

# Report

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| Report to:       | <b>Clydesdale Area Committee</b>                 |
| Date of Meeting: | <b>16 December 2008</b>                          |
| Report by:       | <b>Executive Director (Enterprise Resources)</b> |

|                    |                                     |
|--------------------|-------------------------------------|
| Application No     | CL/08/0008                          |
| Planning Proposal: | Erection of Dwellinghouse (outline) |

## 1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : F Wilson
- Location : Adjacent to 26 Devonburn Road  
Lesmahagow

## 2 Recommendation(s)

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

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

### 2.2 Other Actions/Notes

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

## 3. Other Information

- ◆ Applicant's Agent: W J Speirs
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **Lower Clydesdale Local Plan (Adopted)**
  - Policy ENV 2: Rural Area
  - Policy SLP 2: Rural Areas

### **Finalised South Lanarkshire Local Plan - (As Modified)**

- Policy STRAT4: Proposed Housing Sites
- Policy CRE1: Housing in the Countryside
- Policy ENV33: Development in the Countryside

### ◆ Representation(s):

- ▶ 9 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

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

Scottish Water

# Planning Application Report

## 1 Application Site

- 1.1 The application site is an area of ground to the side of the applicant's existing house at 26 Devonburn Road, within the settlement of Devonburn near Lesmahagow. The application site extending to 0.13 hectares consists of two distinct areas roughly in a 50/50 split. Part of the site was enclosed grazing land until recent hard standing was introduced. The remainder of the site is mainly covered in red blaes along with the remains of two boiler rooms complete with chimneys which were part of the previous nursery business on the site. The application site has no mature planting with only some domestic planting having recently been planted. The site is also flat and level slightly elevated over the neighbouring properties. It is positioned to the rear of 22 and 24 Devonburn Road within a collection of 11 houses of various styles, design, materials and age within the vicinity. Open land in the applicant's ownership is located to the east of the site.

## 2 Proposal(s)

- 2.1 Outline planning permission is sought for the erection of a single dwellinghouse utilising the existing access drive of number 26 Devonburn Road. As it is an outline application, no details have been submitted on house size or design although an indicative house position has been included on the site plan. The proposal will be served by a private drainage system with soak away.

## 3 Background

### 3.1 Local Plan Status

- 3.1.1 The relevant policies used in assessing this application are ENV2: Rural Area and SLP2: Rural Areas of the Lower Clydesdale Local Plan (Adopted) along with STRAT4 and CRE1 of the Finalised South Lanarkshire Local Plan - (As Modified). The main aim of these policies is to ensure that residential development in the rural area is located in appropriate areas and is of a scale and design in keeping with, and is not detrimental to, the amenity of existing neighbouring properties or wider rural area.

### 3.2 Relevant Government Advice/Policy

- 3.2.1 Policy SPP3: Planning for Housing advises that most housing requirements should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and services and helping to protect rural amenity. The re-use of brownfield sites is particularly encouraged.

### 3.3 Planning History

- 3.3.1 Outline planning permission was applied for in 2007 for a site to the rear of and accessed through the current site in part of an agricultural field. After further consultation with the Planning and Building Standards Service, the applicant withdrew the application. The donor house was built in the early to mid 90's to the north side of the original residential buildings attached to the nursery. Two other plots were developed to the south of this building group, all on land forming part of the previous nursery business.

## 4 Consultation(s)

- 4.1 Roads and Transportation Services – the Divisional Engineer has no objections to the application, subject to conditions relating to the provision of parking spaces with turning area and access resurfacing.

Response: Noted. I propose to attach conditions to any consent granted in relation to access, parking and turning.

- 4.2 **Environmental Services** – has no objections to the application, subject to standard conditions and advice notes on dust control and noise.

**Response:** Noted. Due to the scale and nature of the development it would not be appropriate to incorporate conditions of this type especially at outline stage. In addition these issues are already controlled by separate legislation.

- 4.3 **SEPA** – had advised that the options in this location for the treatment and disposal of sewage effluent for this site are limited and objected to the application until the applicant demonstrated that a suitable arrangement can be achieved. The applicant carried out porosity testing within the adjacent field and submitted the findings and proposed drainage arrangement to SEPA for comments. Following assessment of the information provided, SEPA have removed their objection as a suitable drainage system can be installed.

