

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>13 August 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0405
Planning proposal:	Erection of 34 semi-detached dwelling houses, formation of new access road and associated infrastructure

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	BHC Ltd
Location:	Proposed Housing Development Mill Road Thankerton Biggar South Lanarkshire ML12 6NY

## 2 Recommendation(s)

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

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

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Detailed planning permission should not be issued until an appropriate 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:
  - Financial contribution towards the provision of affordable housing
  - Financial contribution towards educational facilities
  - Financial contribution towards the upgrade of community facilities

In accordance with agreed procedure, should there be no significant progress on behalf of the applicant towards the conclusion of the Planning Obligation within 6 months from 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 applicant.

### 3 Other information

- ◆ Applicant's Agent: Calum Smith
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
 Policy 2 Climate change  
 Policy 4 Development management and placemaking  
 Policy 6 General urban area/settlements  
 Policy 12 Housing land  
 Policy 13 Affordable housing and housing choice  
 Policy 16 Travel and transport  
 Policy 17 Water environment and flooding  
**Supplementary Guidance 3: Development Management, Placemaking and Design**  
 Policy DM1 Design  
**Supplementary Guidance 1: Sustainable development and climate change**  
 Policy SDCC2 Flood risk  
 Policy SDCC3 Sustainable drainage systems  
 Policy SDCC4 Water supply  
 Policy SDCC5 Foul drainage and sewerage  
**Proposed SLDP2**  
 Policy 2 Climate change  
 Policy 3 General Urban Areas  
 Policy 5 Development Management and Placemaking  
 Policy 12 Affordable Housing  
 Policy 15 Travel and Transport  
 Policy 16 Water Environment and Flooding  
 Policy SDCC2 Flood risk  
 Policy SDCC3 Sustainable Drainage Systems  
 Policy DM1 New Development Design  
 Policy DM15 Water Supply  
 Policy DM16 Foul Drainage and Sewerage
- ◆ **Representation(s):**
  - ▶ 8 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comment Letters
- ◆ **Consultation(s):**
  - Education Resources School Modernisation Team
  - Community - play provision/community contributions

SEPA West Region

WOSAS

Housing Services

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Network Rail

Quothquan and Thankerton Community Council

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located on Mill Road on the edge of the settlement of Thankerton and comprises an area of open space. The site is located to the north side of Mill Road and is bound by the west coast railway to the north, housing to the south and east, and a car park to a public house and a single house plot to the west. Mill Road and the surrounding area contains a mix of house types with the majority being two storey traditionally built four in a block flats or semi-detached housing. The site is vacant, is generally level and covers 1.95 hectares.

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

- 2.1 Detailed planning permission is being sought to erect 34 semi-detached dwelling houses, the formation of an access road and associated infrastructure. The proposal includes improvements to Mill Road in the form of the widening of the existing carriageway to accommodate the existing on-street parking. The proposal incorporates landscaping, open space and play areas.
- 2.2 The houses are to be finished in off white render with contrasting buff bands and cills, white UPVC windows and doors, and dark grey concrete roof tiles.
- 2.3 The applicant submitted a number of documents and plans in support of the proposed development including a Noise Impact Assessment and Site Investigation Report.

### **3 Background**

#### **3.1 Relevant Government Advice/Policy**

- 3.1.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements.

#### **3.2 Local Plan Status**

- 3.2.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan (2015) and Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.2.2 In land use terms, the application site is identified within the adopted SLLDP as being within the Housing Land Supply where Policy 12 – Housing Land is applicable.
- 3.2.3 With regard to normal development management criteria, a number of other policies within the adopted SLLDP are considered appropriate to the determination of this application, namely Policy 2: Climate Change, Policy 4: Development Management and Placemaking, Policy: 6 General Urban Area/Settlements, Policy 13: Affordable Housing and Housing Choice, Policy 16: Travel and Transport and Policy 17: Water Environment and Flooding.

3.2.4 These principle policies are supported by specific policy guidance provided through approved Supplementary Guidance on the following topics,

- Development Management, Place Making and Design SG 3  
Policy DM 1 – Design
- Affordable Housing and Housing Choice SG 7
- Sustainable Development and Climate Change SG 1  
Policy SDCC 2 - Flood Risk, Policy SDCC 3 - Sustainable Drainage Systems, Policy SDCC 4 - Water Supply and Policy SDCC 5 - Foul Drainage and Sewerage.

