiple houses and not just one, as their plots are significantly larger than the proposed development.**

**Response:** Privacy will not be compromised, and the level of overlooking is commensurate with a residential urban area of average density.

- s) Cramming as many houses as possible into a small space is shocking.**

**Response:** The proposed density and numbers of dwelling reflects the original consent which remains live.

- t) Play area could be a gathering point for older children/teenagers to gather and cause a lot of noise and damage to the play park or neighbouring properties.**

**Response:** This is not a relevant planning concern -this is a matter for the Police to deal with if a disturbance or anti-social behaviour arises.

- u) Play area could be a gathering point for older children/teenagers to gather and cause a lot of noise and damage to the play park or neighbouring properties.**

**Response:** This is not a relevant planning concern -this is a matter for the Police to deal with if a disturbance or anti-social behaviour arises.

- v) The houses will cause a significant strain on the local school.**

**Response:** Education plan for future capacity taking account of population and future housing supply – they would have been aware of this development when Planning Permission CL/03/0257 was granted for 164 units in February 2005.

- w) **Severe lack of public transport in the village is diabolical and is not sufficient for a village of this size that continues to have more and more development popping up.**

**Response:** Law has several shops and services which negate the need to travel out with. Most households will be car owners.

- x) **Increase in cars in the village with very limited traffic control.**

**Response:** Roads & Transportation Services in their consultation response have not highlighted the need for additional traffic control and therefore it is assumed the existing road network can cope with the additional traffic generation.

- y) **Would like to see how the developers plan on separating the play park with the existing fence line of objector as this could be an opportunity for children to throw rubbish into gardens or hop through property as a shortcut.**

**Response:** The play park boundary does not directly adjoin onto the objector's garden boundary. To prevent easy access from the play area into neighbouring gardens a 1.8 metre fence will be established to the rear and part of the side boundaries of neighbouring dwellings.

- z) **Dirt, dust, and odours.**

**Response:** If consent is granted a dust mitigation control condition will be attached to the Decision. There is no evidence to substantiate that the development will cause odour. Environmental Services have separate legislative powers to deal with complaints arising from smell/odours.

- aa) **Law has no amenities (i.e Doctors, Dentist, Banks, Restaurants, cinema).**

**Response:** This is no different from any other village or small town where access to such services is in the nearest larger settlement which in this case is Carluke, Lanark or Hamilton.

- bb) **Daughter is awaiting heart surgery – worried that the back garden will be unsafe for her – debris and dust in the air could affect her lungs and her condition relies on strong lungs as she only has half a working heart. Plus all the wildlife that would come out of the overgrown area could result in multiple infections for her if bitten.**

**Response:** Unsure of the timescale for daughter's operation however it is unlikely there will be a site start until early in the new year during winter months when dust and insects are unlikely to be a problem. The timescale for building the proposed dwellings behind the objector's would only be for 3 months, a relatively short period. If consent is granted a dust mitigation control condition and an informative on pest control will be attached to the Decision Notice.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

6.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2(SLLDP2).

6.2 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change by considering various criteria including: being sustainably located; reuse of vacant and derelict land; avoidance of flood risk areas; incorporating low



and zero carbon generating technologies; opportunities for active travel routes and trips by public transport; electrical vehicle recharging infrastructure and where appropriate connection to heat networks. The site is located within the settlement boundary of Law where there is access to public bus routes and a number of services and facilities in the village which are within easy walking distance. The proposal will redevelop a significant area of vacant land. The site is not at risk of flooding and conditions have been attached requiring the submission and approval of details for low carbon technology, electrical vehicle charging and landscaping. In consideration, the proposals would not undermine the objectives of policy 2.

