

	<h1>Report</h1>	Agenda Item <h1>10</h1>
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Report to: Date of Meeting: Report by:	Planning Committee 8 February 2011 Executive Director (Enterprise Resources)
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Application No Planning Proposal:	HM/09/0438 Residential Development (26 Units), Associated Car Parking/Landscaping and Formation of Roundabout
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1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Paterson Partners
- Location : Former Waterworks Site
Strathaven 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, if approved, the decision notice shall be withheld until the conclusion of a Section 75 Agreement to ensure the following:
 - ▶ The submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area,
 - ▶ That the agreed pro-rata contribution be paid to South Lanarkshire Council upon receipt of the completion certificate for the first residential unit on the application site (or as otherwise agreed),
 - ▶ That provision of a new roundabout on the A723 to serve the development, designed and located entirely to the Roads and Transportation Service's requirements and guidelines.
 - ▶ The promotion and implementation of a Traffic Regulation Order to ensure that the existing 30mph speed limit on the A723 be extended to the southern boundary of the site (as identified by the Roads and Transportation Service). The implementation includes new gateway signing/features and speed limit countdown signage / road markings.
 - ▶ The implementation of the extension of the system of street lighting on the A723 to cover the extended 30 mile per hour speed limit.
 - ▶ The provision of bus shelters on either side of the A723 in front of the site,

- ▶ The provision of an equipped play area, designed to the Council requirements, within the application site, and
- ▶ The submission of a landscaping bond

All costs associated with the legal agreement, including the Council's costs, shall be borne by the applicant. In addition all costs associated with the works required above will also be borne by the applicant.

3 Other Information

- ◆ Applicant's Agent: James Barr Ltd.
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Plan**
 Policy STRAT 2 – Proposed Community Growth Area
 Policy STRAT 7 - Strategic Green Network
 Policy STRAT 10 – Developers' Contributions
 Policy RES1 – Housing Land Supply
 Policy RES2 – Proposed Housing Site
 Policy DM1 – Development Management
 Policy ENV11 – Design Quality
 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

Residential Development Guide

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

- ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Roads and Transportation Services (TEM)

Environmental Services

Leisure Services

Enterprise Resources – Estates

Greenspace and Countryside

Scottish Environmental Protection Agency

Scottish Water

West of Scotland Archaeological Service

Planning Application Report

1 Application Site

- 1.1 This application relates to the site of a former Waterworks on Strathaven Road to the south of Hamilton. At present the site is almost entirely surrounded by open farmland, the exception being a residential property, known as Hillcrest, which sits immediately to the north of the site. However, it is noted that the application site and part of the area surrounding land is identified as a Proposed Community Growth Area in the adopted local plan. The larger Community Growth Area site is the subject of a separate planning application.
- 1.2 The site is rectangular in shape and extends to some 2.3 hectares, is fairly level and sits on the brow of the hill at this prominent skyline.

2 Proposal(s)

- 2.1 The applicants propose the erection of a residential development, comprising 26 detached and semi-detached properties units, associated car parking and amenity space within the site. Access to the site would be from Strathaven Road via a newly formed roundabout located at the southern end of the site.
- 2.2 The initial application proposals have been amended, as a result of concerns raised by both the Planning and Roads and Transportation Services. Within the current scheme the proposed housing would be accommodated around a looped road layout, which has been designed to accommodate linkage into the future Community Growth Areas proposals. A communal “village green”/parking would be located centrally within the site.
- 2.3 Landscape buffer strips would be provided to both the north and eastern boundaries, whilst a further area of community landscaping, measuring approximately 35m by 95m, would be provided to the southern end of the site, adjacent to the proposed access to the site. This “gateway” feature, in the form of landscaped bing structures – to reflect the mining history of the area, would provide a setting for the development whilst protecting the visual skyline. However, the applicant’s original proposal to site a mining heritage feature, in the form of a pit head, has been removed from the current proposals.
- 2.4 The existing stone boundary wall, fronting Strathaven Road, of the site would be retained and extended into the sites new access. However, a new pedestrian access will be formed through it at its northern end, where a new bus stop is proposed. A landscaped buffer would be provided behind the wall within the application site along this boundary and the existing grass verge formed into a footpath.
- 2.5 In terms of the external appearance the proposed residential properties would be of a combination of 1 and a half, 2 and 2 and a half storey buildings spread throughout the site to provide variety, in terms of external finishes it is proposed that the house would be finished in slate roofs with a rendered wall finish and dry stone boundary walls.

