

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>29 May 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	HM/17/0558
Planning proposal:	Erection of 5 detached dwellinghouses (Planning Permission in Principle)

## 1 Summary application information

Application type:	Permission in principle
Applicant:	Mr David Smallwood
Location:	Avonbank Road Larkhall ML9 1QS

## 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.

## 3 Other information

- ♦ Applicant's Agent: Stewart Stevenson Architects
- ♦ Council Area/Ward: 20 Larkhall
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 4 - Development management and placemaking  
Policy 12 – Housing Land

### ♦ Representation(s):

▶	35	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

### ♦ Consultation(s):

Roads Development Management Team

Scottish Water

Arboricultural Services

Larkhall Community Council

Environmental Services

Roads and Transportation Flood Risk Management Section

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located on the north-west edge of Larkhall, adjacent to the Glengowan area. It is approximately 1 hectare and is relatively square in shape. It is bounded by mature trees to the north and west and by the Avon Water beyond. The southern boundary is enclosed by hedging and bounded by Avonbank House and by Nos. 1-3 Avonbank Road. The eastern boundary is open in nature.
- 1.2 The site was formerly used as a raspberry field but is now overgrown.

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

- 2.1 The applicant seeks planning permission in principle for the development of the site for residential use. The applicant has submitted an indicative plot and road layout for five detached dwellings.
- 2.2 The site is accessed via Avonbank Road, a private road which is taken off Millheugh Brae. Avonbank Road is single track and poorly maintained. The proposal would involve the formation of a new road access off Avonbank Road, behind 1-3 Avonbank Road in the current grounds of Avonbank House.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site, in land use terms, as being within a Housing land supply (as defined by Policy 12). Residential use is supported within such sites, subject to compliance with normal development management criteria.
- 3.1.2 Through Policy 4 - Development Management and Placemaking, the Council seeks to ensure that development proposals take account of the local context and do not have a significant adverse affect on the amenity and character of the area.
- 3.1.3 The Council's Residential Design Guide (2011) seeks to provide advice and guidance on the key issues to be considered in the determination of application proposals for residential developments.
- 3.1.4 An assessment of the proposal against these specific policies is contained in Section 6 of this report.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Scottish Planning Policy (2014) (SPP) highlights that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle.

#### **3.3 Planning Background**

- 3.3.1 An outline planning application for residential development, reference HM/04/0195 was submitted on 29 March 2004 but withdrawn prior to any decision being made. Planning permission in principle (reference HM/11/0153) was granted for 5 detached dwellinghouses on 20 September 2011 although this has now lapsed. In the

assessment of this planning application, the Coal Authority confirmed that the application site was not in a coal mining referral area.

#### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services** – commented that Avonbank Road is a partially-lit private single-track road, with no formal passing places, and no pedestrian provision. The road currently serves approximately six properties.

There are no objections to the proposal in principle subject to the applicant providing at detailed application stage a package to improve Avonbank Road, primarily in terms of its general condition (resurfacing required as a minimum) but also in terms of its geometry to aid manoeuvrability. The applicant is expected to incorporate a turning facility at the lower end (at the spur off to Avonbank) and maximise the available road width to facilitate passing vehicles. A traffic management plan is required for the control of construction traffic movement in order to minimise potential vehicle/pedestrian conflict and disruption. Details of the proposed wheel cleaning regime should also be submitted to ensure mud from the site does not unduly affect the existing roads.

In addition, a dilapidation survey of the existing road, street furniture, boundary walls/fences/hedges should be carried out by the applicant in advance of any site clearance/demolition/construction work. In particular, the applicant must undertake investigatory work, comprising intrusive sampling and testing sufficient to provide design parameters for slope stability assessments and back analysis of the existing retaining wall(s) on the west side of Avonbank Road and to confirm the structural integrity and suitability. This information will require to be approved by Roads and Transportation Services before any works can commence. It should be noted that works may be required to the existing retaining wall.