**Response:** Noted. I propose to attach conditions to any consent granted to ensure adequate drainage systems are designed and installed to the satisfaction of SEPA and Council as Planning Authority.

- 4.4 **Scottish Water** – have no objections to the application but advise that approval will not guarantee connection to the infrastructure at the time development is implemented.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 Following neighbour notification and the advertisement of the application in the local press as Development Potentially Contrary to the Development Plan, 9 letters of objection were received from three neighbouring properties. The grounds of objection are summarised below.

- (a) **I suggest that the 1:2500 scaled location plan attached to the notice is highly misleading, out of date and inaccurate in several contexts.**

**Response:** The location plan is supplied with the notification to assist notified neighbours identify the site in relation to their property. The plan supplied is considered to satisfy this requirement.

- (b) **I refer to the matters of my correspondence ref L130407A, dated 13 April 2007, referring to creation of hard standing. I personally believe the content of same still to be highly pertinent and indeed perhaps closely inter-twined**

**Response:** This issue was investigated at the time and the applicant advised that planning consent was required for the formation of the hardstanding. The applicant then advised the Planning and Building Standards Service that an application was going to be submitted for a residential plot incorporating this land. As this would supersede the creation of the hardstanding no further action has been taken until the said application was submitted and processed.

- (c) **The proposal may be contrary to the Local Plan/Structure Plan.**

**Response:** The application was advertised in the local newspaper as Development Potentially Contrary to the Development Plan. Part of the planning process is to assess the application against current development plans and this is set out in section 6 of this report.

- (d) **There currently appears to be no documentation available in the public domain that would assist the process of making a personal judgement in respect of design, scale or materials etc**

**Response:** The application submitted is in outline only, therefore, no details on scale, design or material have been submitted. All relevant documentation is available for inspection at the Council offices. If approved the applicant would have to submit a detailed application which would provide the above details which will be assessed against policy and surrounding built form at that time.

- (e) **The principle of sharing the existing drive to Mrs Wilson's current residence, is somewhat flawed, and could inevitably lead to traffic, parking and access problems within both her property; access/egress issues from the de-restricted public road, also potentially impacting on the perimeters of adjoining properties. In addition this access route would not provide reasonable appropriate access for emergency and other services. I am not convinced that access for fire fighting appliances, even if sufficient support hydrants were available adjacent, would be adequate. I do not believe adequate access would become available for refuse collection, ambulance, police, bulk fuel deliveries, general mail deliveries, utilities (e.g. bulk sewage sludge tanker collection) or even average construction traffic**

**Response:** The Roads and Transportation Service have no objections to the use of the existing access for the creation of an additional plot. Conditions addressing matters relating to parking and turning would be attached to the planning permission, if consent is granted.

- (f) **The ultimate utilisation purpose of the adjacent existing hardstanding/storage yard is not clear in respect of the context of the current proposal.**

**Response:** The existing hardstanding/storage area is incorporated in to proposed residential plot and would be part of its domestic curtilage.

- (g) **There is no indication that capital and running/maintenance of public or private road lighting will be provided and without same I believe local neighbourhood security would be seriously compromised.**

**Response:** There is no requirement or need to provide public or private road lighting in relation to a single residential development at this location. In addition the development of an additional dwelling would not have impact on neighbourhood security.

- (h) **Considerable confusion already exists in Devonburn in respect of basic service access deliveries. The extremities of Bog Road and Devonburn Road are less than clear and numbering of properties in either is already complex to follow for the average "White Van Man". I believe that this proposal would considerably increase confusion and the resultant local effect could, to alleviate nuisance value confusion/enquiry level, require a full review and rationalisation affecting all local properties. I have concerns regarding the neighbour notifications – my address is not 24 Devonburn Road, nor does the submitted drawing accurately reflect the current residence of Devonburn, street names on the map are also still incorrect**

**Response:** The issues of street signage, street naming and house numbering are not a consideration under the planning legislation. I am satisfied that neighbour notification has been carried out to all neighbours despite the confusion on postal addresses as representations have been received from all affected parties. As previously stated the location plan supplied with the notification is considered satisfactory while the plans

submitted to the Council are considered to be of an acceptable standard for processing this application.

