

Report

Report to:	Special Planning Committee
Date of Meeting:	22 August 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0445
Planning Proposal:	Erection of New Secondary School and All-Weather Surface Sports Pitch with Associated Car Parking and Landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : inspirED
- Location : Lesmahagow High School
School Road
Lesmahagow
ML11 0DL

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 Listed)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: Aedas Architects Limited
- ◆ Council Area/Ward: 03 Lesmahagow
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
 - Policy RES1: Residential Areas
 - Policy LR4: Cycle Routes

- ◆ Representation(s):
 - ▶ 5 Objection Letters

- ◆ Consultation(s):

Roads and Transportation Services (South Division)

Roads & Transportation Services H.Q.(Transportation)

Architecture and Design Scotland

Education Resources

Environmental Services

Leisure Services

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

Scottish Water

Sports Scotland

Planning Application Report

1 Application Site

- 1.1 The application site relates to the existing Lesmahagow High School, located in a predominantly residential area close to the village centre and the Abbey Green recreational area. The total site area is 1.5 hectares. The existing main school building is 2 storeys in height, finished in facing brick with a metal profiled roof. An enclosed walkway links this building with an annexe on the south side of Strathaven Road. The annexe falls outwith the application site boundary. The remaining part of the application site to the rear of the main building includes a grass pitch, a hard court with floodlighting and a student seating area. There are groups of mature trees in the north-west corner and along the eastern boundary.
- 1.2 The site is bounded to the north by an industrial area and fire station. The eastern boundary is embanked above Station Road and overlooks detached dwellings on the east side of station Road. Further to the south, the eastern boundary adjoins and slopes steeply down to the rear curtilage of terraced and tenement dwellings and a shop fronting onto Milton Road. To the south is School Road on the other side of which is the annexe and dwellinghouses. Along the western boundary the site adjoins Strathaven Road which sits at a higher level than the school. On the west side of Strathaven Road, at a higher level still are detached dwellinghouses and Milton Primary School.
- 1.3 Vehicular access is presently taken from Strathaven Road and there are pedestrian access points onto Station Road, School Road and Strathaven Road.
- 1.4 Generally, the site slopes quite steeply in a west/east direction with a level area in the middle containing the school, sports pitches, etc.

2 Proposals

- 2.1 The site of the existing Lesmahagow High School will be redeveloped as part of the Council's Schools Modernisation Programme to invest in new secondary schools. The programme for works involves the development of a new school in the northern half of the site where the existing sports pitches are located. This is to ensure the retention of the existing school thereby avoiding the disruption of temporary decampment. An all-weather sports pitch with floodlighting, car parking and a central bus turning area will be laid out at the position of the existing school following its demolition.
- 2.2 The design and function of the new building orientates around a central street corridor aligned on a north/south axis. This corridor will contain an extensive open area utilised as a dining hall and assembly hall. With no floors above, in terms of height and space, the corridor would have cathedral proportions. Facing onto the street corridor from the west and east at acute angles will be two teaching and administration wings, three storeys in height with full length corridors to access the classrooms and other facilities contained therein. These wings extend southward beyond the street corridor and will, in effect, create a semi-enclosed forecourt to the front of the corridor where a seating area will be formed. The southern wing will contain a games hall, fitness suite (available for public use), drama studio and conference room. Tapering in towards the northern boundary, the footprint of the building is roughly arrow shaped. Externally, the most prominent feature will be the corridor which will be higher than the adjacent wings and distinguished by a curved aluminium roof and curtain glazed walling at the gable ends. The wings will have

pitched roofs. The external finish comprises render, facing brick, weather boarding, large areas of glazing and aluminium seam roofing.

- 2.3 The landscaping plan involves additional shrub and tree planting, a wildflower area and seating around the bus turning area, in the centre of which will be further seating beneath a pergola. Another pergola, seating and cycle parking will be situated at the school entrance. Elsewhere, a secure play area will be established and the south-east corner will feature artwork incorporating the school crest reclaimed from the original school. The existing pedestrian access onto Station Road will be closed and a new pedestrian route formed which will link onto Milton Road.

