



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: planning@southlanarkshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100577883-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	CERTUS		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mark	Building Name:	BLUE SQUARE OFFICES
Last Name: *	McGleish	Building Number:	
Telephone Number: *		Address 1 (Street): *	272 BATH STREET
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	GLASGOW
Fax Number:		Country: *	SCOTLAND
		Postcode: *	G2 4JR
Email Address: *			

Is the applicant an individual or an organisation/corporate entity?

* ☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Shahid"/>	Building Number: <input type="text" value="27"/>
Last Name: *	<input type="text" value="Chaudhary"/>	Address 1 (Street): * <input type="text" value="Lochore Avenue"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Paisley"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PA3 4BY"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:	<input type="text" value="South Lanarkshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="656533"/>	Easting	<input type="text" value="271719"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of two dwellinghouses with associated studio flats above attached garage, raised decking at rear and formation of access.

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see Letter to Members/Statement of Case attached.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Letter to Members/Statement of Case Tree Report Ecology Report Application Plans/Drawings Report of Handling Refusal Letter/Decision Application Forms

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

P/21/0029

What date was the application submitted to the planning authority? *

08/01/2022

What date was the decision issued by the planning authority? *

24/03/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site visit would assist Members to understand the acceptability of the proposal.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A hearing would allow the applicant to explain to Members the acceptability of the proposal.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Mark McGleish

Declaration Date: 23/06/2022

22.06.2022

FAO: Local Review Board Members
Executive Director (Corporate Resources)
Council Headquarters
Almada Street
Hamilton
ML3 0AA

Dear Members

Refusal of Erection of Two Dwellinghouses with Associated Studio Flats Above Attached Garage, Raised Decking At Rear and Formation Of Access at Land 120M Northeast of 55 Bothwell Road – Planning Application Reference: P/21/0029

Introduction - The Applicant feels it necessary to express to Members his disappointment regarding refusal of his proposal to construct two dwellinghouses in the eastern section of woodland, close to Hamilton College, Bothwell Road, Hamilton (hereinafter referred to as the “the Site”). The Site’s boundary is shown below (bounded red) along with the footprints of the two proposed dwellings.



Request for Review and Important Material Considerations - The Applicant respectfully asks Members to review his proposal afresh and when doing so to consider its merits of which there are many, including the important net environmental gain that will be delivered for the locale. In this regard Members are asked to consider the following points:

There is Already a Presumption in Favour of Development

Members' attention is drawn to a very important point. The 2 houses proposed will be constructed within the eastern section of the Site within land zoned as "General Urban Area" where there is a **presumption in favour of development** (Policy 3, LDP2). This part of the woodland area is of poor quality, hence we assume why it was zoned within the general urban area and not part of the Council's identified green network.

By comparison, the remainder of the Site between the proposed 2 houses and the Bothwell Road comprises of better-quality mature trees and is accordingly zoned as Green Network (Policy 13, LDP2). Trees within this area will remain undamaged by the proposed development. Indeed, the Applicant went so far as to alter his proposed layout to ensure that was the case.

The Proposal will Produce a Net Environmental Gain (Woodland Management and Biodiversity)

The Applicant is proposing to remove very few trees and those that will be removed are of lower quality. These are in fact located on ground that has been fundamentally altered and regraded/relevelled just a few decades ago. Therefore, the trees to be removed are merely self-seeded, largely scrub like and there appears to have been no active management of them. The detailed Tree Survey submitted in support of the application proves this. Please refer to the photograph below showing the scrub woodland area where the 2 dwellings are proposed to be built.

The trees within the woodland that will remain are mature and of better quality. These will be undamaged by the proposed construction works and enhanced by woodland management. In this regard the Applicant has offered to work with the Council to create a **Woodland Management and Biodiversity Plan**, designed to ensure that the remaining woodland area, stays as healthy as possible for as long as possible. It will also introduce specific measures to **enhance biodiversity** and encourage public access. The Tree Report and Ecology Report submitted in support of the application included suggestions with regard to these issues.



Woodland Management and Biodiversity Works Secured by Applicant's Financial Offering

It is understood that the Applicant had offered to transfer the remaining woodland area to the Council or a community body. The practicalities/delivery of that could prove difficult, mainly because such parties appear unlikely to want the land.

Accordingly, it is proposed by the Applicant that the woodland remains in private ownership and that he makes monies available to complete agreed woodland management and biodiversity improvement works. This obligation and financial commitment can be secured legally for example via a s.75 agreement ensuring that works are implemented. It is possible for example that the monies could be held in an Escrow account which can be drawn down upon by the Council if needs be.

The Remaining Woodland will be Protected

The entire woodland is protected by a Tree Preservation Order (TPO). That is a blanket Woodland TPO of the type often used for simplicity to cover an entire area of woodland, but it does not recognise or discriminate between good areas and bad areas of woodland.

The vast majority of the woodland will remain after construction of the 2 dwellings (circa 86%) and will still be protected by the TPO. Also, please note that strict tree protection measures will be implemented to ensure that no trees within the remaining woodland can be damaged by the Applicant's proposed construction works.

There Will Be No Unacceptable Impact on the Landscape Character of the Area

The loss of a small area of scrub woodland and the introduction of the 2 dwellinghouses will have negligible impact on the landscape character of the area. The proposed dwellings will effectively nestle against a backdrop of mature trees. Their inclusion into the landscape will not damage any key landscape features.

It should be noted that there is already built form within the locale, some of it much greater in scale than the Applicant's proposal and permitted by the Planning Authority only relatively recently. That built form appears to exist successfully without causing any significant landscape concerns. In this regard the immediate area is very varied and contains a large school, large blocks of residential flats, Hamilton Racecourse (and its various built forms, many of which are substantial), a golf course, green space and the M74.

There Will Be No Unacceptable Impact on the Visual Amenity of the Wider Area Due to Tree Loss

It would be rare to find a development proposal that will have a lesser impact on the visual amenity of its locale. The proposed houses will be invisible from Bothwell Road to the west. It would be a stretch to argue that it is likely to cause a visual amenity problem with regards to the adjacent Hamilton College carpark to the south. Or indeed the 4 story flats to the northwest. As previously mentioned the area is very varied and contains a large school, large blocks of residential flats and Hamilton Racecourse (and its various built forms, many of which are substantial).

No Adverse Impact on the Green Network

The area where the 2 proposed houses are located is **outwith the Green Network**. The remaining woodland is within the Green Network and will be protected from construction

works, enhanced via a Woodland Management and Biodiversity Plan and remain protected by a TPO.

No Adverse Impact on the Future Designation of the Site as Part of a Local Nature Conservation Area

The possibility of the site being designated as part of a Local Nature Conservation Area is not adversely affected by the proposal, indeed it is enhanced. The Applicant is proposing to implement an agreed **Woodland Management and Biodiversity Plan**, the terms of which would be agreed with the Planning Authority. The Applicant submitted both a Tree Report and an Ecology Report in support of his application which included suggested works in these regards.

On a related point concerning designations, the Planning Authority appear to consider further ecological and mapping work to be required in order to determine the value of the woodland as an Ancient Woodland (AW) or a Long-established woodlands of plantation origin (LEPO). The Applicant is willing to undertake any additional surveys that are necessary, and to accept planning conditions in that regard. However, there is specific criteria that must be verified for any Scottish Woodland to become an AW or regarded as a LEPO. This involves inclusion of the woodland in certain historical records (the 1750 Roy maps or the 1st Edition OS maps of 1860). We cannot see the woodland within such records. If it is not, additional ecological and mapping work will not make the woodland an AW or LEPO.

Concluding Remarks - Given the foregoing it is apparent the proposal complies with planning policy.

The proposal is justifiable in planning terms on its own merits and should be granted planning permission.

There are no objections to the proposal from SLC Roads Development Management Team, SLC Environmental Services or Scottish Water.

The proposal would not adversely affect the integrity, amenity, landscape and conservation value of the woodland in which the application site is located. **It therefore complies with LDP2 Policy NHE13 - Forestry and Woodland.**

The proposal would not result in an unacceptable loss of woodland, which is a protected local resource and of high conservation value, and would not likely lead to a permanent net loss of biodiversity. **It therefore complies with LDP2 Policy NHE20 - Biodiversity.**

The proposal has due regard to the landscape character of the area. It would not have a negative and unacceptable impact on the visual amenity of the wider area primarily as a result of tree loss. It would not have an adverse and irreversible impact on the green network and future designation of the site as part of a Local Nature Conservation Area. **It therefore complies with LDP2 Policy 5 - Development Management and Place Making and Policy 13 - Green Network and Greenspace** in these (and all other regards).

The proposal also complies with the below planning policies:

Policy 1 - Spatial Strategy
Policy 2 - Climate Change
Policy 3 - General Urban Areas and Settlements
Policy 14 - Natural and Historic Environment

Policy 15 - Travel and Transport
Policy 16 - Water Environment and Flooding
Policy NHE14 - Tree Preservation Orders
Policy DM1 - New Development Design

Yours sincerely

Mark McGleish
CERTUS

Report on tree condition at Bothwell Road, Hamilton

Commissioned by Mr Shahid Chaudhary

By Keith Logie MICFor

25 November 2020

Revised 5 July 2021



**Keith Logie MICFor BSc (Hons)
Chartered Forester
38/4 Temple Park Crescent
Edinburgh
EH11 1HU**

1. General introduction and summary

This tree survey has been carried out for Mr Shahid Chaudhary in relation to trees at Bothwell Road, Hamilton. It relates to 186 trees and other vegetation within and around the survey boundary shown on the plans supplied. The survey has been commissioned because a proposal is being drawn up to build two residential units on part of the site. If development were to proceed as proposed, a number of trees and shrubs would require to be removed, but the best trees will be retained, and the impact in arboricultural terms would be relatively small. The woodland area as a whole will be reduced slightly, but the remainder will be brought under active management, including replacement and enrichment planting, as a part of the development. A woodland management plan is to be created and submitted in due course. A tree protection plan has been included to ensure that the trees to be retained are not damaged by construction work. The report consists of:

- this written section;
- the schedule;
- a drawing showing current tree positions;
- a list of the trees proposed for removals; and
- the proposed tree protection plan drawing.

This revision has been issued because the building footprint now lies outwith the Green Network designated area, and the number of trees proposed for removal has been reduced.

2. Site description

The site is just over 1 hectare, and is predominantly mature woodland. It is bounded to the west by Bothwell Road, a busy dual carriageway, to the north by further contiguous woodland and a residential development dating from around 2000, to the east by Hamilton Park race course, and to the south by a woodland fringe and car park attached to Hamilton College. The site is mainly flat, but there is a low bund running north-west to south east towards the eastern boundary, and beyond it the ground falls away to the east and the race course. The access road serving the College appears to have been made up in the past, and there is a slight rise from this corner of the woodland up to meet it. The site is subject to a **Tree Preservation Order**. The majority of the site is designated as Green Network in the Local Development Plan. The eastern part of the site is excluded from this designation.

3. The Tree Survey

The trees on the site have been tagged with a numbered disc, on the south side of the trunk. Tree numbers run sequentially from 2048 to 2229 and 2342-2345. Trees smaller than 10 cm DBH and bushes were not tagged or recorded. Fieldwork was done on 23 November 2020.

The location of each tree has been plotted as per the supplied topographic survey. Information on each numbered tree is provided in the attached Tree Survey Schedule. The position of the trees is shown on the attached drawings.

All trees within the site have been ascribed a Retention Category. In line with the recommendations contained within BS5837:2012 "Trees in relation to design, demolition and

construction – Recommendations”, this takes account of the health, condition and future life expectancy of the tree, as well as its amenity and landscape value. The retention category for each tree is shown in the Tree Survey Schedule which records relevant data and comments on condition.

- A** – High category: trees whose retention is most desirable
- B** – Moderate category; trees where retention is desirable
- C** – Low category; trees which could be retained
- U** – Unsuitable for retention; trees which should be removed

Recommendations are made, where appropriate, on appropriate remedial action as regards tree surgery or felling works. These are specified where there is a significant current risk to public safety or tree health and are consistent with sound arboricultural practice. All tree work recommendations, where made, are in line with BS 3998: 2010 “Tree work recommendations”.

The site is subject to a **Tree Preservation Order**. Work must not be carried out to protected trees without the prior permission of the Council.

4. Survey results and discussion

186 trees of at least 10cm DBH within and adjoining the site were tagged, plotted and assessed. Details of the trees are shown in the Schedule below. Note that the Schedule is a summary of the data gathered and assessments made.

The **BS 5837 retention categories** of the 186 trees within the site were as follows:

Category A	53	28%
Category B	45	24%
Category C	85	46%
Category U	3	2%

In terms of their **condition**, they are as follows:

Good	76	41%
Fair	94	50%
Poor	15	8%
Dying	1	1%

The **species** mix is as follows, by number

Ash	17	9%
Beech	6	3%
Birch - Silver	24	13%
Cherry - gean	2	1%

Elm	7	4%
Hawthorn	1	1%
Horse Chestnut	9	5%
Lime - Common	10	5%
Norway Maple	1	1%
Oak - pedunculate	13	7%
Sycamore	47	25%
Willow – Goat	40	21%
Yew - common	9	5%

Findings: The woodland was adjudged to be group Category A as a whole. However, the woodland is not a consistent entity, and **contains two distinct stands of very different composition and value.** The individual category ratings are as summarised above and detailed in the Schedule below. Most of the woodland is populated by fine mature broadleaves, most of which are individually Category A. The overall proportions are skewed towards C rated trees because of the large number of poorer willows and self-seeded birches towards the eastern boundary. This part of the woodland has a different origin from the remaining parts of the woodland, and is of poorer value. Were the entire woodland comprised of similar trees it is doubtful whether it would have merited its TPO status.

The majority of the woodland area is dominated by large, mature broadleaves, mainly oak, lime horse chestnut and beech, which are mostly over 100 years old, and some older. These dominant trees are relatively few in number however. There are also mature sycamores and yews. There is a significant quantity of natural regeneration coming up in the gaps, mainly sycamore, and some ash. The woodland composition and maturity suggests that it was planted as a policy woodland sometime in the 19th century, though its origins may be older. Selective thinning of the natural regeneration would be beneficial, as would supplementary planting of desirable species. See photo below.



Photo 1 – Mature stand of broadleaves, western part of site

The eastern group (see drawing), is dominated by scrubby goat willows and is much more recent, and almost certainly all the trees here are self seeded. It seems likely that the ground levels changed here, at least 40 years ago or so, any existing tree cover was removed, after which point it was colonised by scrub. There appears to have been no active management in this group at all. Removal of these trees would reduce the area of woodland by 10.6 % but the trees in themselves are of low quality. See photo 2 below.



Photo 2: Eastern part of site showing closely spaced, small and poor quality trees on the bund

Other vegetation on site: there are a number of shrubs and a large number of self-seeded small trees that are not significant in arboricultural terms.

It is noted that the Local Development Plan also treats the site in two parts – the majority of the area and good quality woodland is designated Green Network, whilst the eastern portion of poorer quality woodland is not. This presumably reflects the fact that they have differing histories, and are of very different quality today.

Details of each tree surveyed are contained in the Schedule below.

5. Constraints posed by existing trees - considerations

Trees can be badly damaged or killed by construction operations, and particular care is required to protect them from damage. The ability of trees to recover from damage to roots is often very limited. Root systems can be damaged by ground excavations, soil compaction, contamination or spillages of e.g. diesel or cement, and changes in soil moisture content (both drying and waterlogging).

Most of the site is dominated by trees Category A which are the key components of a good quality mature woodland. The best trees (and all Category A trees) will therefore be retained. If development is to proceed as planned, a number of lower quality trees will have to be removed. In this event, care must be taken to ensure that construction of roads and buildings and service connections do not damage the trees to be retained. The trees which need to be removed for development to proceed as planned are shown in a table below.

The drawing below shows a Root Protection Area (RPA) for each tree, shown as a paler green circle, which shows the area near to the trees where activity needs to be carefully controlled during construction if the tree is to be retained. In addition, there are a variety of physical factors that could each impact on root growth and the ability of individual trees to tolerate changes in rooting environment. Temporary protective fencing is shown on the tree protection plan drawing as an orange line. See specification for fencing below.

6. Tree protection plan

In general terms, where trees are recommended for retention they must be protected by barriers and/or ground protection prior to commencement of any development works, including demolition. There should be no movement of machinery, stockpiling of materials, or changes in existing ground levels within the RPA of trees to be retained throughout the duration of the construction works except where detailed in this report. Temporary protective fences should be erected along the line as shown on the drawing below.

Temporary protective fencing - specification. This specification applies to all tree protection fences referred to below. Fencing to consist of 2m high welded mesh panels (Heras or similar) on rubber or concrete feet joined with a minimum of two anti-tamper couplings. The distance between the couplings should be at least 1m and should be uniform throughout the fence line. The panels should be supported on the inner side by stabiliser struts, which should be anchored at ground level by a block tray or stakes driven into the soil. All-weather notices should be

affixed to the fence with the wording “Construction exclusion zone – no access.” The position of temporary protective fencing is shown on the Tree Protection Plan drawing below.

Work within RPA’s. The nature of this proposal means that, in order to retain good quality trees close to the proposed access road, there will be work within the RPA’s. The principles that will be applied to work with the RPA’s are as follows:

1. There will be no excavations, except where detailed below. The access road will be built up from suitable imported material carefully laid on the ground until the required levels are achieved. Where employed, kerbs will be haunched up at ground level. The specification for the road will be detailed in the Construction Method Statement.
2. There will be no raising of soil levels above existing ground level on the stems of trees to be retained. This is critically important for long-term tree survival.
3. Special protective measures including porous surfaces, to allow natural percolation of water will be employed around trees 2143, 2145, 2147, 2148 and 2229 which will be close to or surrounded by the proposed access road. These measures will be detailed in the Construction Method Statement and will be designed to ensure the long term viability of these trees.
4. Where excavations are required, such as to achieve a connection between the existing school driveway and the proposed access road, these will be done by hand and under the supervision of a qualified and experienced arboriculturalist.

7. Recommendations

1. In order to allow development to proceed as planned, remove trees as listed below.
2. Implement the above tree protection plan to ensure that trees to be retained are not damaged by construction.

STANDARD CONDITIONS RELATING TO TREE SURVEY INFORMATION

1. Unless otherwise stated in the report, inspection has been carried in accordance with Visual Tree Assessment (VTA) Stage 1.
2. The survey has been carried out in accordance with the recommendations of BS5837:2012 "Trees in relation to design, demolition and construction – Recommendations".
3. Recommendations for tree works assume that they will be carried out in accordance with BS 3998: 2010 "Tree work recommendations" by suitably qualified and experienced persons.
4. Unless otherwise stated, tree surveys are undertaken from ground level using established visual assessment methodology. The inspection is designed to determine the following:
 - a. The presence of fungal disease in the root, stem, or branch structure that may

give rise to a risk of structural failure of part or all of the tree;

b. The presence of structural defects, such as root heave, cavities, weak forks, hazard beams, included bark, cracks, and the like, that may give rise to a risk of structural failure of part or all of the tree;

c. The presence of soil disturbance, excavations, infilling, compaction, or other changes in the surrounding environment, such as adjacent tree removal or erection of new structures, that may give rise to a risk of structural failure of part or all of the tree;

d. The presence of any of the above or another factor not specifically referred to, which may give rise to a decline or death of the tree.

4. Where further investigation is recommended, whether by climbing, the use of specialised decay detection equipment or the exposure of roots, this is identified in the report.

5. The findings and recommendations contained within this report are valid for a period of twelve months. Trees are living organisms subject to change and it is strongly recommended that they are inspected at regular intervals for reasons of safety.

6. The recommendations relate to the site as it exists at present, and to the level and pattern of usage it currently enjoys. The degree of risk and hazard may alter if the site is developed or significantly changed, and as such will require regular re-inspection and re-appraisal.

7. Whilst every effort has been made to detect defects within the trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to apparently healthy trees. In particular caution must be exercised if inferring or assuming matters relating to tree roots in the case where they cannot be visually assessed, as is normal and likely. It should be assumed that underground roots cannot be seen unless otherwise stated.

8. This report in no way constitutes a professional opinion on the integrity or status of buildings. Its primary purpose is to report on the status of trees. The status of built structures, if in doubt, should be reviewed by a suitably qualified person.

9. This report has been prepared for the sole use of Mr Shahid Chaudhary and his agents. Any third party referring to this report or relying on information contained within it does so entirely at their own risk.

Explanation of terms used in the schedule

Tag	Identification number of tree
Species	Common name of species.
DBH	Trunk diameter in metres measured at 1.5m.
Can	Radial tree crown spread in metres.
Ht	Height of tree in metres.
Age	Age class category. Y Young, E-M Early Mature, M Mature, M-A Advanced mature, Vet Veteran.
Stems	Single stemmed or multi-stemmed
Condition	Condition category (Good , Fair , Poor , Dying or Dead).
SULE	The tree's safe useful life expectancy, estimated in years. Note that this may be less than the tree's biological life expectancy.
BS Cat	BS 5837 Retention category (A , B , C or U – see explanation above)

Comments General comments on tree health, condition and form, highlighting any defects or areas of concern and any **recommendations**.

Tree condition categories

- Good** (1) Healthy trees with no major defects
 (2) Trees with a considerable life expectancy
 (3) Trees of good shape and form
- Fair** (1) Healthy trees with small or easily remedied defects
 (2) Trees with a shorter life expectancy
 (3) Trees of reasonable shape and form
- Poor** (1) Trees with significant structural defects and/or decay
 (2) Trees of low vigour and under stress
 (3) Trees with a limited life expectancy
 (4) Trees of inferior shape and form
- Dead** (1) Dead, dying and dangerous trees
 (2) Trees of very low vigour and with a severely limited life expectancy
 (3) Trees with serious structural defects and/or decay
 (4) Trees of exceptionally poor shape and form.

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2048	Yew	0.4	4	9	A1	Good	M	1	>40	Good tree	
2049	Oak-pedunculate	0.95	7	19	A1	Good	M-A	1	>40	Good tree	
2050	Sycamore	0.6	5	20	B1	Fair	M	1	20 to 40	Bark necrosis on 2 sides at base	
2051	Yew	0.35	3	9	A1	Good	M	4	>40	4 stems 35 30 30 25	
2052	Sycamore	0.45	5	19	A1	Good	M	1	>40	Canopy suppressed.	
2053	Sycamore	0.55	6	20	A1	Good	M	1	>40	Stem lean.	
2054	Sycamore	0.5	4	18	B1	Good	M	1	20 to 40	Canopy 1-sided.	
2055	Horse chestnut	0.8	7	19	A1	Good	M	1	>40	Good tree	
2056	Horse chestnut	0.6	5	19	A1	Good	M	1	>40	Canopy suppressed.	
2057	Sycamore	0.55	4	18	A1	Good	M	1	>40	Canopy suppressed.	
2058	Oak-pedunculate	0.65	7	20	A1	Good	M	1	>40	Branch stubs from past pruning/storm damage.	
2059	Lime-common	0.75	9	22	A1	Good	M-A	1	>40	Stem lean.Included bark, compression fork.	
2060	Elm	0.45	1	14	B1	Good	M	1	20 to 40	Stem wound, exposed timber remains sound.Canopy suppressed.	
2061	Sycamore	0.95	8	19	A1	Good	M-A	1	>40	Branch stubs from past pruning/storm damage.	
2062	Elm	0.25	3	8	C1	Fair	E-M	3	10 to 20	Coppice stems from old stump	
2064	Hawthorn	0.2	1	5	C1	Fair	M	1	10 to 20	Stem lean.	
2063	Horse chestnut	0.65	7	15	U	Poor	M	1	0	Significant cavity/decay in stem.Significant cavity/decay in main scaffold limb.Broken top	
2065	Lime-common	0.65	5	22	A1	Good	M	1	>40	Excessive epicormic growth.	
2066	Horse chestnut	0.5	4	18	A1	Good	M	1	>40	Canopy suppressed.	
2067	Maple-Norway	0.4	4	15	B1	Good	M	1	20 to 40	Stem lean.Canopy suppressed.	
2068	Sycamore	0.45	4	17	A1	Good	M	1	>40	Canopy suppressed.	
2069	Sycamore	0.25	2	15	C1	Fair	M	1	10 to 20	Canopy suppressed.	
2070	Sycamore	0.5	4	17	B1	Good	M	1	20 to 40	Canopy suppressed.	
2071	Birch-silver	0.25	4	17	C1	Poor	M	2	10 to 20	Stem lean.2 stems, one dead	
2072	Sycamore	0.3	3	14	C1	Fair	E-M	1	10 to 20	Stem lean.Minor cavity/decay in stem.Canopy 1-sided.	

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2073	Sycamore	0.2	2	12	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2074	Beech	1.05	9	21	A1	Good	M-A	1	>40	Minor dead wood (<50mm dia).	
2075	Lime-common	0.8	7	21	A1	Good	M	1	>40	Included bark, compression fork.at 1m.Minor dead wood (<50mm dia).	
2076	Beech	0.85	6	18	A1	Good	M-A	1	>40	Stem lean.Branch stubs from past pruning/storm damage.	
2077	Ash	0.2	5	9	C1	Fair	E-M	1	10 to 20	Stem lean.Canopy suppressed.Leans over road	
2078	Beech	1.2	9	20	A1	Good	M-A	1	>40	Good tree	
2079	Sycamore	0.25	3	14	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2080	Sycamore	0.2	2	15	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2081	Sycamore	0.35	4	17	B1	Good	M	1	20 to 40	Lots of regen up to 150 this area	
2082	Sycamore	0.4	3	16	C1	Fair	E-M	1	10 to 20	Poor crown structure.	
2083	Ash	0.2	3	15	B1	Good	E-M	1	20 to 40	Canopy suppressed.	
2084	Sycamore	0.2	2	15	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2085	Sycamore	0.25	2	15	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2086	Sycamore	0.2	2	14	C1	Poor	E-M	1	10 to 20	Minor cavity/decay in stem.	
2087	Sycamore	0.2	1	13	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2088	Sycamore	0.2	2	14	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2089	Sycamore	0.25	2	13	C1	Fair	E-M	1	10 to 20	Probably self seeded	
2090	Ash	0.2	5	11	C1	Fair	E-M	2	10 to 20	Canopy 1-sided.2 stems, one syc	
2091	Beech	0.3	2	13	B1	Good	E-M	1	20 to 40	Stem lean.	
2092	Birch-silver	0.35	4	16	B1	Good	M	1	20 to 40	Canopy 1-sided.	
2093	Oak-pedunculate	0.5	4	19	A1	Good	M	1	>40	Good tree	
2094	Oak-pedunculate	0.5	6	20	A1	Good	M	1	>40	Good tree	
2095	Ash	0.6	6	18	B1	Fair	M	1	20 to 40	Minor crown dieback.Minor dead wood (<50mm dia).	Monitor condition annually.
2096	Ash	0.5	5	18	B1	Fair	M	1	20 to 40	Minor dead wood (<50mm dia).	Monitor condition annually.
2097	Sycamore	0.25	4	11	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2098	Ash	0.55	6	20	B1	Fair	M	1	20 to 40	Minor dead wood (<50mm dia).	
2099	Ash	0.25	4	12	C1	Fair	E-M	5	10 to 20	Canopy suppressed.Grp of 5 stems	
2100	Sycamore	0.35	4	14	B1	Good	M	1	20 to 40	Probably self seeded	
2101	Oak-pedunculate	0.5	6	20	A1	Good	M	1	>40	Branch stubs from past pruning/storm damage.	
2102	Oak-pedunculate	0.35	5	18	A1	Good	M	1	>40	Canopy suppressed.	
2103	Lime-common	0.9	6	23	A1	Good	M-A	1	>40	Excessive epicormic growth.Included bark, compression fork.Minor dead wood (<50mm dia).	
2104	Sycamore	0.5	5	18	A1	Good	M	1	>40	Minor cavity/decay in main scaffold limb.	
2105	Oak-pedunculate	0.65	8	19	A1	Good	M	1	20 to 40	Minor dead wood (<50mm dia).Open spreading crown	
2106	Yew	0.3	4	8	B1	Good	M	1	20 to 40	Good tree	
2107	Birch-silver	0.55	6	18	B1	Good	M-A	1	20 to 40	Minor decay in buttress.Stem lean.	
2108	Beech	0.25	3	12	B1	Fair	E-M	1	20 to 40	Canopy suppressed.	
2109	Beech	0.35	4	17	B1	Fair	E-M	1	20 to 40	Stem wound, exposed timber remains sound.Canopy suppressed.	
2110	Sycamore	0.6	4	18	A1	Good	M	1	>40	Minor dead wood (<50mm dia).	
2111	Sycamore	0.45	4	18	A1	Good	M	1	>40	Minor dead wood (<50mm dia).	
2112	Sycamore	0.65	8	21	B1	Good	M	2	20 to 40	Stem lean.2 stems 65 60	
2113	Birch-silver	0.5	8	14	C1	Poor	M-A	2	10 to 20	Significant decay in buttress.Stem lean.2 stems 50/50, 1 stem badly decayed at base	
2114	Horse chestnut	0.65	6	19	A1	Good	M	1	>40	Good tree	
2115	Sycamore	0.5	8	18	B1	Good	M	1	20 to 40	Stem lean.Canopy suppressed.	
2116	Sycamore	0.35	3	17	C1	Fair	M	1	10 to 20	Stem lean.Canopy suppressed.Significant cavity/decay in main scaffold limb.Basal sweep	
2117	Lime-common	0.7	6	23	A1	Good	M	1	>40	Excessive epicormic growth.	
2118	Sycamore	0.55	5	20	A1	Good	M	1	>40	Minor dead wood (<50mm dia).	