3 Background

3.1 Structure Plan Background

- 3.1.1 The strategic policy for the release of the Community Growth Areas is provided by the Glasgow and Clyde Valley Joint Structure Plan 2006 which became operative in

April 2008. Strategic Policy 1 – Strategic Development Locations identifies Hamilton West, within which the application site is located, as one of thirteen community growth areas (Schedule 1(c)).

3.2 **Local Plan Policy**

- 3.2.1 In land use terms the site is identified, within the adopted South Lanarkshire Local Plan, as forming part of the identified Hamilton Community Growth Area (Policy STRAT2), a Proposed Housing Site (Policy RES2) and a Strategic Green Network (Policy STRAT 7).
- 3.2.2 To satisfy strategic housing land requirements as identified by the Structure Plan, areas within the Green Belt will be released for housing, subject to the submission of satisfactory master plans (Policy STRAT 2). In this respect the Council has prepared Masterplan Development Frameworks, for each Community Growth Area location, to brief developers on the matters to be considered and contained in master plans to be submitted for the Council's approval. It is noted that the application site and the land immediately adjoining the site did not form part of the Hamilton West CGA Masterplan Development Frameworks, which was prepared in advance of the emerging local plan. However, these areas were included as part of the land identified as a Community Growth Area within the adopted South Lanarkshire Local Plan and therefore the information contained within this document is of relevance to the application site.
- 3.2.3 Through Policy RES2, the Council will support development for housing within sites identified on the proposals map and associated appendix, which includes part of the application site. The Local Plan also identifies Strategic Green Networks (Policy STRAT 7), where creation of a framework of accessible green spaces and corridors will be supported with priority being given within specified areas, such as Community Growth Areas.
- 3.2.4 Policy RES1 – Housing Land Supply Policy confirms the Council's commitment to retaining a 5 year effective housing land supply towards which the proposed development makes a contribution, as part of the larger community growth area proposals. Policies RES4 – Housing for Particular Needs and RES5 – Affordable Housing and Housing Choice policies provide the policy basis which requires developments to take account of these particular types of housing. The Council, through Policy STRAT10 – Developers Contribution Policy provides a mechanism for assessing and seeking developer contributions related to the wider impact of a development.
- 3.2.5 Where a proposal accords with the above policy guidance, the principle of the residential development of the site is considered to be acceptable, subject to compliance with normal development management criteria.
- 3.2.6 In terms of normal development management 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.
- 3.2.7 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.

3.2.8 Through Policy ENV37 – Sustainable Urban Drainage Systems - the Council promotes the requirements for SUD'S, in appropriate developments. Whereas, Policies ENV35 – Water Supply and ENV36 – Foul Drainage and Sewerage seek to ensure that any development is adequately serviced and raises no flooding issues.

3.2.9 South Lanarkshire Council's Residential Development Guide provides additional advice and sets out the criteria against which new housing development should be assessed.

3.3 Relevant Government Advice/Policy

3.3.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy 2010 which requires planning authorities to promote the efficient use of land by directing development towards sites within existing settlements and previously developed (brownfield) sites where possible to make effective use of existing infrastructure and service capacity. However, the planned release (through Structure and Local Plans) of Greenfield site can also be appropriate if justified.