**Response:** The main requirements can be addressed through the use of planning conditions, where appropriate. It is noted, however, that Avonbank Road is a private road and is not legally controlled by the applicant although it is understood that they do have a right of access over the route.

- 4.2 **Environmental Services** – raised no objections to the proposal.

**Response:** Noted.

- 4.3 **Roads and Transportation Services (Flooding)** – no objection to the proposed development subject to design criteria relating to Sustainable Urban Drainage Systems and Flood Risk being satisfied through the completion of self certification documentation.

**Response:** An appropriate SUDs condition and flood risk assessment condition will be imposed should planning consent be granted.

- 4.4 **Scottish Water** - has confirmed that Camps Water Treatment Works and Skellyton Waste Water works have sufficient capacity to service the proposed development however the developer should discuss the development directly with Scottish Water. In addition, the principal of SUDS is supported.

**Response:** An informative would be attached to any consent granted advising the applicant to make contact with Scottish Water.

- 4.5 **Arboricultural Officer** – commented that, as the developer has not provided tree survey information, the imposition of planning conditions to ensure the preservation or planting of trees within the proposal would resolve any concerns.

**Response:** The imposition of a planning condition will address this should planning consent be granted.

- 4.6 **Larkhall Community Council** - object to the development of this land which, until the recent revision of the Local Plan, had always been designated as Green Belt. The Community Council will be making their representations to the new Local Plan consultation, to return this land, including Avonbank House to its original designation of Green Belt. However, at the moment, the Community Council objects to this land being used for a residential development of any number. This development would not be able to use the public sewer system and would, therefore, rely on a septic tank system. This would then impinge on the cleanliness of the Avon Water, to which the septic tanks would flow.

**Response:** The contention that the area should not have been removed from the Greenbelt was previously addressed in the preparation of the adopted local development plan. The fact is that the site was identified as being within the Larkhall settlement in terms of the previous local plan and is now identified as a housing land site in the current South Lanarkshire local development plan does not require to be revisited. Furthermore the principle of residential development has also been established through the previous planning consent (HM/11/0153).

The issue of the proposed development connecting to the existing wastewater works is a matter to be resolved between the applicant and Scottish Water. An informative would be attached to any consent granted advising the applicant to make contact with Scottish Water as requested.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposed development was advertised due to the non notification of neighbours and owners. Following this, 35 letters of objection have been received.
- 5.2.1 The grounds of objection are summarised and responded to as follows:

- (a) **Avonbank is a single lane private curved road approximately 0.2 kilometres long with poor surface conditions, visibility and no passing places or available ground necessary to introduce them. It is not capable of accommodating the access that the developer requires to service the development, nor is there space for a pedestrian footpath. The additional traffic that would use Avonbank Road would be detrimental to the residential amenity of the adjoining properties. The junction from Millheugh Brae to Avonbank Road is on a corner that could not cope with the additional traffic. There are current issues with people parking there and causing difficulty for the existing cars using this road getting in and out. Not to mention any construction traffic. This is unsafe for pedestrians who need to cross this junction and for cars coming in and out of the road. Clarification is required as to whether the road will be adopted.**

**Response:** As detailed above in paragraph 4.1, Roads and Transportation Services have commented that they have no objections to the proposal in principle subject to the applicant providing, at detailed application stage a package to improve Avonbank Road, primarily in terms of its general condition (resurfacing required as a minimum) but also in terms of its geometry to aid manoeuvrability. Improvement works would be necessary to bring the road up to an agreed standard and the applicant would require to undertake investigatory work to confirm the structural integrity and suitability of the existing retaining wall on the west side of Avonbank Road which would be required to meet the standards of the Council's Roads Authority. The applicant would, therefore, need to obtain permission from the other owners of the road and those properties who have a legal responsibility to the maintenance of the adjoining boundary wall to carry out any improvement works to the road or wall.