3 Background

3.1 Local Plan Policy

In the adopted Lower Clydesdale Local Plan, the site is covered by Policy RES1: 'Residential Areas'. The priority is to protect residential amenity and ensure that new developments do not have an adverse affect upon local character and amenity. School Road and Strathaven Road, which adjoin the school, form part of an identified cycle route which is covered by Policy LR4: 'Cycle Routes'. Under the terms of this policy, the Council will support the development of a cycleway network.

3.2 Relevant Government Guidance/Advice

NPPG11: 'Sport, Physical Recreation and Open Space' recommends that demand for recreation be met and that existing sports pitches and open space be retained. If recreational land is displaced by development, alternative facilities of similar quality and accessibility should be provided elsewhere.

3.3 Planning History

Earlier this year, a planning application (CL/05/0220) for a new school and all-weather sports pitch was lodged. However, the proposed new building was to be on the site of the existing school and would have resulted in a number of issues and consequently this application was withdrawn.

4 Consultations

- 4.1 **Roads & Transportation Services** – a construction consent will be required for the bus drop-off and a new footway. Minimum visibility splays of 4.5m by 90m to be provided in both directions. Suitable bus and car parking and turning facilities, which adhere with current guidelines, are to be provided. In that respect, a revised bus lay-by arrangement will be required. A full assessment of walking routes, drop-off points and internal and external pedestrian and vehicles circulation needs to be undertaken. The Flood Prevention Unit submitted a response for the withdrawn application, however these comments are still considered to be relevant. These are that surface water disposal is attenuated to prevent any impact upon buildings within and outwith the development. The site is free from flooding for a 1:100 year flood event under the terms of SPP7. However, a Flood Risk Assessment will have to be undertaken to confirm the site is free of flooding for 1:200 years flood event. Strathaven Road has been subject of flooding from run-off from high ground west of Milton Primary School. The design of the new access should take full account of this flood occurrence.

Response: It has been agreed with Roads & Transportation Services that these matters can be satisfactorily controlled by means of condition.

- 4.2 **Education Resources** – no objection.

Response: Noted.

- 4.3 **Sportscotland** – a condition should be applied to ensure the sports pitch is surfaced with a synthetic material. Even taking account of school access to the full-sized grass pitch at the nearby Abbeygreen and the constrained site, the proposed outdoor pitch is somewhat limited. It is important that the outdoor facilities can meet curriculum and extra-curricular requirements of the school. If extra facilities are required, then a synthetic pitch could be incorporated on school land to the south. The proposed indoor provision falls short of Sportscotland's recently produced guidance.

Response: I would accept that the site is constrained, however the proposed all-weather pitch with floodlighting will represent an improvement on existing provision. Also, recognition has to be given to the constrained nature of the site and proximity of residential dwellings. If the footprint of the building was extended, this would reduce the outdoor play area which is already limited and residential amenity may be compromised. Also, the Education land to the south has now been declared surplus to requirements. Notwithstanding, conditions can be applied to ensure the approval of surface details for the sports pitch and that the applicant demonstrates that leisure and sporting requirements of the curriculum can be adequately accommodated within the site.

- 4.4 **SEPA** – surface water should be treated in accordance with the principles of sustainable urban drainage. They also need a reassurance from Scottish Water that existing capacity in the consented storm overflows is sufficient.

Response: Noted. If planning permission is granted, the requirements of SEPA and Scottish Water shall be incorporated as conditions.

- 4.5 **Environmental Services** – all smells, fumes or vapours are to be disposed via a suitable ventilation system and ducts. Noise from the completed building and during construction as well as working hours shall comply with current standards. A report on the impact of noise from the outdoor facilities upon neighbouring properties will have to be undertaken. Prior to demolition, a survey of asbestos should be carried out and, if discovered, removed under the terms of existing regulations. A full ground investigation will be necessary to determine whether contaminants are present.

