

Report

Report to:	Planning Committee
Date of Meeting:	21 November 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	HM/17/0167
Planning Proposal:	Residential Development With Landscaping and Associated Works (Planning Permission in Principle)

1 Summary Application Information

- Application Type : Permission in principle
- Applicant : Patersons of Greenoakhill Ltd
- Location : Former Daks Simpson Site
Struther Hill/ Borland Drive
Larkhall

2 Recommendation(s)

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

- (1) Grant planning permission in principle (subject to conditions – based on conditions attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Planning permission in principle should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the following:

- Additional nursery, primary and secondary education accommodation as appropriate.
- Provision of appropriate community facilities, either on site or off.
- The provision of affordable housing on site or by way of a commuted sum.

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily, the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the developers.

3 Other Information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 1 - Spatial Strategy
Policy 4 - Development Management and Place Making
Policy 5 - Community Infrastructure Assessment
Policy 7 - Employment
Policy 12 - Housing Land
Policy 14 - Green Network and Greenspace
Policy 16 - Travel and Transport
Policy 17 - Water Environment and Flooding

Development Management, Place Making and Design Supplementary Guidance (2015)
Residential Design Guide (2011)

- ◆ Representation(s):

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

- ◆ Consultation(s):

Roads & Transportation Services (Flood Risk Management Section)

Scottish Water

The Coal Authority - Planning and Local Authority Liaison Department

Education Resources

Environmental Services

Community Services

Roads Development Management Team

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located at the edge of the Strutherhill Industrial Estate off Carlisle Road to the south of Larkhall town centre. The site is currently vacant comprising large areas of hardstanding, grass and scrub and was previously occupied by the former Daks Simpson warehouse. The site is irregular in shape and extends to approximately 7.5 hectares. The site is bounded to the north and east by open grassland, to the south by industrial buildings and to the west by a mixture of housing, a sewage works and Carlisle Road. A narrow corridor of land extends beyond the main area of the site and serves as the existing access route from Carlisle Road.

2 Proposal(s)

- 2.1 The applicant seeks planning permission in principle for residential development within the site. An indicative site layout plan was submitted with the application which shows an area for social housing and two access points into the site. The access to the major part of the development would be taken from a new access road off Borland Drive with the area of social housing accessed from the existing access road off Carlisle Road. A sustainable urban drainage (SUDS) system is proposed within the southern part of the site.
- 2.2 The application is for residential development within the whole site. However, it should be noted that an application for planning permission in principle was previously granted to Patersons Property Investment Partnership LLP on 6 May 2015 for residential and commercial development within the site (HM/13/0269). An indicative plan submitted with that application showed a proposed residential development located within approximately 4.4 hectares of the northern portion of the site accessed from Carlisle Road. This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and/or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum.
- 2.3 The proposed development is classified as a 'Major' development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was subject to a 12 week period of pre-application consultation (PAC) including a public exhibition which was held at Larkhall Public Library in January 2017. A copy of the Pre-application Consultation Report has been submitted as a supporting document. The outcome of the exhibition and the response of the applicants to comments received are detailed within the PAC Report. Additional supporting documents submitted include a Transport Assessment and a Mining Desk Study Report.

3 Background

3.1 Local Plan Background

- 3.1.1 The application site is designated partly for residential use and partly as Employment Land within the adopted South Lanarkshire Local Development Plan. The site is also covered by the Green Network. The relevant policies in terms of the assessment of this application are Policy 1 - Spatial Strategy, Policy 4 - Development Management and Place Making, Policy 5 - Community Infrastructure Assessment, Policy 7 - Employment, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding of the adopted South Lanarkshire Local Development Plan and the supplementary guidance of the Proposed Development Management, Place Making and Design Supplementary Guidance relating to 'Community Infrastructure', 'Industrial and

Commercial Development’ and ‘Design’. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 **Relevant Government Advice/Policy**

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

3.2.2 Designing Streets – A Policy Statement for Scotland was introduced in March 2010 and marks the Scottish Government’s commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.