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2119	Horse chestnut	0.7	7	21	U	Poor	M	1	<10	Significant cavity/decay in stem.Sig decay up to 8m, full crown. Sone reaction wood at base.	Monitor condition annually.
2120	Yew	0.5	6	13	A1	Good	M	1	>40	Good tree	
2121	Lime-common	0.65	6	23	A1	Good	M	1	>40	Excessive epicormic growth.	
2122	Yew	0.4	5	9	A1	Good	M	1	>40	Stem lean.	
2123	Yew	0.45	6	14	A1	Good	M	2	>40	2 stems 45/40	
2124	Sycamore	0.5	5	17	A1	Good	M	1	>40	Minor decay in buttress.	
2125	Lime-common	0.95	7	22	A1	Good	M-A	1	>40	Stem lean.	
2126	Yew	0.45	4	11	A1	Good	M	1	>40	Good tree	
2127	Sycamore	0.7	5	17	U	Dying	M	1	<10	Significant cavity/decay in stem.Significant dieback, stag-headed.	
2128	Lime-common	0.9	9	22	A1	Good	M-A	1	>40	Branch stubs from past pruning/storm damage.	
2129	Elm	0.25	4	16	C1	Fair	E-M	3	10 to 20	Coppice stems from old stump	
2130	Lime-common	1	6	24	A1	Good	M-A	1	>40	Included bark, compression fork.Minor dead wood (<50mm dia).	
2131	Sycamore	0.3	3	18	B1	Good	M	1	20 to 40	Stem lean.Canopy suppressed.	
2132	Horse chestnut	0.65	6	20	A1	Good	M	1	>40	Good tree	
2133	Birch-silver	0.5	5	18	B1	Fair	M-A	1	20 to 40	Stem lean.Canopy suppressed.2 stems, one dead, remove it	
2134	Yew	0.55	5	14	A1	Good	M	1	>40	Good tree	
2135	Oak-pedunculate	0.8	6	22	A1	Good	M-A	1	>40	Minor dead wood (<50mm dia).	Complete dead-wooding.
2136	Oak-pedunculate	0.55	6	21	A1	Good	M	1	>40	Good tree	
2137	Sycamore	1.1	10	17	A1	Good	M-A	1	>40	Major dead wood (>50mm dia).	Complete dead-wooding.
2138	Oak-pedunculate	0.85	8	20	A1	Good	M-A	1	>40	Minor dead wood (<50mm dia).	
2139	Sycamore	0.2	3	13	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2140	Oak-pedunculate	1.05	10	22	A1	Good	M-A	1	>40	Major dead wood (>50mm dia).	
2141	Willow-goat	0.3	6	12	C3	Poor	M	1	10 to 20	Canopy suppressed.2 dead stems	

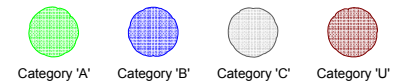
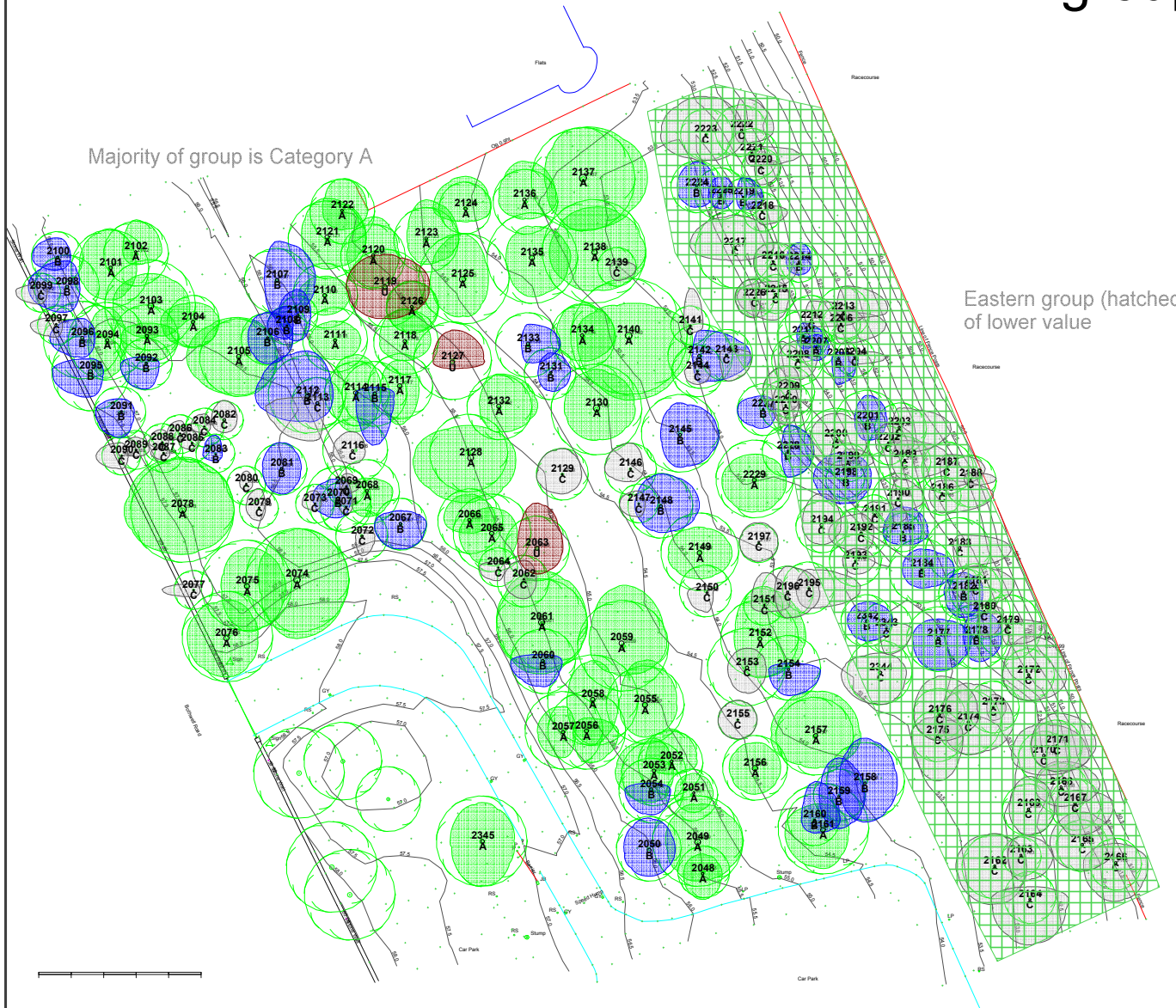
Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2142	Oak-pedunculate	0.5	8	18	B1	Fair	M	1	20 to 40	Stem lean.Significant cavity/decay in main scaffold limb.Major dead wood (>50mm dia).Lopsided crown,	Complete dead-wooding.
2143	Sycamore	0.3	4	15	C1	Fair	M	1	10 to 20	Canopy suppressed.	
2144	Sycamore	0.25	2	13	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2145	Sycamore	0.45	6	18	B1	Fair	M	1	20 to 40	Excessive epicormic growth.Stem lean.	
2146	Elm	0.25	4	17	C1	Fair	E-M	1	10 to 20	Probably self seeded	
2147	Sycamore	0.2	3	15	C1	Fair	E-M	3	10 to 20	Coppice stems from old stump	
2148	Birch-silver	0.5	6	17	B1	Fair	M-A	1	20 to 40	Major dead wood (>50mm dia).Pip on d/w	
2149	Lime-common	0.7	5	20	A1	Good	M	1	>40	Excessive epicormic growth.Major dead wood (>50mm dia).	
2150	Horse chestnut	0.25	3	11	C1	Fair	E-M	1	10 to 20	Canopy suppressed.Basal sweep	
2151	Elm	0.25	5	11	C1	Fair	E-M	1	10 to 20	Canopy suppressed.	
2152	Ash	0.6	8	20	A1	Good	M-A	1	>40	Major dead wood (>50mm dia).	
2153	Sycamore	0.5	4	18	C1	Poor	M	1	10 to 20	Stem lean.Included bark, weak fork in main scaffold limb.Fork decaying at 9m	
2154	Sycamore	0.35	4	16	B1	Fair	M	1	20 to 40	Canopy suppressed.Minor dead wood (<50mm dia).	
2155	Sycamore	0.2	3	9	C1	Fair	E-M	4	10 to 20	Canopy suppressed.Group of 4 s/s stems	
2156	Yew	0.85	4	13	A1	Good	M	1	>40	On n/b land, o/h boundary	
2157	Sycamore	0.65	7	18	A1	Good	M	1	>40	Stem lean.Minor dead wood (<50mm dia).	
2158	Ash	0.4	7	16	B1	Good	M	3	20 to 40	Coppice stems from old stump3 stems 30 35 30	
2159	Horse chestnut	0.3	6	12	B1	Fair	M	1	20 to 40	Bark necrosis.	
2160	Ash	0.3	6	13	B1	Fair	M	1	20 to 40	Stem lean.Canopy suppressed.	
2161	Sycamore	0.75	6	21	A1	Good	M	1	>40	Significant cavity/decay in stem.	
2162	Willow-goat	0.3	6	10	C1	Fair	M	6	10 to 20	Scrubby multi-stemmed	
2163	Willow-goat	0.3	5	10	C1	Fair	M	4	10 to 20	Scrubby multi-stemmed	
2164	Willow-goat	0.3	6	9	C1	Fair	M	8	10 to 20	Scrubby multi-stemmed	

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2166	Willow-goat	0.4	6	9	C1	Fair	M	4	>40	Scrubby multi-stemmed	
2165	Willow-goat	0.4	5	10	C1	Fair	M	4	10 to 20	Scrubby multi-stemmed	
2167	Willow-goat	0.35	6	10	C1	Fair	M	4	10 to 20	Ivy growth obscuring detailed assessment.	
2168	Willow-goat	0.35	6	10	C1	Fair	M	1	10 to 20	Self seeded	
2169	Willow-goat	0.35	5	10	C1	Fair	M	3	10 to 20	Scrubby multi-stemmed	
2170	Willow-goat	0.45	7	10	C1	Fair	M	5	>40	Scrubby multi-stemmed	
2172	Willow-goat	0.3	6	10	C1	Fair	M	4	>40	Scrubby multi-stemmed	
2171	Willow-goat	0.3	6	9	C1	Fair	M	4	10 to 20	Scrubby multi-stemmed	
2173	Sycamore	0.2	2	9	C1	Poor	E-M	1	10 to 20	Canopy suppressed.	
2174	Willow-goat	0.3	7	9	C1	Poor	M	3	10 to 20	Significant cavity/decay in stem.	
2175	Willow-goat	0.3	7	10	C1	Fair	M	3	>40	Scrubby multi-stemmed	
2176	Willow-goat	0.3	6	10	C1	Fair	M	3	10 to 20	Scrubby multi-stemmed	
2178	Ash	0.3	4	17	B1	Fair	E-M	1	20 to 40	Canopy suppressed.	
2177	Ash	0.4	5	17	B1	Good	M	1	20 to 40	Upright tree	
2182	Birch-silver	0.35	4	17	B1	Good	M	2	20 to 40	2 stems 35 25	
2181	Willow-goat	0.25	6	10	C1	Fair	M	M	10 to 20	Scrubby multi-stemmed	
2180	Birch-silver	0.3	4	15	C1	Fair	M	1	10 to 20	Stem lean.Canopy suppressed.	
2179	Willow-goat	0.35	6	13	C1	Fair	M	1	10 to 20	Stem lean.Canopy 1-sided.	
2183	Willow-goat	0.4	8	12	C1	Fair	M	4	10 to 20	Stem lean.Canopy 1-sided.	
2184	Birch-silver	0.3	5	18	B1	Good	M	2	20 to 40	2 stems 30/30	
2185	Ash	0.3	4	17	B1	Good	E-M	1	20 to 40	Upright tree	
2186	Willow-goat	0.25	8	11	C1	Fair	M	6	>40	Scrubby multi-stemmed	
2187	Cherry-gean	0.25	6	8	C1	Fair	E-M	1	10 to 20	Stem lean.Canopy suppressed.	
2188	Cherry-gean	0.25	4	6	C1	Poor	E-M	1	10 to 20	Canopy suppressed.	
2189	Willow-goat	0.25	7	10	C1	Fair	M	4	10 to 20	Scrubby multi-stemmed	
2190	Willow-goat	0.25	4	12	C1	Fair	M	5	10 to 20	Scrubby multi-stemmed	
2191	Birch-silver	0.25	5	15	C1	Fair	M	2	10 to 20	Stem lean.2 stems 25/25	
2192	Willow-goat	0.35	3	15	C1	Fair	M	1	10 to 20	Included bark, compression fork.	
2193	Birch-silver	0.25	3	16	C1	Fair	M	1	10 to 20	Stem lean.Minor dead wood (<50mm dia).	
2195	Willow-goat	0.3	8	15	C1	Fair	M	6	10 to 20	Scrubby multi-stemmed	

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2196	Willow-goat	0.3	5	15	C1	Fair	M	6	10 to 20	Scrubby multi-stemmed	
2194	Willow-goat	0.5	5	16	C1	Fair	M	1	10 to 20	Included bark, compression fork.	
2197	Elm	0.25	3	13	C1	Good	E-M	2	10 to 20	Coppice stems from old stump.2 stems 25 20, basal sweep	
2198	Birch-silver	0.35	5	17	B1	Fair	M	3	20 to 40	Coppice stems from old stump.3 stems 35 30 30	
2199	Birch-silver	0.25	4	16	C1	Fair	M	2	10 to 20	2 stems 25 20	
2200	Ash	0.55	5	16	C1	Fair	M	1	10 to 20	Included bark, compression fork.Horrible weak fork at 1m	
2201	Birch-silver	0.35	4	16	B1	Good	M	1	20 to 40	Stem lean.Minor dead wood (<50mm dia).	
2202	Willow-goat	0.25	4	13	C1	Fair	M	6	10 to 20	Scrubby multi-stemmed	
2203	Willow-goat	0.3	8	12	C1	Poor	M	4	10 to 20	Stem lean.	
2204	Willow-goat	0.3	5	10	C1	Fair	M	5	10 to 20	Stem lean.	
2205	Birch-silver	0.3	3	15	B1	Fair	M	5	20 to 40	Stem lean.Canopy 1-sided.	
2206	Willow-goat	0.25	7	11	C1	Fair	M	3	10 to 20	Stem lean.	
2207	Birch-silver	0.25	2	15	B1	Fair	M	1	20 to 40	Small high crown	
2208	Willow-goat	0.3	3	14	C1	Fair	M	1	10 to 20	Minor dead wood (<50mm dia).	
2209	Willow-goat	0.35	4	14	C1	Poor	M	1	10 to 20	Significant cavity/decay in stem.	
2210	Sycamore	0.25	4	15	C1	Fair	E-M	2	10 to 20	2 stems 25/25	
2211	Birch-silver	0.25	3	15	B1	Fair	M	1	10 to 20	Stem lean.Small high crown	
2212	Willow-goat	0.35	8	13	C1	Fair	M	1	10 to 20	Stem lean.Canopy 1-sided.	
2213	Willow-goat	0.3	7	11	C1	Fair	M	2	10 to 20	Stem lean.	
2214	Birch-silver	0.3	3	15	B1	Fair	M	2	20 to 40	2 stems 30 20. small high crown	
2215	Willow-goat	0.3	6	13	C1	Fair	M	1	10 to 20	Stem lean.	
2226	Sycamore	0.25	3	15	C1	Fair	E-M	4	10 to 20	Spindly s/s 4 stestems	
2216	Willow-goat	0.25	4	14	C1	Fair	M	2	10 to 20	Scrubby multi-stemmed	
2217	Willow-goat	0.3	7	12	C1	Poor	M	5	10 to 20	Stem lean.Stems starting to collapse	
2218	Birch-silver	0.2	4	14	C1	Poor	M	1	10 to 20	Stem lean.Canopy suppressed.	
2219	Birch-silver	0.25	3	15	B1	Fair	M	1	10 to 20	Stem lean.Small high crown	
2220	Birch-silver	0.2	3	14	C1	Fair	M	1	10 to 20	Stem lean.Canopy suppressed.	
2221	Willow-goat	0.25	8	11	C1	Fair	M	1	10 to 20	Stem lean.	

Tag	Species	DBH	Can	Ht	BS Cat	Cond	Age	Stems	SULE	Comments	Recommendation
2222	Elm	0.3	5	13	C1	Fair	E-M	1	10 to 20	Canopy suppressed.Co crowned with birch to s 25cm	
2223	Willow-goat	0.25	7	12	C1	Fair	M	14	10 to 20	Stem lean.Starting to collapse. 14 stems	
2224	Birch-silver	0.4	4	17	B1	Good	M	3	20 to 40	Plus 2 stems 25 15	
2225	Birch-silver	0.3	3	15	B1	Fair	M	1	20 to 40	Small high crown	
2227	Ash	0.25	4	16	B1	Fair	E-M	1	20 to 40	2 sub stems 15 10	
2228	Ash	0.3	4	16	B1	Fair	M	1	20 to 40	Stem lean.Minor dead wood (<50mm dia).	
2229	Oak-pedunculate	0.6	5	18	A1	Good	M	1	>40	Major dead wood (>50mm dia).	Complete dead-wooding.
2342	Birch-silver	0.4	4	18	B1	Good	M	1	20 to 40	Decent tree	
2343	Willow-goat	0.25	4	14	C1	Fair	M	1	10 to 20	Minor dead wood (<50mm dia).	
2344	Willow-goat	0.45	6	14	C1	Fair	M	1	10 to 20	Minor dead wood (<50mm dia).	
2345	Ash	0.6	7	14	A1	Good	M	1	>40	Minor decay in buttress.Branch stubs from past pruning/storm damage.	

Overview of site showing tree and group positions



Keith Logie MICFor

Chartered Forester

Bothwell Road - Tree Positions

SCALE :
1 : 1000 @ A4

DATE :
11/26/2020

MAP FILENAME :
Bothwell Rd Tree positions



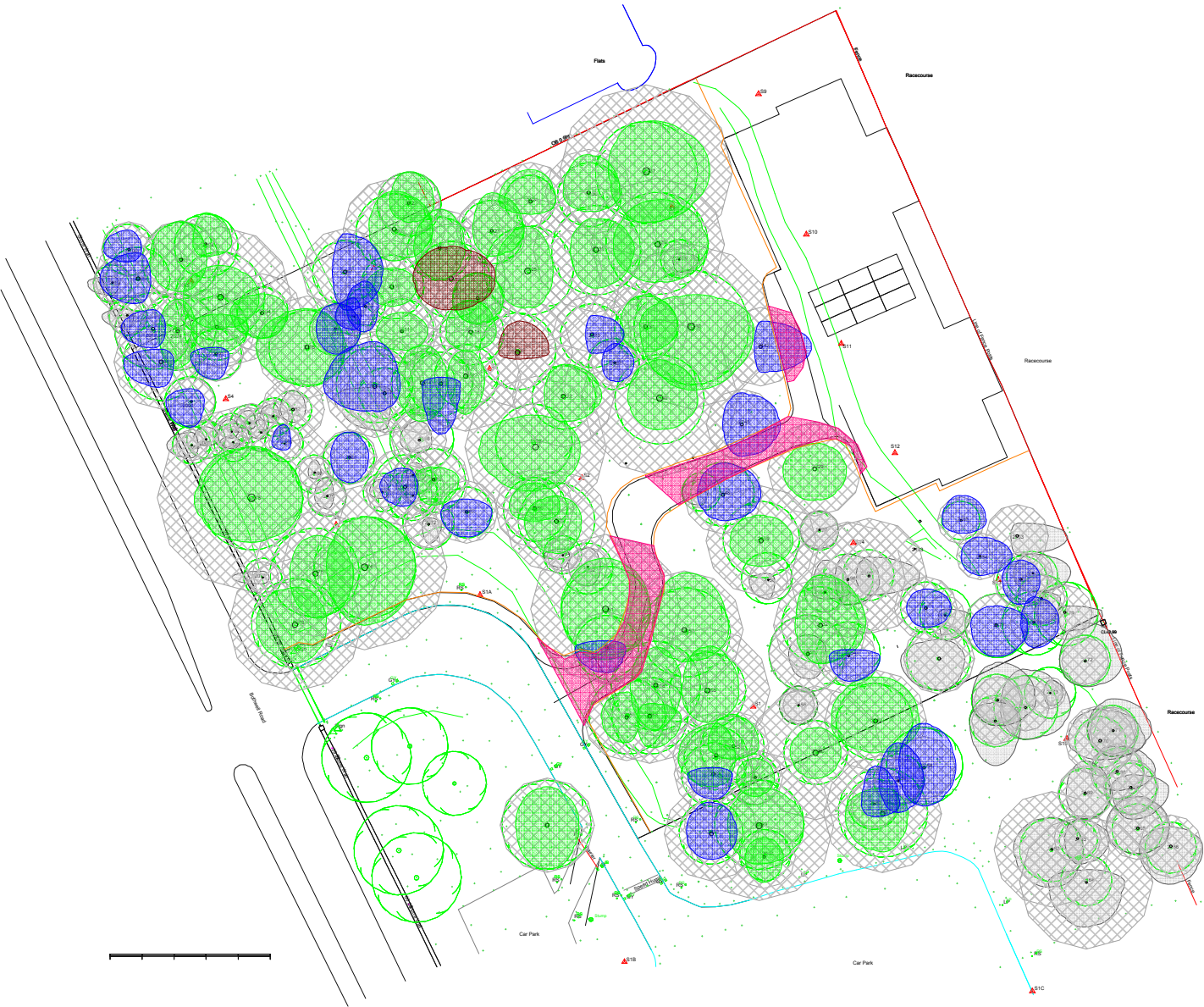
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List of trees proposed for removal (see schedule and tree positions drawing)

Tag	Species	DBH	BS Cat	Cond	Tag	Species	DBH	BS Cat	Cond
2129	Elm	0.25	C1	Fair	2204	Willow-goat	0.3	C1	Fair
2139	Sycamore	0.2	C1	Fair	2205	Birch-silver	0.3	B1	Fair
2141	Willow-goat	0.3	C3	Poor	2206	Willow-goat	0.25	C1	Fair
2143	Sycamore	0.3	C1	Fair	2207	Birch-silver	0.25	B1	Fair
2144	Sycamore	0.25	C1	Fair	2208	Willow-goat	0.3	C1	Fair
2146	Elm	0.25	C1	Fair	2209	Willow-goat	0.35	C1	Poor
2063	Horse chestnut	0.65	U	Poor	2210	Sycamore	0.25	C1	Fair
2180	Birch-silver	0.3	C1	Fair	2211	Birch-silver	0.25	B1	Fair
2186	Willow-goat	0.25	C1	Fair	2212	Willow-goat	0.35	C1	Fair
2187	Cherry-gean	0.25	C1	Fair	2213	Willow-goat	0.3	C1	Fair
2188	Cherry-gean	0.25	C1	Poor	2214	Birch-silver	0.3	B1	Fair
2189	Willow-goat	0.25	C1	Fair	2215	Willow-goat	0.3	C1	Fair
2190	Willow-goat	0.25	C1	Fair	2216	Willow-goat	0.25	C1	Fair
2191	Birch-silver	0.25	C1	Fair	2217	Willow-goat	0.3	C1	Poor
2192	Willow-goat	0.35	C1	Fair	2218	Birch-silver	0.2	C1	Poor
2193	Birch-silver	0.25	C1	Fair	2219	Birch-silver	0.25	B1	Fair
2194	Willow-goat	0.5	C1	Fair	2220	Birch-silver	0.2	C1	Fair
2197	Elm	0.25	C1	Good	2221	Willow-goat	0.25	C1	Fair
2200	Ash	0.55	C1	Fair	2222	Elm	0.3	C1	Fair
2201	Birch-silver	0.35	B1	Good	2223	Willow-goat	0.25	C1	Fair
2202	Willow-goat	0.25	C1	Fair	2224	Birch-silver	0.4	B1	Good
2203	Willow-goat	0.3	C1	Poor	2225	Birch-silver	0.3	B1	Fair

Totals	Category A trees	0
	Category B trees	7
	Category C trees	36
	Category U trees	1
	Total	44

Bothwell Road, Hamilton
Drawing showing trees to be retained and tree protection measures. Refer to text above for specifications



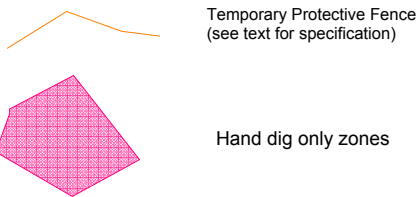
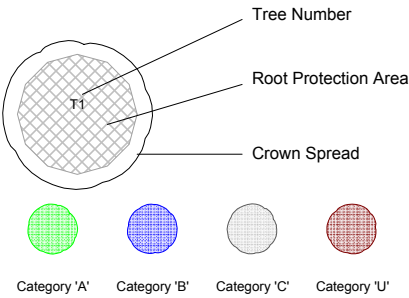
Keith Logie MICFor
Chartered Forester

Tree Protection Drawing

SCALE : 1 : 1000 @ A4
DATE : 7/5/2021
MAP FILENAME : Tree protection plan 1



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Bothwell Road Residential Development Preliminary Ecological Appraisal Report

Prepared for: Mr. S. Chaudhary

Date: 26 February 2021

Revision: Rev.01

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1 Introduction

1.1 Background

EP Ecology was commissioned by Mr. Shahid Chaudhary (hereafter “the Client”) to conduct a Preliminary Ecological Appraisal (PEA) in February 2021 to accompany an application for a proposed two dwellinghouse development on land off Bothwell Road, Hamilton (approximate central grid: NS 71710 56524).

This report sets out the baseline ecological conditions including a classification of the habitats present within the Site and notes on their likelihood to support protected or notable species. An assessment of the proposed activities on Site is made with reference to their potential impacts on designated sites and protected or notable species and habitats with identification of the mandatory requirements and recommendations for further consideration for progression with the proposals.

1.2 Description of Proposals

EP Ecology understands that the proposals issued by the Client include removal of vegetation including trees, levelling of the land, construction of two residential dwellinghouses within the plot including gardens and vehicular access off the existing access to Hamilton College from Bothwell Road.

1.3 Survey Scope

This survey has been undertaken with consideration of the Guidelines for Preliminary Ecological Appraisal¹. The scope of the survey was to establish a baseline of ecological information and ascertain whether the proposed activities have the potential to affect any designated sites or protected and/or notable species and habitats. Therefore, the following were undertaken:

- A desk-based study to collect information on designated sites and records of protected and/or notable species within 2km of the Site;
- An extended Phase 1 habitat survey field visit undertaken during daylight hours to record the broad habitat types present on site together with any key floral species as well as an assessment of these habitats for their potential to support protected and notable species, and any evidence of protected or notable species was noted; and
- An assessment of the proposed activities in relation to the baseline ecological information to determine the likelihood of ecological constraints to these proposals together with identification of the mandatory requirements for progression, and recommendations for ecological and biodiversity enhancement associated with the proposed activities.

1.4 Report Structure

This report sets out the methods used to establish the baseline ecological information (**Section 2**), the results of the desk and field study (**Sections 3 and 4**), the requirements and recommendations for progression with the project (**Section 5 and 6**) and is accompanied by a figure showing the location of designated sites (**Appendix A, Figure 1**), the results of the background data search (**Appendix A, Figure 2**); phase 1 habitat figure (**Appendix A, Figure 3**), detailed target notes (**Appendix B**), site photographs (**Appendix C**), background data search data providers list (**Appendix D**), and a summary of relevant policy and legislature (**Appendix E**).