Response: These matters can be addressed by conditions if consent is granted.

- 4.6 **Scottish Water** – have still to respond, however their previous observations on the withdrawn application are relevant. Essentially, they have no objection, however a sustainable urban drainage system is recommended.

Response: Noted.

- 4.7 **Architecture + Design Scotland** – no objections. A presentation by the applicants and Council was made to the Design Review Panel of A+DS. Following this presentation feedback has been offered, the comments made relate to:

- ◆ The suitability of some of the sites being cramped, with consequential impacts on the extent and quality of external recreational space. It was suggested that, in some instances, an increase in height above the 2-3 storeys generally proposed, could have been considered as a means by which the amount and quality of outside play areas might have been improved.
- ◆ Designs did not demonstrate a strong architectural identity. Any aspiration for buildings with strong architectural and civic status was not in evidence.

- ◆ Schools would provide facilities to be used by the entire community and should be welcome to all of its members. Excessive use of palisade fences would be counterproductive; if extensive public access was to be encouraged, it could act as a form of surveillance and reduce the need for palisade type enclosures.
- ◆ The idea of organising the accommodation around a central 'street', with the main entrance, dining facilities and assembly areas all located in it, is potentially a strong one that could be further developed.
- ◆ A requirement in the original brief for aspirational design, accompanied by some design exemplars, might have avoided an approach that seems to concentrate on functional requirements at the expense of more qualitative aspects.

Response: The comments of A + DS reflect the difficult challenges faced by the designers involved in the schools modernisation project and do not reflect any school individually. A balance is needed between educational requirements and environment, avoidance of undue disruption to school life, providing a similar standard of building across a range of sites and towns with the challenge of producing architecture with a strong identity and civic status. The 'street' element is core to the design of the school and to the functionality of the school as a building. Its flexibility offers schools significant opportunities to use the space for a variety of purposes. The school proposals are undoubtedly strongly recognisable as schools that are part of a common educational establishment across South Lanarkshire. In some cases it has been difficult to accommodate new proposals whilst existing schools continue to function on the same site. However in all cases I am satisfied that recreation space is sufficient and that the scale and massing of schools proposed represents the maximum allowable without compromising residential amenity. I am in agreement with the comments regarding fencing and therefore there is no case in which a blanket use of palisade fencing has been accepted.

4.8 **Leisure Services** – no response received to date.

Response: Noted.

5 **Representations**

5.1 Following neighbour notification and advertisement in the local press, 5 letters of objection were received. The points raised are summarised below.

- (a) **Reduction in light to the properties along Station Road which will affect amenity and the quality of the gardens. The new school building will be located less than 18m from a complainant's house and will be the equivalent of a 4-storey elevation.**

Response: The distances between the proposed building and the house frontages along Station Road range between 26m and 32m. The east wing, which is closest to Station Road, is between 2 and 3 storeys in height. The highest part of the wing is 13m in height and between the building and the boundary there are mature trees, which are the same height as the building elevation. Also, additional trees and shrubs shall be planted. The highest part of the new school is the street corridor which will be 15m in height. However, the street corridor will be centrally located in the centre of the site, well back from the eastern boundary adjoining Station Road. The proposed building will be located in the northern section and the existing building in the southern section will be demolished. Consequently, the level of sunlight during the morning and early afternoon will actually be improved for some properties. In considering all factors detailed above, I do not believe the current level of daylight and sunlight currently experienced will be significantly affected.