3.3.2 In March 2010, the Scottish government introduced its first policy statement in Scotland for street design - Designing Streets: A Policy Statement for Scotland, which marked a change in the emphasis of guidance on street design towards place-making and away from the dominance of motor vehicles. This document supports the Government's place-making agenda and is intended to sit alongside the 2001 planning policy document Designing Places, which sets out government aspirations for design and the role of the planning system in delivering these.

3.4 Planning History

3.4.1 The site's use as a Waterworks depot ceased many years ago, since then it has remained undeveloped. However, the site was the subject of two previous applications.

3.4.2 The first, a detailed planning application for the erection of 9 units in 2005 (Application No.: HM/05/0734) was refused permission by the Council. The reasons for refusal being that the proposal were contrary to the policies within both the adopted Hamilton District Local Plan and emerging South Lanarkshire Local Plan (Finalised Plan).

3.4.3 A further outline planning application for a residential development of up to 9 units was submitted in 2006 (Application No: HM/06/0906). The Council made no formal decision on this application submission.

3.4.4 A subsequent appeal against both the refusal of the first application and the non-determination of the second was dismissed by the Scottish Ministers in October 2007. In reaching their decision to refuse the application it was concluded that the proposals were contrary to the policies of the development plan in force at that time, given its Green Belt location and that there were no material considerations which merited the approval of the applications.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Hamilton Area and TEM)** – have no objection to the proposed development subject to conditions relative to the design and location of the proposed roundabout and its relationship with future proposal for the Community Growth Area application submissions, the undertaking of a Safety Audit, the promotion and implementation (at the applicant's expense) of a Traffic Regulation Order, implementation of additional street lighting, provision of footpath and bus shelters, carriageway widths, swept path analysis, driveway standards, parking, the provision of adequate visibility splays and surface water trapping.
Response: Noted. These requirements can be included as conditions, where appropriate.
- 4.2 **Environmental Services** - have no objections subject to the inclusion of conditions relative to refuse storage, dust control and contamination. A request for the inclusion of advisory notes relative to noise and the requirement to advise SEPA of the application proposals was also included within their response.
Response: Noted. Where appropriate, conditions and advisory notes shall be imposed if planning permission is granted. It is also advised that SEPA were formally consulted on the application and their response is detailed at Section 4.6 below.
- 4.3 **Leisure Services** – have offered no response to date.
Response: Noted.
- 4.4 **Enterprise Resources (Estates)** – have offered no objections to the proposals.
Response: Noted.
- 4.5 **Greenspace and Countryside Service** – have highlighted that the proposed boundary structure planting does not meet the standards specified within the Council's Residential Development Guide, that the integrity of the perimeter planting should be maintained and that further consideration be given to pedestrian access to the site.
Response: Noted. It is advised that the proposed scheme has been amended and elements the above comments have been satisfactorily addressed. However, with regards to the boundary structure planting it is confirmed that a screening of approximately 10 m is to be provided along the eastern boundary and approximately 4.5m along the northern boundary. Whilst this is below the 15m specified with the Residential Development Guide it is considered acceptable in this instance. The planting to the eastern edge would provide a suitable boundary treatment at this location and the planting along the northern edge, although substandard can be supplemented with additional planting in association with the future development of the adjoining site. It is further noted that to the south there would be a significant amount of planting as part of the proposed development to provide effective screening.
- 4.6 **Scottish Environmental Protection Agency** – have offered no objections subject to foul drainage discharge being to the public sewerage system and the provision of appropriate domestic waste provision.
Response: Noted. These requirements can be included as conditions, where appropriate.
- 4.7 **Scottish Water** – has offered no objection to the proposals but highlight the requirement of the developer to complete a Development Impact Assessment Form.
Response: Noted. The applicant has been advised of this requirement.
- 4.8 **West of Scotland Archaeological Service** – have advised that there are no substantive archaeological issues raised by these proposals.

Response: Noted.

5 Representation(s)

- 5.1 Statutory Neighbour Notification was undertaken and the proposals advertised in the local press. No letters of representations were received in response to these processes.

