

Report to:	Planning Committee
Date of Meeting:	03 November 2009
Report by:	Executive Director (Enterprise Resources)

Application No	HM/09/0418
Planning Proposal:	Erection of 29 Detached Dwellinghouses with Associated Roads and Landscaping and Erection of a 34 bed Nursing Home (Amendment to HM/08/0375)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Cala Management Ltd / Cross Reach
- Location : 60 Wellhall Road
Hamilton

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 the Conditions Attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) That consent is withheld until such times as financial contributions of £17,400 (for non provision of play facilities) have been lodged with the Council.

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan**
 Policy RES6 – Residential Land Use
 Policy ENV2 – Green Network Policy
 Policy ENV4 – Protection of the Natural and Built Environment
 Policy ENV10 – Tree Preservation Order Review
 Policy DM1 – Development Management
 Policy DM9 – Demolition and Redevelopment for Residential Use
 Policy ENV11 – Design Quality
 Policy ENV12 – Flooding
 Policy ENV31 – New Housing Development
 Policy ENV32 – Design Statements
 Policy ENV35 – Water Supply
 Policy ENV36 – Foul Drainage and Sewerage

Residential Development Guide

- ◆ Representation(s):
 - ▶ 0 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters
- ◆ Consultation(s):

Environmental Services

Roads and Transportation Services (Hamilton Area)

Scottish Water

Land and Fleet Services (Arboriculture)

Planning Application Report

1 Application Site

- 1.1 The application proposals related to land associated with the existing Well Hall (Eventide Home), Millar Grove, off Wellhall Road, Hamilton.
- 1.2 The application site, which is irregular in shape, extends to approximately 4.8 hectares in area. Access to the existing home, located to the rear of the site, is gained via Millar Grove which is an adopted mono-blocked road. The site is bound to the south by Wellhall Road, to the east by Millar Grove, Pollock Avenue to the north and by residential properties located on Clearview Avenue to the remaining side. The site is located within a residential area and is bound on all sides by residential properties.
- 1.3 In addition to providing access to Well Hall home, Millar Grove also provides access to Millar Park Home (to the north east, close to Wellhall Road) and 14 residential properties, which occupies land to the south west on the opposite side of Millar Grove.
- 1.4 Wellshaw Burn runs through the site, along the eastern edge of the site and a number of mature trees are located within the site.

2 Proposal(s)

- 2.1 The applicants propose the demolition of the existing Well Hall (Eventide Home) and thereafter the erection of residential development and a replacement nursing home. The proposals are an amendment to a previous proposal for a similar development within the site (Application No. HM/08/0375). This submission was withdrawn upon the submission of this amended scheme and prior to its determination.
- 2.2 The proposed nursing home will be located at the end of Millar Grove. The building would be two storeys in height, of a modern design and provide accommodation for 34 residents. Car parking for 10 vehicles, accessed directly from Millar Grove as per the current home, and landscaped areas will be provided in association with this element of the proposal.
- 2.3 The residential development, proposed within the application will be accommodated within the middle to rear portion of the application site. This will be served by a new access road, which will be formed close to the junction of Millar Grove and Wellhall Road and will run round the existing Millar Park Home before entering the residential development. Twenty-nine two storey detached units will be provided within the development.
- 2.4 The proposed development will entail the removal of a number of trees within the site to accommodate the development, however, Wellshaw Burn and wooded areas along its banks will be retained as part of the development.
- 2.5 A number of supporting documents, submitted in support of the original 2008 submission have been carried forward in support of this current submission. These include a Flood Risk Assessment, Badger and Bat Survey and Tree Survey Report. A letter of support has also been submitted by the operators of Well Hall (Eventide Home).