- 6.3 The application site falls within the settlement boundary of Law where Policy 3 – General Urban Areas and Settlements advises that residential developments on appropriate sites will generally be acceptable. Particular consideration will be given to likely impacts on the amenity of the area. This will include important greenspace, local services and facilities, proposed servicing, parking arrangements and access. The residential development of the site positively contributes towards the Council's requirement to maintain a five year effective supply of housing land provision. Furthermore, effective housing land within the settlement of Law meets the aims of Scottish Planning Policy by providing a sufficient and sustainable supply of housing within an existing residential area with access to services nearby. Sufficient parking can be provided, there will be no adverse impact upon local services/facilities and greenspace and the proposal includes a reasonable range of styles and housing types. The proposal satisfactorily complies with the aims of Policies 3 – General Urban Areas and settlements therefore the principle of the proposed development is acceptable.
- 6.4 Policy 5 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance supports residential developments where they do not have a significant adverse effect on the amenity of the area. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials, and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, overshadowing, overlooking or visual intrusion.
- 6.5 Policy DM1- New Development Design reiterates these points and adds that modern innovative design can reflect local tradition through scale, massing, siting and colour rather than replicating existing building form. New houses should be designed in such a way as to incorporate high speed broadband connection.
- 6.6 The road layout, landscaping, amenity, drainage infrastructure etc and street scene character remains largely unchanged from the original approval CL/03/0257. House replacements are similar to the footprint, curtilage, driveway, and parking provision as the originally approved dwellinghouses which are being substituted. The size, scale and design of the dwellings are in keeping with the established character of the area, will not adversely affect residential amenity and are largely compliant with guidance in the Residential Design Guides. The proposal will not have a significant impact upon landscape features, protected habitats or species. There are no infrastructure constraints. Roads & Transportation Services have not raised any traffic or public safety issues in their consultation response and conditions are proposed which will ensure that the proposed roads and footways are completed at the appropriate time and that disruption during construction is minimised and effectively managed. Adequate parking, turning areas and access can be provided. A condition has been attached requiring approval of measures to facilitate the provision of full fibre broadband. In view of the above, it is considered that the proposal would relate satisfactorily to adjacent development, and the character and

amenity of the residential area would not be impaired by reason of traffic generation, parking, visual intrusion or physical impact. The proposal is therefore satisfactory in terms of Policies 5 and DM1 of the adopted Local Plan.

- 6.7 In view of the above and taking into account the current local development plan context, the previous Planning Permission CL/03/0257 for 164 dwellinghouses is largely complete other than the remaining area covered by the house substitution application which remains live, and the supporting information submitted with the application for the proposed house substitutions, an amendment to CL/03/0257, are deemed to be acceptable. The proposals represent an appropriate form of residential development for the site, and it is therefore recommended that detailed planning consent be granted subject to the conditions listed.

## **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 Policies 2, 3, 5, and DM1 of the adopted South Lanarkshire Local Development Plan 2.

**David Booth**

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

Date: 26 July 2022

### **Previous references**

- ◆ CL/03/0257

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated
  
- ▶ Consultations
  - Roads Development Management Team 07.06.2022
  - Scottish Water 29.03.2022
  - Roads Development Management Team 26.04.2022
  - Roads Flood Risk Management
  
- ▶ Representations
  - Ms Lynn Reid, 82 Glen Tennet, East Kilbride, G74 3UY Dated: 21.03.2022  
21.03.2022
  
  - Samantha Gray, 1 Bourtree Crescent, Law, Carluke, South Lanarkshire, ML8 5GH 01.04.2022

Mrs Samantha Gray, 1 Bourtree Crescent, Law, ML8 5GH	29.03.2022
Mr Barry Main, 5 Bourtree Crescent, Law, CARLUKE, ML8 5GH	12.04.2022
Mr William Hamilton, 23 Bourtree Crescent, Law, Carluke, ML8 5GH	07.04.2022
Mr David Leonard, 48 Bourtree Crescent, Law, Carluke, ML8 5GH	27.03.2022
Mrs Fiona Lamont, 3 Bourtree Crescent, Carluke, Law, ML8 5GH	25.03.2022
Mr Douglas Scott, 33 Bourtree Crescent, Lanark, ML8 5GH	07.04.2022
Mrs Roxanne Kilmurray, 43, Bourtree crescent, Law, ML8 5gh	31.03.2022
Mrs Susan McKenzie, 7 Bourtree Crescent, Law, Carluke, ML8 5GH	01.04.2022

**Contact for further information**

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

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Phone: 01698 455174

Email: [ian.hamilton@southlanarkshire.gov.uk](mailto:ian.hamilton@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

02. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

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

03. That before any of the dwellinghouses on the approved plans are occupied, a 1.8 metre high close boarded screen fence shall be erected along the boundaries adjoining existing dwellings unless agreed in writing by the Council as Planning Authority.

Reason: To protect the privacy of the adjacent property and to prevent overlooking.

04. That before any of the dwellinghouses on the approved plans are occupied, a 1.8 metre high screen fence shall be erected along the side boundaries on the play area adjoining plots 10 & 11 marked yellow on the approved plans.

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

05. 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 02, shall be erected and thereafter maintained to the satisfaction of the Council.