1.5 Staff

The study was conducted by EP Ecology Director, Erik Paterson. Erik has over 10 years’ experience in conducting ecological surveys, is a full member of CIEEM, and holds NatureScot licenses for the survey of great crested newts and bats.

¹ CIEEM. (2017). *Guidelines for Preliminary Ecological Appraisal (2nd Edition)*. CIEEM, Winchester. 23pp.

2 Methods

2.1 Desk Study

The desk study element included map-based searches for designated sites and database queries for protected and/or notable fauna and flora within a 2 km search radius of the Site. The following resources were used for information gathering:

- National Biodiversity Network Atlas² (Full citations in **Appendix D**); and
- Scotland's Environment Webmap³.

2.2 Field Study

The field study was conducted on 18 February 2021. The prevalent weather conditions were gusting breezes, 100% cloud cover, and rainfall immediately prior to the survey. The temperature was mild at approximately 8°C. Overall, visibility was clear and conditions for survey were suitable.

2.2.1 Study Area

The study area for this project was taken to be the entirety of the site and to a buffer of 50m within accessible land.

2.2.2 Phase 1 Habitats

Phase 1 habitat surveys are a standard methodology for recording and mapping broad habitat types of an area. Phase 1 habitats were recorded within the study area taking cognisance of the JNCC guidelines⁴ along with an indication of the floral assemblage and structure, condition, and extent of each broad habitat type.

2.2.3 Badgers

Signs of badger (e.g. latrines, push-throughs, paths, and setts) were sought within the site and to a buffer of 50m with notes taken on the apparent regularity and recency of use and classified in line with best practice guidelines⁵.

2.2.4 Bats

Structures, natural features, and trees within the study area were assessed for their bat roosting potential as per the current BCT guidelines⁶. Areas and broad habitats which presented opportunities to support roosting, foraging, and commuting bats were also noted.

Table 2.1. Bat roost suitability categories for trees and structures (adapted from BCT best practice guidance).

Suitability	Description
Negligible	No habitat features on site capable of being used by roosting bats.
Low	<p>A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).</p> <p>A tree of sufficient size and age to contact potential roosting features but with none seen from the ground or features observed with only very limited roosting potential.</p>
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the

² <https://nbnatlas.org/>

³ <https://map.environment.gov.scot/sewebmap/>

⁴ JNCC. (2010). *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit. 3rd Edition*. JNCC, Peterborough. 80pp.

⁵ Scottish Badgers. (2018). *Surveying for Badgers: Good Practice Guidelines*. Version 1.

⁶ Collins, J. (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition)*. Bat Conservation Trust, London. 100pp.

Suitability	Description
	assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat.

2.2.5 Otters

Watercourses within the study area were surveyed for signs of otter (e.g. spraint, anal jelly, sign heaps, and resting places). Notes were taken on the apparent age and regularity of use of each sign in line with standard guidance⁷.

2.2.6 Water Vole

Any watercourses within the study area were assessed for their suitability to support water voles (by looking at the bank structure, vegetation height and composition, and water availability) and any evidence of voles was recorded in line with best practice guidelines⁸.

2.2.7 Birds

Bird species and nests present within the site were recorded during the site visit. Notes were taken on the suitability of habitats present for nesting bird species also (e.g. by noting presence and perceived disturbance levels of semi-natural habitats including hedgerows, woodlands, and heath/grasslands etc.)

2.2.8 Amphibians

Ponds (defined as standing water bodies between 1m² and 20,000m² in area expected to hold water for at least four months of the year⁹) were recorded and assessed for their suitability to support great crested newts (GCN; *Triturus cristatus*) using the Habitat Suitability Index scoring system developed by Oldham *et al.*¹⁰ as amended by ARG UK¹¹ and O'Brien *et al.*¹². Ponds were subsequently graded as "poor", "below average", "average", "good" or "excellent" quality in line with the ARG UK guidance note. General notes on the suitability of terrestrial habitats are also taken and in combination with the HSI scoring system can be used as a proxy to identify the likely presence of both GCN and widespread amphibian species.

2.2.9 Reptiles

Broad habitats within the study area were assessed for their suitability to support populations of reptiles by looking at various features (e.g. aspect, potential hibernacula, patch size, and habitat structure or naturalness) in line with best practice guidance¹³. Evidence of reptiles (e.g. sightings or presence of sloughs) was also recorded.

2.2.10 Non-Native Species

The most damaging invasive non-native species (*Rhododendron ponticum*, Japanese knotweed *Reynoutria japonica*, giant hogweed *Heracleium mantegazzianum*, and Himalayan balsam

⁷ Chanin, P. (2003). *Monitoring the Otter* Lutra lutra. Conserving Natura 2000 Rivers Monitoring Series No. 10. English Nature, Peterborough.

⁸ Dean, M., Strachan, R., Gow, D., & Andrews, R. (2016). *The Water Voile Mitigation handbook (The Mammal Society Mitigation Guidance Series)*. Eds. Fiona Mathews and Paul Chanin. The Mammal Society, London. 59pp.

⁹ Biggs, J. Williams, P., Whitfield, M., Nicolet, P., & Weatherby, A. (2005). 15 years of pond assessment in Britain: results and lessons learned from the work of Pond Conservation. *Aquatic Conservation: Marine and Freshwater Ecosystems*, 15: 693-714.

¹⁰ Oldham, R.S., Keeble, J., Swan, M.J.S., & Jeffcote, M. (2000). Evaluating the suitability of habitat for the great crested newt (*Triturus cristatus*). *Herpetological Journal*, 10(4): 143-155.

¹¹ ARGUK. (2010). *ARGUK Advice Note 5: Great Crested Newt Habitat Suitability Index*. Amphibian and Reptile Groups of the United Kingdom.

¹² O'Brien, D. Hall, J., Miró, A., & Wilkinson, J. (2017). Testing the validity of a commonly-used habitat suitability index at the edge of a species' range: great crested newt *Triturus cristatus* in Scotland. *Amphibia-Reptilia*, 38: 265-273.

¹³ Edgar, P., Foster, J., & Baker, J. (2010). *Reptile Habitat Management Handbook*. Amphibian and Reptile Conservation, Bournemouth. 77pp.

Impatiens glandulifera) were specifically sought within the site. However, evidence of any other non-native species (e.g. grey squirrel *Sciurus carolinensis* or giant rhubarb *Gunnera manicata*), where observed, were recorded as points within the study area.

2.2.11 Terrestrial Invertebrates

Broad habitats within the study area were assessed for their likelihood to support terrestrial invertebrates of conservation note. There is little available guidance on this and so as a general rule, habitats which are atypical within a local, regional, or national context are considered likely to support invertebrate communities of conservation priority, as are: Semi-natural broadleaved woodland, semi-natural coniferous woodland, flower-rich grasslands, peatlands, wetlands, and open mosaic habitats on previously developed land in line with expert recommendations¹⁴.

2.2.12 Fish and Fish Habitats

A basic assessment of any water courses within the study area for their accessibility for fish (e.g. through identification of downstream barriers to fish movement) was combined with an assessment of the watercourse for signs of pollutants and presence of three key features which can affect a watercourses suitability for fish: The presence of cover (e.g. vegetation, fallen trees or overhanging banks); the depth of water; and the substrate where it can be seen.

2.3 **Study Limitations**

To determine presence or likely absence of protected and notable species, often repeated survey visits or survey visits at particular times of the year are required. The purpose of a Preliminary Ecological Appraisal is to provide an assessment of the potential for such species as a “snapshot”. Consequently, further targeted surveys may be required to determine the presence or likely absence of protected and notable species and the requirement for this are detailed within **Section 5** of this report.

The survey was undertaken in February which is outwith the recommended Phase 1 Habitat survey season of April-September. Additionally, INNS and flowering plants are less evident at this time of the year. However, due to vegetation die back, signs of badger and bat roosting features on trees are much easier to identify and so this survey was within the optimal period for surveying these potential key constraints.

The details included within this report remain valid for a period of one year¹⁵ from the date of issue. If works have not commenced by the end of this period, a repeat assessment may be required.

¹⁴ Cathrine, C. (2020). *How to Consider Invertebrates in Ecology Projects*. CIEEM Webinar, 04 November 2020.

¹⁵ CIEEM. (2019). *Advice Note on the Lifespan of Ecological Reports & Surveys*. CIEEM, Hampshire.

3 Desk Study Results

3.1 Designated Sites

3.1.1 International Sites

International Sites are those sites which are designated in the UK under the international legislature (See **Appendix E**). They include: Special Protection Areas (SPAs), Potential Special Protection Areas (pSPAs), Special Areas of Conservation (SACs), Candidate Special Areas of Conservation (cSAC) and Wetlands of International Importance (Ramsar Sites). These sites are afforded the highest levels of protection in the UK.

There are no identified International Sites within a 2km search buffer of the Site.

3.1.2 National Sites

National sites are those sites designated for biological interest in the UK under National legislature (See **Appendix E**). They include: Sites of Special Scientific Interest (SSSIs), Marine Protected Areas (MPAs) and National Nature Reserves (NNRs).

There is one National Site within a 2km search buffer of the Site as shown in **Table 3.1**.

Table 3.1. National Sites within a 2km search radius of the Site.

Site Name	Designation	Features (if known)	Distance & Direction
Hamilton Low Parks	SSSI	Grey heron (<i>Ardea cinerea</i>): breeding.	220m northeast

3.1.3 Local Sites

Locally designated sites include those sites which the local government have designated for wildlife or biodiversity conservation. These include: Local Nature Reserves (LNRs), Sites of Importance for Nature Conservation (SINCs), and Local Nature Conservation Sites (LNCSs). In Glasgow City, SINCs are designated under Planning Policy SG7: Natural Environment.

There is one identified Local Site within a 2km search buffer of the Site as shown in **Table 3.2**.

Table 3.2. Local Sites within a 2km search radius of the Site.

Site Name	Designation	Features (if known)	Distance & Direction
Strathclyde Country Park	SINC	Unknown	1,030m northeast

3.1.4 Ancient Woodland Inventory Sites

The Ancient Woodland Inventory of Scotland is a list of woodland sites which are currently wooded and have been continually wooded since at least 1750 and consists of three categories “ancient woodland of semi-natural origin” which are woodlands shown as semi-natural on the Roy maps (1750) or first edition OS maps (1860) and continuously wooded until the present day, “long-established woodlands of plantation origin” which are woodlands shown as plantation on the Roy or OS maps and continuously wooded to the present day, and “other woodlands on Roy maps” which are not shown as woodlands on the OS maps, but are shown as woodland on the Roy maps and likely have only had a short break in continuity of woodland.

There are nine woodlands on the Ancient Woodland Inventory within a 2km search radius of the Site as shown in **Table 3.3**.

Table 3.3. Ancient Woodland Sites within a 2km search radius of the Site.

Site Name (If known)	Type	Area	Distance & Direction
Unknown	Long-Established (of plantation origin)	2.5 ha	235m northeast
Barmichael Plantation	Long-Established (of plantation origin)	8.44 ha	320m north
Unknown	Ancient (of semi-natural origin)	6.7 ha	680m north
Unknown	Long-Established (of plantation origin)	2.83 ha	910m north
Black Muir Plantation	Ancient (of semi-natural origin)	10.72 ha	520m northwest
Unknown	Ancient (of semi-natural origin)	10.91 ha	1,100m southwest
Unknown	Ancient (of semi-natural origin)	4.65 ha	1,320m northwest
Unknown	Other (on Roy map)	2.27 ha	1,600m east
Unknown	Ancient (of semi-natural origin)	28.03 ha	1,700m northeast

3.2 Protected and Notable Species

Records were received from within 2km search buffer of the Site. These records were then delimited to include only protected or notable species recorded since the year 2000 inclusive¹⁶.

3.2.1 Flora

All wild flora (plants and fungi) in Scotland are protected against intentional or reckless uprooting without the permission of the owner or occupier of the land on which it grows. Other species are listed in Schedule 8 of the Wildlife & Countryside Act 1981 which offers them additional protections, only three species are offered full protection as European Protected Species. Many species are considered to be of conservation concern and are listed on national or regional biodiversity lists also.

Records received of notable flora are shown in **Table 3.4**.

Table 3.4. Notable flora records received from within 2km of the Site.

Species Common	Species Latin	Designations	No. Records
Lichen	<i>Flavoparmelia soredians</i>	SBL	1

3.2.2 Mammals

Several mammal species in Scotland are offered full protection as European Protected Species by the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) including all species of bat. Furthermore, many Scottish mammals are offered protection by the Wildlife & Countryside Act, with Badgers offered legislative protection by the Protection of Badgers Act 1992¹⁷. Records received of protected and notable mammal species are shown in **Table 3.5**.

¹⁶ Absence of presence records of any protected and notable flora and fauna should not be taken as evidence of absence of such flora and fauna.

¹⁷ Badger records are treated as confidential by the data provider and as such are supplied to consultants without spatial reference.

Table 3.5. Protected and notable mammal records received from within 2km of the Site.

Species Common	Species Latin	Designations	No. Records
Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	EPS, WCA-Sch5	3
Daubenton's Bat	<i>Myotis daubentonii</i>	EPS, WCA-Sch5, SBL	5

3.2.3 Birds

All wild birds as well as their occupied nests and eggs are protected by the Wildlife & Countryside Act 1981 (as amended). Those species listed on Schedule 1 of the Wildlife & Countryside Act are offered additional levels of protection. Additionally, birds listed as “amber” or “red” on the Birds of Conservation Concern 4¹⁸ list are those considered to be most at risk in the UK. Records of protected and notable bird species are presented within **Table 3.6**.

Table 3.6. Protected and notable bird records received from within 2km of the Site.

Common Name	Latin name	Designations	No. Records
Lesser Redpoll	<i>Acanthis cabaret</i>	UKBAP, SBL, Red	99
Reed Warbler	<i>Acrocephalus scirpaceus</i>	SBL	1
Common Sandpiper	<i>Actitis hypoleucos</i>	Amber	8
Skylark	<i>Alauda arvensis</i>	SBL	1
Teal	<i>Anas crecca</i>	Amber	88
Mallard	<i>Anas platyrhynchos</i>	Amber	311
Greylag Goose	<i>Anser anser</i>	WCA-Sch1	119
Pink-Footed Goose	<i>Anser brachyrhynchus</i>	Amber	10
Meadow Pipit	<i>Anthus pratensis</i>	Amber	25
common swift	<i>Apus apus</i>	SBL, Amber	46
Pochard	<i>Aythya ferina</i>	SBL, Red	23
Barnacle Goose	<i>Branta leucopsis</i>	SBL, Amber	1
Dunlin	<i>Calidris alpina</i>	SBL, Amber	1
Ruff	<i>Calidris pugnax</i>	WCA-Sch1, SBL, Red	1
Black-Headed Gull	<i>Chroicocephalus ridibundus</i>	SBL, Amber	146
White-throated Dipper	<i>Cinclus cinclus</i>	Amber	1
Long-Tailed Duck	<i>Clangula hyemalis</i>	WCA-Sch1, Red	4
Common Cuckoo	<i>Cuculus canorus</i>	UKBAP, SBL, Red	1
Mute Swan	<i>Cygnus olor</i>	Amber	288
House Martin	<i>Delichon urbicum</i>	Amber	5
Yellowhammer	<i>Emberiza citrinella</i>	UKBAP, SBL, Red	1
Reed Bunting	<i>Emberiza schoeniclus</i>	UKBAP, SBL, Amber	175
Kestrel	<i>Falco tinnunculus</i>	SBL, Amber	9
Pied Flycatcher	<i>Ficedula hypoleuca</i>	Red	1
Snipe	<i>Gallinago gallinago</i>	Amber	19
Oystercatcher	<i>Haematopus ostralegus</i>	Amber	8
Herring Gull	<i>Larus argentatus</i>	SBL, Red	53
Lesser Black-Backed Gull	<i>Larus fuscus</i>	Amber	56

¹⁸ Eaton, M., Aebischer, N., Brown, A., Hearn, R., Lock, L., Musgrove, A., Noble, D., Stroud, D., & Gregory, R. (2015). Birds of Conservation Concern 4: the population status of birds in the UK, Channel Islands, and Isle of Man. *British Birds*, 108: 708-746.

Common Name	Latin name	Designations	No. Records
Iceland Gull	<i>Larus glaucoides</i>	Amber	1
Glaucous Gull	<i>Larus hyperboreus</i>	Amber	1
Great Black-Backed Gull	<i>Larus marinus</i>	Amber	7
Common Grasshopper Warbler	<i>Locustella naevia</i>	UKBAP, SBL, Red	55
Grey Wagtail	<i>Motacilla cinerea</i>	Red	6
Spotted Flycatcher	<i>Muscicapa striata</i>	UKBAP, SBL, Red	8
Shag	<i>Phalacrocorax aristotelis</i>	Red	1
Redstart	<i>Phoenicurus phoenicurus</i>	Amber	2
Willow Warbler	<i>Phylloscopus trochilus</i>	Amber	371
Golden Plover	<i>Pluvialis apricaria</i>	SBL	34
Grey Plover	<i>Pluvialis squatarola</i>	Amber	1
Hedge Accentor (Dunnock)	<i>Prunella modularis</i>	Amber	333
Bullfinch	<i>Pyrrhula pyrrhula</i>	SBL, Amber	232
Whinchat	<i>Saxicola rubetra</i>	Red	1
Siskin	<i>Spinus spinus</i>	SBL	39
Starling	<i>Sturnus vulgaris</i>	Red	21
Song Thrush	<i>Turdus philomelos</i>	SBL, Red	188
Mistle Thrush	<i>Turdus viscivorus</i>	Red	8
Barn Owl	<i>Tyto alba</i>	WCA-Sch1, SBL	4
Northern Lapwing	<i>Vanellus vanellus</i>	UKBAP, SBL, Red	129

3.2.4 Amphibians

Widespread amphibian species in Scotland are offered protection from sale by Schedule 5 of the Wildlife & Countryside Act. Only the great crested newt (*Triturus cristatus*) and natterjack toad (*Epidalea calamita*) are offered full protection in Scotland as European Protected Species.

No records of amphibians were received from the background data search.

3.2.5 Reptiles

All reptiles are protected in Scotland by Schedule 5 of the Wildlife & Countryside Act 1981 which protects them against intentional or reckless killing and injury.

No records of reptiles were received from the background data search.

3.2.6 Non-Native Species

The principal legislature in Scotland which governs non-native species is the Wildlife & Countryside Act (1981). However, the Wildlife and Natural Environment (Scotland) Act 2011 no longer lists specific species to which the legislature applies, instead noting that any species which occurs in the wild Scotland "outside of their native range" is a non-native species and thus it is an offence to release or allow to be released such a plant or animal in to the wild. Non-native species records received are presented in **Table 3.7**.

Table 3.7. Non-native Species records received from within 2km of the Site.

Species Common	Species Latin	Designations	No. Records
Japanese knotweed	<i>Reynoutria japonica</i>	INNS	60

Species Common	Species Latin	Designations	No. Records
Grey squirrel	<i>Sciurus carolinensis</i>	INNS	55
Giant hogweed	<i>Heracleum mantegazzianum</i>	INNS	2
Himalayan balsam	<i>Impatiens glandulifera</i>	INNS	19
American mink	<i>Neovison vison</i>	INNS	1
Rhododendron	<i>Rhododendron ponticum</i>	INNS	1
Ruddy Duck	<i>Oxyura jamaicensis</i>	INNS	21

3.2.7 Terrestrial Invertebrates

A number of terrestrial invertebrates are offered full or partial protection by Schedule 5 of the Wildlife & Countryside Act 1981 whilst others are conservation priority species on national or regional lists.

Protected and notable invertebrate records received are presented in **Table 3.8**.

Table 3.8. protected and notable invertebrate records received from within 2km of the Site.

Group	Common Name	Latin name	Designations	No. records
insect - butterfly	Small Heath	<i>Coenonympha pamphilus</i>	UKBAP, SBL	133
insect - butterfly	Large tortoiseshell	<i>Nymphalis polychloros</i>	WCA-Sch5	1

3.2.8 Fish

Five fish species in Scotland receive full or partial protection under Schedule 5 of the Wildlife & Countryside Act 1981, others are listed as priority species of conservation concern on regional or national lists.

No records of protected or notable fish species were received from the background data search.

4 Field Study Results

4.1 Habitats

Phase 1 Habitats are spatially plotted in relation to the site and to a buffer of 50m within **Appendix A, Figure 3**.

4.1.1 A1.1.1: Broadleaved woodland – semi-natural

The entirety of the site sits within a semi-natural broadleaved woodland. This woodland comprises two fairly distinct components. That where the properties are proposed to be built appears younger and comprises mainly goat willow with hawthorn, and that slightly to the west which comprises very large mature trees of mainly oak (*Quercus* spp.), beech (*Fagus sylvatica*), birch (*Betula* spp.), ash (*Fraxinus excelsior*), yew (*Taxus baccata*), chestnut (*Aesculus hippocastanum*), and sycamore (*Acer pseudoplatanus*). It is noted that the proposed access through the woodland, and the property is proposed only to see the felling of 2no. mature trees¹⁹. However, almost the entirety of the younger woodland is proposed to be lost to these proposals.

Broadly, the tree layer comprises the species noted above, the shrub layer comprises a mix of yew, beech, hawthorn (*Crataegus monogyna*), bramble (*Rosa* spp.), ivy (*Hedera helix*), rose (*Rosa* spp.), *Rhododendron* spp., holly (*Ilex* spp.) and elder (*Sambucus nigra*). The field layer comprises a mix of lady fern (*Athyrium filix-femina*), soft rush (*Juncus* spp.), nettle (*Urtica dioica*), daffodils (*Narcissus* spp.), snowdrop (*Galanthus* spp.), and bluebells (*Hyacinthoides* spp.; assumed). The ground layer has a thick layer of dropped leaves at present and was not able to ascertain the species assemblage.

4.1.2 A1.3.2: Mixed woodland – plantation

The mixed woodland sites across the Hamilton Park Racecourse from the site and thus was not directly accessible. The species assemblage appeared to comprise mostly deciduous trees with spruce (*Picea* spp.) trees present.

4.1.3 A2.1: Scrub – dense/continuous

There is an area of scrub along the front of the adjacent flats to the north of the site. This appears to comprise a mix of broom (*Cytisus scoparius*), bramble, and willowherb (*Chamaenerion angustifolium*) with some immature trees emerging above the top of the scrub.

4.1.4 A2.2: Scrub - scattered

This habitat sits Across the Hamilton park Racecourse and so could not be accessed and assessed. However, the habitats broadly appeared to contain broom, bramble, and rosebay willowherb.

4.1.5 A3.1: Broadleaved parkland / scattered trees

Associated with landscaping for the car parking for Hamilton College is a mix of overmature and immature trees comprising mostly sycamore, oak, birch, beech, ash and cherry (*Prunus avium*) standing on amenity grassland.

4.1.6 J1.2: Cultivated / disturbed land – amenity grassland.

Associated with the sides of the car park and the racecourse is short-sward amenity grassland which is heavily modified and tightly maintained.

4.1.7 J2.4: Fence

Along the northern edge of the Site there is a wooden panel fence separating the site from the neighbouring residential properties.

4.1.8 J2.5: Wall

The western site boundary comprises walls which separate the site from Bothwell Road and stand at least 10 feet from the ground when viewed from the level of the site.

4.1.9 J5: Other Habitats

The “other habitats” within the study area comprise road and pathways.

¹⁹ Logie, K. (2020). *Report on Tree Condition at Bothwell Road, Hamilton*. 19pp.

4.2 Flora

No protected or notable floral species were observed during the site visit except for possible bluebell (TN 12) which, if the English variety, would be protected under Schedule 8 of the Wildlife & Countryside Act for possession with intent to sell, or for offering for sale. However, the flora list is considered incomplete as a consequence of the season of survey therefore further recommendations regarding flora are presented in **Section 6** of this report.

4.3 Badgers

No evidence of badgers was observed on site. As the surrounding landscape is primarily modified and heavily anthropogenically disturbed habitats and no badger records were received during the background data search, badger presence within the site is not considered likely. However, standard best practice measures for avoiding mammal entrapment should be followed as detailed within **Section 5** of this report.

4.4 Bats

The woodland and associated edge habitats provide opportunities for bat foraging and commuting areas with connectivity through the wider landscape provided by linear features such as afforested road verges, riparian woodlands, linear woodland corridors and parks. The mature trees around the site provide suitable foraging and commuting sites for edge and open-habitat specialist species. The site is therefore concluded to be of high value to commuting and foraging bats.

Seven trees within the site were judged to potentially contain features which may be of value for roosting bats of which two provide moderate suitability, and one high suitability. These are detailed within **Table 4.1**.

Table 4.1. Assessed bat roosting potential of trees within the Bothwell Road Site.

Note	Tree tag #	Tree Species	Tree Age	Features	Bat Evidence?	Roost Potential
TN 4	2215	Goat Willow	Immature	Hazard beam from snapped leader at c. 6m.	None	Low
TN 9	2137	Oak	Over-mature	Snapped and dropped limbs resulting in rot hole features. Cracks within main stem.	None	Moderate (assumed)
TN 10	N/A	Birch	Standing Deadwood	Several woodpecker holes through standing deadwood main stem.	None	High (assumed)
TN 13	2140	Oak	Over-mature	Rot hole at c. 10m facing east from a dropped limb.	None	High (assumed)
TN 14	2142	Oak	Over-mature	Flute with rot feature at top approximately 10m up main stem facing west.	None	High (assumed)
TN 15	2063	Horse Chestnut	Standing deadwood	Flaking bark throughout with several rot holes.	None	Moderate (assumed)
TN 17	N/A	Unknown	Standing deadwood	Woodpecker holes within main stem of standing deadwood.	None	Moderate (assumed)

Trees with negligible (not noted) or low roost potential (e.g. tree with tag 2215) do not require any further survey effort prior to modification or removal in line with current best practice guidelines and so are not considered further. Trees with tags 2215, 2140, and 2142 have all been marked for removal, and the others are potentially within construction disturbance zones and therefore mandatory requirements for further consideration pertaining to bats is presented in **Section 5** of this report.

4.5 Otters

The site does not contain any flowing water courses, with the closest watercourse is the River Clyde approximately 950m to the east of the site separated by the M74 motorway, Hamilton Low Parks wetland, and Hamilton Park Racecourse from the site. These are likely significant barrier for otter transit. Therefore, otter are not considered likely to utilise the site, nor to be affected by the proposals. Consequently, otter are not considered further.

4.6 Water Vole

The site does not contain any flowing water courses, with the closest watercourse is the River Clyde approximately 950m to the east of the site separated by the M74 motorway, Hamilton Low Parks wetland, and Hamilton Park Racecourse from the site. These are likely significant barrier for water vole transit. Furthermore, the site sits outside of the known range for fossorial water voles and their presence would be unlikely owing to the habitats within the site. Therefore, water vole are not considered likely to utilise the site, nor to be affected by the proposals. Consequently, water vole are not considered further.

4.7 Birds

The woodland habitats within the site offer opportunities for common species which construct suspended nests within branches of trees such as magpie or woodpigeon with some suitable cavities for cavity-nesting species such as blue or great tits. Nests for woodpigeon, magpie, and long-tailed tit were found during the site visit (TNs 1, 3, 6, 7, 8, & 11), and numerous common bird species were singing to maintain territory suggesting that they may proceed to nest within the site. During the site visit, thirteen species were observed as listed in **Table 4.2**.

Table 4.2. Bird species observed within the Site during the PEA Survey.

Species common	Species Latin	Designations
Woodpigeon	<i>Columba palumbus</i>	N/A
Goldfinch	<i>Carduelis carduelis</i>	N/A
Coal tit	<i>Periparus ater</i>	N/A
Carrion crow	<i>Corvus corone</i>	N/A
Robin	<i>Erithacus rubecula</i>	N/A
Great tit	<i>Parus major</i>	N/A
Long-tailed tit	<i>Aegithalos caudatus</i>	N/A
Goldcrest	<i>Regulus regulus</i>	N/A
Magpie	<i>Pica pica</i>	N/A
Chaffinch	<i>Fringilla coelebs</i>	N/A
Blue tit	<i>Cyanistes caeruleus</i>	N/A
Great spotted woodpecker	<i>Dendrocopos major</i>	N/A
Wren	<i>Troglodytes troglodytes</i>	N/A

As suitable nesting habitat is likely to be lost to the current proposals, bird nests or nest sites may be damaged or destroyed. Consequently, requirements and recommendations for progression with these proposals are presented in **Sections 5 and 6** of this report.