3.3 **Planning Background**

3.3.1 A detailed planning application was submitted by AS Homes Scotland Limited for the erection of 48 dwellinghouses within the northern area of the application site and was registered by the Council on 11 October 2017 (HM/17/0484). This application is currently being assessed.

3.3.2 Planning Permission in Principle was granted to Patersons Property Investment Partnership LLP on 6 May 2015 for a proposed residential and commercial development within the application site (HM/13/0269). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and/or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum.

4 **Consultation(s)**

4.1 **Education Resources** – have no objections to the application subject to the applicant agreeing to a financial contribution towards additional education accommodation requirements at Larkhall Academy and Holy Cross High and their feeder primary schools and nurseries where appropriate.

Response:- Noted. Discussions are ongoing with regard to the level of educational requirements arising from the proposed development and the applicant has in principle indicated a willingness to enter into a Section 75 Obligation and/or other legal agreement with the Council regarding these contributions, as with the previous consent.

4.2 **Environmental Services** – have no objections to the application subject to conditions requiring the submission of a noise assessment, a contaminated land site investigation, a scheme for the control and mitigation of dust and details of facilities for the storage of refuse within the proposed development.

Response:- Noted. As the proposal relates to an application for planning permission in principle it is considered that appropriately worded conditions could be incorporated into any consent granted requiring the submission of the above details for the Council’s approval and future implementation following the submission and approval of the required matters specified in conditions application(s).

- 4.3 **Roads and Transportation Services (Development Management)** – have no objections to the application subject to conditions relating to the provision of appropriate visibility splays, access road, car parking, surfacing and driveways and land drainage.
Response:- Noted. Appropriately worded conditions would be attached to any consent granted to address the above matters.
- 4.4 **Roads and Transportation Services (Flood Risk Management Section)** – have no objections to the application subject to conditions requiring the submission of a flood risk/drainage assessment for the Council's approval and the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document.
Response:- Noted. Appropriately worded conditions would be attached to any consent granted to address the above matters.
- 4.5 **Scottish Water** – no response to date. However, in a previous consultation response relating to planning application HM/13/0269 for a proposed residential and commercial development on the site (planning permission in principle), Scottish Water advised that they had no objections to the application and that Skellyton Waste Water Treatment Works had limited capacity to service the proposed development.
Response:- Noted. The applicant has been made aware of this situation.
- 4.6 **Community Resources** – no response to date.
Response:- Noted.
- 4.7 **The Coal Authority** – initially objected to the proposal as no coal mining risk assessment was submitted with the application. However, following the submission of a Mining Desk Study Report, The Coal Authority have withdrawn their objection to the application. The Coal Authority concurs with the recommendations of the submitted Mining Desk Study Report that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. A condition should be attached to any consent granted requiring that these site investigation works be undertaken prior to the commencement of development. In the event that the site investigations confirm the need for remedial works to treat the mine entries and/or areas of shallow mine workings to ensure the safety and stability of the proposed development, this matter should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.
Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised as Development Contrary to the Development Plan and under the heading Non-Notification of Neighbours in the Hamilton Advertiser. No letters of representation were received in relation to the application.

6 Assessment and Conclusions

- 6.1 The applicant seeks planning permission in principle for residential and commercial development within the site. The determining issues in consideration of this application are its compliance with national and local plan policy. If the application does not comply with the above policy an assessment has to be made as to whether

there is a material justification for a departure from the development plan. In addition, other matters including the proposal's impact on the amenity of adjacent properties and on the local road network will need to be considered.