The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and which result in no significant adverse impact. In addition, the Council has prepared a Residential Design Guide. An assessment of the proposal against these specific policies is contained in Section 6 of this report.

3.2.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 2, 3, 5, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 are relevant

### 3.3 Planning History

3.3.1 There is no planning history for this site.

## 4 Consultation(s)

4.1 **Roads and Transportation Services (Flood Risk Management Section)** - have no objection to the proposed development subject to conditions and advisory notes in relation to SUDs, flood risk assessment and maintenance of the proposed drainage system.

**Response:** Appropriate conditions and advisory notes would be added to any consent issued.

4.2 **West of Scotland Archaeology Service** - have no objections to the proposed development subject to appropriate survey work being carried out on the site.

**Response:** A condition will be added to any consent issued to ensure that a programme of archaeological works is carried out on the site.

4.3 **Roads and Transportation Services (Development Management)** – have no objections to the proposal subject to conditions being attached in respect of driveway provision, surface water drainage, surfacing, road cleaning and parking. The road layout, proposed traffic calming and level of parking provision on the site is considered acceptable for the scale of the development.

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

- 4.4 **Environmental Services** – no objections subject to conditions and advisory notes in relation to noise impact from the construction of the proposed dwellings, contamination and floodlighting.  
**Response:** Noted. Appropriate conditions and advisory notes will be added to any consent issued.
- 4.5 **Network Rail** – no objection to the development subject to conditions on secure fencing and landscaping  
**Response:** Noted. Appropriate conditions and advisory notes will be added to any consent issued to address the points raised.
- 4.6 **Community - Play Provision/Community Contributions** - no objections subject to the developer providing a financial contribution for community/play provision facilities in the local area.  
**Response:** Noted. Planning permission would 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 and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards community provision in the area.
- 4.7 **Housing Services** – a formal response has not been received, however, it has been intimated that a commuted sum to support social rented provision elsewhere in the local housing market area would be appropriate and that an appropriate contribution should be sought from the developer.  
**Response:** Noted. Planning permission would 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 and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards social rented housing provision.
- 4.8 **Education Resources - School Modernisation Team** – no objections subject to the developer providing a financial contribution to address the impact of the development on education accommodation within the catchment areas for the site.  
**Response:** Noted. Planning permission would 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 and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards education accommodation.
- 4.9 **SEPA** – no response to date.  
**Response:** There are no known flooding issues with the site and an advice note will be added to any consent issued to address the requirement to contact SEPA in relation to their development.
- 4.10 **Quothquan and Thankerton Community Council** - they have received several comments about the proposed development and that these comments have ranged from not wanting any more houses in Thankerton to being supportive of the idea of the development because it comprises small sized homes, more suited to retaining younger people within the community. The comments received by them and forwarded to the Council can be summarised as follows:-

- Concerns over the new houses accessing directly onto Mill Road due to the width of the road and the parked cars outside existing properties opposite the development. Mill Road is used by Scottish Water tankers to access their site behind Mill Place which can cause conflict on this narrow stretch of Mill Road and could be exacerbated with the new properties accessing onto this section of Mill Road and increasing the risk of accidents
- Standing water sometimes collects after heavy rainfall in parts of the site; how will this be dealt with?
- That an additional footpath from the southern end of the internal road should be provided to Mill Road, creating a shorter route to exit the new development
- Concerns have been expressed as to whether the existing Scottish Water facility would be able to cope with the additional development and this could result in an increase in the frequency of Scottish Water tankers using Mill Road
- Some residents have suggested the provision of additional road markings such as 20mph and additional give way markings in and around the development and that new footpath be provided along the west side of Mill Road to assist children walking to the school bus pick up points, and also be available for prams and any wheelchair users as the existing footpath of the east side of Mill Road is considered to be too narrow for these people to use
- The new dwellings will put additional pressure on the broadband network
- Concern has been raised about the extra number of construction vehicles, deliveries of materials and cement, etc., via Mill Road
- The parking of cars by staff working on the site during the early stages of the project. Thankerton is an older style settlement with little provision for the parking of motor cars other than on the road side
- One salt bin will need re-locating from its existing site, preferably to be re-sited at the Mill Road/Millands Road Junction, and one dog waste bin will need relocating, probably to the other side of Mill Road
- Concern has been expressed regarding the extra vehicular traffic using the Station Road/Mill Road Junction. This junction lacks a continuous footpath, and pedestrians using the existing footpath have to cross the road twice. The development will produce additional traffic at this road junction. It is felt by several people that traffic calming measures will be required at this road junction to ensure the safety of all users