4.8 Amphibians

There are no ponds within the site nor to a buffer of 50m from the Site for amphibian breeding. However, the terrestrial habitats would facilitate summer and autumn foraging as well as winter hibernation. No records of great crested newt were received during the Background data Search. However, recommendations for habitat creation to benefit widespread amphibians are presented within **Section 6** of this report.

4.9 Reptiles

Reptile presence is not considered likely largely on account of the habitat types within the site not being typically associated with reptile presence and subject to high levels of anthropomorphic disturbance that the site experiences. Consequently, reptiles are not considered likely to be affected or utilise the site in the future and so are not considered further.

4.10 Non-Native Species

There are several stands of rhododendron present within the site (TNs 2, 16, & 18). This species is a legally controlled species in Scotland, and it would be an offence to spread or cause to spread this plant during the development process. Consequently, there are requirements regarding these species in **Section 5** of this report.

There was also grey squirrel within the site. However, this species naturally moves when disturbed and though there are legal implications of releasing this species, there are fewer restrictions with regards to working in vicinity of live squirrels.

4.11 Terrestrial Invertebrates

The habitats within the site likely support a varied assemblage of terrestrial invertebrates owing to the age class and structure of the woodland including standing deadwood. As these habitats possibly support an invertebrate assemblage of conservation note, there are recommendations for invertebrates presented within **Section 6** of this report.

4.12 Fish and Fish Habitats

The site does not contain any flowing water courses, with the closest watercourse is the River Clyde approximately 950m to the east of the site separated by the M74 motorway, Hamilton Low Parks wetland, and Hamilton Park Racecourse from the site. Therefore, fish and their habitats are not considered to be affected by the proposals and are not considered further.

5 Mandatory Requirements

This section includes all identified requirements for progression with this project based on the data collected during the PEA. Where there is any doubt about the practicality of the mandatory requirements presented below, advice should be sought from a suitably qualified ecologist.

5.1 Badgers

There is an assessed low possibility that badger may pass through the site when dispersing throughout the wider landscape. Consequently, it is a **mandatory requirement** that any open excavations which are created as part of the works should be provided with a slope of no greater than 45° to ensure that any mammals which may become entrapped whilst moving through the landscape are able to escape. Where mammal entrapment occurs, all works should stop and the advice of a suitably qualified ecologist should be sought immediately.

5.2 Bats

Six trees within the site (TNs 9, 10, 13, 14, 15, & 17) have been identified to potentially provide moderate and high bat roosting potential. This would impose **mandatory requirements** for further survey effort to establish whether these are roosting sites prior to the commencement of any tree felling or removal, or indeed prior to the granting of planning permission. However, as these features could not be assessed from ground level it is **recommended** that they are inspected by use of a “polekam” or a ladder and endoscope by a licensed bat worker. This would do one of two things: Enable re-classification of the roost to a different suitability category (e.g. by confirming that the cavity is wet, small, open or otherwise unsuitable); and could confirm roosts are present which could facilitate impact assessment for planning. Ladder and polekam assessments can be undertaken at any time of year and in any weather conditions, unlike the nocturnal presence/absence surveys undertaken with bat detectors during the summer months.

5.3 Birds

As active birds nests are protected by law from destruction, it is a **mandatory requirement** that measures be put in place to safeguard nesting birds during vegetation clearance as part of these proposals. To achieve this, it is **recommended** that vegetation clearance works be completed outwith the nesting bird season (e.g. outwith March to August inclusive). However, if the works programme cannot be amended to facilitate this, it is **suggested** that a pre-works check for nesting birds be undertaken no more than 48 hours prior to works. If active nests were found, there would be **no other option** but to delay works until nests have fledged chicks which could be a period of up to ten weeks.

5.4 Non-Native Species

It is a **mandatory requirement** that all invasive non-native species not be spread or caused to spread. Consequently, it is **recommended** that this be achieved by demarking the stands of rhododendron to a buffer of 7m around the patches and that no works are undertaken within the 7m buffer as this may cause the plants to be spread throughout the site and wider ecosystem. It is further **recommended** that the works be fully de-risked by employing a suitably qualified contractor to eradicate all invasive weeds from the site.

6 Recommendations

This section includes all identified recommendations for progression with this project based on the data collected during the PEA. Where there is any doubt about the practicality of the recommendations presented below, advice should be sought from a suitably qualified ecologist.

6.1 Habitats

There is a general presumption against the loss of woodland cover in the Scottish Planning System and it is **recommended** that the area of trees which are proposed to be lost should be re-planted in an appropriate land parcel elsewhere. For these to be of the highest benefit to biodiversity, it would be prudent to incorporate native species. The Woodland Trust can supply immature trees and shrubs and it is suggested that a mix of species should be introduced which includes some of these below. Wherever possible, trees sourced should be of local provenance to ensure that genetic lineages locally are maintained.

Trees/Shrubs – suggested planting mix

- Silver birch *Betula pendula*,
- Alder *Alnus glutinosa*,
- Hazel *Corylus avellana*,
- Rowan *Sorbus aucuparia*,
- Holly *Ilex aquifolium*,
- Hawthorn *Crataegus monogyna*,
- Blackthorn *Prunus spinosa*,
- Crabapple *Malus sylvestris*,
- Wild cherry *Prunus avium*, and
- Goat willow *Salix caprea*.

Furthermore, it would be prudent to increase the biodiversity value of the existing woodland by the introduction of native floral species to the ground layer, it is **recommended** that this be the “woodland mix” from Scotia Seeds, alternatively locally harvested seeds of local provenance would be advantageous to maintain the genetic lineages of those species locally.

6.2 Flora

As the species list for the site is not thorough on account of the prevailing weather conditions at the time of the survey visit, it is **recommended** that an updated flora list for the site be collected during the summer months (between April and September inclusive).

6.3 Bats

It is **recommended** that wherever possible, trees and linear features (e.g. tree lines and hedgerows) within and adjacent to the site be maintained, as these are typically used by bats as a means of moving through the landscape which would be a positive measure to help conserve bats within the Site and wider landscape.

It is further **recommended** that during lighting design, any exterior lighting be avoided or be low-level, motion-sensitive or alternatively able to be switched on and off; be directional to minimise the light spill beyond the area that it is intended to illuminate; and which avoids semi-natural habitats. Artificial lighting is harmful to wildlife by altering circadian rhythms as well as altering the availability and spatial spread of resources. Guidance on artificial lighting design which would be bat and wildlife friendly is available from the Bat Conservation Trust²⁰.

²⁰ <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229>

6.4 Birds

The incorporation of bird boxes into the development is **recommended**. This may include traditional cavity boxes installed within woodland or hedgerows within the site or potentially sparrow or swift boxes included within the design of any buildings on the site. This would increase the value of the site for birdlife.

6.5 Amphibians

It is recommended that the value of the site be enhanced for amphibians by inclusion of suitable planting within the proposed pond and wetland area within the landscaping works associated with the proposals. This **recommended** action would also benefit a variety of other species including invertebrates and birds.

6.6 Terrestrial Invertebrates

It is **recommended** that a suitably qualified invertebrate ecologist be commissioned to undertake, at minimum, an initial invertebrate site assessment survey to ascertain the likelihood of their being a species, or an assemblage of species, of conservation note within the site.

Wherever possible, it is **recommended** that the plant assemblage of the site should be retained or, if lost, should be replaced like-for-like in a nearby land parcel and improved with further introduction of native floral species to promote a varied and healthy pollinator assemblage.

6.7 General Biodiversity Enhancements

The character of the site could be further improved for biodiversity through the implementation of the following measures:

- Installation of hedgehog boxes within the landscaping would encourage uptake of the site by hedgehogs. These boxes should be in a quiet area not subject to human or vehicular traffic, should face away from the prevailing wind conditions and be out of direct sunlight. A siting beneath existing or freshly planted shrubs would suffice. The boxes should include an opening of approximately 13cm x 13cm in diameter and should include an internal “baffle” with a sharp turn to prevent access from predatory species such as foxes or cats. Uptake of these boxes can be further increased by ensuring that there are suitable gaps (of 13 x 13cm) beneath fencing instated around the new structure.
- Log piles instated within the site would provide suitable habitat for amphibians as well as for invertebrate species including saprophytic species such as beetle larvae. These should be instated within a sunny spot and within landscaping measures. Where possible, log piles should seek not to be too tightly piled to ensure there are gaps or varying sizes to create a number of different microclimates which would suit a wider variety of species. These may need to be regularly replaced.
- Insect Hotels including solitary bee houses could be instated within the new landscaping, in a sunny area next to suitable invertebrate foraging (e.g. wildflower planting). This would serve to increase the available habitat for invertebrate species and would in turn benefit the wider ecosystem through provision of additional ecological functions and through increased food resource for predatory species.

Appendix A: Figures

Figure 1: Designated Sites.



- Key**
- Site Boundary
 - Site Boundary - 2km Buffer
 - Ancient Woodland Inventory (AWI)
 - Site of Special Scientific Interest (SSSI)

Title:

Figure 1: Designated Sites

Project:

Bothwell Road Residential Development

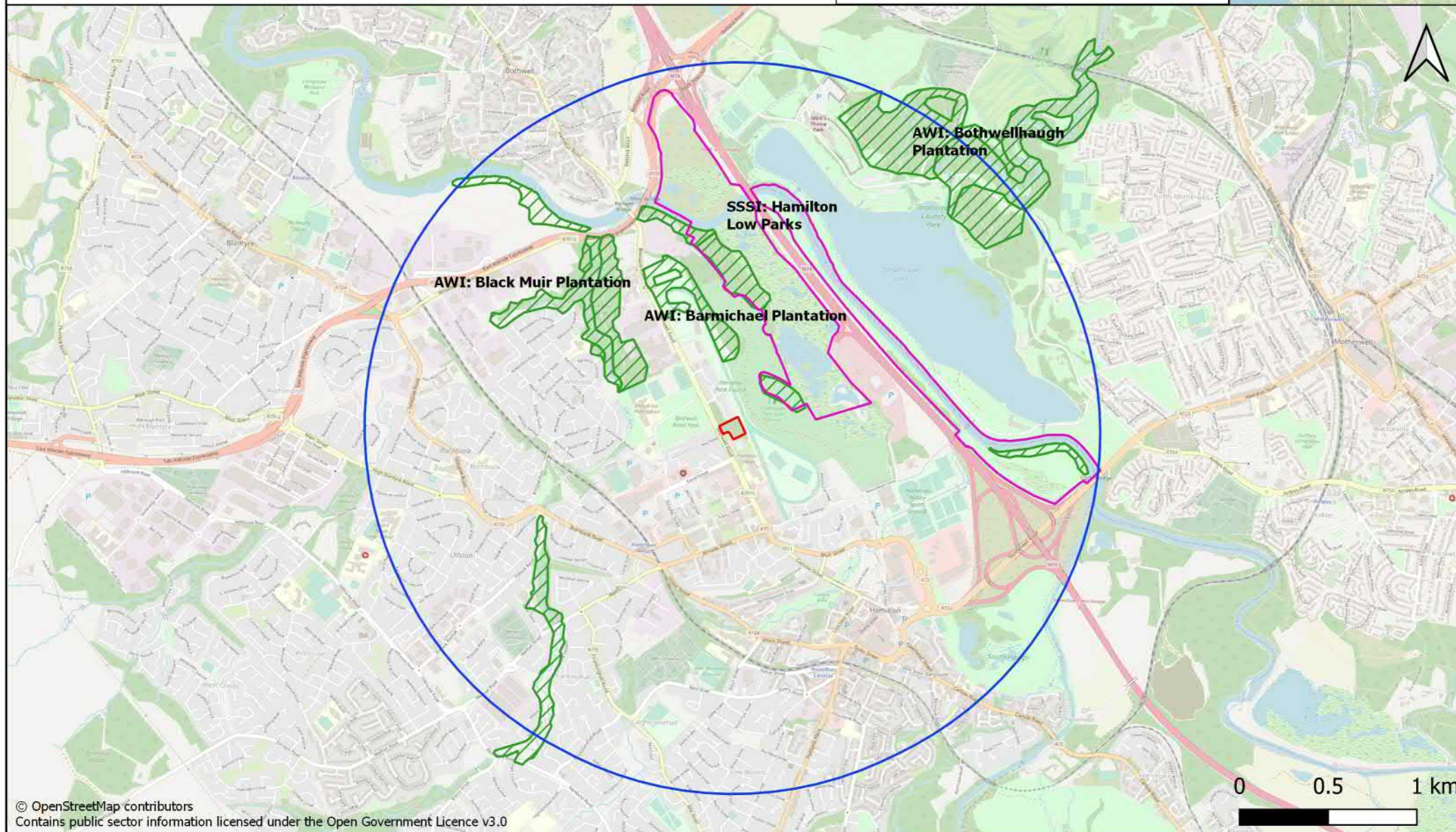
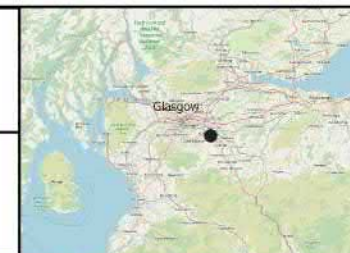


Figure 2: Background Data Search Results.



Key
[Red outline] Site Boundary
[Blue outline] Site Boundary - 2km Buffer
[Yellow dot] Background Data Search Results

AM - American Mink
BG - Barnacle Goose
BO - Barn Owl
BHG - Black-headed Gull
BF - Bullfinch
CP - Common Pipit
CS - Common Sandpiper
C - Cuckoo

DB - Doubtful's Bat
DI - Dipper
DU - Dunnock
DN - Dunn
EGS - Eastern Grey Squirrel
GH - Giant Hogweed
GGU - Glossy Ibis
GP - Golden Plover
GW - Grasshopper Warbler
GBG - Great Black-backed Gull
GRP - Grey Plover
GWA - Grey Wagtail
GG - Grey Goose
HB - Himalayan Monal
HG - Herring Gull
HM - House Martin
IS - Iceland Gull
JK - Japanese Knotweed

K - Kestrel
L - Lapping
LT - Large Tortoiseshell
LBG - Lesser Black-backed Gull
LR - Lesser Redpoll
LTD - Long-tailed Duck
M - Mallard
MP - Meadow Pipit
MT - Mistle Thrush
MS - Mute Swan
O - Oystercatcher
PF - Pied Flycatcher
P - Pochard
PFG - Pink-footed Goose
R - Redstart
RB - Rood Bunting
IS - Iceland Gull
RD - Ruddy Duck
RH - Rhododendron

RU - Rufous
SHA - Shag
SH - Small Heath
SF - Spotted Flycatcher
ST - Song Thrush
SP - Soprano Pipit
SI - Skylark
S - Starling
SK - Skylark
SN - Snipe
SW - Swift
T - Test
WC - Whinchat
WW - Willow Warbler
Y - Yellowhammer

Title:
Figure 2: Background Data Search Results

Project:
Bothwell Road Residential Development

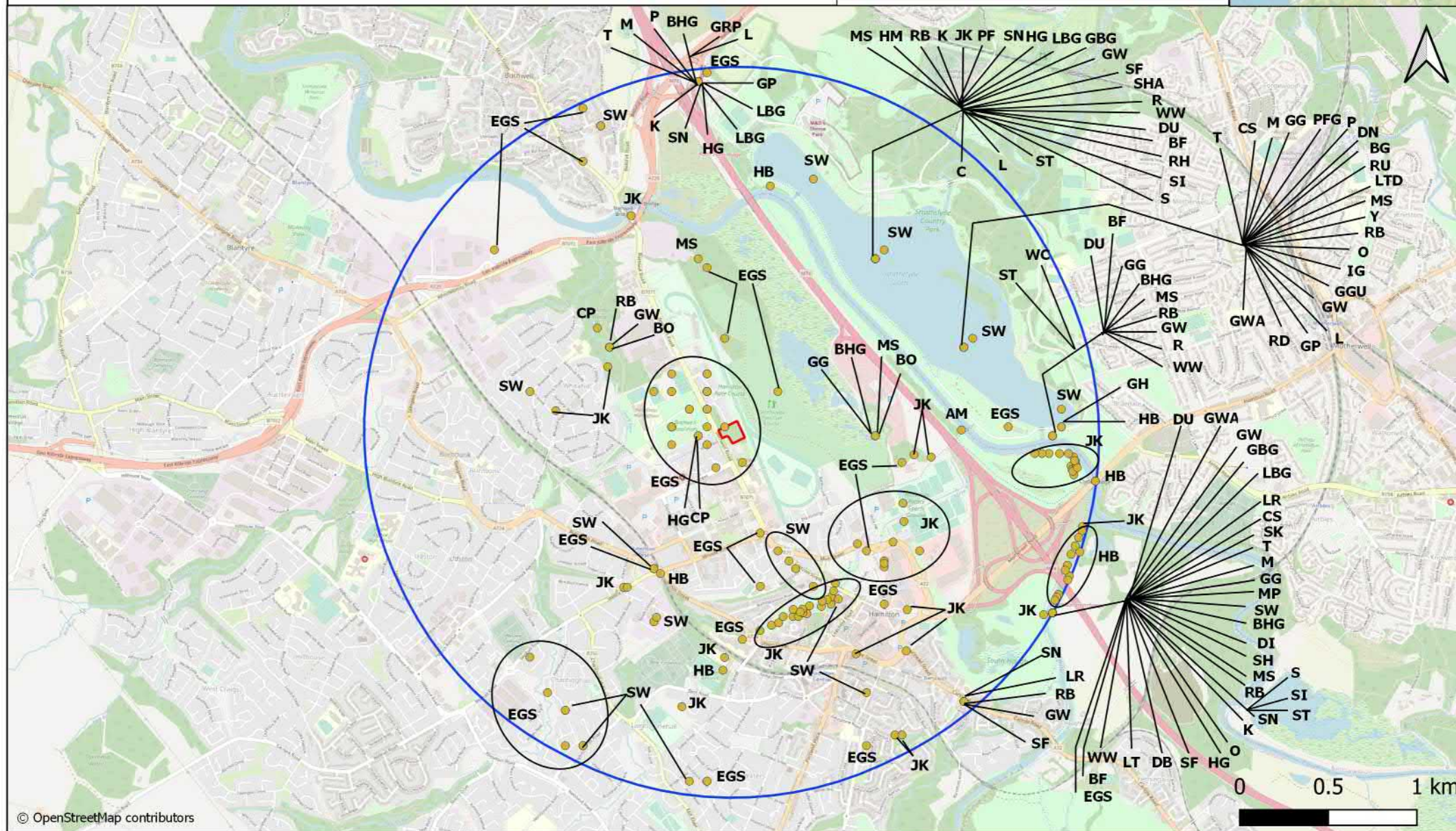
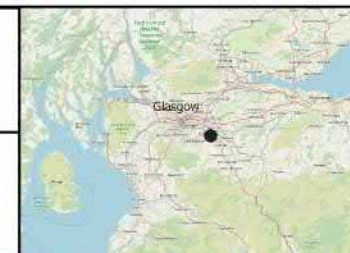


Figure 3: Phase 1 Habitat Survey Results.



Key

Site Boundary

Site Boundary - 50m Buffer

Phase 1 Habitat Survey

A1.1.1 - Broadleaved woodland - semi-natural

A1.3.2 - Mixed woodland - plantation

A2.1 - Scrub - dense/continuous

A2.2 - Scrub - scattered

A3.1 - Broadleaved Parkland/scattered trees

J1.2 - Cultivated/disturbed land - amenity grassland

J5 - Other Habitat

N/A

J2.4 - Fence

J2.5 - Wall

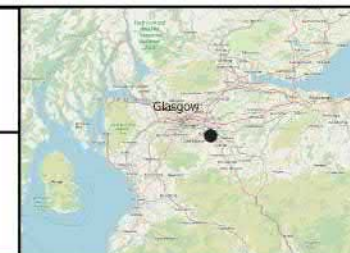
Target Note

Title:

Figure 3: Phase 1 Habitat Survey Results

Project:

Bothwell Road Residential Development



Appendix B: Target Notes

TN	Note
1	Woodpigeon nest.
2	INNS: Rhododendron.
3	Long-tailed tit nest.
4	Goat willow with hazard beam. Low bat roosting potential. Tag #2215.
6	Woodpigeon nest.
7	Magpie nest.
8	Magpie nest.
9	Ancient over-mature oak tree with dropped limbs exposing rotting cracks, and cracks along main stem offering potentially moderate BRP. Tag # 2137.
10	Standing deadwood birch tree with several woodpecker holes. High BRP. Tags: 0084 / 0541 / 01187.
11	Woodpigeon nest.
12	Possible bluebells.
13	Overmature oak with rot hole from dropped limb facing east at c. 10m. Assumed high BRP. Tag 2140
14	Overmature oak with flute at c.10m facing west. High BRP. Tag: #2142
15	Standing dead chestnut with flaking bark and rot holes offering possibly moderate BRP. #2063
16	INNS: Rhododendron.
17	Standing deadwood with woodpecker holes. Moderate BRP. No tag.
18	INNS: Rhododendron.

Appendix C: Photographs

Note	Image
Images showing the general character of the site and its immediate surrounds. The area currently proposed for construction of 2no. dwellinghouses is dominated by immature woodland comprising mainly goat willow and birch with hawthorn scrub. However, immediately adjacent to this is a mature woodland with stands of very large deciduous trees which are likely decades if not centuries old.	    

Note	Image
There are several stands of invasive rhododendron within the site.	
The trees within the site offer opportunities for birds to nest, such as this long-tailed tit nest.	
There are a number of spring bulbs emerging through the ground layer at the time of the survey and it is believed that some, such as these pictured, may be bluebell.	

Note

TN 9: A particularly old and haggard oak tree which has several cracks and rot features associated with age and dropped limbs which may present with moderate bat roosting potential.

Image

Note

Image

TN15: Standing dead chestnut tree with rot holes and flaking bark offering potentially moderate BRP.



Note

Image

TN 13: Overmature oak tree with a rot hole at c.10m facing east presumed to have arisen from a dropped limb and offering potentially high bat roosting potential.



Note

Image

TN 17: Standing deadwood with woodpecker holes offering potentially moderate BRP.



Note

Image

TN14: Large flute feature at the top of overmature oak tree with assumed high bat roosting potential.



Note**Image**

Hamilton Park Racecourse and the associated habitats across the racecourse from the site showing tightly maintained amenity grassland and some transport infrastructure associated with the races.



Habitats within Hamilton College Campus in the immediate vicinity of the site showing tightly mown amenity grassland areas with stands of mature trees present as part of landscaping measures and open parking areas.



Appendix D: Background Data Attributions

Scottish Wildlife Trust (2020). The Scottish Squirrel Database. Occurrence dataset accessed through the NBNAtlas

Records provided by British Dragonfly Society Recording Scheme, accessed through NBN Atlas website.

Biological Records Centre. 11 December 2020. Bee, wasp and ant (Hymenoptera: Aculeata) records verified via iRecord.

SNH (2008). National Water Vole Database & Mapping Project (Scotland data)

Records provided by Balfour-Browne Club, accessed through NBN Atlas website.

Records provided by Database for the Atlas of Freshwater Fishes, accessed through NBN Atlas website.

Records provided by East Ayrshire Species Database , accessed through NBN Atlas website.

Records provided by Atomarine Beetle (Coleoptera) records for Britain and Ireland to 1992, accessed through NBN Atlas website.

Records provided by Mammal records from Britain from the Atlas of Mammals (1993), with some subsequent records, accessed through NBN Atlas website.

Records provided by Reports of New Zealand Flatworms in Scotland, 1989 - 2005, accessed through NBN Atlas website.

Records provided by Royal Society for the Protection of Birds, accessed through NBN Atlas website.

Records provided by Scottish Wildlife Trust, accessed through NBN Atlas website.

RISC and ALERT Marine Non-Native Species (Chinese Mitten Crab, Wakame and Carpet Sea Squirt) Records by Marine Biological Association under CC-BY
Released under DASSH terms and conditions. See <http://www.dassh.ac.uk/terms-and-conditions>

Records provided by Highland Biological Recording Group, accessed through NBN Atlas website.

Records provided by Marine Biological Association, accessed through NBN Atlas website.

Records provided by NatureScot, accessed through NBN Atlas website.

Records provided by Lacewings and allied insects records from Britain and Ireland to 1999, accessed through NBN Atlas website.

Records provided by Reptiles and Amphibians Dataset, accessed through NBN Atlas website.

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Blockeel TL, Bosanquet SDS, Hill M , Preston C (eds) 2014. Atlas of British and Irish bryophytes. Newbury: Pisces Publications.

Records provided by Mosquito Recording Scheme, accessed through NBN Atlas website.

Records provided by Invasive Non-native species data in the Clyde catchment, collated by Central Scotland Forest Trust, accessed through NBN Atlas website.

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Records provided by Sepsidae (Diptera) records from Britain and Ireland to 1985, accessed through NBN Atlas website.

SNH (2020). Bat Casework records 1970-2007

Records provided by Biological Records Centre, accessed through NBN Atlas website.

Records provided by British Lichen Society, accessed through NBN Atlas website.

Records provided by British Bryological Society, accessed through NBN Atlas website.

Records provided by Clyde Breeding Bird Tetrad Atlas 1985 - 1991 - sensitive species, accessed through NBN Atlas website.

Records provided by Clyde Breeding Bird Tetrad Atlas 1985 - 1991 - non-sensitive species, accessed through NBN Atlas website.

Records provided by Scottish Ornithologists' Club, The, accessed through NBN Atlas website.

Records provided by Coccinellidae Data, accessed through NBN Atlas website.

"The following acknowledgements of copyright and database right ownership, must be included in a conspicuous position in all copies of data and outputs: ""Reproduced by permission of the Bird Conservation Targeting Project. Â© Bird Conservation Targeting Project, 2010 (a partnership between the British Trust for Ornithology (BTO), the Centre for Environmental Data and Recording (CEDaR), the Countryside Council for Wales (CCW), the Department of Agriculture and Rural Development (DARD), Forestry Commission England (FCE), Forestry Commission Wales (FCW), Forest Service (FS), Natural England (NE), Northern Ireland Environment Agency, the RSPB and Scottish Natural Heritage (SNH)). All rights reserved.""

The organisations contributing data to the project must also be acknowledged as follows: ""The Bird Conservation Targeting Project partners are grateful to the contributions of the data providers listed at www.rspb.org.uk/targeting", and to the many volunteers who collected these data."

Records provided by Water Beetle Surveys from Britain and Ireland, accessed through NBN Atlas website.

Records provided by Crane fly (Diptera; Tipuloidea) records for Britain to 2016, accessed through NBN Atlas website.

RSPB (2020) 1921-2019 Occupied Swift Nests, UK

Records provided by Central Scotland Green Network Trust, accessed through NBN Atlas website.

"The following acknowledgements of copyright and database right ownership, must be included in a conspicuous position in all copies of data and outputs: ""Reproduced by permission of the Bird Conservation Targeting Project. Â© Bird Conservation Targeting Project, 2010 (a partnership between the British Trust for Ornithology (BTO), the Centre for Environmental Data and Recording (CEDaR), the Countryside Council for Wales (CCW), the Department of Agriculture and Rural Development (DARD), Forestry Commission England (FCE), Forestry Commission Wales (FCW), Forest Service (FS), Natural England (NE), Northern Ireland Environment Agency, the RSPB and Scottish Natural Heritage (SNH)). All rights reserved.""

The organisations contributing data to the project must also be acknowledged as follows: ""The Bird Conservation Targeting Project partners are grateful to the contributions of the data providers listed at www.rspb.org.uk/targeting", and to the many volunteers who collected these data."

Highland Biological Recording Group (2020). HBRG Insects Dataset. Occurrence dataset accessed through the NBN Atlas

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Records provided by BLS Lichen Database: Scotland 1700-2016, accessed through NBN Atlas website.

Records provided by BLS Mapping Scheme dataset, 1750-2009, accessed through NBN Atlas website.

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The organisations contributing data to the project must also be acknowledged as follows: ""The Bird Conservation Targeting Project partners are grateful to the contributions of the data providers listed at www.rspb.org.uk/targeting", and to the many volunteers who collected these data."

Records provided by East Ayrshire Countryside Ranger Service, accessed through NBN Atlas website.

Records provided by SNH Bat Casework Recording log 2016, accessed through NBN Atlas website.

Records provided by Cerambycidae Dataset, accessed through NBN Atlas website.

Records provided by British Trust for Ornithology, accessed through NBN Atlas website.

Appendix E: Legislation

European Union (Withdrawal Agreement) Act (2020)

The European Union Withdrawal Act sets out the legislative procedure that the UK will follow until a withdrawal agreement with the European Council has been reached. In respect of protected species and Sites, the legislation as set out below remains enacted as it stands until amended.