6 Assessment and Conclusions

- 6.1 The applicants propose the erection of a residential development, comprising 26 units, associated car parking and amenity space on the site of a former Waterworks Depot on the edge of Hamilton. In association with these proposals it is also intended to construct a new roundabout on Strathaven Road to provide access to the site.
- 6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. The main determining issues in assessing these proposals are whether the works accord with structure and local plan policy and other applicable guidance, their impact on amenity and road safety matters.
- 6.3 In this regard both the approved Glasgow and Clyde Valley Structure Plan (2006) and the adopted South Lanarkshire Local Plan 2009 support the use of the site as a Community Growth Area for residential development (Policies Strategic Policy 1 - Schedule 1(c) and STRAT2 respectively). Furthermore, part of the application site is designated as a proposed housing site (Policy RES2) with the adopted Local Plan. The proposed development would contribute towards the Council's housing land supply requirements and therefore accords with Policy RES1 – Housing Land Supply.
- 6.4 In terms of the requirements of Policy STRAT 2 of the South Lanarkshire Local Plan, it is accepted that the application site forms part of the wider Community Growth Area proposals. However, for operational reasons the applicants do not form part of the consortium developing the HCGA and seeks consent to proceed to the detailed development of the site in advance of the wider Community Growth Area. The consortium has now lodged a master plan application for the Hamilton Community Growth Area (Application No.: HM/10/0052), which is currently under consideration by the Council. This submission clearly excludes the current application site from its proposals. The HCGA consortium has also advised that they would raise no objections to this proposal proceeding in advance of the wider scheme on the understanding that there would be no conflict with their proposals.
- 6.5 I am satisfied that the proposals, as amended, take account of wider visions that the Council has in respect of the Hamilton Community Growth Area and through its revised layout retains the ability to integrate well with the future development of the land surrounding the site, which forms part of the wider scheme. Furthermore, the applicants are willing to enter into a legal agreement to ensure that they make a financial contribution towards the provision of infrastructure and facilities required as part of the Community Growth Area and in accordance with the Masterplan Development Framework. These include such items as education provision, affordable housing, off-site road works, community facilities, infrastructure costs and so on which will be progressed through the wider proposals (Application No: HM/10/0052).

- 6.6 With regards to the designation of part of the application site as part of a Strategic Green Network (Policy STRAT 7) it is considered that the proposed scheme contributes towards accessible green spaces as part of the larger CGA proposals.
- 6.7 On the basis of the above, the principle of the development is acceptable in general land use and policy terms. However, any new developments within such designated areas would only be acceptable subject to compliance with normal development management criteria.
- 6.8 In this instance this criteria comprises a number of policies, namely DM1 – Development Management, ENV11 – Design Quality, 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.
- 6.9 In relation to the above detailed policies which, in general terms, seek to ensure that any development does not adversely impact on the amenity of an area and that any such proposal can be adequately served by appropriate services I am satisfied, having considered the design and layout of the development, that the scheme, as amended, can meet the criteria required of these policies and guidance in this instance. The scheme proposed is of a bespoke design with traditional detailing in a village green type setting. Due cognisance has been taken of the specific site qualities and characteristics and the development will sit behind the existing substantial wall along the frontage of the site. This scheme is entirely suitable for this edge of settlement site unlike some housing scheme where the designs could be from or for anywhere, with no details which connects the site with its local context.
- 6.10 When assessed against the requirements of 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 is in general agreement with the aims of this document and those of Government guidance contained within Designing Streets.
- 6.11 In addition to meeting the requirements to provide finance towards the provision of off-site road works, such as bus shelters and traffic regulation orders and signage, necessitated by the development it is noted that the applicants are agreeable to making a contribution towards wider requirements associated with the site’s designation as part of the Hamilton West Community Growth Area. This is consistent with the requirements of Policy STRAT 10 - Developers’ Contributions and these matters would be the subject of a Section 75 Legal Agreement.
- 6.12 The residential development of the site is therefore considered to be acceptable when assessed against normal development management criteria and policy guidance.
- 6.13 In terms of impact on the amenity of the area 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 the area or the property immediately adjoining the site.
- 6.14 In relation to road safety it is noted that Roads and Transportation Services have offered no objections, subject to conditions, to the proposed development and it can therefore be considered acceptable in road safety and transportation terms.