**Response:** Noted. All the points raised via the Community Council have been raised and addressed in section 5 below.

## **5 Representation(s)**

- 5.1 Statutory notification was undertaken and the proposals advertised in the local press for Non-Notification of Neighbours. Following this, 8 letters of objection were

received. The issues raised in these representations can be summarised as follows:

- a) **Having 12 houses all accessing Mill Road at its narrowest point due to the parked cars could lead to accidents. Mill Road is used by large Scottish Water tanker lorries visiting the site of the sewerage septic collection facility which adds to the risk of accidents with vehicles emerging from the new driveways on this section of Mill Road. Could a standard width footpath be provided from approximately plot 11 to the southern end of the boundary of the site along Mill Road.**

**Response:** Following discussion with the applicant, it has been agreed that the length of Mill road in front of plots 1 to 13 is to be widened to 7.5m to accommodate the existing on street parking at this location. There will also be a 2m wide footpath provided along the whole street frontage of the proposed development. Roads and Transportation, following a review of the revised layout, have raised no objection to the proposed development. In addition, road calming measures in the form of speed humps and a build out on Mill Road have been included to control traffic speeds on Mill Road and Station Road.

- b) **Only 2 car parking spaces are being provided per house; where will additional and visitor cars park?**

**Response:** Roads and Transportation Services have advised that the parking provision is adequate for this development and raise no objections to the proposed development layout. Due to the widening of Mill Road and the dimensions of the new internal road, adequate on street parking is considered to be available to meet the needs of visitors to the new houses. It is, therefore, not considered necessary to provide additional parking within the development.

- c) **The Section of Mill Road between Millands Road and Station Road should have additional 20 mph reminders painted on the road surface due to the number of pedestrians crossing near the vacant shop. Vehicles emerging from Mill Place do not always give way/stop to see if there is anything coming up from Mill Road. The salt bin adjacent to the site boundary on Mill Road should be moved to the junction of Millands Road and Mill Road. The dog waste bin, situated close to the new access road, will also need relocating, possibly to the other side of the road.**

**Response:** Roads and Transportation Services have not identified the need for any additional road markings or signage on Mill Road or Station Road in their consultation response. The developer will require to carry out a Road Safety Audit as part of the road design process; this will identify any deficiencies in the layout and signage provision and recommend mitigation. This is part of the road construction consent process and is a function of the Council as Roads Authority. In relation to the existing road grit bin and dog waste bins, this is not a consideration of the Planning Service and the developer will have to liaise with the relevant departments in the Council about having these relocated.

- d) **The open amenity space, and plots numbered 17, 18, 33 and 34 are located in areas which are presently prone to standing water after heavy rainfall. Surface water which collects in the area of proposed house No**



**18 subsequently drains through garden of Thankerton Mill and then onto road. There is no useable drain at the bottom of Mill Road. Given that a tarmaced roadway will run downhill towards these locations, will additional drainage be necessary to reduce the risk of flooding.**

**Response:** All new roads and hard surfaces within the development will be redirected to a surface water drainage system which will direct the water to the nearby Glade Burn via a suds basin. This drainage system has to be designed to appropriate standards set out by the Council and will be subject to a flood risk assessment. A planning condition will be added, if consent is granted, to ensure a suitable surface water drainage system is put in place.

- e) In the last 3 years there have been eight properties constructed, all feeding their sewerage into the Scottish Water site behind Mill Place. Would the addition of these 34 dwellings create capacity issues for Scottish Water and/or increase the number of tanker vehicle movements? If the latter is likely, then traffic calming measures on the stretch of Mill Road, between Milllands Road and Station road should be considered.**

**Response:** Scottish Water have advised the developer that there is currently capacity in their sewer network to service the site. It is not known how this would affect the servicing of the existing sewerage works accessed via Mill Road. However, as part of the planned road upgrade, speed humps and a build out on Mill Road are proposed to control traffic speeds on Mill Road which should benefit all users of the area.