Bern Convention (1982)

The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the EC Birds Directive (1979) and the EC Habitats Directive (1992). Since the Lisbon Treaty, in force since 1st December 2009, European legislation has been adopted by the European Union.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention' was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985, Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW).

Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species (Amendment) Regulations 2012 in England, and Wales, and via the Conservation (Natural Habitats, &c) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland. In Scotland, the Habitats Directive is transposed by The Conservation (Natural Habitats &c.) Regulations 1994, see below for details.

Birds Directive

The EC Directive on the Conservation of Wild Birds (79/409/EEC) or 'Birds Directive' was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.

The Conservation (Natural Habitats, &c.) Regulations (1994) as amended in Scotland (EPS)

The Habitats Regulations 1994 (as amended in Scotland) implement the species protection requirements of the European Directive 92/43/EEC on the conservation of natural habitats (the Habitats Directive) in Scotland on land and inshore waters (0-12 nautical miles). Following a European Court of Justice ruling against the UK Member State in 2005, there have been several amendments to the Regulations which apply only to Scotland (made in 2004, 2007, 2008(a) and 2008(b)).

This regulation makes it an offence to deliberately or recklessly disturb European Protected Species. Their places of shelter are fully protected, and it is an offence to damage, destroy or obstruct access to or otherwise deny the animal use of a breeding site or resting place, whether deliberate or not. It is also an offence to disturb in a manner that is likely to significantly affect the local distribution or abundance of the species; impair its ability to survive, breed or reproduce or rear its young.

Wildlife and Countryside Act (EU Exit) (1981) and Nature Conservation (Scotland) Act (2004) (WCA-Sch*)

The Wildlife and Countryside Act (1981) is the main piece of legislation pertaining to biodiversity in the UK and forms the basis for most of the other wildlife and biodiversity legislation that has come into being over recent years. In Scotland, it was updated in 2004 by the Nature Conservation (Scotland) Act. The W&C Act makes it an offence to intentionally:

- kill, injure, or take any wild animal or bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built;
- take or destroy an egg of any wild bird;

In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection by a wild animal;
- intentionally disturb animals occupying such places;
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

A provision is made within the Act for the granting of licences that allow above actions to be made legal in certain situations. Finally, the Act makes it an offence to intentionally:

- pick, uproot or destroy any wild plant listed in Schedule 8; or any seed or spore attached to any such wild plant unless authorised;
- uproot any wild plant not included in Schedule 8,
- sell, offer, or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Part 14 of the Act contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9.

The Nature Conservation (Scotland) Act (2004) strengthens the above legislation by including reckless” acts, which means that in Scotland, not knowing about the above is not a permissible defence for committing an illegal act. This Act also strengthens the designated sites legislation by enhancing the protection for SSSIs and puts a Biodiversity Duty on every public body.

Nature Conservation (Scotland) Act 2004

The Act places duties on public bodies in relation to the conservation of biodiversity, increases protection for SSSI, amends legislation on Nature Conservation Orders, provides for Land Management Orders for SSSIs and associated land, strengthens wildlife enforcement legislation, and requires the

preparation of a Scottish Fossil Code and a Scottish Marine Wildlife Watching Code. It also amends the legislation for protected species, introducing new conditions to the 'incidental results of a lawful operation' defence for all wild birds and certain species of animal and plant.

The Act places a duty on every public body to further the conservation of biodiversity consistent with the proper exercise of their functions.

It also requires Scottish Ministers to designate one or more strategies for the conservation of biodiversity as the Scottish Biodiversity Strategy, and to publish lists of species of flora and fauna and habitats of principal importance.

Wildlife and Natural Environment (Scotland) Act 2011

This Act has brought in new provisions governing the introduction of non-native species in Scotland. Non-native species (those plants and animals which have found their way to a new habitat through human activity) can be harmful to our environment. Some non-native species may become invasive, damaging, or displacing native species.

The Protection of Badgers Act (1992)

The Protection of Badgers Act 1992 (as amended by the Nature Conservation (Scotland) Act 2004) comprehensively protects badgers and their setts. Offences under the act include killing, injuring, or taking a badger, or to damage, destroy or obstruct setts or to disturb badgers in a sett. Licences are available for specific purposes, including development, to allow some of these actions to be carried out legally.

Scottish Biodiversity List (SBL)

The Scottish Biodiversity List is a list of animals, plants, and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland. The Scottish Biodiversity List was published in 2005 to satisfy the requirement under Section C Appendix C - Legislation 2(4) of The Nature Conservation (Scotland) Act 2004.

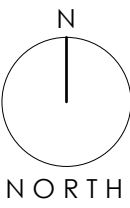
The purpose of the list is to help public bodies carry out their Biodiversity Duty by identifying the species and habitats which are the highest priority for biodiversity conservation in Scotland. The Scottish Biodiversity List has been updated to take account of changes to the UKBAP priorities list.

656580N

656580N

Proposed **Site Layout plan** - @ 1:250

Green tone : LDP 'Green Network' designation (Policy 13),
White area : LDP 'General Urban Area' (Policy 3)



656560N

656560N

656540N

656540N

656520N

656520N

656500N

656500N

656480N

656480N

656460N

656460N

arka

ARCHITECTS

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Falkirk, FK1 1PU
Tel 01324 639228 01324 620151
Email info@arka-architects.co.uk

KEY TO TREE CLASSIFICATIONS

- 2149 A** Grade A: High Category [Retained]
- 2133 B** Grade B: Moderate Category [Retained]
- 2223 C** Grade A: Low Category [Retained]
- Root Protection Area to retained trees indicated [RPA]

ALL TREES WITHIN ARC TO BE RETAINED

REFERENCED TREES IN THIS AREA TO BE RETAINED

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SCALE 1:250 @ A1 : 1:500 @ A3

0 5m 10m

REVISIONS

Rev A	07/12/20	Ground plans amended
Rev B	14/12/20	Elevations added
Rev C	18/12/20	Layout and Elevations Updated
Rev D	21/12/20	Layout Updated
Rev E	05/01/21	External terrace added
Rev F	01/03/21	Access and bin details added
Rev G	26/06/21	Plan layouts altered
Rev H	30/06/21	Basement added & plan revs.

PLANNING

Project Project Number

BOTHWELL ROAD 0891

HAMILTON

Drawing

SITE LAYOUT PLAN

Scale Drawn by

Quoted @ A1 AT

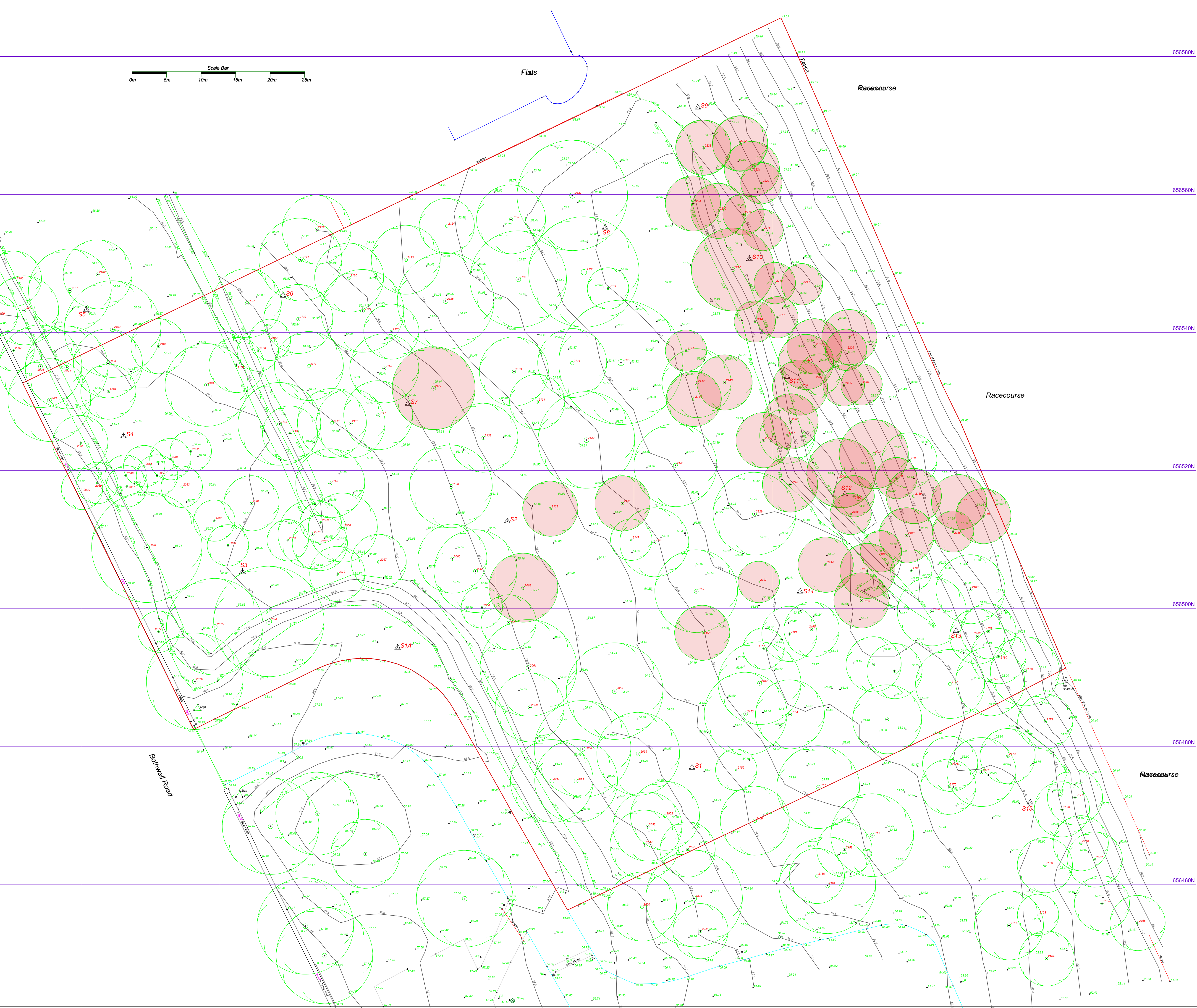
Dwg Number Revision

PP-02

H



Proposed **Contextual Elevations** - @ 1:250



arka

ARCHITECTS

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Falkirk, FK1 1PU
Tel 01324 639228 01324 620151
Email info@arka-architects.co.uk

KEY TO TREE CLASSIFICATIONS

- 2149
A Grade A: High Category
- 2133
B Grade B: Moderate Category
- 2223
C Grade A: Low Category
- +REF
Removed Trees

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SCALE 1:250 @ A1 : 1:500 @ A3
5m 10m

REVISIONS

Rev A 26/06/21 Tree removals reduced

PLANNING

Project Project Number

BOTHWELL ROAD 0891

HAMILTON

Drawing

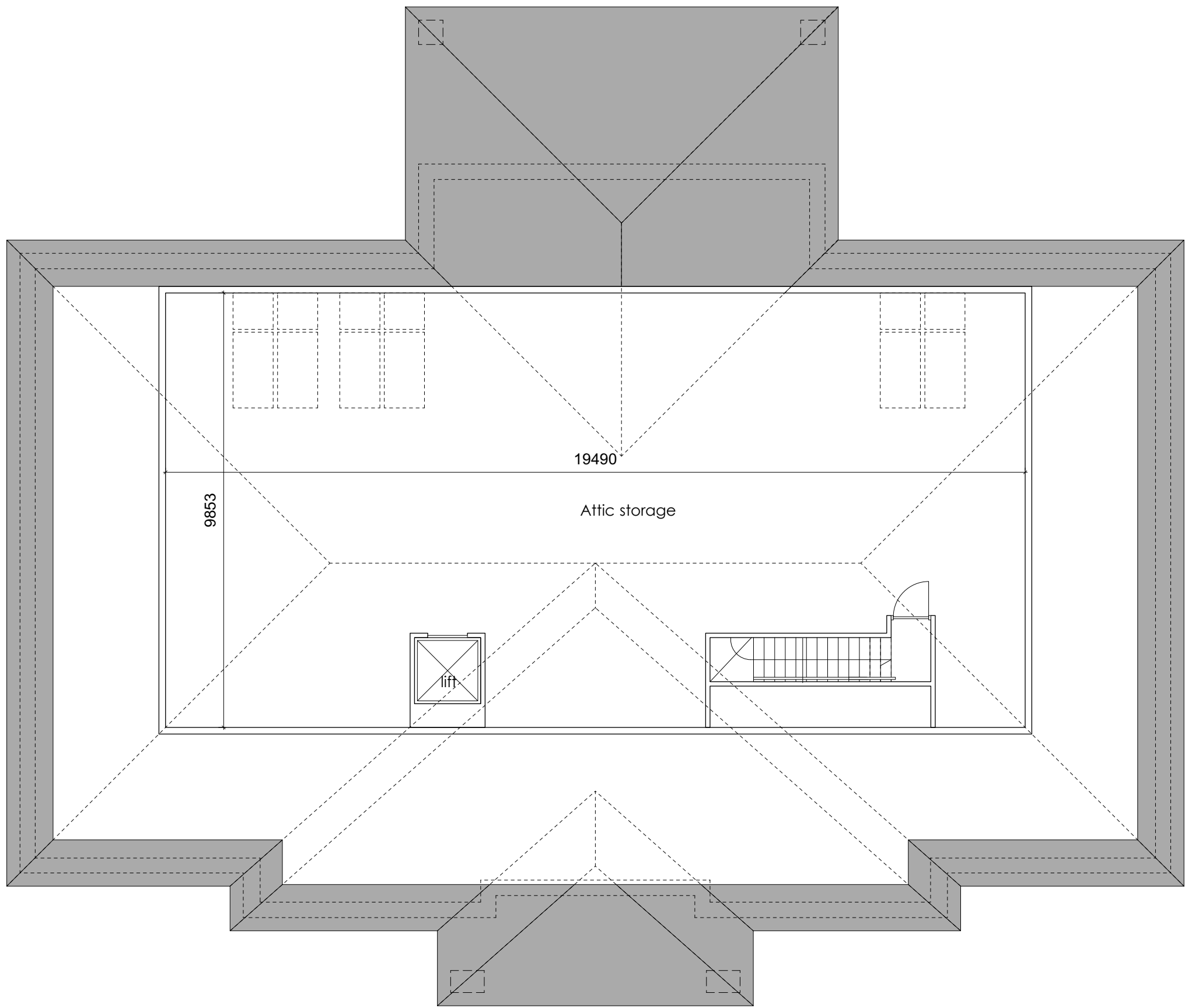
TREE AND GENERAL SURVEY PLAN

Scale Drawn by

Quoted @ A1 AT

Dwg Number Revision

PP-03 A

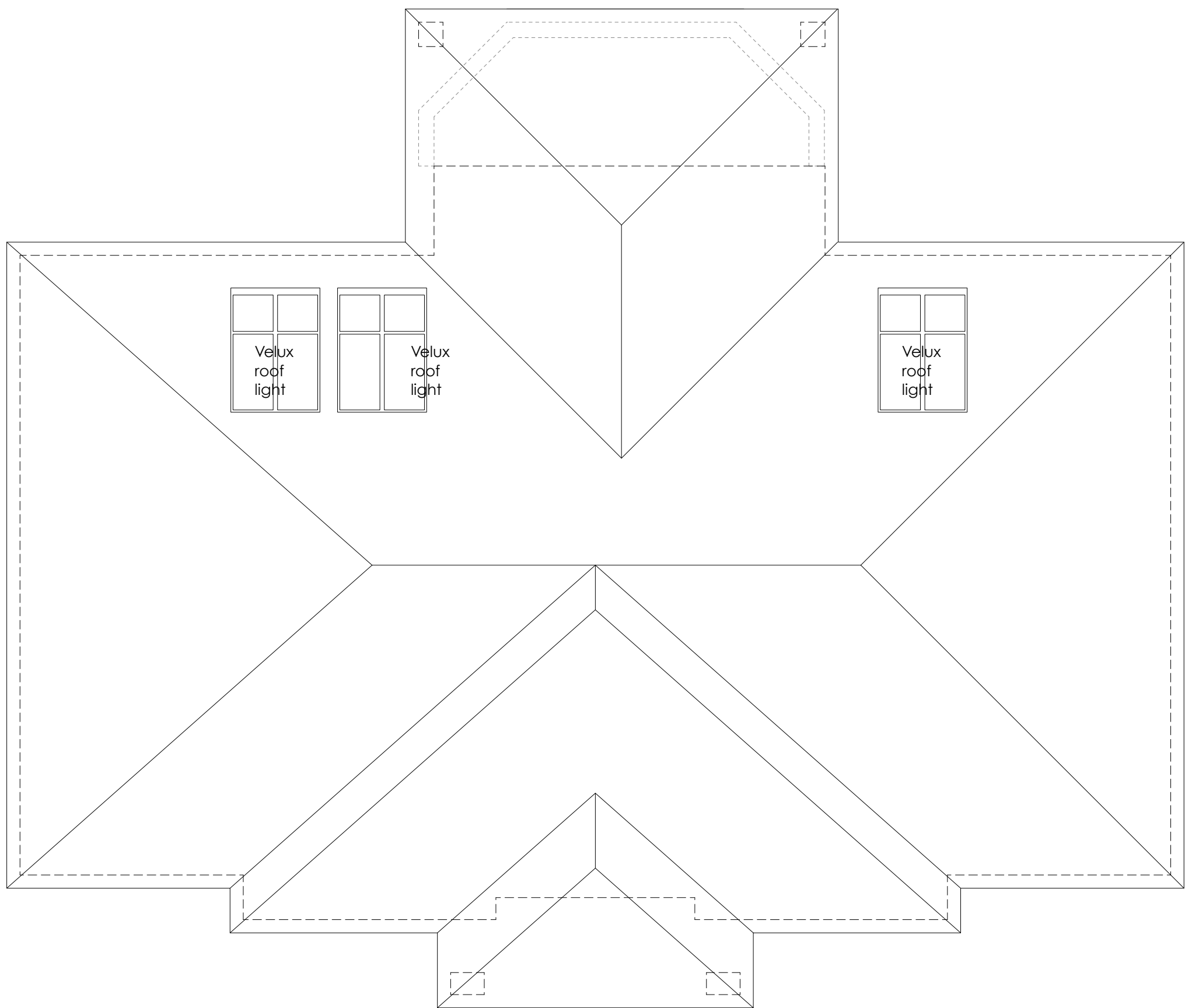


Proposed **Attic plan** - @ 1:100

Dwelling 1



Dwelling 2 to be mirrored version of above



Proposed **Roof plan** - @ 1:100

Dwelling 1



Dwelling 2 to be mirrored version of above

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SCALE 1:100 @ A1 : 1:200 @ A3
0 5m

REVISIONS

Rev A	26/06/21	Dwellings reduced
Rev B	30/06/21	Plan revs.

PLANNING

Project Project Number

BOTHWELL ROAD

0891

HAMILTON

Drawing

ATTIC & ROOF PLANS: DWELLING No. 1

Scale

Drawn by

Quoted @ A1

AT

Dwg Number

Revision

PP-06

B



Proposed **West Elevation** @ 1:100

F R O N T

Dwelling 1

Dwelling 2 to be mirrored version of above

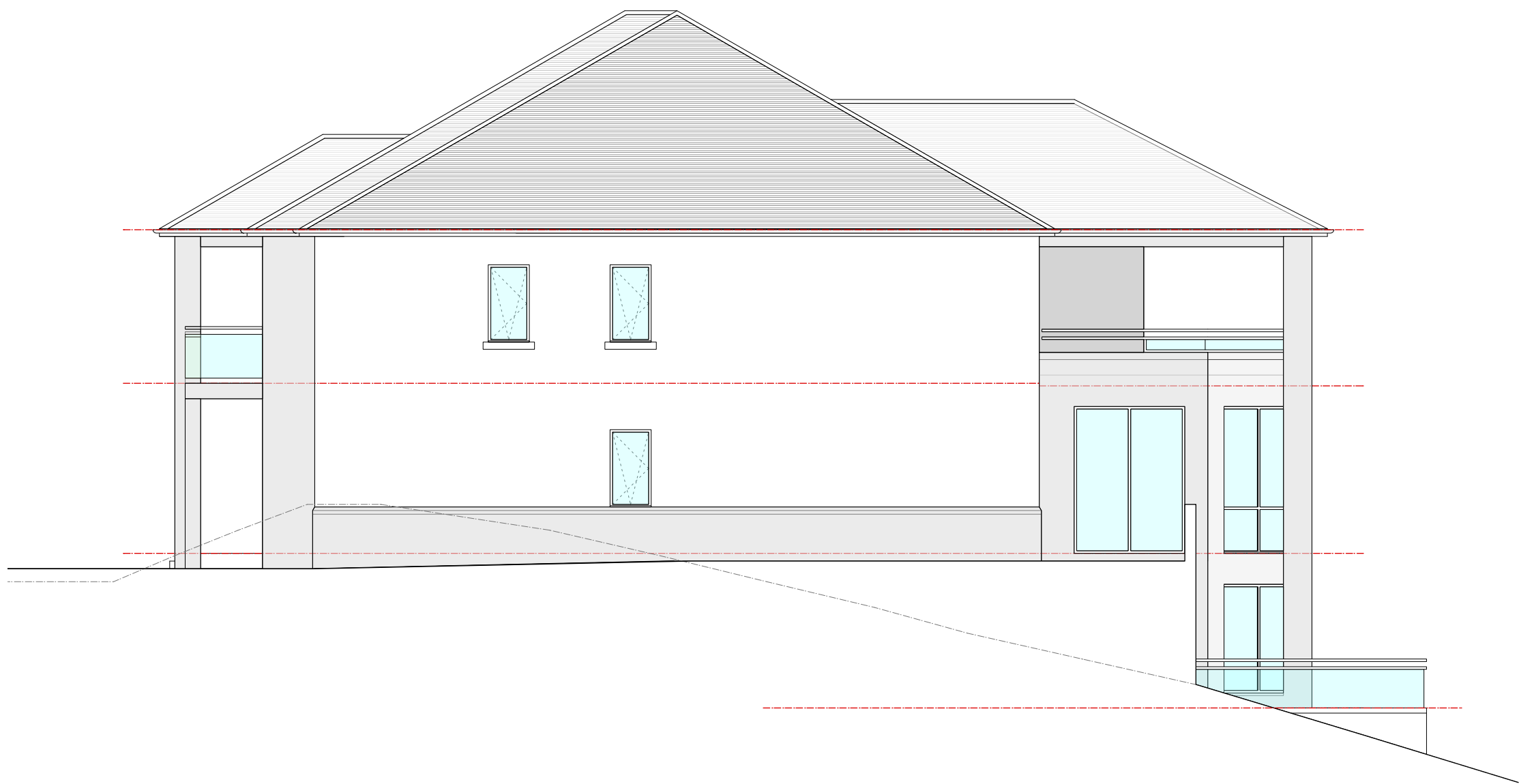


Proposed **East Elevation** @ 1:100

R E A R

Dwelling 1

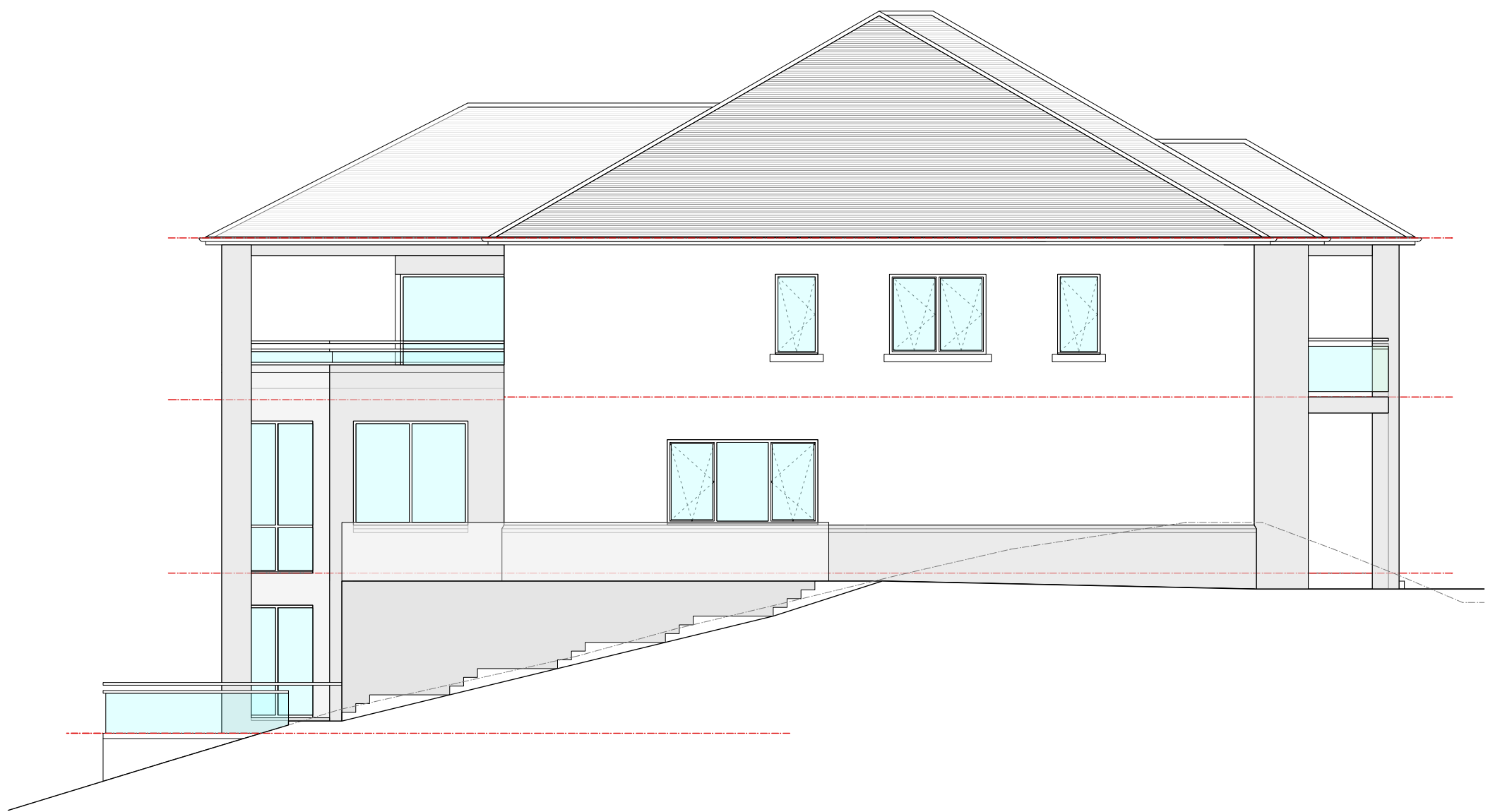
Dwelling 2 to be mirrored version of above



Proposed **South Elevation** @ 1:100

Dwelling 1

Dwelling 2 to be mirrored version of above



Proposed **North Elevation** @ 1:100

Dwelling 1

Dwelling 2 to be mirrored version of above

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SCALE 1:100 @ A1 : 1:200 @ A3
0 5m

REVISIONS

Rev A	18/12/20	Revised Elevations
Rev B	05/01/21	External terrace added
Rev C	26/06/21	Dwellings reduced
Rev D	30/06/21	Basement added & elevation revs.