- (b) **Affect upon amenity due to increased noise and crowds.**
Response: The site is currently used as a school with all the attendant activity. Also, a condition will be incorporated that a Noise Assessment Report will be submitted and any recommendations within the report will have to be satisfactorily implemented.
- (c) **Outside seating, in particular at the access point to the café, will decrease privacy and attract youths outwith school hours. Also, there may be problems caused by unsupervised activities at nights.**
Response: I do not believe that the level of privacy currently enjoyed by neighbouring residents will in any way be diminished.
- (d) **The proposal will result in an increase of on-street parking around the school and undermine road safety. This problem will continue after school because of the public use of leisure facilities. Also, bus loading should take place within the site.**
Response: If consent is approved, conditions will be attached to ensure existing and future demand for parking can be properly and safely accommodated.
- (e) **Overlooking from the school building and impingement upon privacy.**
Response: I understand that windows will be positioned 1100mm from floor level which, in effect, means that children and staff when seated during class, would not have clear views from them. Also, chairs will be situated back from the windows and classrooms will only be in use during class time when children will be seated with a teacher present. Therefore, I do not believe privacy will be impinged upon.
- (f) **Noise and vibration and smoke and other activity associated with the social café, fitness suite, science rooms and music room could disturb nearby residents.**
Response: It should be noted that many of these activities are already ongoing at the site. Notwithstanding, conditions can be attached to ensure that noise emitted from the building does not exceed acceptable levels and that fumes are properly ventilated.
- (g) **Adverse effect of artificial light.**
Response: A condition can be applied to ensure that all external lighting is suitably cowled to prevent spillage of light onto adjacent properties.
- (h) **Increase in litter.**
Response: This is an issue for the school management to address and to deal with any complaints that may arise.
- (i) **Trees to be retained may, in the future, have to be removed due to the proximity of the proposed new buildings.**
Response: The importance of these trees in protecting privacy and mitigating noise is recognized, therefore if the application is approved, conditions will be incorporated to ensure that the trees are protected during the construction phase and that no trees can be removed without prior consent.

- (j) **In question 23 of the application form, the applicant has not ticked the box relating to buildings over 20m in height.**
Response: The building is below 20m in height.
- (k) **The potential of the ground to be contaminated as the site was previously used as a railway yard.**
Response: Prior to commencement of any development, a ground investigation report to establish whether or not contaminants are present will have to be submitted. If contaminants are identified, then remediation measures will be necessary.
- (l) **Need assurance that the proposed fencing will be robust and high enough to contain litter and potential breaches.**
Response: The proposed weld mesh is 2.4m in height and has been designed to provide a secure boundary. The mesh is narrow enough to contain most forms of litter. Therefore, I am satisfied that the fencing is appropriate.
- (m) **Views will be restricted.**
Response: It has long been accepted that right to a view is not a valid planning concern.
- (n) **Concerned about venting from chemistry laboratories and the storage of gas and oxygen cylinders.**
Response: These matters will have to adhere to Health & Safety standards.
- (o) **The site is narrow and small and has no room for future expansion.**
Response: I accept that the site is constrained in size and shape. However, the architect has produced a layout which enables the development to be satisfactorily accommodated within the site. All of the schools to be provided through the PPP have taken account of any future expansion requirements.
- (p) **The school site on the south side of School Road would be more appropriate for redevelopment.**
Response: This site is even more constrained in size than the application site.
- (q) **The issue of school alarms being left on.**
Response: This is a matter for the school management.
- (r) **Reduction in house values.**
Response: This is not a valid planning concern.

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

6 Assessment and Conclusions

- 6.1 The proposal involves the erection of a new school building, the establishment of an all-weather pitch, car parking and a play area, and the demolition of the existing building at Lesmahagow High School.
- 6.2 The application site is specifically covered by Policy RES1 in the adopted Lower Clydesdale Local Plan. This policy aims to protect residential amenity and the local character of the area. Objections have been received from nearby residents concerned that noise and artificial lighting and overlooking could impinge upon their amenity. In that respect, I am satisfied these matters can either be addressed by

suitable conditions or by prevailing site topography, landscaping and the proposed design. Also, School Road and Strathaven Road adjoining the site form part of a cycle route covered by Policy LR4: 'Cycle Routes'. The redevelopment of the school will not affect the promotion of the cycle route. There is already an existing school on site with all the associated activity and the replacement school will not significantly alter the character or the amenity of the area. Therefore, I am of the view that local plan policies will not be compromised. The school will be built upon the existing sports pitch, however a new facility will be relocated elsewhere within the site in recognition of government guidance.