- 6.2 In terms of residential development, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.
- 6.3 Designing Streets - A Policy Statement for Scotland was introduced in March 2010 and marks the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.
- 6.4 In this instance, the proposal involves the re-use of a previously developed site which would have a positive impact on the built and natural environment. The proposal also promotes development in a sustainable location which would be accessible by public transport and well integrated into existing walking and cycling networks. With regard to Designing Streets, any detailed layout submitted with a subsequent application for the approval of matters specified in conditions would have to comply with this guidance in addition to the design standards set out in the Council's Residential Design Guide. It is, therefore, considered that the principle of the proposal is acceptable and in accordance with national planning policy.
- 6.5 The application site is designated partly for residential use and partly as Employment Land within the adopted South Lanarkshire Local Development Plan. The site is also covered by the Green Network. The relevant policies in terms of the assessment of this application are Policy 1 - Spatial Strategy, Policy 4 - Development Management and Place Making, Policy 5 - Community Infrastructure Assessment, Policy 7 - Employment, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding of the adopted South Lanarkshire Local Development Plan and the supplementary guidance of the Proposed Development Management, Place Making and Design Supplementary Guidance relating to 'Community Infrastructure', 'Industrial and Commercial Development' and 'Design'.
- 6.6 Policies 1 and 7 promote sustainable economic growth and regeneration by encouraging the development of business in South Lanarkshire through the identification of employment land use areas. The categories of employment land use areas and appropriate uses are set out in Table 4.1 of the Local Development Plan and shown on the proposals maps. The site was identified as Other Employment Land which are areas designated for industrial use but have an increasing element of non-industrial uses. In this regard, the principle of re-designating the whole site to residential use was included in the Local Development Plan Main Issues Report (MIR), which was approved by Planning Committee in April 2017 and subject to public consultation, and Table 3.1 in the MIR notes a proposed change from a Development Framework Site (mixed use) to a Residential Masterplan site. No representations relating to this site were made and it will, therefore, proceed to be included in the Proposed Plan as a Residential Masterplan site.

- 6.7 As part of the site is designated as an Other Employment Land Use Area and the proposal relates to a non industrial/business use the application requires to be assessed against the terms of Policy ICD2 – Other Employment Land Uses of the Industrial and Commercial Development Supplementary Guidance. This policy states that in other employment land use areas indicated in the proposals map, proposals for non-industrial/business uses will be considered subject to meeting the following criteria:
- a The development is not for residential use.
 - b The proposal is not for retail uses that could undermine the vitality and viability of existing town and village centres within South Lanarkshire.
 - c The development will not prejudice the operation of adjoining businesses.
 - d The site or premises easily be accessed from main road routes and have satisfactory access by walking, cycling and public transport.
 - e The development will not adversely affect public safety.
 - f The infrastructure implications including the impact on the transport network of the development are acceptable or can be mitigated to an acceptable level.
 - g The proposal includes appropriate parking provision for the type of development.
 - h The development will not adversely affect the natural or built environment, including Natura 2000 sites and protected species.
- 6.8 With regard to Criterion a. and as discussed above, the principle of re-designating the whole site to residential use was included in the Local Development Plan Main Issues Report (Table 3.1 in the MIR which notes proposed change from Development Framework Site (mixed use) to Residential Masterplan site) approved by committee and subject to public consultation. No representations relating to this site were made and it will, therefore, proceed to be included in the Proposed Plan as a Residential Masterplan site. In terms of Criteria b. and c. the proposal is not for retail use and the design and layout of the development would have to be designed appropriately through any subsequent applications submitted for the approval of matters specified in conditions to ensure that it would not prejudice the operation of adjoining businesses.
- 6.9 With regard to Criterion d. the site is located at the edge of the industrial area and can easily be accessed from Carlisle Road offering good walking and cycling connections with the surrounding area. There is a relatively good level of bus service provision on Carlisle Road, therefore, the site can be served by public transport. With regard to Criterion e. it is considered that the proposal would not adversely affect public safety as all traffic resulting from the development would be segregated from the roads currently serving the wider industrial area. In terms of Criterion f. the proposal raises no infrastructural implications and the development of the site would have a positive impact on the built and natural environment as the proposal involves the redevelopment of a previously developed site for residential use. With regard to Criterion g. any consent granted would be conditioned to ensure that any matters specified in conditions application(s) submitted makes suitable provision for appropriate levels of car parking within the development. In terms of Criterion h. it is considered that any subsequent applications for the approval of matters specified in conditions would have to take account of the design guidance contained within Designing Streets and the Council's Residential Design Guide and be in keeping with development in the surrounding area to ensure the proposal would not adversely affect the natural or built environment.
- 6.10 In terms of Policy 5 – Community Infrastructure Assessment the applicant has agreed in principle to the provision of affordable housing on site or by way of a commuted sum in addition to a financial contribution for educational provision, to equate to the demand for school places arising from the proposed development, and the provision