3 Background

3.1 Local Plan Policy

- 3.1.1 In terms of the adopted South Lanarkshire Local Plan the site is identified as being a primarily a general residential area (Policy RES6 – Residential Land Use), within which residential type uses are considered acceptable subject to compliance with normal development control criteria. In addition the site is also identified as a Local Green Network (Policy ENV2). The Council will seek to protect and support proposals which enhance such areas and development that is likely to have an adverse effect on its connectivity or its value for biodiversity, or as an amenity will not be supported.
- 3.1.2 Through Policy ENV4 - Protection of the Natural and Built Environment development in areas of local/regional importance (including Tree Preservation Orders and Ancient Woodland) will only be permitted where the integrity of the protected resource will not be significantly undermined. It is noted that the entire application site is designated as the Wellhall Road, Hamilton TPO (HM/8) and that areas within the site are designated as SNH Ancient Woodland/Semi Natural Woodland (Site 44). Policy ENV10 – Tree Preservation Order Review commits the Council to undertake a review of TPO's to establish their continuing relevance, their need and provide guidance to landowners/householders affected by TPO designations.
- 3.1.3 In terms of normal development control criteria, there is a requirement for all new developments to comply with Policies DM1 – Development Management, ENV11 – Design Quality, ENV31 – New Housing Policy and ENV32 – Design Statements.
- 3.1.4 Policy DM1 requires that proposals take account of the local context and built form. Policies ENV11 and ENV31 promote the principles of sustainable development through design and layout, and seek to achieve developments which make a positive contribution to the character and appearance of the area within which they are located and which are well related to existing development, public transport, local services and facilities. Policy ENV32 requires design statements to accompany all planning applications.
- 3.1.5 Due to the nature of this proposal Policy DM9 – Demolition and Redevelopment for Residential Use also applies. This set out the criteria which the Council seeks to achieve within redevelopment proposals.
- 3.1.6 Through Policy ENV37 – Sustainable Urban Drainage System the Council promotes the requirements for SUD's, in appropriate developments. Whereas, Policies ENV12 – Flooding, ENV35 – Water Supply and ENV36 – Foul Drainage and Sewerage seek to ensure that any development is adequately serviced and raises no flooding issues
- 3.1.7 South Lanarkshire Council's Residential Development Guide provides additional advice and sets out the criteria against which new housing development should be assessed. This guide and the requirements of Policy STRAT10 – Developer Contributions of the Local Plan advise that financial contributions will be required, in certain circumstance to address the implementation of capital or other works to enable the development to proceed or address such issues as the non- provision of recreational facilities within the site and allow the upgrading of existing facilities.

3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within SPP3 – Planning for Housing and PAN 67 – Housing Quality. SPP3 promotes the aim that good quality housing in the

right location contributes to achieving the policy objectives of the Scottish Ministers. PAN 67 explains how 'Designing Places' – a Scottish Minister's Policy Statement for Scotland, should be applied to new housing developments. The Scottish Government advocates the re-use of brownfield site to provide sustainable development and assist in the protection of Green Belt locations.

3.3 **Planning History**

- 3.3.1 The use of the site as a residential nursing home is one of longstanding. As previously stated the applicants withdrew, prior to any decision being made by this Authority, a previous planning application for a development comprising a replacement nursing home (36 beds) and residential development comprising 23 units (Application No. HM/08/0375).

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** – have no objection to the proposed development subject to conditions relative to the provision of dropped kerbs at all junctions, the provision of adequate visibility splays, provision of 2m wide footway, access road and turning heads to appropriate standards, driveway standards and car parking provision for nursing home.

Response: Noted. These requirements can be included as conditions where appropriate.

- 4.2 **Environmental Services** - have no objections subject to noise control during construction, refuse storage, control of dust, the treatment of contamination, demolition and pest control.

Response: Noted. Where appropriate, conditions shall be imposed if planning permission is granted.

- 4.3 **Leisure Services** – have raised concerns over the impact of the proposal on the existing trees and woodland within the site.

Response: Noted.

- 4.4 **Scottish Water** – no response to date.

Response: Noted.

- 4.5 With regards to the consultation process it is advised that whilst the above consultations were undertaken in respect of the amended application additional consultations were taken during the processing of the original submission. These include Roads and Transportation (Flooding) and SEPA. No objections were received from these consultees, subject to conditions. Given the current application is similar in scale and nature to the original proposal it was not considered necessary to re-consult these parties, however any requirements raised through the previous consultations will be addressed through conditions attached to this consent, if approved and where appropriate.

5 **Representation(s)**

- 5.1 Statutory Neighbour Notification was undertaken. No letters of representations were received in respect of the amended proposals.