- (i) **I believe neighbouring properties could be subjected to degradation of residential amenity, in respect of noise, smell, overlooking and overshadowing.**

**Response:** As the application is for single residential property no perceived noise or smell issues should arise. Matters relating to overlooking and overshadowing would be considered at a detailed application stage, however I am satisfied that there is sufficient land to provide a dwellinghouse without impact on the amenity of adjoining properties.

- (j) **With the possible exception of Mrs Wilson's existing property and that of her son's shed and residence at or adjacent to the corner at 32 Bog Road, the expanded Devonburn hamlet still retains some semblance of order, exhibited by careful ribbon planning of housing at the side of the road. Whilst it does seem strange that Mrs Wilson's existing property was originally built so far back from the road, well beyond the building line of the prime structures of all other properties, I perceive no valid reason for starting a further tier of property development in the field behind existing houses. As Mrs Wilson owned the entire field to Bog Road, I suggest it would be much more practical and far less invasive if any such application energies were hence redirected to Bog Road, adjacent to her son's residence/complex at or adjacent to no 32. I believe such an approach, would also be much more practical, economical and less invasive overall in terms of construction, utilities and traffic.**

**Response:** The application relates to the application site only and the Council must make a decision for this proposal on its merits. The applicant's or family ownership of other land is not a consideration for this application. In any case the local plan contains policy that discourages the continuation of ribbon development or the expansion of existing settlements in the rural area which could rule out the suggestion of a more suitable site being available.

- (k) **To my knowledge all local properties discharge treated foul water outflows from bio disks, septic tanks etc, plus surface water drainage from all properties and local fields exclusively into the Devon Burn. Whilst I accept that the decision/assessment of the Devon Burn's ultimate capability to cope with potential overall increased burden will rest ultimately with SEPA considering also other related factors and my local knowledge the proposal perhaps generates unnecessary risk. Already the field drainage input to the culvert passing through my property can be heavily burdened and smelly at times and I suspect this proposal will degrade things further. It should also be noted that the Devon Burn has seriously flooded before, the road has also been heavily flooded and existing local field drains are already often stressed to the limit. Additionally the potentially ravaging effects of global warming should be seriously considered in addition to the yet unquantifiable actual impact of your Council's various Opencast Coal planning approvals awarded to Scottish Coal.**

**Response:** Appropriate drainage systems are proposed for the development. A foul drainage system has been agreed with SEPA. This matter is covered by condition requiring the agreed scheme is to be implemented before the house is occupied. An additional condition will be applied should planning

permission be granted to ensure adequate surface water drainage is provided. Scottish Water has no objections to the proposed development. The reference to opencast coal approval is not relevant to determining this application.

- (l) **The land designated for this development I understand remains designated for agricultural usage. Whilst I see no reason to contemplate a need for changing this, our extensive historical photography archive clearly illustrates that this particular area and associated access previously accommodated extensive arrays of service provisions to commercial glass houses and associated surface and underground heating plant. This could feasibly be contaminated but if so whilst probably harmless if left undisturbed, if excavated perhaps things could be different?**

**Response:** Environmental Services were consulted on this application and have made no representations in relation to contaminated land. A condition requiring the submission of a site investigation is proposed to be attached to the consent if granted. In the event of any contaminant being found during construction the developer has a legal duty to inform the appropriate authority and have the material controlled or removed safely.

- (m) **The proposal may mean the demolition of the existing tall ivy covered brick chimneys, often considered as a local and historic landmark. Irrespective of these chimneys providing a natural habitat to a significant number of creatures, as neighbouring properties are very close, in event of demolition being considered, the process would presumably require to be executed by hand to avoid any risk of damage to adjacent properties. Alternatively, whilst we have been assured in the past that these chimneys were structurally sound, if plans were altered to save this heritage that the Wilson's apparently admire, I would not be happy with further development unless a full structural survey was professionally executed and readily exhibited.**

**Response:** No details have been submitted in relation to the above chimneys and their retention or removal has no impact on any decision made for this application. The chimneys are not protected structures nor considered an important natural habitat while they are of a scale and sited far enough away from the neighbouring properties that their removal should be achievable without causing any damage.