of appropriate community facilities (and/or a financial contribution), either on site or off, both of which would be addressed appropriately through the conclusion of a Section 75 Obligation. It is, therefore, considered that the proposal meets the terms of the above policies.

- 6.11 Policy 16 - Travel and Transport seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In this regard, the site is accessible by public transport and the development would be well integrated into existing walking and cycling networks. Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues and that sufficient car parking is being provided for the development. On this basis, it is considered that the proposal complies with the terms of Policy 16. Due to the scale of the proposed development a Transport Assessment was submitted with the application that has assessed the impact on the local road network and its conclusions are considered to be acceptable. Roads and Transportation Services have assessed the application and subject to appropriately worded conditions they are satisfied that the development would not have an adverse impact on traffic flows or road safety and that adequate levels of car parking provision can be accommodated within the site. As discussed, the site would be accessible by public transport and the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal complies with Policy 16.
- 6.12 With regard to flooding and surface water drainage no adverse comments were raised by Roads and Transportation (Flood Risk Management) subject to the inclusion of conditions requiring the submission of a Flood Risk/Drainage Assessment for the Council's approval and the provision of a sustainable urban drainage system (SUDS) within the site. Scottish Water have also confirmed that they have no objections to the application and in addition to this any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of Policy 17.
- 6.13 In terms of the design of the proposed development Policy 4 and Policy 14 are relevant to the assessment of the application. Policy 4 generally requires new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. Policy 14 states that development proposals should safeguard the local green network and identify opportunities for enhancement and/or extension. The protection and enhancement of the green network will be a core component of any masterplan, development framework site or community growth area. As the application is for planning permission in principle limited details have been submitted with the application in terms of the detailed layout and design of the proposal. Consequently, any subsequent applications submitted for the approval of matters specified in conditions would have to take account of the design guidance contained within Designing Streets and the Council's Residential Design Guide and be in keeping with development in the surrounding area whilst protecting and enhancing the local green network.
- 6.14 In summary, the application is for a non-industrial/business use on land partly designated as Employment Land in the adopted South Lanarkshire Local Development Plan. In this regard, the application has been assessed against the criteria contained in Policy ICD2 – Other Employment Land Uses of the Industrial and Commercial Development Supplementary Guidance. As the application is for residential use within the site, the proposal does not comply with Criterion a. and is, therefore, contrary to the Local Development Plan on that point. However, the

Planning Act allows for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. In this instance, it is considered that a departure from the Development Plan is justified for the following reasons.

- (i) The proposal complies with all of the other criteria listed in Policy ICD2.
- (ii) The application site relates to a previously developed site and the re-development of this vacant and untidy site would have a positive impact on the environment.
- (iii) There are no infrastructure or road safety implications associated with the proposal.
- (iv) Part of the application site already has consent for residential use.