- f) In 2017, permission for two dwellings was granted on land behind the Village Inn, which runs between the new development and the railway. At the time people were concerned about the access being via the Village Inn car park. Would there be an opportunity create a new access between these two development sites?**

**Response:** The access for the two plots has been approved and it would be up to the two landowners to submit a revised planning application to propose a different access arrangement for the approved plots.

- g) These 34 new dwellings will put additional pressure on the broadband network. Should the developer be pressing BT for the installation of a new fibre optic distribution box in the area to service the new plots which in turn would benefit the existing residents?**

**Response:** The effect on broadband provision in the area of new development is not a consideration of the Planning Service.

- h) It is presumed that this development is a mixture of private/social housing; is there any indication as to what the breakdown will be? Why is there no provision for 1 or 2 bedroom houses for elderly/disabled?**

**Response:** The whole development is for private housing and the developer will pay the Council a contribution towards the provision of affordable housing within the Clydesdale Housing Market Area.

- i) Could one pair of houses be adapted to accommodate disabled/old people?**

**Response:** The developer has applied to develop the site with 3 bed, two storey semi-detached houses. This is a private development and there is no

requirement for the developer to provide for a specific demographic. However, all new housing has to be designed to allow disabled access and accessible facilities at ground floor level to comply with Building Regulations.

**j) Will developer provide things like additional flower planters for whole village?**

**Response:** The developer has no responsibility to provide flower planters for the village. A contribution will be made by the developer towards community facilities.

**k) Will local schools be able to cope with extra kids?**

**Response:** The Education Service has raised no objection to the development. A contribution will be made by the developer towards education facilities in the schools catchment area.

**l) Will developer/community council have a joint open evening to hear our views?**

**Response:** The applicant has submitted the planning application for a residential development on a site identified in the current adopted local plan for housing. The application does not fall within the definition of a major development and so statutory pre-application discussion was not required. The planning application process provides the opportunity for the local community to submit their observations on the development. This application has generated a number of concerns and comments either direct to the planning service or via the community council. All the points raised have been addressed in this report and the development layout has been altered to address some of the issues raised.

**m) The road at the junction of Mill Place and Mill Road is a regular vehicle turning spot. As the plans show a footpath emerging from the proposed development at this point, will there be a barrier between the footpath and the road?**

**Response:** The design of all new roads and footpaths are covered by the Roads Scotland Act and the details of the new layout will be designed to be in accordance with this legislation as part of the construction consent application to the Roads Service.

**n) What fencing/hedging will there be at the boundary to Thankerton Mill (The Shielling)**

**Response:** The plans do not show any new fencing or planting along the boundary to the existing property Thankerton Mill. However, a planning condition will be put in place, if approval is granted, to provide details of new fencing to be erected on site and also to restrict fencing heights to the front of the new houses. The maximum height of any new fencing will be 2m in the rear garden areas.

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

## **6 Assessment and Conclusions**

- 6.1 The applicants propose to develop 34 residential units, comprising 2 storey semi-detached houses, within the settlement of Thankerton. In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. The main determining issues in assessing this proposal are whether it accords with local plan policy, its impact on amenity and road safety matters.
- 6.2 Scottish Planning Policy (SPP) highlights that development proposals which accord with up-to-date plans should be considered acceptable in principle. The site is identified within the adopted South Lanarkshire Local Development Plan as being within the Housing Land Supply and, therefore, raises no issues in this regard. It is, therefore, considered that the proposal is in accordance with national planning policy and the adopted SLLDP in land use terms.
- 6.3 Policy 4 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated with the local context and built form. Proposals should have no significant adverse impacts on the local community and include, where appropriate, measures to enhance the environment. The design and scale of the proposed development is considered acceptable in this location. The proposed layout, scale and design of the houses complies with the Residential Design Guide in terms of window to window distances and other amenity issues. The proposed development is, therefore, considered to be consistent with Policy 4 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Development Management, Placemaking and Design.
- 6.4 Policy 13: Affordable Housing and Housing Choice states that the Council will expect developers to contribute to meeting affordable housing needs across South Lanarkshire by providing, on sites of 20 units or more, up to 25% of the site's capacity as serviced land for the provision of affordable housing where there is a proven need. The Council has, in this instance, agreed that a commuted sum to fund social rented affordable housing at alternative locations within the same Housing Market Area be sought. The developer has agreed to pay a commuted sum to the Council to fulfil this requirement. The proposed development is, therefore, considered to be consistent with Policy 13 of the SDLLP and with the policy guidance set out within the associated Supplementary Guidance Affordable Housing and Housing Choice.
- 6.5 With regard to road safety, Policy 16 - Travel and Transport - requires all new development proposals to consider the resulting impacts of traffic growth. The impact of the proposal on the local road network and in terms of parking provision has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions. The proposal can, therefore, be considered acceptable in transportation and road safety terms.
- 6.6 The application site is an identified housing site within the settlement boundary of Thankerton in close proximity to the existing public transport network. It is, therefore, in a sustainable location. Given the site's location, it is considered that