- (n) **I believe the potential impact on the local natural and built environments would be almost unsustainable. The hamlet and community of Devonburn, are situated on an ancient Roman Road and coaching route and is generally noted for its picturesque quiet rural setting, popular with walkers. I believe the locality potentially would be seriously degraded by the advent of such a two tiered housing development.**

**Response:** Disagree. The Council is of the opinion that if approved a single house at the proposed location would not create a "two tiered" housing development and would have little impact on the surrounding environment.

- (o) **Loss of prime picturesque arable land and rural landscaping, bereft of any current infrastructure or reasonable access surely is not required for additional tier housing.**

**Response:** The site is of such a small area that impact on farming would be negligible. Only 50% of the application site consists of green field grazing land

and could not be classified as prime or picturesque while current infrastructure is considered adequate to accommodate a development of this scale.

- (p) **I believe the current application may simply prove to be a thin end of the wedge aimed at much larger and intensive local further housing development.**

**Response:** The application is for a single dwellinghouse and the suggested house location would not allow for additional dwellings to be added. The size and orientation of the plot is not considered large enough to accommodate more than one dwelling. A condition to control the position of any dwelling on the site will be added if approval is granted.

- (q) **Power supply to Devonburn is currently subject to a number of outages and quality of existing supply often suggests little safe capacity exists for further expansion of secure supply without major investment in local electrical infrastructure upgrade and the associated disruption of its implementation. In addition the telecom networks again appear to be fairly stretched in terms of capacity and security.**

**Response:** Connections to the telecom network and public power supply are not a planning consideration and are the responsibility of the developer to obtain mains connection or provide an alternative energy supply for the dwellinghouse.

- (r) **Over the past few months local residents have been misled on several occasions regarding the use of this land. The need to mislead and avoid revealing intentions is in my opinion a self-admission by the Wilsons that this development is unreasonable and will cause unnecessary detrimental impact on neighbouring properties. Permitting this development will lead to ongoing development and the destruction of a quiet rural community. The Wilson's existing hard standings to the rear of existing properties has been used for the storage of building materials, arrays of old tractors and other general storage. If permitted this would simply increase the likelihood of ongoing storage and ongoing impact upon neighbouring properties**

**Response:** The application if approved would designate this land as a single residential plot. Once developed any activity beyond what is considered incidental to domestic use would require separate planning approval. Activity at the applicant's existing property is not considered to merit the need for planning consent.

## **6 Assessment and Conclusions**

- 6.1 The determining issues that require to be addressed in respect of this application are compliance with the adopted and finalised local plans, the impact on the visual and residential amenity of the area and the infrastructure implications.
- 6.2 In terms of the adopted Lower Clydesdale Local Plan, the site is identified as lying within the rural area. Relevant policies in the local plan are ENV 2 and SLP 2. These rural area policies set out the criteria in which residential development is acceptable within the countryside. These policies state that the Council will generally favour development of an appropriate form. Development is preferred on sites identified in the Local Plan, or suitable infill gap sites identified within settlement boundaries, or where the development can be integrated with existing groups of buildings. This policy states that isolated proposals will be resisted, along with those which would



lead to ribbon development, an extension of a settlement or which, by virtue of their scale or design would change the established character of an area.