6 Assessment and Conclusions

- 6.1 The application proposes the demolition of an existing residential care home within ground at Millar Grove, Hamilton and thereafter the erection of a replacement 34 bed nursing home, 29 detached residential properties and new access road. The proposed demolition works do not require formal planning permission in this instance,
- 6.2 The main determining issues therefore in assessing these proposals are whether the new build works accord with local plan policy, their impact on amenity and road safety matters.
- 6.3 In terms of local plan policies the application site is primarily covered by a general residential land use designation within the adopted South Lanarkshire Local Plan (Policy RES 6). Within such areas residential development is considered appropriate. Furthermore, residential nursing homes are acceptable uses within such areas and it is noted that the use of the site for such purposes is well established. Any new developments within such designated areas would only be acceptable subject to compliance with normal development control criteria.
- 6.4 In addition to the above the site is affected by Policy ENV2 – Green Network, of the adopted local plan. Through this policy the Council seeks to protect and support actions to enhance the Local Green networks within South Lanarkshire. Development that is likely to have an adverse effect on its connectivity or its value for biodiversity or as an amenity will not be supported. Loss of an area in whole or in part will only be permitted where it can be demonstrated that development will enhance the existing situation in respect of wildlife, biodiversity, townscape quality and character, amenity and access. Whilst it is accepted that part of the site designated as a Green Network will be redeveloped as part of the proposed work it is considered that there will be no significant impact on this designation due to the fact that the existing burn and woodland areas adjoining will be retained and therefore there will be no impact on its connectivity or value for biodiversity. Through the provision of replacement trees, woodland management, enhanced amenity planting there is scope to compensate for any impact from the development.
- 6.5 Policy ENV 4 promotes the protection of the Natural and Built Environments. Within this policy reference is made to areas of local/regional importance, which include Tree Preservation Orders and Ancient Woodlands. These designations apply to the application site. Tree surveys have been undertaken and it is noted that the Arboricultural Manager has raised concerns over the impact of the development on the trees within the site. The proposal undoubtedly results in the removal of some trees which it would be desirable to retain. However, the proposal will result in the provision of a new nursing home which will replace the existing one on site. The existing nursing home is in need of replacement and without the enabling housing development, this would not happen. In their letter of support of the proposals the operators of the existing nursing home have advised that the present facility is not financially viable but that they have committed to maintaining the current home until 2010 in anticipation of the grant of consent of this application. This has avoided the need for staff redundancies and the need to relocate the current client group. The new home will offer further employment opportunities as staffing levels will exceed that of the current home, as well as providing ongoing support for local business that supply goods and services to the home. On balance, the proposal offers a solution to providing a new and much needed facility and despite the loss of trees is considered

that the development should be supported. In addition there is an opportunity for the provision of replacement trees within the site to compensate for the loss of the existing trees.

- 6.6 In terms of normal development control criteria this consists, in this instance, of Policies DM1 – Development Management, DM9 – Demolition and Redevelopment for Residential Use, ENV11 – Design Quality, ENV12 – Flooding, ENV31 – New Housing Development, ENV32 – Design Statements, ENV35 – Water Supply, ENV36 – Foul Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems and the Council’s approved Residential Development Guide.
- 6.7 In relation to the above detailed policies, these seek to ensure that any development within an area which is predominantly residential in character does not adversely impact on the amenity of such areas and that any such proposal can be adequately served by appropriate services, having considered the design and layout of the development, as amended, I am satisfied that the scheme as proposed can meet the criteria required of these policies and guidance.
- 6.8 In relation to the Residential Development Guide, which aims to provide advice and guidance on the key development standards for residential developments, I am satisfied that the proposed development, as amended, is in general agreement with the aims of this document. In relation to the non-provision of sports/recreational provision the Guide advises that there can be a financial contribution towards the improvement of existing facilities in such instances. In this case I am of the view that a contribution of £600 per unit would be appropriate. This is consistent with the requirements of Policy STRAT10 – Developer Contributions of the Local Plan.
- 6.9 In terms of impact on the amenity of the area and adjoining residents I am satisfied that the proposed development has been designed in such a manner that it will not be detrimental to the amenity or privacy of this residential area. Indeed, the amended scheme reduces the impact on the existing residents of Millar Grove, those most affected by the development, by relocating the access to the proposed residential properties. With regards to the proposed nursing home, whilst this will be located closer to the existing residential properties, it will not result in any adverse impact on residential amenity. The proposed access to the new nursing home is in a similar location as the current access and should not result in any significant impact than exists at present.
- 6.10 In relation to road safety, the scheme was amended to address initial concerns and the access to the housing element has been relocated to reduce any conflict with the existing users of Millar Grove. Roads and Transportation Services have offered no objections, subject to conditions to the amended proposal and it can therefore be considered acceptable in transportation terms.
- 6.11 No third party representations received in respect of the amended application and the requirements of the statutory consultees can be addressed through the use of conditions where appropriate.
- 6.12 I therefore recommend that planning permission be granted. However, consent should be withheld until the appropriate funds have been lodged with the Council.