**(b) Much of the west side of Avonbank Road is supported by a retaining wall forming the eastern boundaries of the gardens in Clove Mill Wynd, which lie at a level below the access road. Any changes to the drainage regime, improvement works on the road and use by construction traffic and then permanently for residential traffic, in such close proximity will result in a high risk to the stability of the old retaining wall and threaten the safety and amenity of the adjoining properties. There has previously been a major structural failure of the wall and part of the road indicating the strong possibility that this could happen along other sections. The planning application gives no details of how this risk would be mitigated or prevented or any measures to upgrade the wall. Residents in the Briars Estate are responsible for the maintenance of the retaining wall bordering the Briars Estate and Avonbank Road. There is no detail how any damage to property would be addressed or compensated for – e.g. insurances, bonds, pre/post condition surveys of the wall etc. The proposal should be rejected until the applicant responds to this issue. Additionally, it is unclear if Avonbank Road is private, adopted or is to be adopted by the local authority. I understand that, if a road is adopted, the local authority would normally be expected to adopt structures, i.e. retaining walls and embankments, which support the road or any other adoptable area. As a private road, it is totally unacceptable for the local authority (South Lanarkshire Council) to approve a planning application which will negatively impact the retaining wall and increase the risk of failure of the wall if the roads authority (also South Lanarkshire Council) are potentially not liable for repairs to the wall which may result from such a planning application.**

**Response:** The ownership of the access road and wall and any potential damage to them and the resulting implications is a civil issue and does not constitute a material planning consideration in the assessment of this planning application. The Roads and Transportation Service has, however, asked for a dilapidation survey to be carried out by the applicants of the existing road, street furniture, and boundary walls/fences/hedges in advance of any site clearance/demolition/construction work. Additionally, they have requested that the applicant must undertake investigatory work, comprising intrusive sampling and testing sufficient to provide design parameters for slope stability assessments and back analysis of the existing retaining wall(s) on the west side of Avonbank Road and to confirm the structural integrity and suitability of the road to take additional traffic. This will establish if there are any issues that need to be addressed by the applicant in advance of any work starting on the site.

**(c) Existing properties on Avonbank Road enjoy a quiet and peaceful environment. The proposed development of five detached dwellings would have a serious impact on noise and pollution from additional traffic affecting existing residents.**

**Response:** Noted. Environmental Services have no objections to the proposal as discussed previously. They do however have powers within their legislation to restrict construction noise if nuisance occurs.

**(d) Proposal will have an adverse impact on existing wildlife including deer, badgers and bats. Excess traffic will be hazardous to a neighbouring proprietors free range chickens and will cause them unnecessary stress due to increased noise/disturbance.**

**Response:** This is an application for planning permission in principle only and these matters could be considered during the processing of any detailed planning application.

**(e) There are mature trees in this area that would be greatly affected by this build. Additionally, the removal of mature trees/woodland may result in subsidence to 3 Avonbank Road.**

**Response:** As detailed previously, the Arboricultural officer has commented that the imposition of planning conditions for the preservation or planting of trees within the proposal would resolve any concerns.

**(f) Depreciation in value of existing neighbouring houses as proposal would completely ruin the small and very private access road the homes are on.**

**Response:** This is not a relevant planning matter.

**(g) Loss of privacy to 3 Avonbank Road which has rear windows.**

**Response:** This is a planning application in principle to establish if the principle of using the site for residential purposes is acceptable. If acceptable, this issue would be considered as part of the proposal at the detailed planning application stage.

**(h) This site should be returned to its original Green Belt designation and I hope that the consultation process for amendments to the New Local Plan, will allow this to take place.**

**Response:** This does not constitute a material planning consideration in the assessment of the current planning application.

**(i) The objectors are unaware of the proposals by the developer for drainage and sewerage from the site and if permission is granted for this development, provision of routes for drainage, sewerage and other services will have implications for other areas of land. The current drainage system is already under pressure in Millheugh area. This would only add to this issue. There is an existing water supply pipe under the proposed entry to the site. There is no sewer available and septic tanks flowing into the river Avon is the only way to deal with this.**

**Response:** This is a planning application in principle to establish if the principle of using the site for residential purposes is acceptable. If acceptable, these issues would be considered as part of the proposal at the detailed planning application stage.