- 6.3 Roads & Transportation Services require further assessments to be carried out to ensure that transport demands, particularly bus loading, can be met. SEPA and Scottish Water have requested a Sustainable Urban Drainage System and the Council's Flood Unit have recommended a flood assessment to ensure the site is free from a 1:200 year flood event. Environmental Health require noise and contamination assessment to ensure potential disturbance and risks are adequately remediated. In consideration, these are issues that can be conditioned if planning permission is granted.
- 6.4 Archaeological and ecological surveys have been completed and there are no archaeological issues. However, avoidance of demolition during the nesting season, bat surveys and removal of Japanese Knotweed are measures which have been recommended. SNH has endorsed these recommendations which can be covered by the use of conditions.
- 6.5 The proposal will result in a high quality building with a modern and improved external and internal layout which can better serve the needs of school children and the wider community. This project is an integral element of South Lanarkshire Council's schools modernisation programme which aims to improve educational standards. I consider the proposal to be acceptable and welcome the provision of improved facilities.

Iain Urquhart
Executive Director (Enterprise Resources)

12 August 2005

Previous References

- ◆ CL/05/0220 (withdrawn)

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Education Resources 04/07/2005
 - Sportscotland 08/07/2005
 - Architecture & Design Scotland 24/05/2005

S.E.P.A. (West Region)	19/07/2005
Environmental Services	15/07/2005
Roads and Transportation Services (South Division)	12/07/2005

► Representations

- Representation from : Robert McMorran, 8 Station Road, Lesmahagow ML11 0DG, DATED 20/07/2005
- Representation from : Gavin & Carole Forrest, Craignethan, Strathaven Road, Lesmahagow ML11 0DN, DATED 14/07/2005
- Representation from : Mr Oliver C G Robbins, 11 Strathaven Road, Lesmahagow ML11 0DN, DATED 05/07/2005
- Representation from : Mr & Mrs Bulloch, 10 Station Road, Lesmahagow ML11 0DG, DATED 15/07/2005
- Representation from : H G Simpson, 7 Strathaven Road, Lesmahagow ML11 0DN, DATED 15/07/2005

Contact for Further Information

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

Ian Hamilton, Planning Officer, South Vennel, Lanark
 Ext. 3186 (Tel :01555 673186)
 E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That no consent is hereby granted for the structures/buildings situated along the northern boundary as shown on the approved plan, and no work shall commence on site until elevations and specifications for the aforesaid structures/buildings have been submitted to and approved in writing by the Council as Planning Authority.
- 5 That no trees, identified as being retained on the approved plan, shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.
- 6 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.
- 7 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.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 8 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 9 That 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.