PLANNING

Project Project Number

BOTHWELL ROAD

0891

HAMILTON

Drawing

ELEVATIONS

Scale

Quoted @ A1

Dwg Number

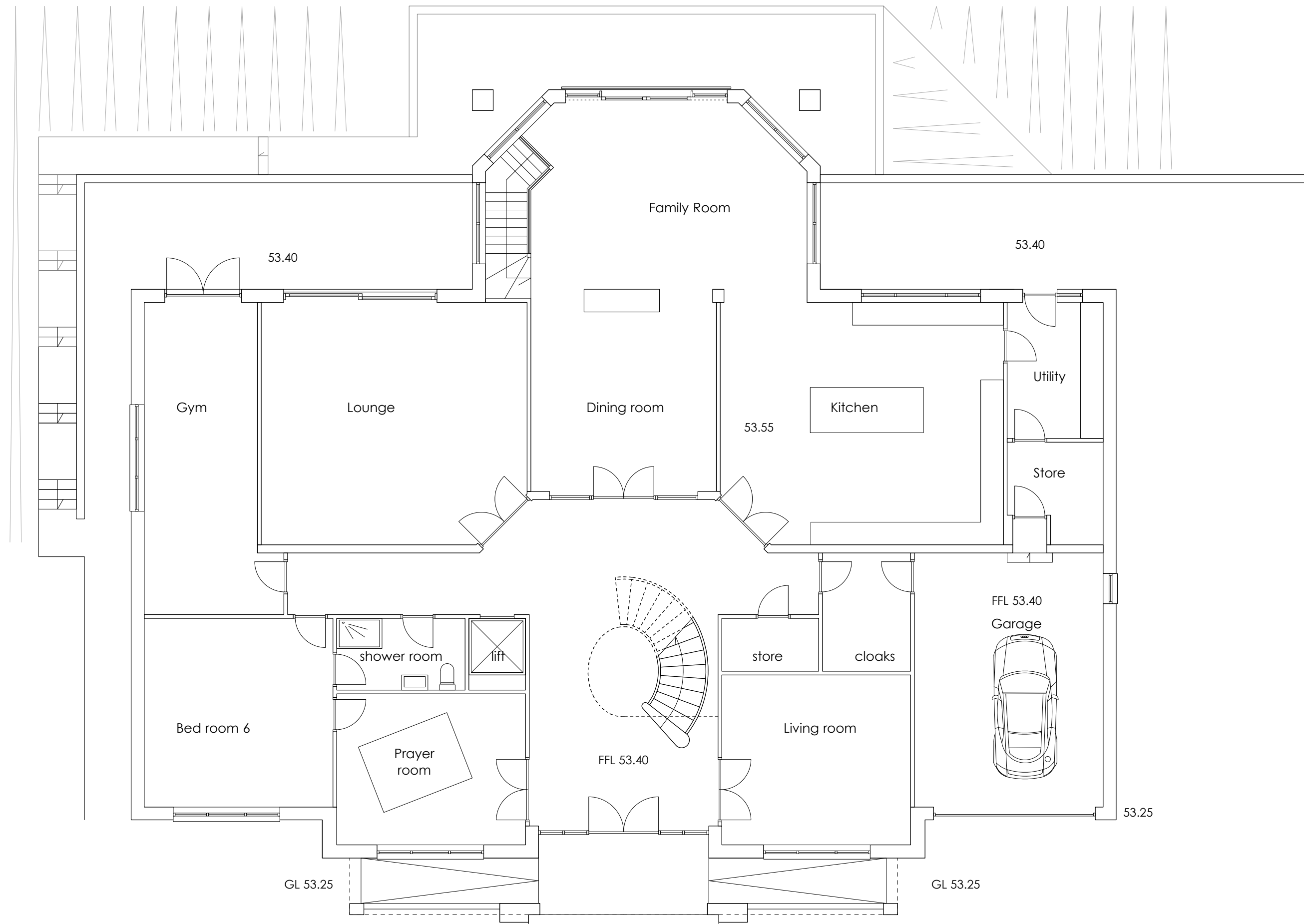
PP-05

Drawn by

AT

Revision

D

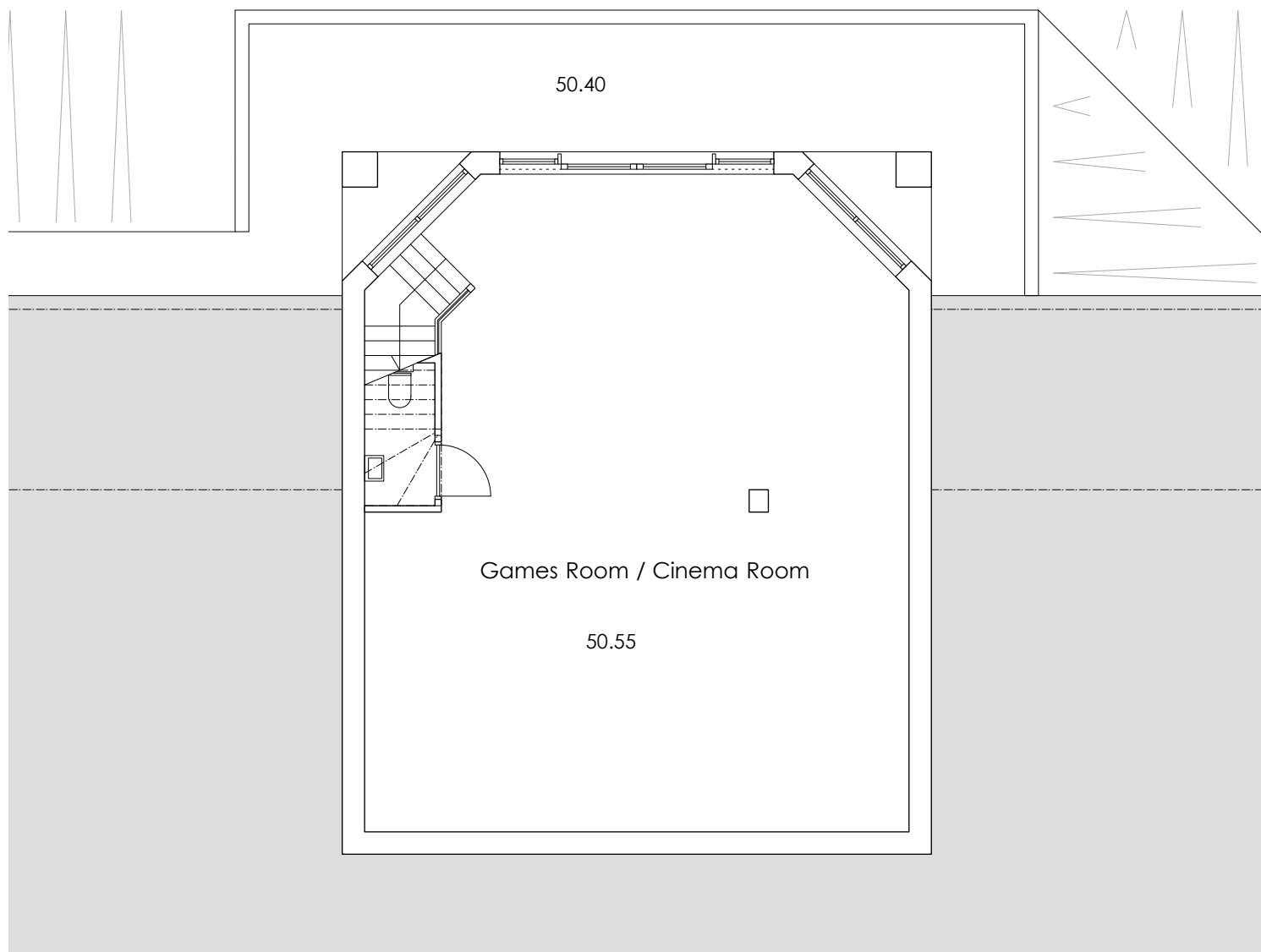


Proposed **Ground floor plan** - @ 1:100

Dwelling 1



Dwelling 2 to be mirrored version of above

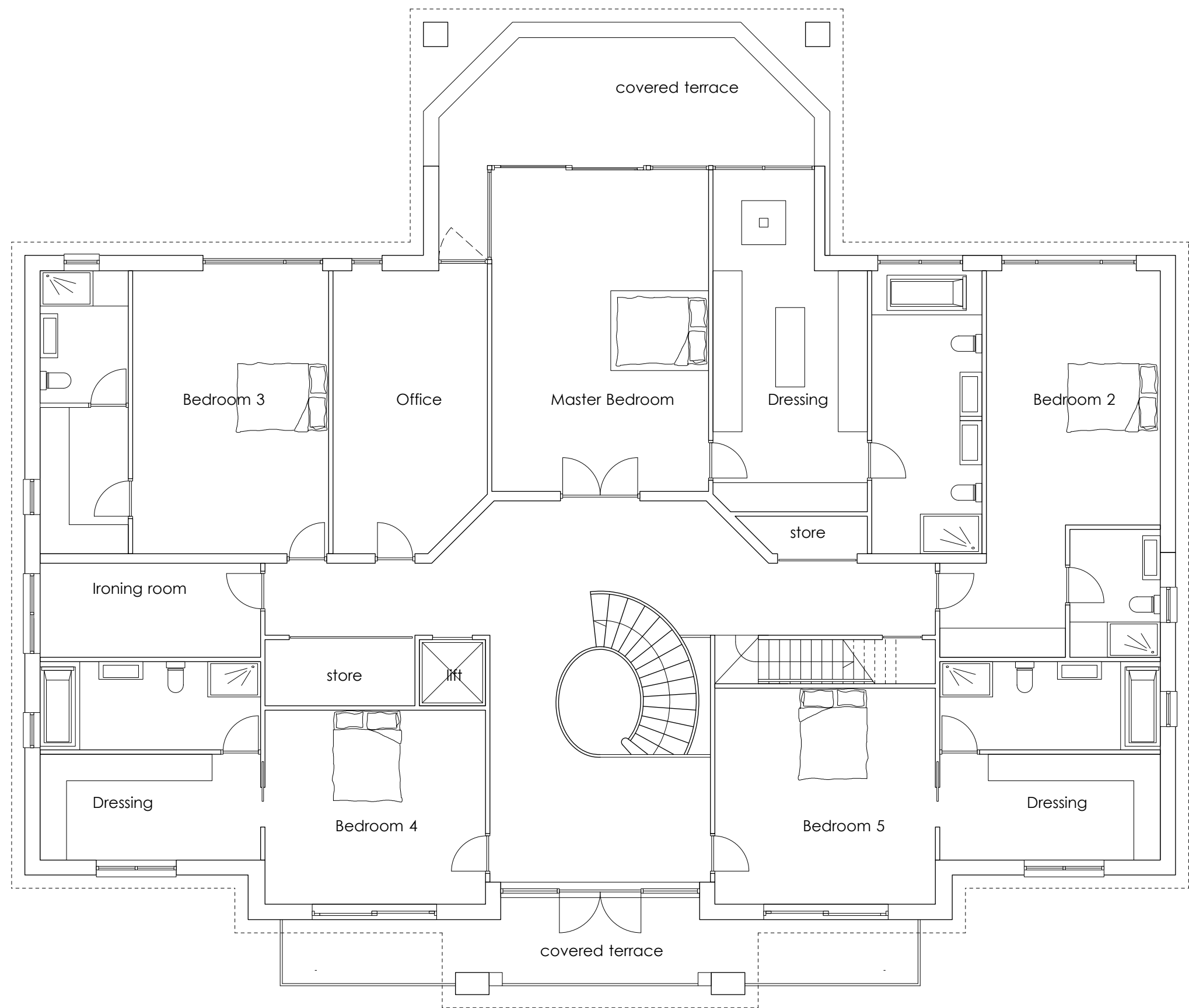


Proposed **Basement floor plan** - @ 1:100

Dwelling 1



Dwelling 2 to be mirrored version of above



Proposed **1st Floor plan** - @ 1:100

Dwelling 1



Dwelling 2 to be mirrored version of above

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SCALE 1:100 @ A1 : 1:200 @ A3
0 5m

REVISIONS

Rev A	10/12/20	Revised plans
Rev B	18/12/20	Revised plans
Rev C	21/12/20	Revised plans
Rev D	05/01/21	Revised plans
Rev E	26/06/21	Dwellings reduced
Rev F	30/06/21	Basement added & plan revs.

PLANNING

Project Project Number

BOTHWELL ROAD 0891

HAMILTON

Drawing

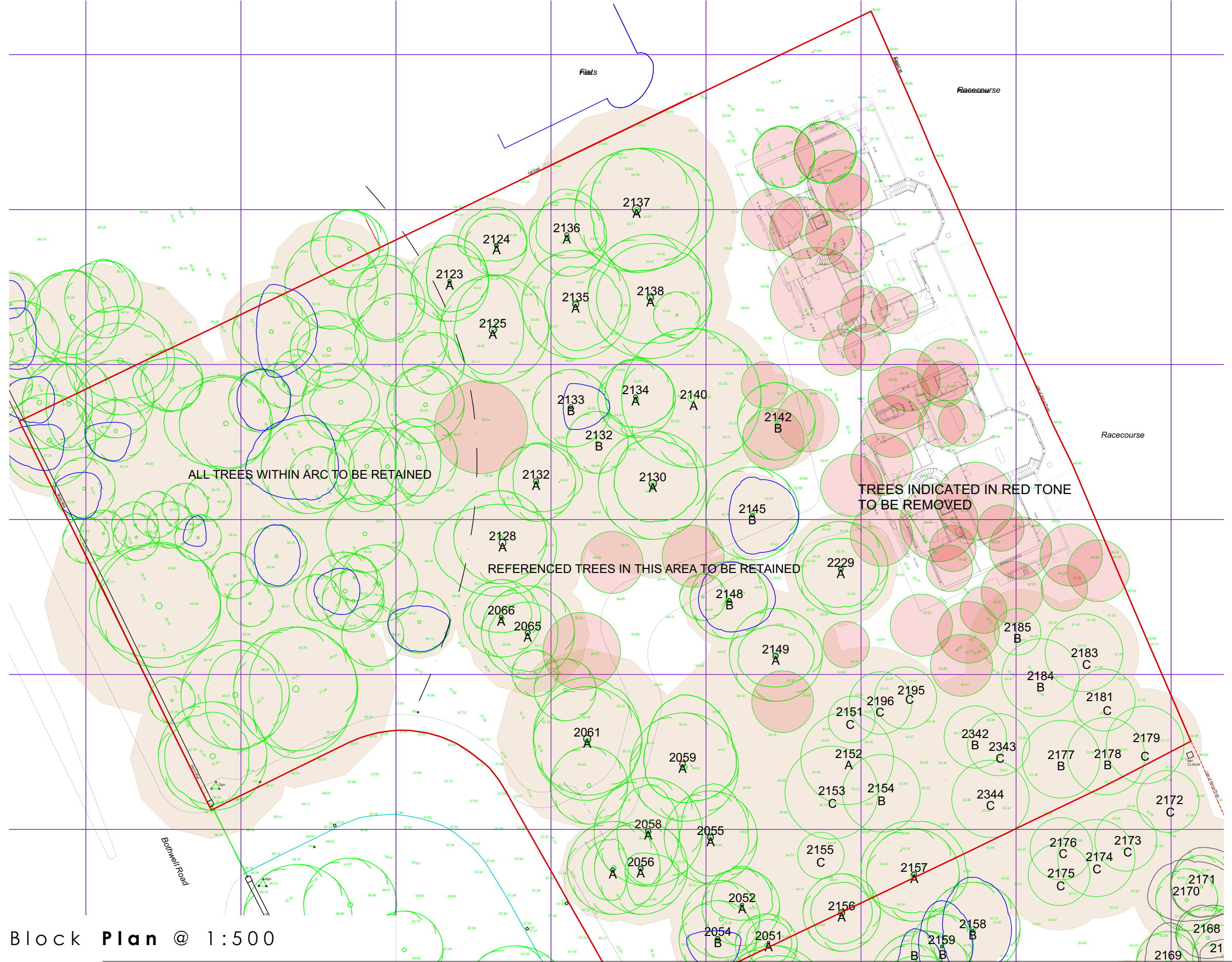
FLOOR PLANS: DWELLING No. 1

Scale Drawn by

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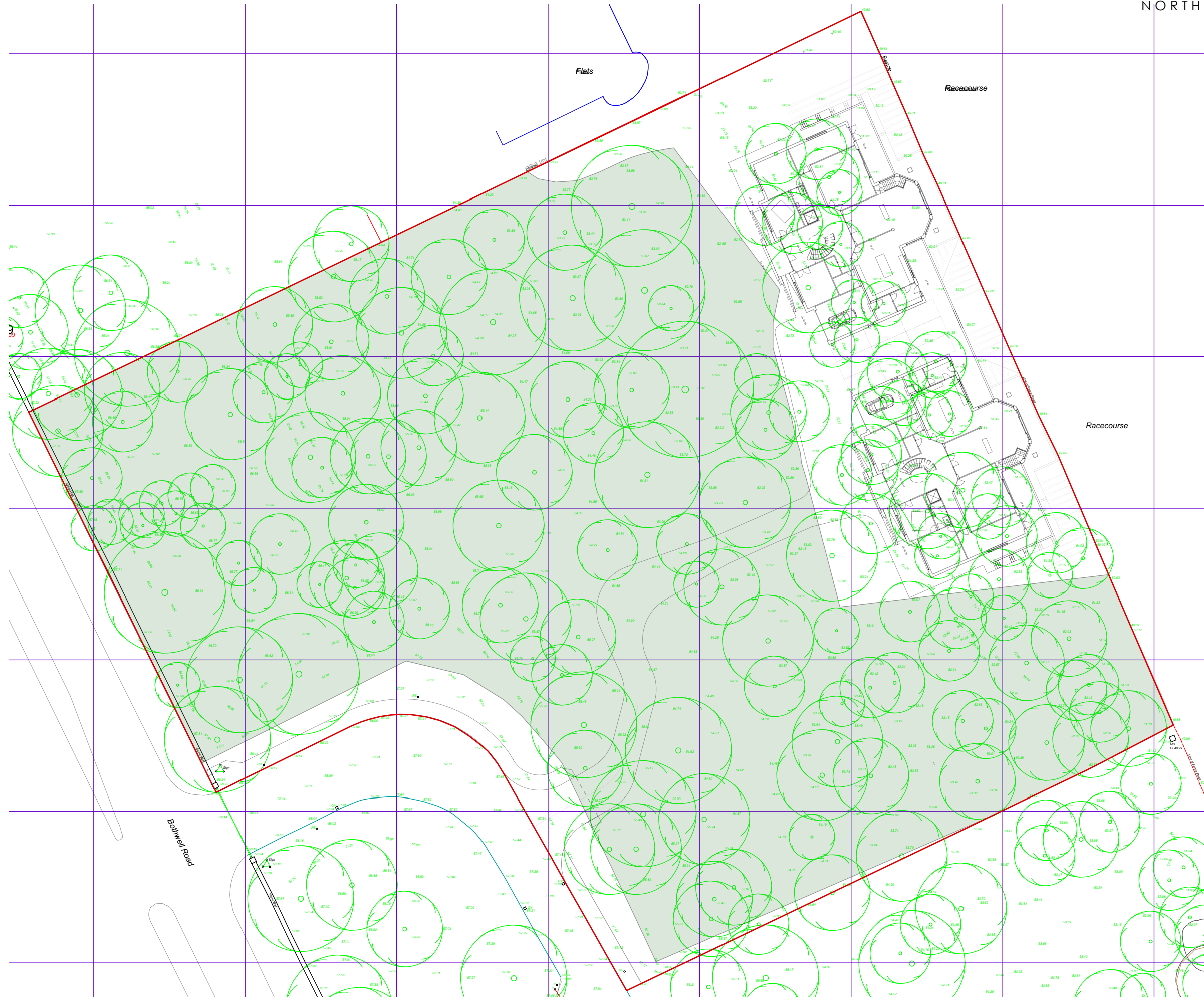
Dwg Number Revision

PP-04 F



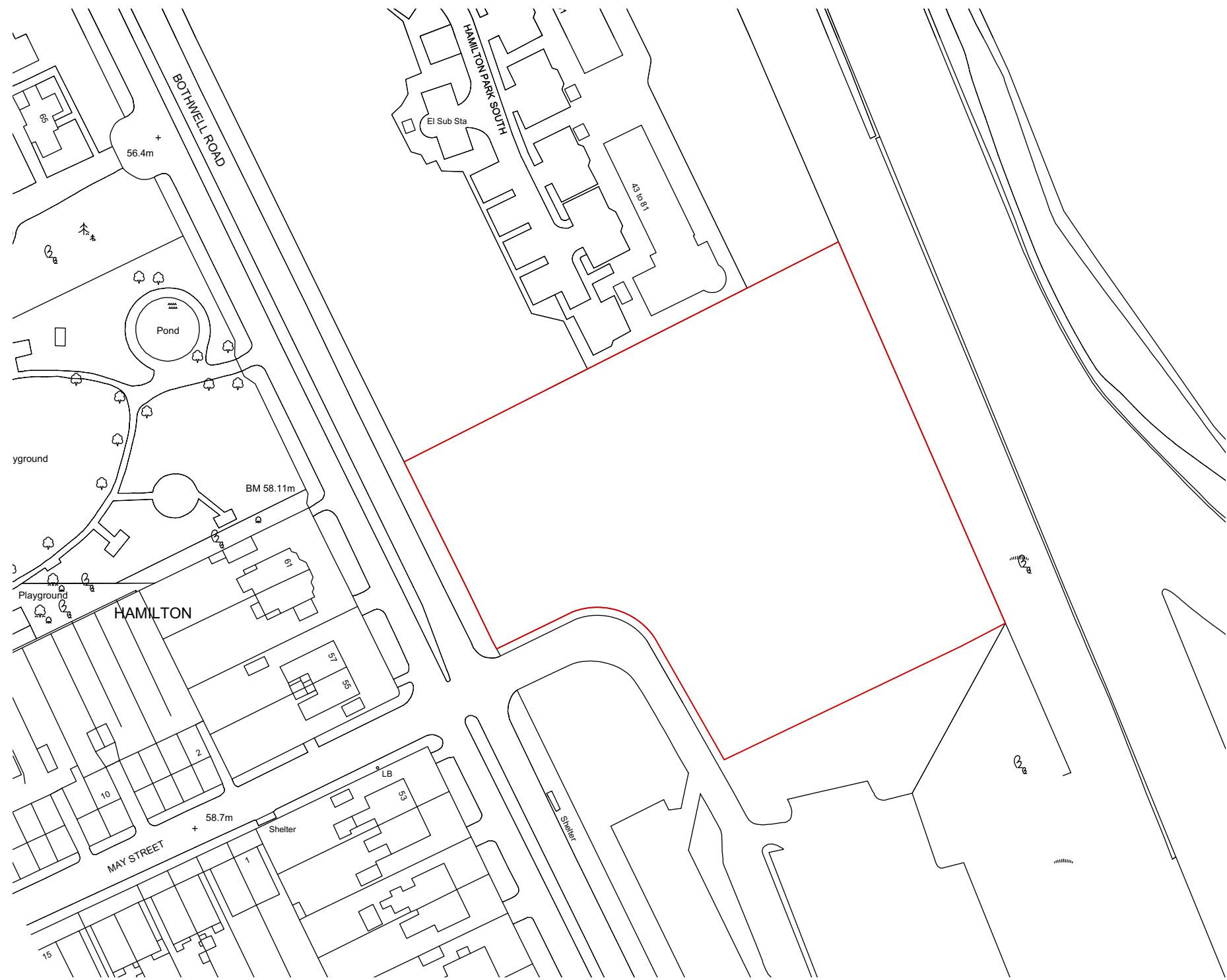
Block Plan @ 1:500

Proposed dwelling footprints with retained trees with RPA shown and removed trees indicated in red. Refer to 'Tree Survey Report Rev July 2021' for details of proposed tree removals

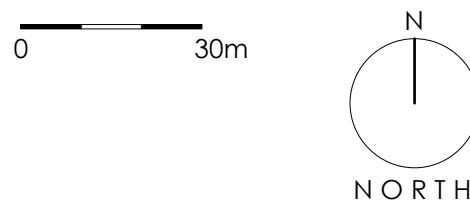


Block Plan @ 1:500

Tree survey with proposed dwelling footprints overlaid
Green tone indicates LDP 'Green Network' designation (Policy 13),
White area : General Urban Area (Policy 3)



Location Plan @ 1:1250



Block Plan @ 1:500

Dwelling footprints with Root Protection Areas of retained trees overlaid

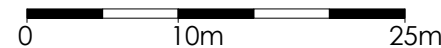
arka

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SCALE 1:500 @ A1: 1:1000 @ A3



REVISIONS

Rev A	07/12/20	Ground plans amended
Rev B	18/12/20	Ground plans amended
Rev C	05/01/21	External works added
Rev D	26/06/21	Dwellings moved
Rev E	30/06/21	Plan revs.

PLANNING

Project Project Number

BOTHWELL ROAD 0891

HAMILTON

Drawing

LOCATION AND BLOCK PLANS

Scale Drawn by

Quoted @ A1 AT

Dwg Number Revision

PP-01

E

Also appears in the papers at Appendix 2 (a) Report of Handling

	Delegated Report	Reference no.	P/21/0029
		Date	11 March 2022

Planning proposal:	Erection of two dwellinghouses with associated studio flats above attached garage, raised decking at rear and formation of access.
Location:	Land 120M Northeast of 55 Bothwell Road Bothwell Road Hamilton South Lanarkshire

Application Type: Detailed planning application

Applicant: Mr. Shahid Chaudhary
Location: Land 120M Northeast Of 55 Bothwell Road
Bothwell Road
Hamilton
South Lanarkshire

Decision: Application refused

Report by: Area Manager (Planning & Building Standards)

Policy reference:

South Lanarkshire Local Development Plan 2 (adopted 2021)

Policy 1 - Spatial Strategy
Policy 2 - Climate Change
Policy 3 - General Urban Areas and Settlements
Policy 5 - Development Management and Place Making
Policy 13 - Green Network and Greenspace
Policy 14 - Natural and Historic Environment
Policy 15 - Travel and Transport
Policy 16 - Water Environment and Flooding
Policy NHE13 - Forestry and Woodland
Policy NHE14 - Tree Preservation Orders
Policy NHE20 - Biodiversity
Policy DM1 - New Development Design

Assessment

Impact on privacy?	No
Impact on sunlight/daylight?	No
Impact on amenity?	Yes
Traffic issues?	No
Adheres to development plan policy?	No
Adverse comments from consultees?	Yes

Consultations

Summary of response

Roads Flood Risk Management

The applicant should submit a flood risk assessment, sustainable drainage design, drainage details and appendices A, C and E from the Council's developer design guidance. The applicant has not proposed a drainage

design or made any indication of intended drainage proposals. Due to insufficient information, we would defer our decision to this current planning application until these issues have been addressed. (The applicant's agent was advised of the above comments).

CER Biodiversity Officer

The site has long been identified as being of local biodiversity interest and is currently noted as a potential Local Nature Conservation Site. It was assessed for its biodiversity value in 2019 and passed the criteria for becoming notified as an LNCS, though the formal process for doing so has not been completed. It is considered that the site is of local value in the South Lanarkshire context and should be recognised as such by the Planning process.

The area is potentially Ancient Woodland, and at the very least of long-established origin. It is not on the mapping system as such as it is too small to have been included. This does not detract from its value as a key part of the woodland network in this area; the associated ground flora, soil, microbes and fungi are therefore likely to be an irreplaceable biodiversity asset. Planting of new woodland will not recreate the habitat. The Biodiversity Strategy identifies woodland as a key ecosystem and presumes that there will be no loss of ancient woodland. This is supported by Policy NHE13 in LDP2. Policy NHE20 of LDP2 deals with development and biodiversity. As the response from Scottish Forestry notes, this development would likely lead to a permanent net loss of biodiversity. No mitigation proposals have been proposed that would compensate for the loss of ancient woodland habitat and soils.

Scottish Forestry Central Scotland
Conservancy

The main issue of concern to SF in relation to development planning is that of deforestation and the potential effects it could have on the ecology and landscape of local and wider environs. The planning area (site) is located in an area of woodland designated as a Tree Preservation Order (TPO) and it should also be noted that the woodland is on the National Forest Inventory. The TPO places the responsibility for all decisions relating to the management and retention of the woodland on the Local Authority. As the proposal will result in the permanent deforestation of 16% of the woodland, the Scottish Governments Control of Woodland Removal Policy should be taken into consideration by the planning department when making its decision on the proposal. In addition, a proposal for compensatory planting should be part of any development approval that results in the permanent deforestation of woodlands. The Supporting statement notes that the agreement to manage the remaining woodland will ensure a net benefit for the development. Permanently removing woodland results in a permanent net biodiversity loss not a gain. The Applicant has noted an alternative to managing the remaining 84% of the woodland themselves by gifting 49% of the woodland area that is not part of the development footprint to the community for their own use and management.

Consideration by any future manager/s of the woodland should be given to its silvicultural management and associated liabilities such an undertaking would present. Grant monies are available from Scottish Forestry to support the active management of Woodlands in and Around Towns by community groups but due to the size of woodland in question the available grants are unlikely to cover all the works, and additional funding or expertise may need to be sought.

Roads Development Management Team

Have no objection to the application subject to conditions requiring the submission of further details of the proposed access arrangements for pedestrians on Bothwell Road and details of refuse storage/collection. Informatives relating to wheel washing, parking for staff/operatives and storage of construction materials should also be attached should consent be issued.

Arboricultural Services

The revised proposal is still unacceptable and should be strongly refused. I support Scottish Forestry's statement that permanently removing woodland results in a permanent net biodiversity loss. The site has a place in the landscape as a stepping stone of habitat in the existing woodland network. I support the Biodiversity Officer's comments that the site has long been identified as a SINC/LNCS. It was assessed for its biodiversity value in 2019 and passed the criteria for becoming notified as an LNCS; though the formal process for doing so has not been completed. I would therefore consider that the site is of local value in the South Lanarkshire context and should be recognised as such by the Planning process.