**(j) There is no need for housing. The proposal is completely unreasonable and unnecessary. There are many other developments being pursued in Larkhall area.**

**Response:** The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site, in land use terms, as being within a Housing land supply (as defined by Policy 12). Residential use is supported within such sites, subject to compliance with normal development management criteria.

**(k) This land was purchased with the owners “word” this wouldn’t be built on. Otherwise there were other options for other residents to buy the land and ensure there was no building completed.**

**Response:** This is not a relevant matter.

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 applicant seeks Planning Permission in Principle for the erection of 5 detached dwellinghouses. The determining issues that require to be addressed in respect of this application are its compliance with local plan policy, including any impact on the surrounding residential environment and its impact on road and access issues.

6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan,

unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local plan policy.

- 6.3 The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site, in land use terms, as being within a Housing land supply (as defined by Policy 12). Residential use is supported within such sites, subject to compliance with normal development management criteria. Accordingly, the principle of residential development from a land use perspective is not contentious. Furthermore, the principle of 5 detached dwellinghouses at this site was established by the previous planning consent as detailed previously.
- 6.4 In terms of the detail of the proposal, Policy 4 of the South Lanarkshire Local Development Plan states that all planning applications should take fully into account the local context and built form – i.e. development should not take place in isolation and must take cognisance of scale, position and materials of adjacent buildings and surrounding streetscape. This application however is for permission in principle and whilst an indicative layout has been submitted, no other details of the proposal have been received. The assessment of any development on this site, in terms of Policy 4, will take place at the detailed planning application stage. However, in terms of specifics of this site, it is considered necessary to restrict the height of any houses to a maximum of 2 storey. This restriction is subject to the development achieving all standards with reference to those contained within the Council's Residential Design Guide. Issues relating to the positioning of houses, finishing materials used, privacy and garden size would be assessed in any detailed planning application submitted.
- 6.5 In relation to access and related matters, a number of objections have been received with a number relating to roads issues. As detailed above in paragraph 4.1, Roads and Transportation Services have commented that the access to the site would require to be improved should the proposal be granted, however, have no objections to the proposal in principal subject to the applicant providing, at detailed application stage, a package to improve Avonbank Road, primarily in terms of its general condition (resurfacing required as a minimum) but also in terms of its geometry to aid manoeuvrability. This, along with the other main requirements including the undertaking of investigatory work, comprising intrusive sampling and testing sufficient to provide design parameters for slope stability assessments and back analysis of the existing retaining wall(s) on the west side of Avonbank Road to confirm the structural integrity and suitability can be addressed through the use of planning conditions.
- 6.6 Whilst none of the consultees raised any issues that cannot be addressed through the use of planning conditions or informatives attached to any planning consent, 35 letters of objection have been received. The grounds of objection have been considered in detail in Section 5 of the report and it is considered that the issues raised are either legal issues, can be dealt with by planning conditions/informatives or would not merit refusal of this planning application in principle.
- 6.7 Given the above, it is recommended that planning permission in principal be granted subject to the attached conditions.

## **7 Reasons for Decision**

- 7.1 The proposal will have no significant adverse impact on residential amenity and complies with the provisions of Policies 4 and 12 of the South Lanarkshire Local Development Plan and associated Supplementary Guidance. There are no additional material considerations which would justify refusing to grant planning permission.