- 6.15 No third party representations were received and the requirements of the remaining statutory consultees can be addressed through the use of conditions, where appropriate.
- 6.16 In conclusion, both the Structure Plan and the Local Plan support the principle of the development and all of the detailed matters have now been addressed. On this basis I would recommend that planning permission is granted subject to conditions and the conclusion of an appropriate Section 75 Agreement.

7 Reasons for Decision

- 7.1 The development accords with the policies of the adopted South Lanarkshire Local Plan (Policies STRAT 2 – Proposed Community Growth Area, STRAT 7 - Strategic Green Network, STRAT 10 – Developers’ Contributions, Policy RES1 – Housing Land Supply, Policy RES2 – Proposed Housing Site, Policy DM1 – Development Management, Policy ENV11 – Design Quality, Policy ENV31 – New Housing Development, Policy ENV32 – Design Statements, Policy ENV35 – Water Supply, Policy ENV36 – Foul Drainage and Sewerage and Policy ENV37 – Sustainable Urban Drainage Systems) and additional guidance contained within the Residential Development Guide. In addition there will be no amenity or road safety issues resulting from the proposal.

Colin McDowall
Executive Director (Enterprise Resources)

20 January 2011

Previous References

- ◆ HM/05/0734
- ◆ HM/06/0906

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Roads & Transportation Services H.Q.(Transportation)	18/05/2010 16/12/2010
Roads and Transportation Services (Hamilton Area)	
Estates Services	21/09/2009
Environmental Services	17/09/2009
Scottish Water	15/09/2009
S.E.P.A. (West Region)	04/11/2009
Greenspace & Countryside	18/11/2009
West of Scotland Archaeology Service	07/10/2010

- ▶ 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

CONDITIONS

- 1 This decision relates to drawing numbers:
 - 09-813-101 Site Plan
 - 09-813-102 Red Line Boundary
 - 09-813-103 Existing Site Plan and Sections
 - 09-813-1001 rev H Site Plan Layout Proposals (as amended)
 - 09-813-1002 rev B Sectional Elevations indicating Levels
 - 09-813-2001 House Type 1 Proposals
 - 09-813-2003 House Type 2 Proposals
 - 09-813-2004 House Type 2b Proposals
 - 09-813-2005 House Type 3 Proposals
 - 09-813-2007 House Type 4 Proposals
- 2 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.
- 3 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, unless otherwise agreed with the Council as Planning Authority, until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.
- 4 That before any work commences on the site, or as otherwise agreed with the Council as Planning Authority, 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.
- 5 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 first building 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.
- 6 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 4 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.

- 7 That before any work commences on the site or as otherwise agreed with the Council as planning Authority, a scheme for the provision of an equipped play area 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;
 - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; and
 - (c) details of the fences to be erected around the play area.
- 8 That prior to the occupation of the tenth dwellinghouse within the development, unless otherwise agreed with the Council as Planning Authority, all of the works required for the provision of equipped play area included in the scheme approved under the terms of Condition 7 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.
- 9 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.
- 10 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.
- 11 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 10 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 12 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. The submitted details shall include proposals for the continuation of the existing boundary wall fronting the site along its entirety.
- 13 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.
- 14 That before any dwellinghouse hereby approved is completed or brought into use, the road loop shown on the approved plans or an alternative turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 15 That before the development hereby approved is completed or brought into use all of the parking spaces on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