7 Reasons for Decision

- 7.1 The development accords with the policies of the adopted South Lanarkshire Local Plan (Policy RES6 – Residential Land Use, Policy ENV2 – Green Network Policy, Policy ENV4 – Protection of the Natural and Built Environment, Policy ENV10 – Tree

Preservation Order Review, Policy DM1 – Development Management, Policy DM9 – Demolition and Redevelopment for Residential Use, Policy ENV11 – Design Quality, Policy ENV12 – Flooding, Policy ENV31 – New Housing Development, Policy ENV32 – Design Statements, Policy ENV35 – Water Supply, Policy ENV36 – Foul Drainage and Sewerage, Policy ENV37 – Sustainable Urban Drainage Systems and Policy STRAT10 – Developer Contributions) and additional guidance contained within the Residential Development Guide. In addition there will be no amenity or road safety issues resulting from the proposed in relation to surrounding residential properties.

Executive Director (Enterprise Resources)

27 October 2009

Previous References

- ◆ HM/08/0375

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan

- ▶ Consultations
 - Roads and Transportation Services (Hamilton Area) 21/09/2009
 - Environmental Services 08/09/2009
 - Leisure Services
- ▶ Representations
 - None

Contact for Further Information

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

James Watters, Planning Officer, Brandon Gate, Hamilton
Ext 3522 (Tel: 01698 453522)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

Detailed Planning Application

PAPER APART – APPLICATION NUMBER : HM/09/0418

CONDITIONS

The consent shall be carried out strictly in accordance with drawing numbers:

1

LP 002
PDS 004
A225X PD1 REV.A
A271CF PD1
A291C PD1

A24FE PD1 REV.B
A29FE PD1
A241IC PD1 REV.B
A185S PD1 REV.B
A21ICF PD1 REV.B
A23S PD1 REV.B
A195IC PD1 REV.A
A195FE PD1 REV.A

PDS004A
857_500 E
857_301 B
857_300 B
857_200 L

- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 Details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme. This scheme shall include the following details:
 - a) anticipated completion date for new nursing home and commencement of demolition works of existing nursing home.
 - b) details of proposed access/egress arrangements for existing nursing home and residential properties during construction/demolition works.
 - c) proposed construction/demolition access/egress arrangements for the new nursing home and residential development.
 - d) details of site facilities (cabins/offices, workers facilities, car parking, etc)
- 4 That notwithstanding the terms of condition 3 above, the nursing home hereby approved shall be completed and occupied within 30 months of the works commencing on site, or an alternative timescale as agreed in writing by the Council as Planning Authority.
- 5 That all trees to be retained within 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.
- 6 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 7 All trees to be removed must be replaced by semi-mature/mature trees of a similar species, details of which are to be agreed, prior to any works commencing on site, and thereafter implemented to the satisfaction of the Council as Planning Authority.
- 8 That the open space relating to the development shall be laid out simultaneously with the development or each phase thereof, and shall be completed to the satisfaction of the Council as Planning Authority.
- 9 That proposals for the maintenance of all areas of open space within the

development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

- 10 That before any work commences on the site a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
 - (b) details and specification of all trees, shrubs, grass mix, etc.;
 - (c) details of any top-soiling or other treatment to the ground;
 - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
 - (e) proposals for the initial and future maintenance of the landscaped areas;
 - (f) details of the phasing of these works;

and no work shall be undertaken on the site until approval has been given to these details.