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

10 May 2018

**Previous references**

- ◆ HM/04/0195
- ◆ HM/11/0153
- ◆ HM/17/X0412/INVALID

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Neighbour notification letter dated

▶ Consultations

Roads Development Management Team	20.02.2018
Scottish Water	28.11.2017
Arboricultural Services	16.04.2018
Larkhall Community Council	19.12.2017
Environmental Services	13.02.2018
R & T Flood Risk Management Section	11.12.2017

▶ Representations	Dated:
Tracey Campbell-Hynd, 19 Wallace Wynd Law, ML8 5FD	13.11.2017
William Rae, 40 Clove Mill Wynd, Millheugh	10.12.2017
Alistair Cook, 21 Clove Mill Wynd	11.12.2017
G. Parker, 3 Powforth Close, The Briars, Larkhall, ML9 1NU	12.12.2017
Audrey Marshall, Via Email	13.12.2017
Mary & Paul Russell, 3 Avonbank Road, Hamilton, ML3 1QS	14.12.2017
Andrew Robbie,	19.12.2017
Lynsey Campbell, 4 Avonbank Road, Millheugh, Larkhall, ML9 1QS	19.12.2017
Sheena Campbell, 41 Clove Mill Wynd, Larkhall, ML9 1NT	19.12.2017
Samuel J Campbell, 41 Clove Mill Wynd, Larkhall, ML9 1NT	19.12.2017

Wilson Kane, 4 Avonbank Road, Larkhall, ML9 1QS	19.12.2017
Graeme McDonald,	19.12.2017
Gary And Lynn Shanks, 60 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Helen McCrum, 11 Powforth Close, Larkhall, ML9 1NU	07.03.2018
Moyra And Wilson Couper, 38 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Annie Duncan, 17 Powforth Close, Larkhall, ML9 1NU	07.03.2018
James C Greenshields, 27 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Andrea Morton, 27 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Mr Alistair Park, 22 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Paul McLachlan, 46 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
K Weir, 35 Clovemill Wynd	07.03.2018
A And C Weir, 35 Clovemill Wynd	07.03.2018
Ethel M Shanlin, 8 Powforth Close, Larkhall, ML9 1NU	07.03.2018
John Davidson, 17 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
John McStay, 34 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Maxine McStay, 34 Clove Mill Wynd, Larkhall, ML9 1NT	07.03.2018
Neil R Stewart, 45 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018
Andrew And Mary Prentice, 47 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018
Nicola Sherwood, 56 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018
Mark Sherwood, 56 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018
Lee Hastie, 56 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018
Derek Hamilton, 44 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018
Dorothy Murray, 25 Clove Mill Wynd, Larkhall, South Lanarkshire, ML9 1NT	07.03.2018

John Greig Murray, 25 Clove Mill Wynd, Larkhall, South  
Lanarkshire, ML9 1NT

07.03.2018

Alistair Park, 22 Clove Mill Wynd, Larkhall, ML9 1NT

07.03.2018

**Contact for further information**

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

Murray Reid, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Ext: 3625 Phone (01698 453625)

Email: [murray.reid@southlanarkshire.gov.uk](mailto:murray.reid@southlanarkshire.gov.uk)

## Detailed planning application

Paper apart – Application number: HM/17/0558

### Conditions and reasons

1. Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority. 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 means of access to the site;
  - (e) the design and location of all boundary treatments including walls and fences;
  - (f) 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;
  - (g) the means of drainage and sewage disposal including connection details to existing services.
  - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.

2. That no building to be erected on the site shall exceed 2 storey(s) in height.

Reason: In the interests of amenity.

3. That the reserved matters application required under the terms of condition (2) above shall comply with the requirements of the Councils approved Residential Development Guide.

Reason: In the interests of amenity.

4. That no consent is hereby granted for the indicative plot layout, driveways or dwellinghouses shown on the approved plan.

Reason: Consent is granted in principle only and no consent is granted for the indicative details submitted.

5. That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.

6. That the further application required under the terms of Condition 2 above, shall be accompanied by a Design Statement which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site.

Reason: To provide an explanation of the design concept and to enable a greater understanding of the proposal.

7. That the further application required under the terms of Condition 2 above, shall be accompanied by a dilapidation survey of the existing road, street furniture, boundary walls/fences/hedges and should be carried out by the applicant in advance of any site clearance/demolition/construction work. Additionally the applicant must undertake investigatory work, comprising of intrusive sampling and testing sufficient to provide design parameters for slope stability assessments and back analysis of the existing retaining wall(s) on the west side of Avonbank Road and to confirm the structural integrity & suitability. This information will require to be approved by Roads and Transportation Services before any works can commence. It should be noted that works may be required to the existing retaining wall.