7 Reasons for Decision

7.1 For the reasons set out in 6.14 above.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

13 November 2017

Previous References

HM/17/0484

HM/13/0269

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted 2015)
- ▶ Neighbour notification letter dated 13.04.2017
- ▶ Press Advertisement, Hamilton Advertiser 27.04.2017
- ▶ Consultations
 - Roads & Transportation Services (Flood Risk Management Section) 02/05/2017
 - Roads Development Management Team 14/06/2017
 - Environmental Services 24/04/2017
 - The Coal Authority - Planning and Local Authority Liaison Department 28/04/2017
 - Education Resources 02/11/2017
- ▶ Representations
None

Contact for Further Information

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB
Ext 3657, (Tel : 01698 453657)
E-mail: jim.blake@southlanarkshire.gov.uk

CONDITIONS

- 1 Prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).
These matters are as follows:
 - (a) the layout of the site, including all roads, footways, parking areas and open spaces;
 - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
 - (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
 - (d) the design and location of all boundary treatments including walls and fences;
 - (e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs, including, where appropriate, the planting of fruit/apple trees;
 - (f) the means of drainage and sewage disposal.
 - (g) details of the phasing of development (covering all relevant aspects of development detailed in (a) above).
- 2 That no consent is hereby granted for any of the details shown on the plan:
Sketch Proposals: Site Plan (dated December 2013).
- 3 That the further application(s) required under the terms of Condition 1 above shall comply with the guidance on new residential development contained in the Council's Residential Design Guide.
- 4 That the further application(s) required under the terms of Condition 1 above shall include:
 - (a) a comprehensive site investigation, carried out to the appropriate Phase level, for the consideration and detailed approval of the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
 - (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk

assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

- 5 That the further application(s) required under the terms of Condition 1 above shall include, a scheme for the control and mitigation of dust for the consideration and detailed approval of the Council as Planning and Roads 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.
- 6 That the further application(s) required under the terms of Condition 1 above shall include a noise assessment for the consideration and detailed approval of the Council as Planning Authority to determine the impact of noise from the industrial and haulage sites located off Boreland Drive and in Strutherhill Industrial Estate on the proposed development using the principles set out in British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound, or a method agreed by the Planning Authority. The assessment shall be submitted to and approved by the Planning Authority and shall identify-
 - 1- the maximum Rating Levels (Including penalties either subjective or objective as appropriate)
 - 2- the statistical average Background Noise Level to which any part of the development will be exposed.Where the Level of Significance as described within the Scottish Government Document: Technical Advice Note Assessment of Noise, identifies changes in noise as moderate or greater (assessed with windows open), a scheme for protecting the proposed dwelling(s) from the noise shall be submitted to, and approved by, the Planning Authority. The approved scheme for the mitigation of noise shall be implemented prior to the development being brought into use and where appropriate, shall be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
(The Background Noise Level for the most sensitive period that the source could operate should be used for this assessment).
- 7 The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228, 'Noise control on construction and open sites'. Prior to commencement of construction activities a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be provided in accordance with the standard. The imissions at the Noise Sensitive Receptor shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. Corrections shall be made for variables such as the operating time and the relative cumulative impact value. This shall be corrected for attenuation and shall be provided as an LAeq.1hr to be compared with either the pre-existing background level or using the ABC table within the British Standard.
- 8 That the further application required under the terms of Condition 1 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 the further application(s) required under the terms of Condition 1 above shall include a Flood Risk/Drainage Assessment for the consideration and detailed approval of the Council as Planning and Roads Authority in consultation with SEPA. The required Flood Risk Assessment shall be the subject of independent verification in accordance with the Council's current design criteria.
- 10 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 11 That prior to the submission of the further application(s) required under the terms of Condition 1 above, intrusive site investigation works shall be undertaken to establish the exact situation regarding coal mining legacy issues on the application site to the satisfaction of the Council as Planning Authority in consultation with The Coal Authority.
- 12 In the event that the site investigations required under Condition 11 above confirm the need for remedial works the required remedial works shall be undertaken prior to the commencement of the development to the Council's satisfaction.
- 13 That the further application(s) required under the terms of Condition 1 above shall include a scheme for the provision of equipped play area(s) within the application site for the consideration and detailed approval of the Council as Planning Authority and this 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.
- 14 That the further application(s) required under the terms of Condition 1 above shall include full details of the design and layout of the access points onto the B7078 Carlisle Road and Borland Drive for the consideration and detailed approval of the Council as Planning and Roads Authority. The access onto the B7078 Carlisle Road shall have a visibility splay of 4.5m x 90m in each direction and the access onto Borland Drive shall have a visibility splay of 4.5 m x 60m in each direction to the Council's satisfaction.
- 15 That the further application(s) required under the terms of Condition 1 above shall include full details of the traffic signal model for the junction at Broomhill Road/John Street/Church Street for the consideration and detailed approval of the Council as Planning and Roads Authority. Any alterations to the timings at the junction shall require the investigation of a revised network model and updated timings implemented to the network along with an update to the SCOOT database. Timing changes shall be submitted for the Council's approval and thereafter shall be implemented to the Council's satisfaction. The above requirements relate to the following junctions:

Church Street/John Street/Broomhill Road

Church Street/McNeil Street/Union Street/Muir Street and nearby pedestrian

crossings
Union Street/Raploch Street/Wellgate Street
Duke Street/Hamilton Street/Wellgate Street/Drygate Street
Hamilton Street/Hamilton Road/Summerlee Road and nearby pedestrian crossing

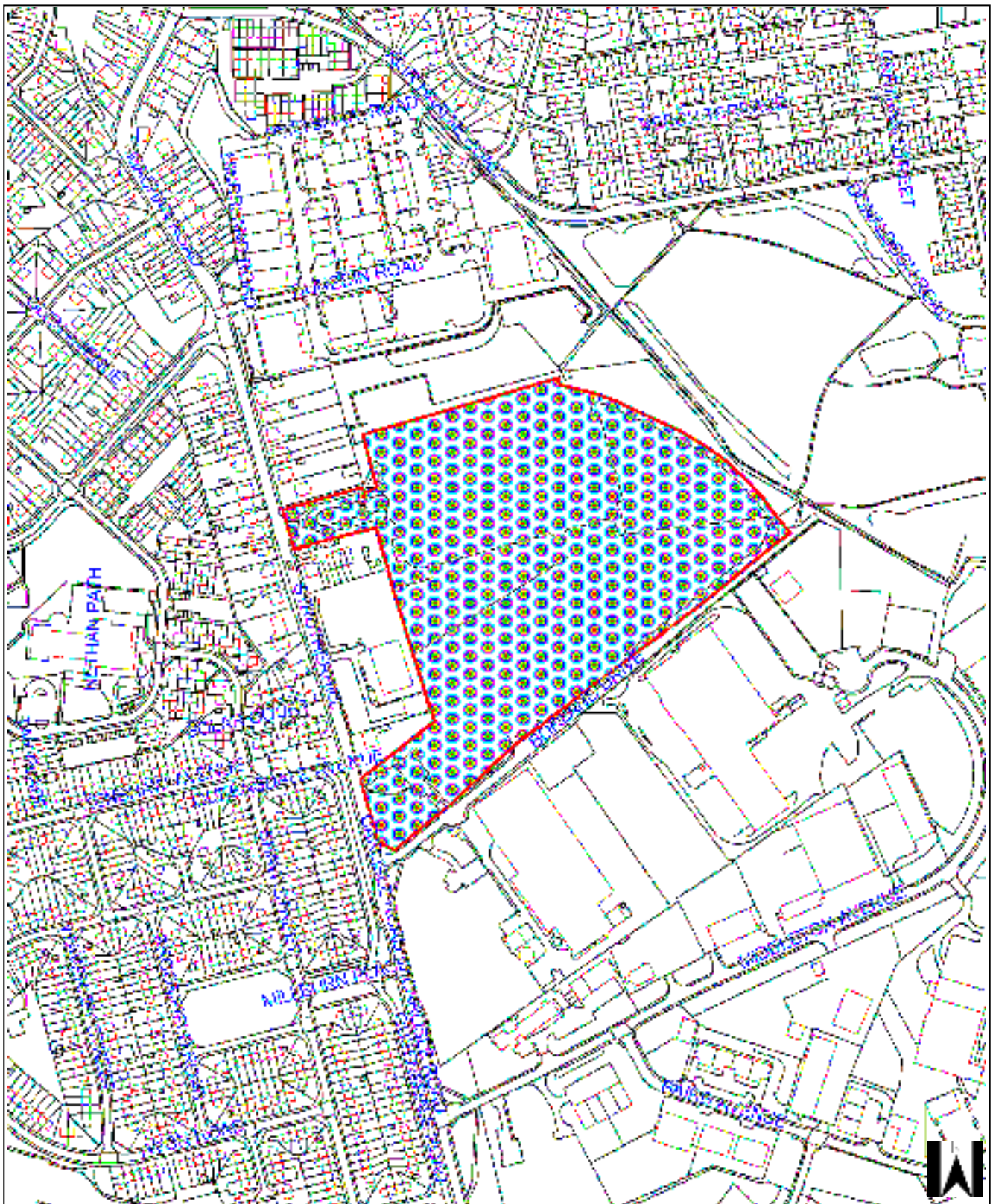
- 16 That the further application(s) required under the terms of Condition 1 above shall include a full Safety Audit for the consideration and detailed approval of the Council as Planning and Roads Authority in accordance with the Institute of Highways and Transportation Guidelines for all infrastructure to be constructed and adopted or altered on the public road.
- 17 That the further application(s) required under the terms of Condition 1 above shall include a detailed internal layout for all elements of the development for the consideration and detailed approval of the Council as Planning Authority in accordance with "Designing Streets" policy and SCOTS National Roads Development Guide, and the Council's associated Supplementary Guidance.
- 18 That the further application(s) required under the terms of Condition 1 above shall include details of the footway connections throughout the site, along the frontage of the development and connections to adjoining footways/footpaths, for the consideration and detailed approval of the Council as Planning and Roads Authority. Thereafter, the agreed details shall be implemented to the Council's satisfaction.
- 19 That the further application(s) required under the terms of Condition 1 above shall include details of the cycle way connections throughout the site along the frontage and linkages to the existing cycle route and town centre for the consideration and detailed approval of the Council as Planning and Roads Authority. Thereafter, the approved details shall be implemented to the Council's satisfaction.