- 10 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 9 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 11 That before development starts an assessment of the existing and future school transport demand in respect of buses, cars, cycles and pedestrians, together with a scheme identifying all the facilities required to accommodate this demand, shall be submitted to and approved by the Planning Authority and, prior to the school being occupied, these facilities shall be provided within or external to the site.
- 12 That before development starts a revised bus layby arrangement on Strathaven Road, incorporating a suitable traffic calming scheme shall be submitted to and approved by the Planning Authority and thereafter implemented prior to the school being occupied.
- 13 That before development starts an assessment of the revised walking routes to the school site, together with a scheme identifying all the infrastructure required to enable these routes to safely accommodate the likely demand, shall be submitted to and approved by the Planning Authority and, prior to the school being occupied, these facilities shall be provided.
- 14 That before development starts an assessment of the existing and future demand for children being picked up and dropped off by parents, together with a scheme identifying the facilities needed to accommodate this demand, shall be submitted to and approved by the Planning Authority and, prior to the school being occupied, these facilities shall be provided either within or in the vicinity of the site.
- 15 That before development starts a revised internal layout which ensures, adequate servicing and that there is no significant conflict between pedestrian and vehicular traffic within the site shall be submitted to and approved by the Planning Authority and prior to the school being occupied the layout hereby approved shall be constructed.
- 16 That minimum parking provision, for all uses, within the development site should comply with the Councils Guidelines for Development Roads and the maximum standards as set down in SPP17. Disabled parking spaces and cycle parking shall also be provided in accordance with this guidance.
- 17 That before development starts an assessment of the existing and future demand for staff parking, together with a scheme identifying the need for additional facilities, shall be submitted to and approved by the Planning Authority and, prior to the school being occupied, these facilities shall be provided within or external to the site.
- 18 That before development starts a 'Swept Path' assessment demonstrating that school buses can negotiate both the internal layout and revised routes, shall be submitted to the Planning Authority for approval and any modifications to these junctions to allow such access by school buses shall be agreed with the Planning Authority, prior to the development commencing, and all these works, as approved, shall be completed prior to the school being occupied.

- 19 That the design and layout of all infrastructure improvements shall be designed in accordance with the 'Design Manual for Roads and Bridges' (DMRB) and the Council's 'Guidelines for Development Roads'.
- 20 That before development starts a programme indicating the construction phasing of the scheme, together with the proposed traffic management operation during construction, including the circulation of vehicles and pedestrians shall be submitted to and approved by the Planning Authority.
- 21 That the traffic management at the site and the circulation of vehicles and pedestrians shall at all times accord with the scheme approved under the terms of condition 20 above.
- 22 That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 23 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme.
- 24 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 demonstrate that the additional flow from the development shall not cause or contribute towards the premature operation of consented storm overflows.
- 25 That before the development commences a report from a professionally qualified source demonstrating that the site is free from a 1 : 200 year flood event in compliance with SPP 7 together with the provision of an additional "Free- Board" allowance shall be submitted to and approved by the Council as Planning Authority.
- 26 That the new access road shall be designed to take account of the potential of Strathaven Road to flood from surface water run-off.
- 27 That the 30 year post development critical storm, attenuated within the site to the equivalent of a 1 in 2 year critical storm release, shall be contained within the underground drainage system for the development and the difference between the 30 year and 200 year post development critical storms, is to be managed adequately within the site without detriment to properties, within or outwith the development.
- 28 That between the hours of 0800 and 2200 the measured noise level emitted from the premises [L_{aeq} (1hr)] shall not exceed the pre-existing background noise level [L_{aeq} (1/2hr)] by more than 4dB(A) when measured in accordance with BS4142: 1997 at buildings where people are likely to be affected. Between the hours of 2200 and 0800 the noise level emitted from the premises [L_{aeq} (5mins)] shall not exceed the pre-existing background noise level [L_{a90} (1/2hr)] by more than

4dB(A) when measured in accordance with BS4142: 1997 at buildings where people are likely to be affected.