Reason: In the interests of road safety.

8. That the further application required under the terms of Condition 2 above, shall be accompanied by a traffic management plan and details of proposed wheel cleaning regime.

Reason: In the interests of road safety.

9. That the further application required under the terms of Condition 2 above, shall include details of the investigatory work undertaken, comprising of intrusive sampling and testing sufficient to provide design parameters for slope stability assessments and back analysis of the existing retaining wall(s) on the west side of Avonbank Road and to confirm the structural integrity & suitability. This information will require to be approved by Roads and Transportation Services before any works can commence.

Reason: In the interests of road safety.

10. That the further application required under the terms of Condition 2 above, shall be accompanied by a Flood Risk Assessment with reference made to CIRIA C624 and in accordance with the Reporting Requirements for Flood Risk Assessments issued by the Scottish Environmental Protection Agency (SEPA) shall be submitted to, and approved in writing by the Council as Planning and Roads Authority.

Reason: 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.

11. That the further application required under the terms of Condition 2 above, shall be accompanied by a Drainage Impact Assessment (If not included as part of the Flood Risk Assessment) in accordance with the principles of sustainable drainage and CIRIA C697: The SUDS Manual shall be submitted to, and approved in writing by the Council as Planning and Roads Authority.

Reason: To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.

12. That the further application required under the terms of Condition 2 above, shall be accompanied by a package of proposals to improve Avonbank Road primarily in terms of its general condition but also in terms of its geometry to aid manoeuvrability.

Reason: In the interests of road safety.

13. The plans and particulars submitted in accordance with condition 2 above shall include:
- (a) a tree survey and constraints plan in accordance with BS5837
  - (b) a plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhanging from the boundary, intrusion of the Root protection Area (see BS5837) must be shown.
  - (c) The details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained\* tree, including those on neighbouring ground.
  - (d) An Arboricultural Impact Assessment statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

Specific issues to be dealt with through the concept and design stage shall be the no dig specification for the construction of proposed roads, parking areas and driveway within the RPA of retained trees. Any design shall accord with BS5837, Arboricultural Practice note 12 and shall be an appropriate non dig sub base including three dimensional cellular confinement system.

\*In this condition a "retained tree" means an existing tree which is to be retained in accordance with the plan referred to at paragraph (a) above.

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.

14. The following activities must not be carried out under any circumstances:
- (a) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - (b) No works shall proceed until the appropriate Tree Protection Barriers are in place, within the exception of initial tree works.
  - (c) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
  - (d) No mixing of cement or use of other materials or substances shall take place within a Root protection Area, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area.
  - (e) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.

15. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:
- a) Location and installation of services/ utilities/ drainage.
  - b) Methods of demolition within the root protection area ( RPA as defined in BS 5837: 2012) of the retained trees.
  - c) Details of construction within the RPA or that may impact on the retained trees.
  - d) a full specification for the installation of boundary treatment works.
  - e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
  - f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
  - g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
  - h) a specification for scaffolding and ground protection within tree protection zones.
  - i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
  - j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
  - k) Boundary treatments within the RPA
  - l) Methodology and detailed assessment of root pruning
  - m) Arboricultural supervision and inspection by a suitably qualified tree specialist
  - n) Reporting of inspection and supervision
  - o) Methods to improve the rooting environment for retained and proposed trees and landscaping

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.

16. Prior to the commencement of the development hereby approved (including all preparatory work), details of all proposed Access Facilitation Pruning (see BS5837:2012 for definition) shall be submitted to and approved in writing by the Local Planning Authority. The approved tree pruning works shall be carried out in accordance with BS3998:2010. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.