- 20 That prior to the occupation of the 1st residential property details of a welcome pack shall be submitted to and approved by the Council as Planning and Roads Authority to encourage sustainable travel to and from the development and thereafter distributed.
- 21 That all parking incorporated in the development shall be in accordance with SCOTS National Roads Development Guide, and the Council's associated Supplementary Guidance.
- 22 That the further application(s) required under the terms of Condition 1 above shall include a habitat survey of the site for the consideration and detailed approval of the Council as Planning Authority.

REASONS

- 1.1 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2.1 Permission is granted in principle only and no approval is given for these details.
- 3.1 In the interests of amenity.
- 4.1 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

- 5.1 To minimise the risk of nuisance from dust to nearby occupants.
- 6.1 In the interests of amenity.
- 7.1 To safeguard the amenity of the area.
- 8.1 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 9.1 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.
- 10.1 To ensure the provision of a satisfactory sewerage system
- 11.1 To ensure the safety and stability of the proposed development.
- 12.1 To ensure the safety and stability of the proposed development.
- 13.1 In the interests of the visual amenity of the area.
- 14.1 In the interest of public and road safety.
- 15.1 In the interest of public and road safety.
- 16.1 These details have not been submitted or approved.
- 17.1 These details have not been submitted or approved.
- 18.1 These details have not been submitted or approved.
- 19.1 These details have not been submitted or approved.
- 20.1 To encourage sustainable travel to and from the development.
- 21.1 In the interest of public and road safety.
- 22.1 These details have not been submitted or approved.

For information only



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