the proposed development can be appropriately serviced in terms of water and sewerage. No objections have been received from consultees in this regard. The site has been assessed by the Council's Flood Risk Management Team who are satisfied, subject to a number of conditions in relation to the detailed submission and implementation of a Sustainable Drainage Design. The proposal is, therefore, acceptable when assessed against Policy 2: Climate Change and Policy 17: Water Environment and Flooding of the SLLDP and the Sustainable Development and Climate Change SG.

- 6.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. In particular, the site is identified as a new housing site. It is considered that the proposal accords with Policies 2, 3, 5, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 in the Proposed plan.
- 6.8 Eight letters of representation were received as well as a consultation response from Quothquan and Thankerton Community Council in respect of the proposal, the grounds of which have been addressed in Section 5 above and do not merit refusal of the application. The requirements of the statutory consultees have been addressed through the use of conditions, where appropriate.
- 6.9 In summary, it is considered that the proposal conforms to both national and local plan policy and that no significant environmental or infrastructure issues are raised. Following a full and detailed assessment, it is considered that the proposed development is in accordance with the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance and the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and, on that basis, it is recommended that planning permission is granted. If the Committee agrees with the recommendation the decision notice should be withheld until a legal agreement to address the issues listed at the front of the report has been concluded.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on amenity or on the character of the area and complies with Policies 2, 4, 6, 10, 12, 13, 16 and 17 of the Adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance Development Management Place Making & Design and Sustainable Development. The proposal also complies with Policies 2, 3, 5, 12, 15, 16, SDCC2, SDCC3, DM1, DM15 and DM16 of the Proposed South Lanarkshire Local Development Plan 2.

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

Date: 19 July 2019

## Previous references

- ◆ None

## List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 15 March 2019
- ▶ Consultations
  - CER Play Provision Community Contributions 09.04.2019
  - Education Resources School Modernisation Team 01.05.2019
  - WOSAS 25.03.2019
  - Roads Development Management Team 09.04.2019
  - Environmental Services 03.04.2019
  - Roads Flood Risk Management 18.04.2019
  - Network Rail 3.04.2019
  - Quothquan And Thankerton Community Council, 49B Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 29.03.2019 & 10.06.2019
- ▶ Representations
  - Mrs Laura Knock, 49B Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY Dated: 19.03.2019
  - Mr Kevin Andrews, Village Post Office, 51 Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 18.03.2019
  - Mr Stephen Elliott, 6 Robin Close, Brough, HU15 1RY 19.03.2019
  - Peter Forkes, 22.03.2019
  - William Charles Cummings, 25.03.2019
  - Christine Anne Stokes, 40 Station Road, Thankerton, ML12 6NZ 25.03.2019
  - Mr Barry Knock, 49B Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 26.03.2019
  - Mrs Elizabeth Murdoch, 81 Mill Road, Thankerton, Biggar, South Lanarkshire, ML12 6NY 09.04.2019

## Contact for further information

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

Steven Boertien, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455116

Email: [steven.boertien@southlanarkshire.gov.uk](mailto:steven.boertien@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/19/0405

### **Conditions and reasons**

01. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
  - (b) details and specification of all trees, shrubs, grass mix, etc. including, where appropriate, the planting of fruit/apple trees;
  - (c) details of any top-soiling or other treatment to the ground;
  - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
  - (e) proposals for the initial and future maintenance of the landscaped areas;
  - (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

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

02. That all trees to be retained on the edge of the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

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

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

04. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include a flood risk assessment report and all signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: 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.