17. No tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.

18. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing vegetation to be retained and trees and plants to be planted:
- b) proposed hardstanding and boundary treatment:
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

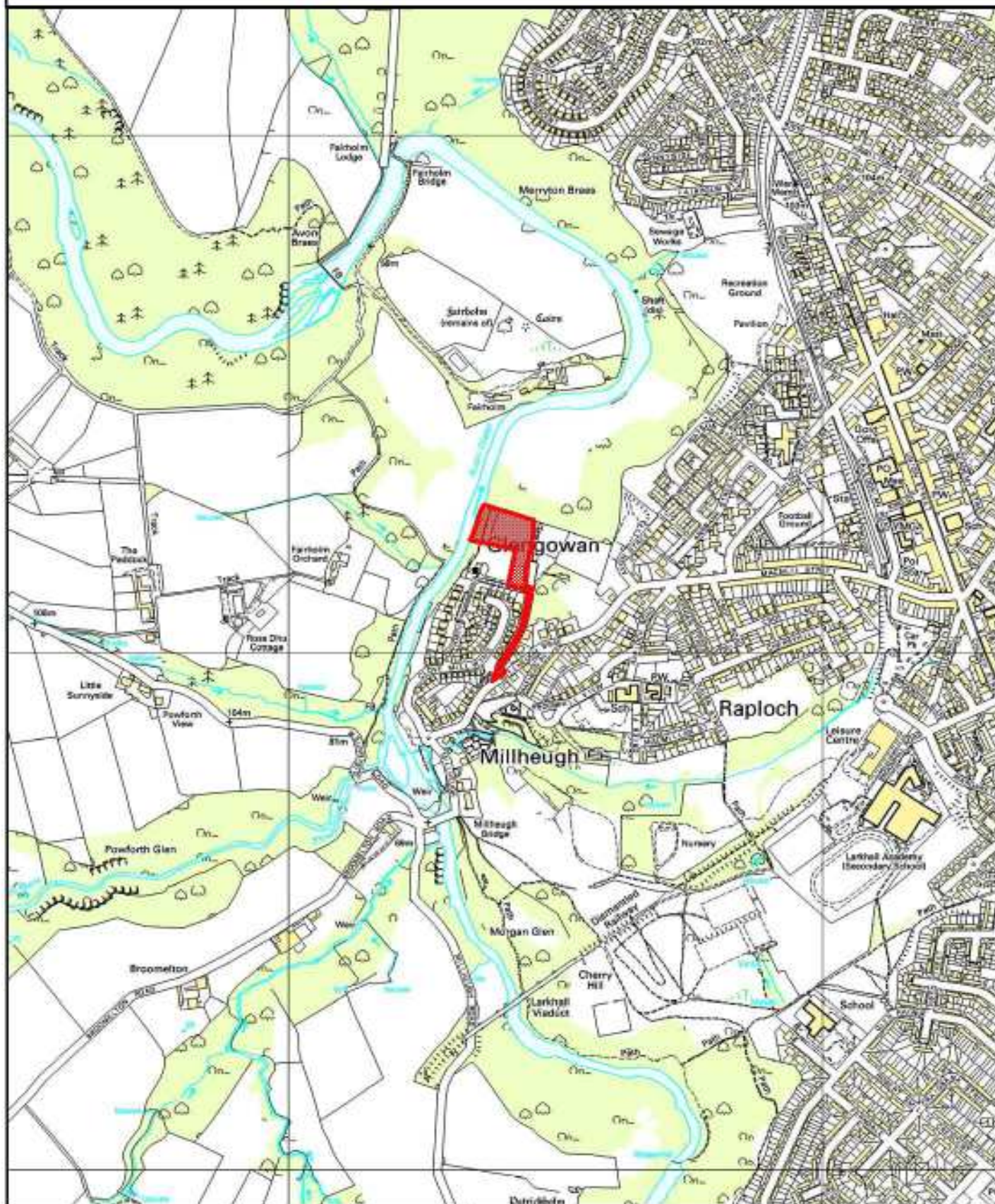
There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

Reason: To ensure the protection and maintenance of the existing trees and other landscape features within the site.



HM/17/0558

Avonbank Road, Larkhall



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**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development