- 29 That audible construction activities shall be limited to between 8am and 7pm on Mondays to Fridays, 8am and 1pm on Saturdays and not at all on Sundays.
- 30 That construction and demolition work associated with the development shall comply with BS5228 Parts 1 -4 1984/1986 'Noise Control on Construction and Open Sites'.
- 31 That before the development starts a Noise Impact Assessment regarding the design and use of outdoor facilities shall be approved by the Council as Planning Authority and the facilities shall not be operated until the recommendations are implemented to the full satisfaction of the Council.
- 32 All cooking smells, noxious fumes or vapours from the premises shall be disposed of by means of a mechanical ventilation system which is ducted to at least 1 metre above eaves level, or 1 metre above any openable window higher than eaves level.
The ventilation system shall:
 - a) incorporate activated carbon filters;
 - b) be capable of achieving at least 20 air changes per hour in rooms where food preparation/cooking takes place;
 - c) be suitably isolated from the structure of the building and fan units positioned in a ducted system shall be suitably isolated from the ducting by means of flexible connections.
- 33 That the noise associated with the ventilation system shall not give rise to a noise level, assessed with the windows closed, within any dwelling or noise sensitive buildings in excess of that equivalent to Noise Rating Curve 35 between the hours of 0700 and 2000 hours, and the Noise Rating Curve 25 at all other times.
- 34 That prior to demolition works the existing building shall be surveyed for materials containing asbestos and if any asbestos is identified it shall be removed in accordance with current regulations.
- 35 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 36 That before the development hereby approved are completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.

- 37 That any alterations to the remediation plan may only take place with the written approval of the Council as Planning Authority.
- 38 That on completion of all remediation works, a completion report confirming that works have been carried out to the agreed plan, shall be submitted to and approved by the Council as Planning Authority.
- 39 Before the floodlighting hereby approved is brought into operation, the lamps shall be cowled to prevent spillage of light onto the adjacent properties, all to the entire satisfaction of the Council as Planning Authority:
- 40 That the Japanese Knotweed on the site shall be mapped and then removed from the site either by spraying or digging.
- 41 That prior to the commencement of development a bat survey shall be carried out and a Bat Method Statement shall be prepared and implemented in the event of any bats being found during site preparation works. The bat survey and method statement shall be submitted to the Council in order that the potential impact upon bats may be assessed in consultation with Scottish Natural Heritage.
- 42 That no demolition shall be carried out during the bird nesting season which runs through April to July in any year. If demolition can not be avoided during this period then the buildings shall be surveyed and if any nests, eggs and young birds are found then demolition shall not take place in the area of the find until the young have fledged or a contingency plan has been implemented to move the young to a suitable wildlife rehabilitation centre in consultation with Scottish Natural Heritage.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 To ensure the protection and maintenance of the existing mature trees within the site
- 6 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 7 In the interests of the visual amenity of the area.
- 8 In the interests of amenity.
- 9 These details have not been submitted or approved.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 In the interest of public safety.
- 12 In the interest of public safety.
- 13 In the interest of public safety.
- 14 In the interest of public safety.
- 15 In the interest of public safety.
- 16 To ensure the provision of adequate parking facilities to serve the development.
- 17 In the interest of public safety.
- 18 In the interest of public safety.
- 19 In the interest of public safety.
- 20 In the interest of public safety.

- 21 In the interest of public safety.
- 22 In the interest of road safety
- 23 To ensure the provision of a satisfactory sewerage system.
- 24 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 off-site flooding.
- 25 To ensure the site is free from the risk of flooding.
- 26 To ensure the site is free from the risk of flooding.
- 27 To prevent flooding within and outwith the development.
- 28 To protect noise sensitive properties from sound levels that will cause a nuisance.
- 29 To protect surrounding residents from audible construction activities at unsuitable times.
- 30 To protect surrounding residents from audible construction activities at unsuitable times.
- 31 To protect surrounding residents from audible construction activities at unsuitable times.
- 32 To ensure the effective disposal of smells, fumes and vapours.
- 33 To protect surrounding residents from audible construction activities at unsuitable times.
- 34 In the interests of public health.
- 35 To ensure the site is free of contamination and suitable for development.
- 36 To ensure the site is free of contamination and suitable for development.
- 37 In order to retain effective planning control.
- 38 In order to retain effective planning control.
- 39 In the interests of amenity.
- 40 To ensure the removal of an invasive species.
- 41 To prevent the disturbance of bats and their roosts.
- 42 To prevent the disturbance and harm of birds.

For information only

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