Based on historical mapping and emails with NatureScot, the woodland at this site is at least LEPO and may be of ancient origin. The associated ground flora, soil, microbes and fungi are, therefore, likely to be an irreplaceable biodiversity asset; new woodland will not recreate the habitat. The only further information that has potential to contribute to decision making would be an ecological and mapping exercise to determine the value of the woodland as LEPO or AW. The applicant should note that this has the potential to further confirm the value of the woodland as an irreplaceable biodiversity asset. As stated in the AWI guidance, many woodlands of LEPO have similar value to AW and should be treated as such. I support Scottish Forestry comments that the planning area is located in an area of woodland designated as a TPO, it should also be noted that the woodland is on the National Forest Inventory.

As the proposal will result in the permanent deforestation of 16% of the woodland, the Scottish Governments Control of Woodland Removal Policy should be taken into consideration by the planning department. The supporting statement notes that the agreement to manage the remaining woodland will ensure a net benefit for the development. Permanently removing woodland results is a

permanent net biodiversity loss not a gain. The Applicant has noted an alternative to managing the remaining 84% of the woodland themselves by gifting 49% of the woodland area that is not part of the development footprint to the community for their own use and management. Consideration by any future manager/s of the woodland should be given to its silvicultural management and associated liabilities such an undertaking would present. Grant monies are available from Scottish Forestry to support the active management of Woodlands In and Around Towns by community groups but due to the size of woodland in question the available grants are unlikely to cover all the works, and additional funding or expertise may need to be sought.

The construction of the driveway/access road does not accord with best practice and would be detrimental to retained trees. The development would be detrimental to the setting of the Tree Preservation Order and amenity of the area. The proposed development will open the woodland to windthrow. The proposed development will put the remaining trees under threat from removal due to being considered overbearing and perceived as a potential risk by future landowners, particularly in high wind. The juxtaposition of the trees and proposed development is unacceptable, and the trees will be under threat from removal by future owners due to light obstruction and minor season nuisance etc. The proposal will result in the detrimental removal of 16% of the woodland. The council has agreed to increase tree cover in its urbanised areas to 20% by 2032 as part of the Clyde Climate Forest. This proposal does not support the Council's action. The proposal will have an adverse impact on a valued woodland and individual trees of high biodiversity and amenity value.

Environmental Services

Have no objection to the application subject to the inclusion of informatives relating to appropriate hours for audible construction activity and restrictions related to the site being located within a smoke control area.

Scottish Water

Have no objection to the application. They have advised that there is a 225mm VC foul sewer within the site boundary and that no building, private garden or other obstruction should be located within 3 metres of this asset.

Representation(s):

►	44	Objection letters
►	4	Support letters
►	0	Comment letters

Planning Application Delegated Report

1 Material Considerations

- 1.1 The applicant seeks detailed planning permission for the erection of two dwellinghouses with associated studio flats above attached garage, raised decking at the rear and the formation of access on land located within a prominent position on Bothwell Road (B7071) which is one of the main arterial routes running through the town of Hamilton.
- 1.2 The site is bounded to the north by several blocks of flatted dwellings, to the south by the grounds of Hamilton College, to the east by the grounds of Hamilton Park Racecourse and to the west by Bothwell Road. It is located within an area of woodland which runs alongside Bothwell Road's eastern edge. This woodland is the subject of a Tree Preservation Order (TPO Reference HM/35). The part of the site which would be used to form the access to the proposed dwellings from Bothwell Road is covered by the Green Network.
- 1.3 The proposed six-bedroom dwellings would be located on an area of land located between the flatted dwellings at Hamilton Park South and the car park to Hamilton College. The proposed dwellings would be positioned on the eastern side of the plot overlooking Hamilton Racecourse and Strathclyde Park Golf Course. Vehicular and pedestrian access would be taken through the woodland off an existing access on Bothwell Road that currently serves Hamilton College. The supporting information advises that an agreement is in place between the applicant and Hamilton College to access the site from the existing entrance.
- 1.4 The dwellings would be two storeys in height incorporating traditional hipped roofs with windows on all elevations, including roof lights on the rear elevation and balconies incorporated on the front and rear elevations. A lower ground floor is also proposed for the buildings with windows and doors leading out to an enclosed balcony/patio formed within the rear garden. Steps would be accommodated at ground floor level to provide access to the rear garden. The proposal includes integral garages with nine car parking spaces formed between each dwelling.
- 1.5 The application site is located within the urban area in the adopted South Lanarkshire Local Development Plan 2. As discussed above, the woodland is the subject of a Tree Preservation Order (TPO Reference HM/35) and part of the site is covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 3 - General Urban Areas and Settlements, Policy 5 - Development Management and Place Making, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy NHE13 - Forestry and Woodland, Policy NHE14 Tree Preservation Orders, Policy NHE20 - Biodiversity, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2. The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 3 of this report.
- 1.6 In terms of the application site's planning history, the site has been the subject of several planning submissions which have been refused for reasons relating to road safety and due to the loss of the woodland which makes a significant contribution to the amenity of the area and has a high conservation value as a whole.

- 1.7 A detailed application on behalf of First Style (Scotland) Ltd for the formation of a new vehicular access was refused consent on 23 November 2011 under HM/11/0257. A subsequent detailed application for a vehicular access by the same applicant was also refused in July 2012 under HM/12/0056. This decision was the subject of an appeal to the Scottish Government (PPA-380-2022) which was dismissed by the Reporter on the 27 September 2012. In addition to the above, an application for the erection of two dwellings (planning permission in principle) under HM/13/0005 was refused on 28 March 2013. This decision was the subject of an appeal to the Planning Local Review Body (PLRB). Having reviewed the application, the PLRB upheld the decision and dismissed the appeal on 13 September 2013. The most recent detailed application for the formation of a vehicular access/egress was refused under application P/19/0420 on 4 October 2019.

2 Representation(s)

- 2.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser under the heading Non-notification of Neighbours. Neighbours were also re-notified following the submission of an amended site layout. As a result of this publicity 48 letters of representation were received comprising 44 letters of objection and 4 letters of support. A petition against the proposal was also received. The grounds of representation are summarised as follows:

- (a) **The proposals will lead to the destruction of the local environment, in particular the protected woodland and scrubland. The applicant goes to great lengths to criticise the findings of South Lanarkshire Council's Arboricultural and Biodiversity Officers as well as the report by Scottish Forestry in relation to the condition of trees and the disruption which will be caused to the woodland by the proposed development. There is nothing in the revised application (drawings) which addresses the objections to the original application submitted in January 2021 and the applicant questioning the integrity and experience of Council staff is surprising. This latest application refers throughout to the creation and maintenance of a Woodland Management Plan to be implemented following the development of the houses. It should be noted that the applicant has now owned this site for many years and in that time has never made any attempt to carry out any maintenance to this woodland.**

Response: The consultation responses to the application from Scottish Forestry, and the Council's Arboricultural and Biodiversity Officers have been highlighted above. In summary, it is considered that the proposal would have an adverse impact on the visual amenity of the area and would prejudice the integrity of the woodland in which the site is located and which is a protected local resource and of high conservation value.

- (b) **The site is zoned as 'Green Network' in the South Lanarkshire Local Development Plan Settlement Maps, and not Housing. This application is, therefore, in direct conflict with the Local Plan at a time when the preservation of green areas is more vital than ever before. The development will destroy the site which is designated as High Amenity Value, High Conservation Value and High Landscape Value.**

Response: The application site is located within the urban area in the adopted South Lanarkshire Local Development Plan 2. The site is also located within an area of woodland which is the subject of a Tree Preservation Order (TPO Reference HM/35) and part of the site is covered by the Green Network. It is considered that the woodland in which the application site is located makes a significant contribution to the amenity of the area and would be adversely affected by the proposed development of two houses and the associated access road.

- (c) **There are road safety issues in relation to the site access through the grounds of Hamilton College and at a busy junction onto Bothwell Road which would represent an unnecessary additional danger to parents and pupils entering and leaving the**

premises. Existing traffic flows are already a cause for concern and represent a serious risk of accident and injury to members of the public. The works would add further congestion to a busy area with school children, turning vehicles and other residential properties etc.

Response: As highlighted above, Roads Development Management have advised that they have no objection to the application subject to conditions requiring the submission of details of the access arrangements for pedestrians on Bothwell Road and details of refuse storage/collection. Informatives relating to wheel washing, parking for staff/operatives and storage of construction materials would also have to be attached to any consent that was issued.

- (d) **Overall disregard to Global Warming and the pursuit of improving the environment especially when the International COP26 Conference is being held in Glasgow this year.**

Response: The proposal's impact on the natural environment is discussed in Section 3 of this report.

- (e) **Removal of the woodland and the erection of the buildings proposed would have an adverse effect on the character of the area. The new proposal involves reducing the overall footprint of the new houses and relocating them outwith the Green Network/Green Space boundaries. The revised plans and relocation of the buildings does not address any of the overall concerns and objections previously submitted in relation to damage to the environment, wildlife and woodland. The new houses would be located beyond the building line of the existing flats and would be detrimental to the current outlook and landscape of the area.**

Response: Whilst the amended layout shows the proposed houses located outwith the Green Network the area of the site which would be used to form the access to the proposed dwellings via Bothwell Road is covered by the Green Network. The impact of the proposal on the existing woodland is discussed in detail in Section 3 below.

- (f) **No Flood Risk Assessment (FRA) has been submitted and the site is designated as Medium Risk on the SEPA Flood Maps. Regular significant local flooding is evident, especially on the eastern area of the site where the proposed new buildings will be located. The proposed amendment involves building on a steep slope. This gradient currently acts as a natural drainage route for flood water. The proposed buildings would block the natural drainage route, thereby increasing the flooding risk to Hamilton Park South properties. Therefore, there are concerns regarding how the developer might reroute the flooding, displaced by any new build, to prevent it encroaching on our land.**

Response: Roads Flood Risk Management were consulted on the application and advised that the applicant should submit a flood risk assessment, sustainable drainage design, drainage details and appendices A, C and E from the Council's developer design guidance. The applicant has not proposed a drainage design or made any indication of intended drainage proposals and therefore due to insufficient information they recommend that any decision should be deferred until these issues have been addressed. The applicant's agent was advised of the above comments, however, to date the required information has not been submitted. That said it should be noted that any drainage proposals/arrangements have potential to impact on the trees in the site due to underground pipes etc.

- (g) **Impact on Residents - we would like to take this opportunity to request that the applicant actions the following, as a matter of some urgency: fulfil the 'burdened property' legal obligation to protect the land from any changes or development and withdraw the planning application and desist from any future plans or planning applications to change or develop the land; fulfil the 'burdened property' legal obligation to maintain the land: undertake all urgent maintenance, including all**

related to significant health and safety risks; create and undertake a medium and long term maintenance programme to meet all outstanding needs and issues; and reimburse Hamilton Park South residents for all maintenance costs incurred to date.

Response: Whilst the above points are noted they are not material planning considerations and are essentially legal matters which require to be addressed between the parties concerned.

- (h) **There must be plenty of other opportunities to build such expensive properties in other suitable areas where there is much less intrusion, infringement to nature and impact on local property owners.**

Response: The merits of the application are discussed in Section 3 of this report.

- (i) **During current COVID 19 restrictions the Scottish Government is encouraging people to take exercise outside, and near their homes, to limit transfer of infection. This land is utilised on a daily basis, by the public, to access green space for fresh air and exercise. Any development will prohibit this use. It is also worth noting that, due to COVID restrictions, several owners are stranded abroad or in England, and unable to travel home. This will limit the number of objections being submitted. The COVID pandemic is therefore disadvantaging the process of public consultation/response to this application. The general public who utilise this facility, on a daily basis, etc. will largely, or wholly, be unaware of this application. This is compounded by the fact that locals are prevented from meeting, and some organisations and bodies have not been accessible, due to the ongoing COVID lock down, and a cyber-attack.**

Response: The merits of the application are discussed in Section 3 of this report. In terms of publicity, statutory neighbour notification procedures were undertaken and the application was advertised appropriately in the Hamilton Advertiser under the heading Non-notification of Neighbours. It must be acknowledged however that the use of this privately owned land for leisure/walking purposes is at the sufferance of the owner.

- (j) **Although the proposed development is low density the north facing gable wall of the house, adjacent to Hamilton Park South development would be in close proximity to the dividing fence at Hamilton Park South, and only a further 1½ metres from the Hamilton Park South building. This proposed gable incorporates 1 window and 2 sets of double patio doors at ground level and 3 windows and a balcony at first floor level. All of these windows will directly face onto the gable of the 8 flats in Hamilton Park South, which have large floor to ceiling windows. The new development will therefore result in overlooking, and a loss of privacy, for the 8 flats looking directly onto the proposed development.**

Response: Based on the information on the submitted drawings the distance between the proposed northern most dwelling and the closest flat in the Hamilton Park South development is approximately 15 metres. The windows on the gable elevation of the proposed dwelling would also be offset from any windows on the existing flatted block. Due to the distance between the existing and proposed dwellings and the orientation of the buildings it is considered that the proposed development would have no significant adverse impact on adjacent properties in terms of overlooking and loss of privacy if approved.

- (k) **The proposal will result in a loss of light and overshadowing, especially for the flats on the lower levels. The loss of sunlight (internal and external) for residents is of particular concern.**

Response: Due to the distance between the existing flatted dwellings and the proposed dwellings and the orientation of the buildings it is considered that the proposal will not have any significant adverse impact on the amenity of the residents of those flats in terms of loss of light and overshadowing, especially giving the impact of the existing trees.

- (l) **It looks like there is no provision for a garden at all on the plans. I find this slightly hard to believe that a huge detached house would be built with no or minimal garden. In theory the garden could be as close as 2m to the nearest flats. Bedrooms & Living Rooms are the rooms which face onto the woodland.**

Response: I have concerns regarding the area of usable garden ground proposed and this matter is discussed further in Section 3 below.

- (m) **Noise pollution, light pollution and air pollution (cars, etc.) would also adversely impact Hamilton Park South residents and beyond.**

Response: Subject to the inclusion of informatives relating to appropriate hours for audible construction activity and restrictions related to the site being located within a smoke control area no adverse comments were raised by Environmental Services in this regard. Any additional traffic and associated pollution/noise however would be relatively marginal in the context of the immediate neighbourhood.

- (n) **There appears to be evidence of ongoing confusing information being submitted.**

Response: The level and degree of all information submitted in relation to the proposal is considered to be sufficient to enable the Planning Service to make an appropriate assessment of the application.

- (o) **It is noted that no environmental statement has been submitted, however a Survey commissioned by the National Trust for Scotland and verified by the National Biodiversity Network (Scotland), records that a great variety of birds and wildlife use this site and the surrounding area as their natural habitat. Any development would devastate this rich and diverse eco system. The risk to existing habitat (deer etc), conservation and destruction of the landscape would significantly outweigh any amendments being presented. The local area must continue to retain the conservation and habitat value as any erosion of this and or capitulation at this point simply paves the way for further erosion of these elements.**

Response: It is acknowledged that the relatively undisturbed woodland provides many benefits including habitat for many forms of wildlife. Again, the merits of the application in relation to such matters are recorded in Section 3 below.

- (p) **This woodland area should be maintained by the owner not the residents of Hamilton Park South. There has been no evidence of maintenance or care that has been carried out on the land as was supposed to which could contribute to a decline in health of the area. This negligence could then make the area in poorer condition and more likely to result in planning being granted. However, the cause of this decline and linkage to lack of maintenance by the applicant should be considered. I believe that the application, if successful, would lead to the possibility of future applications for extended development of the forested area.**

Response: The merits of the application are discussed in Section 3 of this report. The suggested non-maintenance of the land involved is not a material planning consideration in terms of the assessment of the application and instead is a legal matter which requires to be resolved by the parties concerned.

- (q) **The access is still granted through a private arrangement with the school which could be revoked at any time leading to further development required to gain access to established houses so should not be seen as a sustainable solution.**

Response: Any private arrangement that the applicant has in place with the school regarding the proposed access to the site is a legal matter and not a material planning consideration in terms of the assessment of the application.

- (r) **The area will not look like natural woodland anymore. Although the trees scheduled for removal are category C trees which are deemed lower quality, this does not**

mean they should be removed. Even in the tree report commissioned and paid for by the applicant - it does not state this. It merely states in his 'opinion' the removal wouldn't matter. I'm not sure this is good enough, seems like a judgement call to me. If this is the case, I would always side with the 'keep things as they are' argument.

Response: The proposal is not supported by the Council's Arboricultural Manager and others as it is considered to be unacceptable as the woodland in which the application site is located and its associated habitats make a significant contribution to the amenity of the area and would be adversely affected by the proposed development.

- (s) **The Tree Report conducted by Keith Logie was commissioned and paid for by the applicant/proposed developer. While there is nothing untrue in the report, quite a bit of the conclusion seems to be stated as 'in my opinion', which is not exactly conclusive; the report is slanted towards being favourable to the person who paid for it.**

Response: The submitted Tree Report, its contents and conclusions, have been assessed as part of the application process. It is fair to record that the Council's Arboricultural Managers comments do not accord with the report.

- (t) **The site is covered in ancient woodland tracing back to the Duke of Hamilton Estate and is protected by a Tree Preservation Order to protect the natural environment. If planning permission is granted for 2 houses and a road this strengthens the applicant's case to further develop the land. The TPO is weakened by having some development already on the land. A TPO is granted primarily for environmentally aesthetic purposes, I would argue having part of the area developed would be in opposition to the reason the TPO was granted.**

Response: The TPO was promoted to protect these trees for amenity and environmental reasons. Indeed the application site and its associated habitats do make a significant contribution to the amenity of the area and would be adversely affected by the proposed development.

- (u) **Applicant's solicitor's submissions 8 Feb 2021 (x2) the solicitor asserts....'right to a reasonable use of their property' - however, all the evidence available indicates the applicant continues to not adhere to the legal duty and responsibility to: 1. Protect the land from any/all development 2. Carry out maintenance 3. Comply with public health & safety/landowner's duty of care (Occupier's Liability (Scotland) Act 1960), e.g. see above multiple unmet maintenance needs identified 2019 (some urgent), including potential risk to pedestrians & road users on Bothwell Road**

Response: Whilst the above points are noted they are once again legal matters which require to be addressed between the parties involved divorced from the planning process.

- (v) **Crucial organisations have not been contactable, since the circulation of the Neighbour Notification Notice, due to unprecedented factors e.g. SEPA, Woodland Trust, RSPB. Vital support to our objections is therefore unavailable at this time.**

Response: It is considered that an appropriate level of consultation has been undertaken in relation to the scale of proposal involved and the issues highlighted may have delayed input/comment rather than prevented same.

- (w) **Large scale destruction and damage indicated by Tree Reports, Tree Report – confusion or omission of key findings Current report states 'a number of trees and shrubs would require to be removed, but the best trees will be retained, and the impact in arboricultural terms would be relatively small.' This is in stark contrast to the previous tree report(s) commissioned by the applicant, the most recent being 2019.**

Response: The submitted tree survey has been assessed by the consultees and their consultation responses are highlighted at the beginning of this report.

- (x) **Right of Way – The designation of the site as Amenity Land implies that access rights to woodland, in favour of residents of Hamilton Park South, and the wider public exist, and ‘Prescriptive Servitude’ could be applied for to gain permanent access, as the rights have been in existence for over 20 years without interruption. Statutory access rights already exist in favour of the public at large and the site is an established public link between Bothwell Road (Public Park) and Hamilton Race Course, Palace Grounds, Strathclyde Park, and Chatelherault. There are multiple entry points onto the site leading to informal pathways created by regular users, and providing unhindered access to Greenspace, with families, walkers, joggers and dog walkers crossing the site on a daily basis. The site has therefore connected 2 public places for many years.**

Response: Such aspects are essentially legal related aspects. The fact is that no recorded right of exists on the site.

- (y) **No consideration of this application should be given by South Lanarkshire Planning Department until an official and binding commitment, acceptable to Hamilton Park South residents, is received from the applicant stating that all terms in the Design Statement will be fulfilled. Should this fail to materialise, South Lanarkshire Planning Department assume the Design statement is a tactic rather than a commitment and treat all terms of the Design Statement as dubious. Even if an official statement as outlined above is given to South Lanarkshire Planning Department, all objections received for other reasons would be fully considered. Any planning consent (after full consideration of all objections received) would be subject to the legal transfer of ownership, acceptable to Hamilton Park South residents, of all agreed areas prior to the commencement of any works.**

Response: Matters relating to a possible land transfer are legal matters which require to be agree/resolved between the parties concerned and should not unduly influence the determination of this application. There is no guarantee at this date that such an agreement would be concluded.

- (z) **I am concerned about the value of our properties at Hamilton Park South being affected by these houses due to a loss of privacy with new entrances and removal of green land.**

Response: Loss of value is not a material planning consideration.

- (aa) **This application must be viewed in the context of an attempt to open up a green belt area for housing development. The last application by the applicant for a turning area off the Bothwell Road for vehicles to allow then to maintain the forested area was rejected by the Planning Committee.**

Response: The application site is located within the urban area in the adopted South Lanarkshire Local Development Plan 2 and is not green belt as suggested. The site is also located within an area of woodland which is the subject of a Tree Preservation Order (TPO Reference HM/35) and part of the site is covered by the Green Network. The planning history of the site has been detailed previously.

- (bb) **Removal of the woodland and the erection of the buildings proposed would have an adverse effect on the character of the area. It is evident that this woodland area is thriving in wildlife, an aspect which should not be overlooked. A suitably qualified ecologist - holding a degree in ecology and covered by a professional code of conduct e.g. CIEEM, IEMA, LI - should be appointed and consulted to confirm the ecological value of this area before any proposals are given a second review. I'd expect this to include multiple site visits whereby the ecologist can base their findings on inspections at appropriate times of the year when different plant and animal species are present and evident.**

Response: It is considered that the proposal has been assessed appropriately in relation to its impact on the woodland and its associated habitats by Forestry Scotland, and the Council's Arboricultural and Biodiversity Officers.

- (cc) **As a general rule of thumb, any trees more than 10 years old are considered to be of ecological value. To achieve the basic level of sustainable practice in new builds, all features of ecological value within a construction zone must be protected from damage during clearance, site preparations and construction activities in line with BS 42020:2013. This is evidently impossible to achieve based on the current planning proposals. The long term impact on biodiversity must be appropriately assessed and this should include for all development proposals in the construction zone therefore, the council should rightly reject this proposal and revert back to the architect and their client to ascertain the ultimate extent of the development area and their future aspirations for the use of the surrounding land. Only then can the impact and damage of the development on the current environment be fully, and correctly, assessed.**

Response: As above, I am satisfied that the proposal has been considered appropriately in relation to its impact on the woodland and its associated habitats by Forestry Scotland, and the Council's Arboricultural and Biodiversity Officers.

- (dd) **The site is designated as Amenity Land for the 40 flats at Hamilton Park South and a Title Burden prohibits development of any kind. In January 2016 the owners of the site applied to the Land Tribunal for Scotland to have the title burden removed. In response the residents of HPS engaged a Solicitor who lodged an objection to any amendment to the title on our behalf. This was based on protection of the natural environment and safeguarding access to local amenity land.**

Response: Once again matters relating to land ownership are legal considerations which require to be resolved between the parties concerned.

- (ee) **The designation of the site as Amenity Land implies that access rights to woodland in favour of residents of HPS exist and 'Prescriptive Servitude' could be applied for to gain permanent access as the rights have been in existence for over 20 years without interruption. Statutory access rights already exist in favour of the public at large and the site is an established public link between Bothwell Road (Public Park) and Hamilton Race Course, Palace Grounds and Strathclyde Park. There are gates in the perimeter fencing at Hamilton Park North to encourage unhindered access to Greenspace with families and dog walkers crossing the site on a daily basis. The site has therefore connected 2 public places for over 100 years.**

Response: The application site is located within the urban area in the adopted South Lanarkshire Local Development Plan 2. The site is also located within an area of woodland which is the subject of a Tree Preservation Order (TPO Reference HM/35) and part of the site is covered by the Green Network. The merits of the application are discussed in Section 3 of this report.

- (ff) **This land was gifted by the builders of the properties on Hamilton Park North and South to a Tree Preservation Society, its use is prohibited, and the owner in purchasing the land should have performed their diligence to understand permitted use. The Council should be acting to protect the limited remaining green space between existing developments and the environmentally sensitive area towards the River Clyde which has an active ecosystem including red squirrels and deer, which would be damaged by further development and human activity.**

Response: Noted. The Council were not involved in the sale of this site.

- (gg) **The final development state is not clear. For example, see P/19/0420, which asked to build a gate between Hamilton Park and the College without further details. Such appears to be the case here with two large buildings proposed, which could be**

sliced into smaller apartments, and second, which will be precedent for further development. It is not reasonable to have several unvetted residents housed behind the secure gate of Hamilton College, which is located directly at its entry towards Bothwell Road. Such a scheme would not conform with best practices on school grounds' security during lesson hours.

Response: It is not possible to prejudge the applicants/landowner's attention and therefore this concern cannot influence the determination of the application. In a similar manner the school entrance gates and the impact/influence of same of access etc is for the school to assess and respond accordingly.

- (hh) **The area identified for development in the drawings and in particular the entire area adjacent to the racecourse, is officially identified and listed with coordinates as an active badger set on the UK's National Badger Protection Database.**

Response: The existence of a Badger set has not been highlighted previously in the related ecology studies. It may be that the information is out of date. Nevertheless, if planning permission was to be granted appropriately worded conditions would be attached to the permission to address the above matter.

- (ii) **I would like to strongly support this application as my grandson and my 2 nephews are pupils at Hamilton College senior school. As it is just now after school hours especially in the winter months the school grounds especially in the wooded area is being used by local teenagers as a place to congregate. Therefore, it would be beneficial for these properties to be built as it would become a safer place overall for the school, the pupils and the local residents.**

Response: The above points are noted. Ultimately it is for Police Scotland to address allegations of misbehavior/public safety concerns rather than the planning process.

- (jj) **The Tree Preservation Order no 35 registered on 28 November 1991 is referred to in the Titles of the flats in the flatted development where many of the objectors reside and which therefore would have been taken into account by the Council when considering the application by Bellway Homes for that development.**

Response: It is accepted that the TPO referred to would have been a consideration in the determination of the planning application that authorised the said flats. It should also be noted that the Council's local plan policies have become more prescriptive during this time period with more emphasis placed on the protection of the natural environment.

- (kk) **Some doubts have been expressed about the nature of the applicant's offer to donate the remaining woodland to the residents. This offer was first made on 12th September 2016 to the solicitor acting for the residents. It has been confirmed that the general principle of reaching an agreement was of interest to the residents. The applicant has agreed now to all of the resident's requirements but the residents solicitor has still to confirm his clients' final agreement. The last remaining issue was regarding an area of ground which my clients originally wanted to retain but the applicant agreed to the resident's request to include that area and this was communicated to their solicitor with fresh plans on 3 February 2020.**

Response: Once more this is a legal matter between the parties concerned.

- (ll) **Scottish Forestry and the Tree Survey Report make it clear that there is a path whereby the proposed development can proceed in a sympathetic manner and for the ultimate benefit of the woodland and the neighbouring proprietors. Many objectors appear to consider the applicant's private property as their amenity ground but there is no titular basis for this. There is no legal connection between the neighbouring flats and the development site. Reference was made to the Lands Tribunal case which remains sisted pending the consideration of the applicant's offer to donate the woodland to the residents mentioned above as it has always been the applicant wish to progress through consensus rather than dispute.**

Should agreement not be reached the Tribunal case will resume and the applicant fully expects to be successful in that. The woodland area has no commercial value as such and in fact is a financial burden in the absence of any reasonable prospect of development and it is neither fair nor reasonable for objections seeking to preserve unentitled amenity at the applicant's expense.

Response: The above land ownership/title burden issue is a separate legal matter which requires to be resolved between the parties concerned.

- (mm) Previous planning concerns regarding access to the site have now been addressed and the applicants have worked hard to put in place access arrangements which are safe and which will have no significant impact on traffic flow as some objectors have suggested. I would submit that any objections on grounds of privacy or prospect be disregarded as not being legitimate or reasonable. Most objectors are residents of a relatively recent flatted development about which many of the concerns expressed could equally have been made. I am more than happy to support this application.**

Response: It is accepted that this application proposes revised access arrangements (when compared with previous submissions) and the Council Roads and Transportation Services have offered no insurmountable comments having no adverse comments from a road engineering perspective. This however is only one consideration in relation to the assessment and determination of this application.