- 11 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.
- 12 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 9 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 13 That before any work commences on site, a woodland management and maintenance scheme, covering the area hatched GREEN on the approved plans, shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) proposals for the continuing care, maintenance and protection of the trees, shrubs and hedges including details of the timing and phasing of all such works;
 - (b) details of the number, variety and size of trees and shrubs to be planted and the phasing of such works.
- 14 That prior to the completion of the development hereby permitted, the woodland maintenance and management scheme approved under the terms of Condition 12 above, shall be in operation.
- 15 That no development shall take place until further survey work to determine the presence or absence of both bats and badgers at the site have been undertaken and submitted to and approved by the Council as Planning Authority. The development shall not begin until any such action as is recommended by these surveys has been implemented and completed in accordance with the agreed details. These surveys shall provide details of measures to protect the property from potential future bat and badger activity, measures to allow the free movement of bats and badgers through the site, measures to reduce the risk of badger road mortalities and measures to

prevent badgers establishing new setts within the application site during the various phases of development.

- 16 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.
- 17 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.
- 18 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 16 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 19 That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.
- 20 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.
- 21 That notwithstanding the terms of Condition 1 above, no permission is given for the decking detailed on the approved plans. The approval for which will be the subject of further details submitted to, and approved in writing, by the Council as Planning Authority.
- 22 That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.
- 23 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 24 That before development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 25 That before the development hereby approved is completed or brought into

use, the new vehicular access shall be constructed with a 4.5 metre radius kerb and a 5.5 metre wide carriageway and so far as it lies within the boundaries of the road abutting the site shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

- 26 That before the development hereby approved is brought into use, pedestrian dropped kerbs to all junction locations shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 27 That before development hereby approved is completed or brought into use, a turning space shall be provided within the site, designed in accordance with SLC Guidelines for Development Roads, and implemented to the satisfaction of the Council as both Planning and Roads Authority.
- 28 That before the development hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided and the first 2 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.
- 29 That before the development hereby approved is completed or brought into use a 2 metre wide footway shall be constructed from the new development to Wellhall Road to the specification of the Council as Roads and Planning Authority.
- 30 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 31 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular access 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.
- 32 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 33 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.
- 34 That the required drainage scheme shall be completed in accordance with the approved details prior to the occupation of any part of the development hereby approved.
- 35 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority (and the Scottish Executive as Trunk Roads Authority).
- 36 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.

- 37 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 requirements.
- 38 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.
- 39 Prior to the commencement of development on site, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% 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 15% 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.
- 40 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by 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 as defined under Part IIA of the Environmental Protection Act, 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.

- 41 That prior to works commencing on site a dilapidation survey shall be undertaken, in conjunction with Roads and Transportation Services, of Millar Grove. Any defects of repairs necessary as a result of works associated with the development hereby approved shall be undertaken, entirely at the applicants expense and to the satisfactions of the Council as Roads Authority.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 These details have not been provided or approved.
- 4 In the interests of the amenity of existing residential nursing home and ensure to satisfactory provision of a replacement facility.
- 5 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 6 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 7 In the interests of amenity.
- 8 In the interests of amenity.

- 9 In the interests of amenity.
- 10 In the interests of the visual amenity of the area.
- 11 In the interests of amenity.
- 12 In the interests of amenity.
- 13 To ensure the protection and maintenance of the existing woodland within the area
- 14 In order to retain effective planning control
- 15 To ensure that provision is made to safeguard the ecological interest on the site.
- 16 In the interests of amenity and in order to retain effective planning control.
- 17 These details have not been submitted or approved.
- 18 In order to retain effective planning control
- 19 These details have not been submitted or approved.
- 20 In the interests of amenity and in order to retain effective planning control.
- 21 In the interests of amenity and in order to retain effective planning control.
- 22 To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.
- 23 To minimise the risk of nuisance from dust to nearby occupants.
- 24 In the interest of public safety
- 25 In the interest of public safety
- 26 In the interest of public safety
- 27 In the interest of public safety
- 28 To prevent deleterious material being carried into the highway.
- 29 In the interest of public safety
- 30 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 31 In the interest of road safety
- 32 In order to retain effective planning control

- 33 To ensure the provision of a satisfactory land drainage system.
- 34 To ensure the provision of a satisfactory land drainage system.
- 35 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 36 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.
- 37 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.
- 38 In order to retain effective planning control
- 39 To secure a reduction in carbon dioxide emissions.
- 40 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 41 In the interest of road safety

For information only

For information only