- 16 That before the development hereby approved is completed or brought into use, internal visibility splays of 2.4 metres by 25 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.
- 17 That no fences or walls shall be erected and no trees or shrubs shall be planted within the 2 metre wide public utility strip which runs parallel to the rear of the kerb defining the edge of the road.
- 18 The surface of driveways and parking bays shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 19 That access to the development should be via a new 32 metre diameter roundabout on the A723 or alternative scheme agreed by the Council as Roads & Transportation Service. Details of which should be submitted to, and agreed by the Council's Roads & Transportation Services prior to any works commencing on site, or as otherwise agreed by the Council.
- 20 That a continuous 2 metre wide footway should be provided across the full frontage of the development. Prior to works commencing on site, details of which should be submitted to and agreed by the Council as both Roads and Planning Authority and thereafter implemented to the satisfaction of the Council's Roads Services.

Within any submitted scheme appropriate crossing points, incorporating dropped kerbs, should be provided on the proposed and existing footways and bus stops, incorporating shelters, should also be provided in both directions.

- 21 That the minimum width of the internal carriageways be 5.5 metres. Prior to works commencing on site a swept path analysis showing that a large refuge vehicle negotiating all radii shall be submitted to Roads & Transportation for approval.
- 22 That the remote footpath, via a shared driveway, linking the site to the existing network at the northwest corner of the site shall be a minimum of 3 metres wide.

Prior to works commencing on site a drawing detailing the proposed delineation between the shared drive and footpath should be submitted to, and approved by, the Council as Planning and Roads Authority. Thereafter all works shall be implemented to the satisfaction of the Council as Roads Authority.

- 23 Prior to works commencing on site a swept path analysis of all driveways should be submitted, and approved by the Council as Roads and Planning Authority.

That prior to the occupation of any dwellinghouse hereby approved all driveways should be accessed via a drop kerb and be a minimum of 6 metres in length. The first 2 metres should be of a bound or block construction to ensure that loose material is not deposited on the road.

- 24 That prior to the occupation of any dwellinghouse hereby approved, the potential link to future developments to the north of the site, as shown on drawing 09-813-1001 rev H, be fully constructed to Roads and Transportation Services standards, to the site boundary so as not to create a possible ransom strip.

- 25 That before any development commences on site, or as otherwise agreed with the Council as Planning Authority, 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.
- 26 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.
- 27 (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.
- 28 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.
- 29 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.
- 30 That the development hereby approved shall not be commenced until the land drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 29 above.
- 31 That the required drainage scheme shall be completed in accordance with the