05. 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 designed in accordance with Scottish Water's standards.

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

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

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

07. That prior to the occupation of any of the houses hereby approved, a trespass proof fence of at least 1.8m in height shall be provided adjacent to the railway boundary. Details of such fencing together with future maintenance provisions shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.

Reasons: In the interests of public safety and the protection of Network Rail infrastructure.

08. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to safeguard any archaeological items of interest or finds.

09. That before any of the houses hereby approved are occupied, the carriageway of Mill Road shall be upgraded, widened over the frontage of the site as per the approved plans and traffic management measures installed along Mill Road and Station Road, all as per drawing 19-001-SK10a Road Layout and to the satisfaction of the council as roads authority.

Reason: To ensure the provision of satisfactory access to the site over the existing public road.

10. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011, no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road with the exception of a 800mm high wall or fence and before the development starts, samples of the pallet of materials to be used shall be submitted to and approved by the Council as Planning Authority.

Reason: To safeguard the residential amenity of the area.

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

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

12. That before each dwelling hereby approved is completed or brought into use, a private vehicular access or driveway of at least 12 metres in length shall be provided and the first 4m metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road. Each driveway and garden areas of the dwellings shall have adequate drainage installed as to prevent water from entering the footpath and pavement.

Reason: To prevent deleterious material or water from being carried onto the pavement and public road.

Reason: In order to retain effective planning control.

13. That before development starts on site the developer shall submit a site and traffic management plan (to include arrangements for construction workers' parking) to the Council as planning authority for approval and development shall not start until written approval has been given.

Reason: to ensure that appropriate management and site compounds are put in place to minimise disturbance to residents surrounding the site.

14. That during construction wheel washing facilities shall be installed at the entrance/exit to the site, in order that all vehicles leaving the site are kept clear and free of debris. The applicant or subsequent operator(s) shall at all times be responsible for the removal of mud or other materials deposited on the public highway by vehicles entering or leaving the site.

Reason: In the interests of traffic and public safety.

15. Prior to the development first coming into use a suitable mitigation scheme shall be provided. The scheme should detail the apparent weighted sound reduction for the glazing units with trickle vents fitted (as appropriate).

The scheme shall ensure that-

- a) The internal levels with windows closed do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
- b) The internal levels with windows closed do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
- c) The internal levels with windows closed do not exceed an LAeq, max of 45dB night-time (23:00 - 07:00).
- d) The external levels shall not exceed an LAeq, 16hr of 55dB daytime in any rear garden areas, when measured free-field.

Reason: to ensure the reasonable enjoyment of the residential units is not affected by noise nuisance

16. That no piling works shall be undertaken on site until a method statement has been submitted to and approved in writing by the Council as Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1992 'Evaluation of human exposure to vibration in buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on



the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

Reason: To ensure the impact of noise and vibration is minimised in accordance with BS 6472: 1992

17. Prior to commencement of development a dilapidation survey of Mill Road & Station Road shall be submitted to and approved in writing by the Council as Planning Authority. Any subsequent damaged caused to the road shall be repaired at the developers expense to the satisfaction of the Council as Planning Authority.

Reason: In the interests of traffic and public safety.

18. That each driveway should have a visibility splay of 2 x 20m and pedestrian visibility splays of 2.4m x 2.4m, (measured from the heel kerb of the footway). Within these splays nothing over 900mm in height, including the planting trees and shrubs is permitted within these splays.

Reason: In the interests of traffic and public safety

19. That before development starts a combined Stage 1 & 2 Road Safety Audit shall be submitted to and approved by the Council as Roads authority. All recommendations of the audit shall be completed to the satisfaction of the Council as Planning Authority in consultation with Roads and Transportation in the time scales agreed in the audit approval.

Reason: In the interests of traffic and public safety

20. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the new vehicular access road into the development off Mill Road and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety

21. That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

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

22. That before any work commences on the site a scheme for the provision of the play areas within the application site shall be submitted to the Council as Planning Authority for written approval 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 areas, including the location and type of safety surface to be installed;
- (c) details of the fences to be erected around the play area(s); and
- (d) details of the phasing of these works.