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

06. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:

- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
- (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
- (c) details of any top-soiling or other treatment to the ground;
- (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
- (e) proposals for the initial and future maintenance of the landscaped areas;

(f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

07. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

08. That the surface water drainage system, incorporating a SUDS scheme, shall be implemented simultaneously with the development hereby approved, to the satisfaction of the Council as Planning Authority and shall be completed prior to the last dwellinghouse hereby permitted being occupied.

Reason: To ensure the provision of a satisfactory surface water drainage system.

09. That no dwellinghouse shall be occupied until the access roads and footways leading thereto from the existing public road have been constructed to base course level.

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

10. That before the last dwellinghouse hereby permitted is occupied, all roads and footways within the development shall be completed to a final wearing course level.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings.

11. That no dwellinghouse shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a sewerage and water scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.

Reason: To ensure that the development is served by an appropriate effluent disposal system and water supply.

12. That before the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.

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

13. 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.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

14. The developer shall ensure that any vehicle transporting excavated material on or off the site must be treated by means of adequate wheel washing facilities. The facility will require to be in operation at all times during earth moving operations. The wheel washing facility shall be fully operational prior to works commencing on site. A "clean zone" shall be maintained between the end of the wheel wash facility and the public road.

Reason: In the interests of road safety.

15. That prior to any work starting on site, a programme indicating the phasing of construction of development, together with a Traffic Management Plan indicating the circulation of vehicles and pedestrians, shall be submitted to the Council as Planning Authority for written approval. The Traffic Management Plan shall also provide details of the hours of operation on site (detailing any particularly noisy aspects of the development), wheel washing arrangements and road sweeping details, on site parking for construction workers and the route to be taken to access the site for all delivery/construction vehicles. Thereafter the development shall be undertaken at all times in accordance with the approved details contained in the Traffic Management Plan unless otherwise agreed in writing with the Planning Authority.

Reasons: In the interests of road safety.

16. All vehicles shall be able to access and exit the site in forward gears, therefore a turning area must be provided, in addition sufficient parking shall be provided within the site boundary to accommodate all site staff/operatives parking requirements and under no circumstance should vehicles associated with the site cause an obstruction on the public road network. Prior to the commencement of work on site a plan showing the turning area and location and number of spaces for site staff/operatives shall be submitted for approval of the Council as Planning and Roads Authority.

Reasons: In the interests of road safety.

17. Prior to the commencement of development on site, an energy statement covering the new build element of the approved development which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 10% reduction in CO<sub>2</sub> emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:

- a) the total predicted energy requirements and CO<sub>2</sub> emissions of the development, clearly illustrating the additional 10% reduction beyond the 2007 building regulations CO<sub>2</sub> standard;
- b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
- c) an indication of the location and design of the on-site energy technologies; and
- d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.

Reason: To secure a reduction in carbon dioxide emissions.

18. The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the

approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.

Reason: To secure the timeous implementation of on-site zero and low carbon energy technologies.

19. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

20. That prior to the commencement of works, details and locations of charging points for electrical cars, at a rate of one charging point per house plot, shall be submitted for the written approval of the Council as Planning Authority. Prior to the completion of the development the approved charging points shall be installed, available for use and thereafter maintained and replaced where necessary to the satisfaction of the Council.

Reason: To ensure facilities for recharging electrical cars are available for the use of the residents.

21. That before any work commences on the site, a scheme for the provision play area(s) within the site(s) shown on the approved plans shall be submitted to the Council as Planning Authority for written approval and shall include:
- (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
  - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed;
  - (c) details of the fences to be erected around the play area(s); and
  - (d) details of the phasing of these works.

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

22. That prior to the completion or occupation of the last dwellinghouses within the development, all of the works required for the provision of equipped play area(s) included in the scheme approved under the terms of Condition 21, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

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

23. Prior to the commencement of works on site, the applicant will require to provide confirmation from Scottish Water that they are willing to accept the drainage discharge and design.

Reason: To ensure that the site will be effectively drained.

24. That prior to the commencement of development, the applicant shall provide written confirmation from Scottish Water that the development does not affect their assets and if it does the applicant shall submit details for a diversion/relocation scheme

approved by Scottish Water and that development shall not commence until the approved diversion/relocation scheme has been satisfactorily implemented.

Reason: To ensure that the development does not impact upon Scottish Water assets.



P/22/0387

Land 92M North of 1 Bourtree Crescent



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Scale:  
1:5,000  
Date:  
21/07/2022



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