3 Assessment and Conclusions

- 3.1 In simplistic terms the main determining issues in relation to this application are its compliance with local plan policy, its impact on amenity, especially in terms of the woodland covered and protected by a Tree Preservation Order, and road safety.
- 3.2 As discussed above, the application site is located within the urban area in the adopted South Lanarkshire Local Development Plan 2. The site is also located within an area of woodland which is the subject of a Tree Preservation Order (TPO Reference HM/35) and part of the site is covered by the Green Network. The relevant policies in terms of the assessment of the application have been highlighted in Section 1.5 above.
- 3.3 In terms of the principle of residential development on the site, the site is located within the General Urban Area. In this regard, Policy 3 states that within the urban areas and settlements identified on the proposals map, residential developments on appropriate sites will generally be acceptable. However, the policy goes on to say that particular consideration will be given to likely impacts on the amenity of the area. This will include locally important greenspace, local services and facilities, proposed servicing, parking arrangements and access. Developments which would be detrimental to the amenity of residents and the wider community or to the character of the surrounding area will not be permitted. Whilst the general principle of residential development in this urban area reflects the general land use designation, for the reasons highlighted above by Forestry Scotland, the Council's Arboricultural Service and the Council's Biodiversity Officer in addition to the reasons provided in the following paragraphs, it is considered that the formation of two house plots and associated access/driveways on this site would be unacceptable in terms of the holistic requirements of this policy.
- 3.4 With regard to the detailed design of the proposal, Policies 5 and DM1 generally require new development to have due regard to the layout, form, design, local context and landscape character of the area and to promote quality and sustainability in its design. In general design terms it is considered that the form, design and finish materials of the buildings proposed are considered to be acceptable. However, whilst the proposed dwellings are considered to be acceptable in terms of their design there are concerns regarding the layout for the proposed development. The layout for the two dwellings was

revised with a view to ensuring that the development would have less of an impact on important areas of woodland or important individual trees within the site and the proposal's impact on the woodland is discussed in the following paragraphs below. When assessing the amended layout of the proposal against the terms of the above policies there are concerns regarding the amount of usable garden ground being provided for the dwellings and the impact that the proposal would have on the context and landscape character of the immediate area. Specifically, the amended site layout shows the proposed dwellings re-positioned closer towards the northern and eastern boundaries of the site. The site layout originally submitted with the application showed the side elevation of the most northerly dwelling positioned approximately 24 metres from the northern boundary of the site and the main bulk of the rear elevation of the building positioned approximately 17 metres from the eastern boundary of the site, with a projected element of the building located approximately 12 metres from that boundary. However, the amended layout involves the two dwellings being re-positioned within the site and closer to the site boundaries with a reduced area of usable garden ground proposed. The amended layout shows the side elevation of the most northerly dwelling located approximately 12 metres from the northern boundary, rather than 24 metres, and the main bulk of the rear elevation of the building located within approximately 7.5 metres of the eastern boundary, with the projected element of the building located approximately 2 metres from that boundary. In order to reduce any impact on important areas of woodland or important individual trees within the site the repositioning of the dwellings has resulted in a considerable reduction in the amount of usable rear garden ground being provided for the two dwellings contrary to the standards set out in the Council's Residential Design Guide. This is of importance as the two houses are of significant size and accordingly the potential rear garden space and depth should be commensurate with the size of the house proposed. For the above reasons, it is considered that the proposal fails to meet the terms of Policies 5 and DM1.

3.5 As highlighted, part of the site is covered by the Green Network and in this regard Policy 13 states that where applicable, development proposals should safeguard the green network, as identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:

- placemaking,
- mitigating greenhouse gases and adapting to the impacts of climate change,
- supporting biodiversity,
- enhancing health and quality of life,
- providing water management including flood storage, and buffer strips,
- development of blue-green networks using existing watercourses,
- improving air quality,
- providing areas for leisure activity,
- providing areas for allotments and community growing areas, and
- promoting active travel.

3.6 The application site is undoubtedly located within an area of woodland which is the subject of a Tree Preservation Order (TPO Reference HM/35). In this regard, Policy NHE14 states that trees and woodlands that are considered to be of significance will be protected from inappropriate development through the enforcement of existing Tree Preservation Orders (TPOs). Any development likely to affect existing protected trees should be accompanied by a full tree survey with written justification for any losses.

3.7 The Planning Statement submitted is supported by a Tree Survey which identifies that the woodland in which the development is being located forms two distinct parts, broadly speaking comprising one area of mature and good quality trees worthy of protection and

management, and another relatively poor quality area of dense and quite young self-seeded trees which appear to be growing on land which had been significantly disturbed in the past few decades. It is within this latter area that the two houses are proposed. As discussed above, the supporting Statement advises that the proposal for the two houses was revised to ensure that the development would not have any significant impact on important areas of woodland or important individual trees. The Tree Survey advises that the proposal would result in the removal of a total of 44 trees and identifies that the vast majority of trees to be removed are category C, which are defined by the relevant British Standard as being of poor quality, and these are generally considered by the Tree Survey not to be worthy of retention.

- 3.8 In addition to the above, Policy NHE13 states that development proposals should seek to manage, protect and enhance existing ancient semi-natural woodland (ASNW), other woodlands, hedgerows and individual trees. Proposals likely to impact on woodlands, hedgerows or individual trees should be accompanied by a full tree survey and written justification for any losses. Proposals should accord with the Council's Tree Strategy. In all cases involving the proposed removal of existing woodland, the acceptability of woodland removal and the requirement for compensatory planting will be assessed against the criteria set out in the Scottish Government's Policy on Control of Woodland Removal. Removal for development purposes will only be permitted where it would achieve significant and clearly defined public benefits. In this instance, the submitted Planning Statement and Tree Survey have been carefully assessed by the consultees and it is considered that the proposed development of this area would undermine the integrity of the woodland and would be unacceptable in terms of this policy. The 'opening-up' of the woodland and removal of edge trees would predispose remaining trees to increased wind loading and potential failure. The juxtaposition of the trees and the proposed development is considered to be unacceptable, and the trees would be under threat from removal by future owners due to light obstruction and potential season nuisance etc. In this instance, the proposal would result in the detrimental removal of 16% of the woodland. The Council has agreed to increase tree cover in its urbanised areas to 20% by 2032 as part of the Clyde Climate Forest, therefore, the proposal does not support the Council's actions in this regard. To develop the site as proposed would have a significant and adverse impact on the visual amenity and landscape character associated with the existing woodland. In view of the above, it is considered that the proposed development of the site would be contrary to Policy NHE13.
- 3.9 Policy NHE20 deals with development and biodiversity and states that in order to further the conservation of biodiversity development proposals should demonstrate that they have no significant adverse impact on biodiversity, including cumulative impacts. Development proposals likely to lead to significant loss of biodiversity will only be supported if adequate mitigation and offsetting measures are agreed with the Council. Development proposals should consider opportunities to contribute positively to biodiversity, conservation and enhancement, proportionate to the scale and nature of the proposal. The Council's Biodiversity Officer has advised that the site has long been identified as of local biodiversity interest and is currently noted as a potential Local Nature Conservation Site. It was assessed for its biodiversity value in 2019 and passed the criteria for becoming notified as an LNCS, though the formal process for doing so has not been completed. On this basis, the proposal is considered to be contrary to Policy NHE20 as it would result in an unacceptable loss of woodland within the site and would likely lead to a permanent net loss of biodiversity.
- 3.10 As discussed above, the application site comprises of an area of established woodland which is considered to represent a valuable wildlife habitat containing several veteran native trees. Through the consultation process it has been acknowledged that this area of woodland provides a strong landscape context for the adjacent residential area as well as making a valuable contribution to the overall amenity of the area in general with Forestry

Scotland, the Council's Arboricultural Services and the Council's Biodiversity Officer expressing considerable concerns that any work in this area could have an adverse impact on the surrounding trees and the integrity of the woodland as a whole. It is also acknowledged that the relatively undisturbed woodland provides many benefits including habitat for many forms of wildlife. In view of all of the above, it is considered that the development of the site as proposed does not accord with the above policies and on this basis the proposal cannot be supported.

- 3.11 The issues raised by third party representations in respect of the threat to the woodland/wildlife as a whole by the formation of the two house plots are also considered to be fully justified and in general terms they support the concerns expressed by Forestry Scotland, the Council's Arboricultural Service and the Council's Biodiversity Officer.
- 3.12 In conclusion, whilst it is acknowledged that the application site is located within the General Urban Area where the principle of two house plots could generally be accommodated if the constraints highlighted previously were not applicable, the proposal is unacceptable as the woodland in which the application site is located and its associated habitats make a significant contribution to the amenity of the area and would be adversely affected by the proposed development. In view of all of the above, it is considered that the proposal cannot be supported and that detailed planning permission should be refused as the proposal is contrary to Policies NHE13 - Forestry and Woodland and Policy NHE20 - Biodiversity of the adopted South Lanarkshire Local Development Plan 2 as it would have an adverse impact on the amenity of the area, would prejudice the integrity of the woodland, which is a protected local resource and of high conservation value, and would lead to a permanent net loss of biodiversity.
- 3.13 Finally two previous applications for residential development at the site have been refused and related appeals dismissed. Although the details of the proposed vehicular access with this application have been revised, the generality of residential development and its negative impact on individual trees, the woodland overall and biodiversity remain. Such aspects were material to the determination of these historical applications and appeals. There has been no material change in such aspects since the previous decisions (although it could be advanced that the focus/move towards increased protection of the natural environment has intensified due to the new Local Development Plan 2). The determination of planning applications must be on a consistent footing/basis and there are no planning reasons whatsoever to come to a different conclusion in relation to the proposals impact on trees, wildlife, natural habitat/environment or the amenity of the wider area.

4 Reason for Decision

- 4.1 The proposal is contrary to Policy NHE13 - Forestry and Woodland and Policy NHE20 - Biodiversity of the adopted South Lanarkshire Local Development Plan 2 in that it would have an adverse impact on the amenity of the area, would prejudice the integrity of the woodland, which is a protected local resource and of high conservation value, and would lead to a permanent net loss of biodiversity. The proposal is also contrary to Policy 5 - Development Management and Place Making and Policy 13 - Green Network and Greenspace of the adopted South Lanarkshire Local Development Plan 2 in that: (i) it does not have due regard to the landscape character of the area; (ii) would have a negative and unacceptable impact on the visual amenity of the wider area primarily as a result of tree loss and (iii) would have an adverse and irreversible impact on the green network and future designation of the site as part of a Local Nature Conservation Area.

Delegating Officer: Steven Clark

Date: 18 March 2022

Previous References

P/19/0420

HM/13/0005

NOR/HM/13/001

PPA-380-2022

HM/12/0056

HM/11/0257

List of background papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 15.01.2021 & 01.09.2021
- ▶ Press Advertisement, Hamilton Advertiser dated 28.01.2021

▶ Consultations

Roads Flood Risk Management	26.05.2021
Arboricultural Services	04.05.2021 & 20.02.2022
CER Biodiversity Officer	22.04.2021 & 18.10.2021
Scottish Forestry Central Scotland Conservancy	02.02.2021
Roads Development Management Team	12.02.2021
Environmental Services	25.01.2021
Scottish Water	19.01.2021

▶ Representations

Mr. John Lawlor, 29 Hamilton Park South, Hamilton, ML30FH	Dated: 04.02.2021
Mr. John Hall, McAuley McCarthy & Co, 58/60 High Street, Renfrew, PA4 8 Q,	Dated: 05.02.2021
Mr. John Lawlor, 29 Hamilton Park South, Hamilton, ML30FH	Dated: 04.02.2021
Mrs. Jean Russell, 65 Hamilton Park South, Hamilton, ML3 0FH	Dated: 24.01.2021
Mrs. Rhona Hall, 34 Hamilton Park North, Hamilton, ML3 0FG	Dated:

	03.02.2021
Mrs. Bridget Power, 40 Hamilton Park North, Hamilton, ML3 0FG	Dated: 04.02.2021
Mr. Donald MacLellan, 54 Hamilton Park North, Hamilton, ML3 0FG,	Dated: 08.02.2021 08.02.2021
Mr. Mark Evans, 49 Hamilton Park North, Hamilton, ML3 0FG	Dated: 27.01.2021
Mr. Andrew McLaughlin, 27 Hamilton Park South, Hamilton, ML30FH	Dated: 28.01.2021
Mr. John McFarlane, 9 Hamilton Park South, Hamilton, ML3 0FH	Dated: 28.01.2021
Mrs. Elaine Renwick, 45 Hamilton Park North, Hamilton, ML3 0FG	Dated: 30.01.2021
Gordon Anderson, 6 Hamilton Park North, Hamilton, ML3 0FG	Dated: 02.02.2021
Gordon Anderson, 6 Hamilton Park North, Hamilton, ML3 0FG	Dated: 02.02.2021
Gordon Anderson, 6 Hamilton Park North, Hamilton, ML3 0FG	Dated: 02.02.2021
Iain Hall, 34 Hamilton Park North, Hamilton	Dated: 04.02.2021
Ms. Morven McPherson, 51 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 04.02.2021
Ellie Bryce, Received Via Email	Dated: 28.01.2021
Mark Horgan, 35 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 05.02.2021 05.02.2021
Alan McCulloch, 41 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 05.02.2021 05.02.2021
Yvonne McKeown, 61 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 08.02.2021 08.02.2021
Morven McPherson, 51 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 05.02.2021 05.02.2021
Jordan Bryce, 55 Hamilton Park South, Hamilton, ML3 0FH	Dated:

	28.01.2021 28.01.2021
Anita and Stephen Hughes, 57 Hamilton Park South, Hamilton, ML3 0FH	Dated: 04.02.2021 04.02.2021
Rebecca Lennon, 45 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 04.02.2021 04.02.2021
Anne Trevorrow, 53 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 04.02.2021 04.02.2021
Alasdair Houston, 73 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 01.02.2021 01.02.2021
Mr. Paul Williamson, 67 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH	Dated: 01.02.2021 01.02.2021
Mr. Charles Starr, 41 Hamilton Park North, Hamilton, ML3 0FG	Dated: 31.01.2021 31.01.2021
Hamilton Park South Action Group, Received Via Email	Dated: 24.09.2021
Mrs. Lesley Patrick, 51 Bothwell Road, Hamilton, ML3 0BB	Dated: 04.02.2021
Mr. Graham Patrick, 51 Bothwell Road, Hamilton, ML3 0BB	Dated: 04.02.2021
Mr. David Adams, 21 Hamilton Park North, Hamilton, ML3 0FG	Dated: 04.02.2021
Cameron McCann, 45 Hamilton Park South, Hamilton, ML3 0FH	Dated: 04.02.2021
Mr. George Cumming, 16 Hamilton Park North, Duchess Park, Hamilton, ML3 0FG	Dated: 04.02.2021
Mr. Daniel Smith, 44, Dunlop Crescent, Lanarkshire, G33 6GS	Dated: 07.02.2021
Mr. John Hall, McAuley McCarthy & Co, 58/60 High Street, Glasgow, G77 6FP	Dated: 05.02.2021
Dr Tahira Idrees, 49 Hamilton Park South, Hamilton, ML3 0FH	Dated: 19.02.2021 19.02.2021
Mr. Brian Hall, 4 Hamilton Park North, Hamilton, ML3 0FG	Dated:

	31.01.2021
Mrs. Kate O'Connor, 71 Hamilton Park South Bothwell Road, Hamilton Park South, Hamilton, ML3 0FH	Dated: 28.01.2021
Mr. Russell White, 31 Hamilton Park South, Hamilton, ML3 0FU	Dated: 25.01.2021 25.01.2021
Miss Katie McTear 10 Hamilton Park North, Hamilton, ML30FG	Dated: 29.01.2021 29.01.2021
Mr. Colin Taylor, 59 Hamilton Park South, Hamilton, South Lanarkshire, ML3 0FH,	Dated: 03.02.2021
Mr. John Hall, 58-60 High Street, Renfrew, PA4 8QP	Dated: 12.02.2021
Sandra Nimmo, 14 Hamilton Park North, Hamilton, South Lanarkshire, ML3 0FG	Dated: 15.02.2021
Hamilton Park South Action Group, Received Via Email	Dated: 25.03.2021
James and Claire Shirazi, 21 Silverbirch Grove, Quarter, Hamilton, South Lanarkshire, ML3 7XZ	Dated: 07.05.2021 07.05.2021
Kate O'Connor, Via Email	Dated: 19.10.2021
Mrs. Lesley Patrick, 51 Bothwell Road, Hamilton, ML3 0BB	Dated: 22.09.2021 22.09.2021

Contact for further information

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

Jim Blake, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453657

Email: jim.blake@southlanarkshire.gov.uk

Planning Application

Application number: P/21/0029

Reasons for refusal

01. The proposal is contrary to Policy NHE13 - Forestry and Woodland - of the adopted South Lanarkshire Local Development Plan 2 as the proposal would adversely affect the integrity, amenity, landscape and conservation value of the woodland in which the application site is located.
02. The proposal is contrary to Policy NHE20 - Biodiversity - of the adopted South Lanarkshire Local Development Plan 2 as the proposal would result in an unacceptable loss of woodland, which is a protected local resource and of high conservation value and would likely lead to a permanent net loss of biodiversity.
03. The proposal is contrary to Policy 5 and Policy 13 of the Adopted South Lanarkshire Local Development Plan 2 in that: (i) it does not have due regard to the landscape character of the area; (ii) would have a negative and unacceptable impact on the visual amenity of the wider area primarily as a result of tree loss and (iii) would have an adverse and irreversible impact on the green network and future designation of the site as part of a Local Nature Conservation Area.

Reason(s) for decision

The proposal is contrary to Policies NHE13 - Forestry and Woodland and Policy NHE20 - Biodiversity of the adopted South Lanarkshire Local Development Plan 2 in that it would have an adverse impact on the amenity of the area, would prejudice the integrity of the woodland, which is a protected local resource and of high conservation value, and would lead to a permanent net loss of biodiversity.

Informatives

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
PP-01	REV E	Refused
PP-02	REV H	Refused
PP-03	REV A	Refused
PP-04	REV F	Refused
PP-05	REV D	Refused
PP-06	REV B	Refused



Community And Enterprise Resources
Executive Director **David Booth**
Planning And Economic Development

Adam Toleman
Arka Architects
The Loft
The Tattie Kirk
Cow Wynd
Falkirk
FK1 1PU

Our Ref: P/21/0029
Your Ref:
If calling ask for: Jim Blake
Date: 24 March 2022

Dear Sir/Madam

Proposal: Erection of two dwellinghouses with associated studio flats above attached garage, raised decking at rear and formation of access.
Site address: Land 120M Northeast Of 55 Bothwell Road, Bothwell Road, Hamilton, South Lanarkshire, ,
Application no: P/21/0029

I would advise you that the above application was refused by the Council and I enclose the decision notice which sets out the reasons for refusal. Please note that the Council does not issue paper plans with the decision notice. The application is refused in accordance with the plans and any other documentation listed in the reasons for refusal imposed on the accompanying decision notice and which can be viewed using the Council's online planning application search at www.southlanarkshire.gov.uk

If you consider that you can overcome the reasons for refusal and that it is not the principle of the development that is unacceptable, you may submit an amended application. If you do amend your proposals and re-apply within one year of this refusal, then you will not have to pay a fee, provided the proposal is of the same character or description as the application which has just been refused.

As your application has been refused, you may appeal against the decision within 3 months of the date of the decision notice. The attached notes explain how you may appeal.

Should you have any enquiries relating to the refusal of your application or a potential amended submission, please contact Jim Blake on 01698 453657

The Planning Service is undertaking a Customer Satisfaction Survey in order to obtain feedback about how we can best improve our Service to reflect the needs of our customers. The link to the survey can be found here:

If you were the applicant: <http://tinyurl.com/nrtgmy6>

If you were the agent: <http://tinyurl.com/od26p6g>

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Email jim.blake@southlanarkshire.gov.uk Phone: 01698 453657



We would be grateful if you would take a few minutes to answer the questions in the survey based on your experience of dealing with the Planning Service in the past 12 months. We value your opinion and your comments will help us to enhance areas where we are performing well, but will also show us where there are areas of the service that need to be improved.

I do hope you can take part in this Customer Survey and look forward to receiving your comments in the near future. If you prefer to complete a paper version of the survey, please contact us by telephone on 0303 123 1015, selecting option 7, quoting the application number. We will send you a copy of the survey and a pre-paid envelope to return it.

Yours faithfully

Head of Planning and Economic Development

Enc:



Application no.
P/21/0029

Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006

To: **Mr Shahid Chaudhary**

Per: **Adam Toleman**

**27 Lochore Avenue,
Paisley, PA3 4BY,**

**The Loft, The Tattie Kirk,
Cow Wynd, Falkirk, FK1
1PU,**

With reference to your application received on **08.01.2021** for planning permission under the above mentioned Act:

Description of proposed development:

Erection of two dwellinghouses with associated studio flats above attached garage, raised decking at rear and formation of access.

Site location:

Land 120M Northeast Of 55 Bothwell Road, Bothwell Road, Hamilton, South Lanarkshire, ,

SOUTH LANARKSHIRE COUNCIL in exercise of their powers under the above mentioned Act hereby:

REFUSE PLANNING PERMISSION

for the above development in accordance with the plan(s) specified in this decision notice and the particulars given in the application, for the reason(s) listed overleaf in the paper apart.

Date: 24th March 2022

Head of Planning and Economic Development

This permission does not grant any consent for the development that may be required under other legislation, e.g. Building Warrant or Roads Construction Consent.

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

South Lanarkshire Council

Refuse planning permission

Paper apart - Application number: P/21/0029

Reason(s) for refusal:

01. The proposal is contrary to Policy NHE13 - Forestry and Woodland of the adopted South Lanarkshire Local Development Plan 2 as the proposal would adversely affect the integrity, amenity, landscape and conservation value of the woodland in which the application site is located.
02. The proposal is contrary to Policy NHE20 - Biodiversity of the adopted South Lanarkshire Local Development Plan 2 as the proposal would result in an unacceptable loss of woodland, which is a protected local resource and of high conservation value, and would likely lead to a permanent net loss of biodiversity.
03. The proposal is contrary to Policy 5 and Policy 13 of the Adopted South Lanarkshire Local Development Plan 2 in that: (i) it does not have due regard to the landscape character of the area; (ii) would have a negative and unacceptable impact on the visual amenity of the wider area primarily as a result of tree loss and (iii) would have an adverse and irreversible impact on the green network and future designation of the site as part of a Local Nature Conservation Area.

Reason(s) for decision

The proposal is contrary to Policy NHE13 - Forestry and Woodland and Policy NHE20 - Biodiversity of the adopted South Lanarkshire Local Development Plan 2 in that it would have an adverse impact on the amenity of the area, would prejudice the integrity of the woodland, which is a protected local resource and of high conservation value, and would lead to a permanent net loss of biodiversity. The proposal is also contrary to Policy 5 - Development Management and Place Making and Policy 13 - Green Network and Greenspace of the adopted South Lanarkshire Local Development Plan 2 in that: (i) it does not have due regard to the landscape character of the area; (ii) would have a negative and unacceptable impact on the visual amenity of the wider area primarily as a result of tree loss and (iii) would have an adverse and irreversible impact on the green network and future designation of the site as part of a Local Nature Conservation Area.

Notes to applicant

Application number: P/21/0029

Important

The following notes do not form a statutory part of this decision notice. However, it is recommended that you study them closely as they contain other relevant information.

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
PP-01	REV E	Refused
PP-02	REV H	Refused
PP-03	REV A	Refused
PP-04	REV F	Refused
PP-05	REV D	Refused
PP-06	REV B	Refused



COMMUNITY AND ENTERPRISE RESOURCES
EXECUTIVE DIRECTOR David Booth
Planning and Economic Development

Important notes

Town and Country Planning (Scotland) Act 1997

1. Compliance with conditions

Under the provisions of the Town and Country Planning (Scotland) Act 1997 (Section 145), failure to comply with any condition(s) imposed on any planning permission may result in the service by the Council of a "Breach of Condition Notice" requiring compliance with the said condition(s).

There is no right of appeal against such a Notice and failure to comply with the terms of the Notice within the specified time limit will constitute a summary offence, liable on summary conviction to a fine not exceeding £1000.

2. Procedure for appeal to the planning authority

- (a) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997, within three months from the date of this notice. The notice of review should be addressed to:

Executive Director (Corporate Resources)
Council Headquarters
Almada Street
Hamilton
ML3 0AA

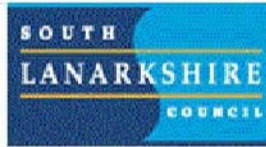
To obtain the appropriate forms:

Administrative Services at the above address.

Telephone: 01698 454108

E-mail: pauline.macrae@southlanarkshire.gov.uk

- (b) If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: planning@southlanarkshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100349318-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

The construction of 2no. 2+1/2 storey detached dwelling houses.

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Arka Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Adam	Building Name:	The Loft
Last Name: *	Toleman	Building Number:	
Telephone Number: *		Address 1 (Street): *	The Tattie Kirk
Extension Number:		Address 2:	Cow Wynd
Mobile Number:		Town/City: *	Falkirk
Fax Number:		Country: *	Scotland
		Postcode: *	FK1 1PU
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr	Building Name:	
First Name: *	Shahid	Building Number:	27
Last Name: *	Chaudhary	Address 1 (Street): *	Lochore Avenue
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Paisley
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA3 4BY
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<input style="width: 100%;" type="text" value="0"/>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<input style="width: 100%;" type="text" value="8"/>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input checked="" type="checkbox"/> Yes – connecting to public drainage network <input type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (e.g. SUDS arrangements) *	
Note:- Please include details of SUDS arrangements on your plans Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	
Are you proposing to connect to the public water supply network? *	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, using a private water supply <input type="checkbox"/> No connection required	
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know	
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.	
Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know	
<h2 style="margin: 0;">Trees</h2>	
Are there any trees on or adjacent to the application site? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

If Yes or No, please provide further details: * (Max 500 characters)

Local Authority Collection

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *

2

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Adam Toleman

On behalf of: Mr Shahid Chaudhary

Date: 07/01/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☒ Floor plans.
- ☐ Cross sections.
- ☒ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☒ Other.

If Other, please specify: * (Max 500 characters)

Tree Survey report

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Adam Toleman

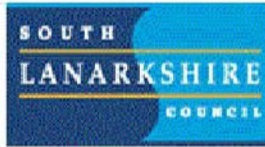
Declaration Date: 07/01/2021

Payment Details

Online payment: IDOX00007521

Payment date: 08/01/2021 14:30:00

Created: 08/01/2021 14:30



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: planning@southlanarkshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100349318-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Arka Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Adam	Building Name:	The Loft
Last Name: *	Toleman	Building Number:	
Telephone Number: *		Address 1 (Street): *	The Tallie Kirk
Extension Number:		Address 2:	Cow Wynd
Mobile Number:		Town/City: *	Falkirk
Fax Number:		Country: *	Scotland
		Postcode: *	FK1 1PU
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr	Building Name:	
First Name: *	Shahid	Building Number:	27
Last Name: *	Chaudhary	Address 1 (Street): *	Lochore Avenue
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Paisley
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA3 4BY
Fax Number:			
Email Address: *			

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

☒ Yes ☐ No

Application Details

Please select which application(s) the new documentation is related to.

Application: * 100349318-001, application for Planning Permission, submitted on 08/01/2021

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Design Statement

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

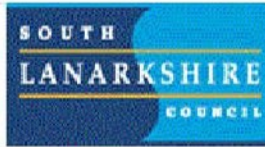
☒ Yes ☐ No

Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr Adam Toleman

Declaration Date: 21/01/2021



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: planning@southlanarkshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100349318-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Arka Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Adam	Building Name:	The Loft
Last Name: *	Toleman	Building Number:	
Telephone Number: *		Address 1 (Street): *	The Tattie Kirk
Extension Number:		Address 2:	Cow Wynd
Mobile Number:		Town/City: *	Falkirk
Fax Number:		Country: *	Scotland
		Postcode: *	FK1 1PU
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Shahid	Building Number:	27
Last Name: *	Chaudhary	Address 1 (Street): *	Lochore Avenue
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Paisley
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA3 4BY
Fax Number:			
Email Address: *			

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

☒ Yes ☐ No

Application Details

Please select which application(s) the new documentation is related to.

Application: * 100349318-001, application for Planning Permission, submitted on 08/01/2021

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Revised site layout plan, dwelling plans and elevations taking into account re-positioning of the proposed dwellings to the north-west corner of the site. Updated tree survey report. A planning statement from the Planning Consultant.

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

☒ Yes ☐ No

Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr Adam Toleman

Declaration Date: 18/08/2021