- 6.3 Within the South Lanarkshire Local Plan (Finalised Plan, as Modified) the application site is identified as lying within the Accessible Rural Area covered by policy STRAT 4. This policy states that the Local Plan strategy will be to build on the economic potential of the areas high quality natural and built environment and tourism potential. In doing so the Plan strategy will be particularly concerned to ensure these qualities are not eroded. New building development outwith settlement boundaries will only be permitted where this forms part of a larger proposal for the rehabilitation or change of use of disused or redundant traditional buildings where this consolidates such groups. In addition, new build development unrelated to the rehabilitation or change of use of disused or redundant traditional buildings will only be permitted on gap sites within existing building groups. Isolated and sporadic development will generally not be supported.
- 6.4 Housing within the Accessible Rural Area must also have to comply with policy CRE 1: Housing in the Countryside. This policy sets out the criteria on which new housing will be accessed. This includes (a) The development of the proposed site will not extend, expand or intensify the grouping to the detriment of the local amenity and/or traffic safety. (b) The design and location of the proposed development does not adversely affect the character and amenity of its surroundings, particularly landscape, countryside amenity and nature conservation and built heritage interests. (c) The proposal for development of any particular site shows a satisfactory standard of integration with the adjoining development. (d) The proposed development complements the scale and character of the existing adjoining properties. (e) The proposed development meets access and parking standards and can be readily provided with services such as water, drainage and sewerage. (f) The proposal complies with the Council's policy on siting and design as contained in Policy ENV 33 - Development in the Countryside (g) The Council will require all new houses to incorporate on-site renewable energy equipment to reduce predicted carbon dioxide emissions by at least 10%.
- 6.5 The application site identified sits within an existing building group in the rural area. This grouping has been developed around previous agricultural nursery businesses at this location with the majority of the houses being built after 1990. The building pattern of this development is mainly linear in form along Bog Road/Devonburn Road with two exceptions to this being number 26 Devonburn Road and the children's nursery sited within a converted building to the rear of 20a Devonburn Road. These exceptions extend the building grouping and have established a rear building line beyond the rear garden boundary line of the neighbouring properties. The existing development pattern in this part of the grouping creates a site bounded on three sides by built development and as such would allow the development of a single dwelling house on the application site that would integrated with and consolidate the existing grouping in line with criteria set out in Policy ENV 2 of the Adopted Local Plan and policy STRAT 4 of the South Lanarkshire Local Plan (Finalised Plan, as Modified).
- 6.6 In addition the development at this location would meet the criteria of CRE 1 in that it will not extend, expand or intensify the grouping to the detriment of the local amenity and/or traffic safety. Nor would it adversely affect the character and amenity of its surroundings, (particularly landscape, countryside amenity and nature conservation and built heritage interests). The site will satisfactory integrate with adjoining development, will complement the scale and character of the existing adjoining properties, meets access and parking standards and can be readily provided with

services such as water, drainage and sewerage. Policy CRE 1 also states that development should comply with Policy ENV 33 and incorporate on-site renewable energy. I consider that the policy criteria within ENV 33 can be met through careful design and conditions relating to appropriate materials, development scale, house position and landscaping to be approved at the time of the reserved matters application, while a condition will be added to ensure the requirement for renewable energy is fulfilled.

- 6.7 In summary, the addition of a dwellinghouse at this location within the existing settlement of Devonburn will integrate satisfactorily with and consolidate/complement the existing building group, while a single dwellinghouse on this site will not be detrimental to the character, amenity or environment of the area or neighbouring properties. I am, therefore, satisfied that the proposals comply with local plan policy and consider that planning permission should be granted.

## **7 Reasons for Decision**

- 7.1 I consider that the proposal, complies with Policies ENV2 and SLP2 of the adopted Lower Clydesdale Local Plan, and Policies STRAT4, CRE1 and ENV33 of the Finalised South Lanarkshire Local Plan - (As Modified).

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**8 December 2008**

## **Previous References**

- ◆ CL/07/0555

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

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|------------------------|----------------|
| S.E.P.A. (West Region) | 28/01/2008     |
|                        | and 13/08/2008 |

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| Environmental Services | 23/01/2008 |
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| Roads and Transportation Services (South Division) | 18/01/2008 |
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| Scottish Water | 11/02/2008 |
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| Scottish Water | 02/04/2008 |
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- ▶ Representations

Representation from : James M Hamilton, Nayrnfield, 20A Devonburn Road,  
Devonburn, near Lesmahagow, ML11 9PX, RECEIVED

22/11/2007

Representation from : Aileen G Hamilton, Nayrnfield, 20A Devonburn Road,  
Devonburn, near Lesmahagow, ML11 9PX, RECEIVED  
22/11/2007

Representation from : James Douglas Hamilton, Nayrnfield, 20A Devonburn Road,  
Devonburn, near Lesmahagow, ML11 9PX, RECEIVED  
22/11/2007

Representation from : Iona Morrison, "Devonburn", 24 Bog Road, Lesmahagow,  
ML11 9PU, RECEIVED 03/12/2007

Representation from : Jack Oliver, "Devonburn", 24 Bog Road, Lesmahagow,  
ML11 9PU, RECEIVED 03/12/2007

Representation from : Mrs C M Payne & A V Payne, Ridgemark, 22 Bog Road,  
Lesmahagow, ML11 9PU, RECEIVED 04/12/2007