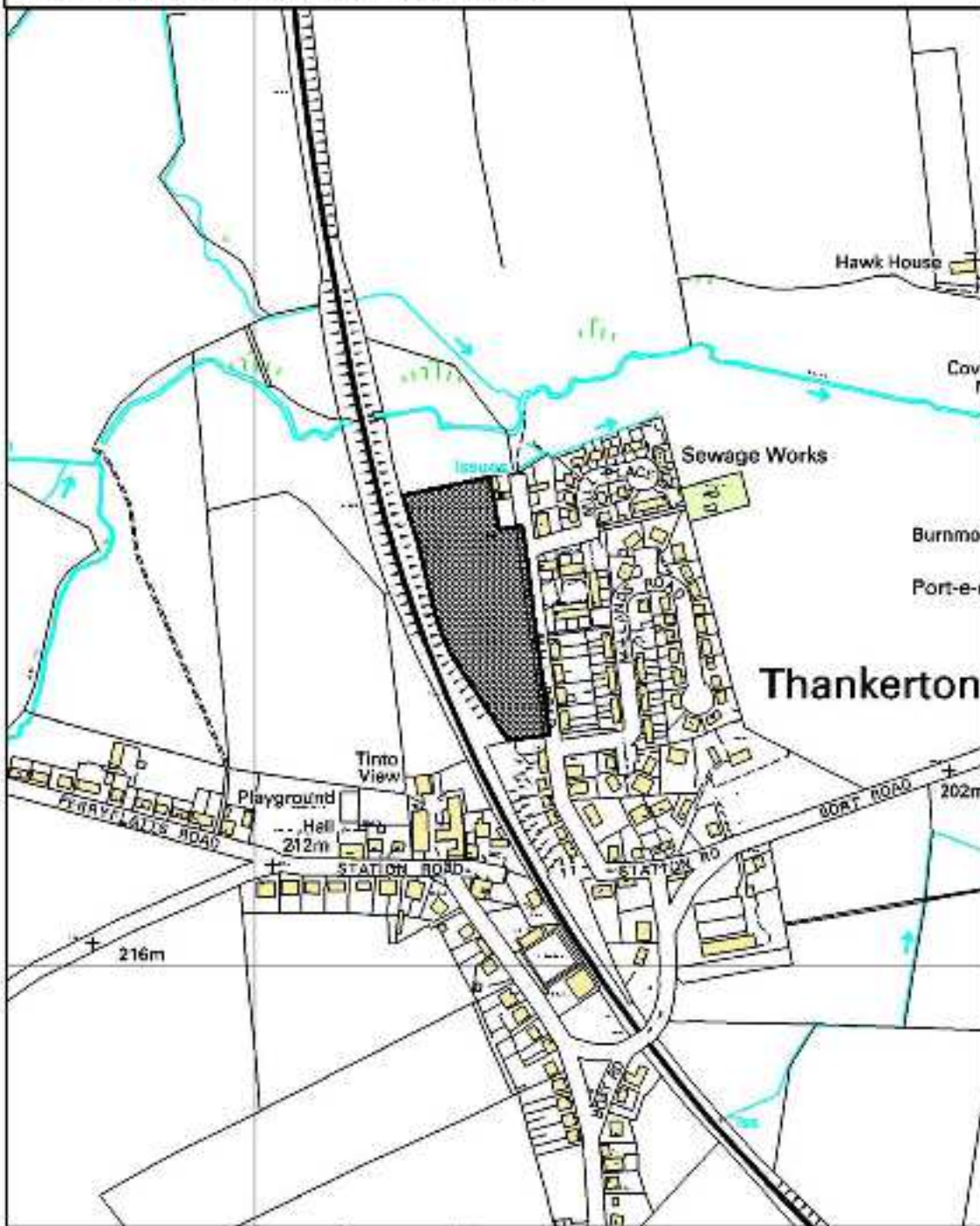
Reason: To ensure the provision of adequate play facilities within the site.

- 23 That prior to the completion or occupation of the 20th dwellinghouse within the development hereby approved, all of the works required for the provision of play area(s) included in the scheme approved under the terms of Condition 24 shall be completed, and thereafter, that area shall not be used for any purpose other than as play areas.

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

P/19/0405

Proposed Housing Development, Mill Road, Thankerton, Biggar



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development



Scale  
1:5,000  
Date:  
18/12/19



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