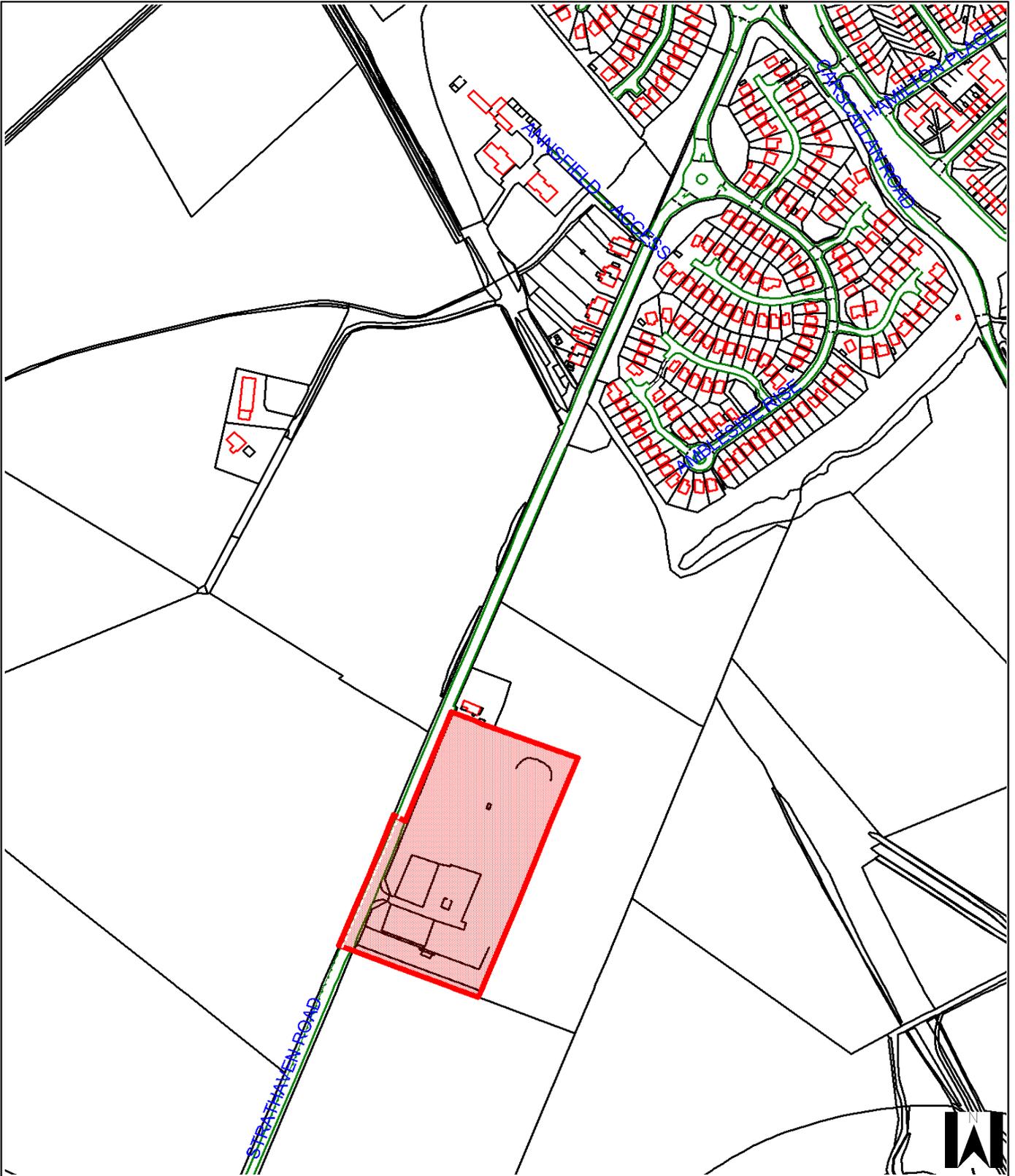
approved details prior to the occupation of any house hereby approved.

- 32 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).
- 33 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 34 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.
- 35 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.
- 36 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 gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity.
- 3 In the interests of amenity.
- 4 In the interests of the visual amenity of the area.
- 5 In the interests of amenity.
- 6 In the interests of amenity.
- 7 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control.
- 8 In order to retain effective planning control.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 These details have not been submitted or approved.
- 11 In order to retain effective planning control.
- 12 These details have not been submitted or approved.
- 13 In the interests of amenity and in order to retain effective planning control.
- 14 In the interest of public safety.
- 15 To ensure the provision of adequate parking facilities within the site.
- 16 In the interest of road safety.
- 17 In order to protect and allow access to underground services.
- 18 In the interest of public safety.
- 19 In the interest of road safety.
- 20 In the interest of road and public safety.
- 21 In the interest of road safety.
- 22 In the interest of public safety.

- 23 In the interest of road safety.
- 24 In the interest of road safety.
- 25 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.
- 26 To minimise the risk of nuisance from dust to nearby occupants.
- 27 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.
- 28 In order to retain effective planning control.
- 29 To ensure the provision of a satisfactory land drainage system.
- 30 To ensure the provision of a satisfactory land drainage system.
- 31 To ensure the provision of a satisfactory land drainage system.
- 32 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 33 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.
- 34 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.
- 35 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.
- 36 In the interests of amenity and in order to retain effective planning control.



For information only

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