Representation from : James Douglas Hamilton, "Nayrnfield", 20A Devonburn  
Road, Lesmahagow, ML11 9PX, RECEIVED 18/01/2008

Representation from : Aileen G Hamilton, "Nayrnfield", 20A Devonburn Road,  
Lesmahagow, ML11 9PX, RECEIVED 18/01/2008

Representation from : James M Hamilton, "Nayrnfield", 20A Devonburn Road,  
Lesmahagow, ML11 9PX, RECEIVED 18/01/2008

### **Contact for Further Information**

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

Steven Boertien, Planning Officer, South Vennel, Lanark ML11 7JT

Ext 3266(Tel :01555 673266 )

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

## CONDITIONS

- 1 That the development hereby permitted shall be started either within five years of the date of this permission or within two years of the date on which the last of the reserved matters are approved, whichever is the later;
- 2 That before the expiration of three years from the date of this outline permission and before any development starts, a written application and plans in respect of the following Reserved Matters shall be submitted to and approved by the Council as Planning Authority:
  - (a) siting, design and external appearance of all buildings and other structures;
  - (b) means of access to the site;
  - (c) a landscaping survey and proposal plan for the areas indicated in green on the approved plans at a scale of 1:200 showing the location, species and ground spread of existing and proposed trees, shrubs and hedges;
  - (d) layout of the site, including all roads, footpaths and parking areas;
  - (e) provision of drainage works and means of sewage disposal.
- 3 The new dwellinghouse hereby approved shall be restricted to the area shaded brown on the approved plans.
- 4 That the landscaping plan required as part of condition 2 above shall include screen planting to the western boundary, beech/hawthorn hedging on the eastern boundary, together with tree planting of native broadleaf heavy standard trees to the southern boundary.
- 5 That the dwellinghouse to be erected on the site shall not exceed 1½ storey(s) in height.
- 6 That the only vehicular access to the application site shall be from the existing private access for 26 Devonburn Road.
- 7 That the further application required under Condition 2 above shall include provision for (a) 2 parking spaces for a house containing 3 bedrooms and 3 parking spaces for 4 bedrooms or more; (b) a turning facility within the confines of the site; (c) the first 4 metres of the existing access road to be hard surfaced.
- 8 That the further application required under the terms of Condition 2 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 9 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 water supply designed and approved in accordance with their standards.
- 10 That the further application required under condition 2 above shall include, an energy statement which demonstrates that on-site zero and low carbon energy

technologies contribute at least an extra 10% reduction in CO2 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 CO2 emissions of the development, clearly illustrating the additional 10% reduction beyond the 2007 building regulations CO2 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.

- 11 That the development hereby approved shall not be commenced until the foul drainage works have been completed in accordance with the plans submitted by agent W J Speirs.
- 12 That the required drainage scheme shall be completed in accordance with the approved details prior to the occupation of the dwellinghouse.
- 13 That the further application required under condition 2 above shall include, a report from a professionally qualified source detailing the nature, concentration and distribution of any contaminants found within the application site, shall be submitted to and approved by the Council as Planning Authority and the development shall not be commenced until such action as is recommended by this report, in order to remove, or render harmless, any such contaminants, has been implemented and completed to the full specification and entire satisfaction of the Council. The developer shall give the Council at least 7 working days notice in writing prior to the commencement of any decontamination works on the site.

## REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To safeguard the amenity of the area.
- 5 In the interests of amenity.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 In the interest of road safety
- 8 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
- 9 To ensure that satisfactory water supply and foul water drainage arrangements can be provided for the development.
- 10 To secure a reduction in carbon dioxide emissions.
- 11 To ensure the provision of a satisfactory foul drainage system.

- 12 To ensure the provision of a satisfactory foul drainage system.
- 13 To ensure the site is free from contamination.

## **INFORMATIVES**

- 1 This grant of planning permission does not grant any right of access over any adjoining property or land required for the purpose of constructing or maintaining the development.

The consent of the appropriate land owner will be required in order to carry out building work or future maintenance that requires access to a neighbour's ground.

Any disputes which arise over access or boundaries are not a planning matter. These are civil matters to be resolved between the parties involved.

For information only

For information only

