

	<h1>Report</h1>	Agenda Item <h2>3</h2>
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Report to:	Planning Committee
Date of Meeting:	20 March 2007
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0439
Planning Proposal:	Erection of 18 Hole Golf Course, 200 Bedroom Hotel, Leisure Building incorporating Pool, Solarium, Sauna, Gym, Squash and Ancillary Catering Facilities, Outdoor Sport and Leisure, Holiday Log Cabins and Lodges, Equestrian Centre, Polo Pitch and Equine Exercise Area (Outline)

1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : Crannog Ltd and Vinebray Ltd
- Location : Kersewell Mains
Near Carnwath

2 Recommendation(s)

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

- (1) Grant Outline Planning Permission – (Subject to Conditions – Based on Conditions Listed)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) The application is contrary to the Development Plan and objections have been received. In accordance with Council procedures, a hearing may be required prior to determining the application.
- (3) It is recommended that a Section 75 Agreement be completed between the applicant and the Council, prior to the issue of consent, to ensure that the phasing of the development is implemented in an acceptable manner.

3 Other Information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 08 Carstairs/Carnwath
- ◆ Policy Reference(s): Glasgow & Clyde Valley Joint Structure Plan 2000 (Approved)
 - Strategic Policy 5: Competitive Economic Framework
 - Strategic Policy 9: Assessment of Development Proposals
 - Strategic Policy 10: Departure from the Structure

Plan

Upper Clydesdale Local Plan (Adopted)

- Policy 15: Rural Diversification
- Policy 19: Favourable Consideration for Tourist Related Development
- Policy 60: Archaeology
- Policy 75: Agricultural Land
- Policy 80: Management of Woodland
- Policy 97: Purpose-Built Chalets/Static Units
- Policy 107: Tourism Initiatives

South Lanarkshire Local Plan (Finalised Draft as modified)

- Policy STRAT4: Accessible Rural Area
- Policy CRE2: Stimulating the Rural Economy
- Policy ENV4: Protection of the Natural and Built Environment
- Policy ENV20: European Protected Species
- Policy ENV33: Development in the Countryside
- Policy ECON9: Tourism Development
- Policy ECON21: Tourist Accommodation

◆ Representation(s):

- ▶ 13 Objection Letters
- ▶ 2 Comments Letters

◆ Consultation(s):

River Clyde Fisheries Management Trust

Central Scotland Countryside Trust

Glasgow & Clyde Valley Structure Plan Manager

RSPB Scotland

S.E.P.A. (West Region)

Scottish Natural Heritage

Scottish Water

West of Scotland Archaeology Service

Black Mount Community Council

Environmental Services

Roads and Transportation Services (South Division)

Historic Scotland (Ancient Monuments)

Planning Application Report

1 Application Site

- 1.1 The application site consists of an extensive area of agricultural land and mixed woodland (approximately 193 hectares) situated between the A70 and the North Medwyn River, approximately 1½km to the north-east of Carnwath.
- 1.2 The southern section of the site is characterised by semi-natural woodland and conifer plantations interspersed by open areas of clear felled trees and enclosed fields of improved pasture and marshy grassland. An access road leads from the A70 past a lodge house, past the woodland areas to Bertram House and newly built dwellings which adjoin the western boundary.
- 1.3 The central section comprises mainly of large, open agricultural fields bounded by woodland belts. Conifer woodlands adjoin the boundary with the A70. A track leads from the A70 to a derelict quarry which sits on top of a knoll at the highest contour point within the site. There are steep sloping fields adjoining the western boundary which are being used for arable planting.
- 1.4 The northern section includes large enclosed fields marked by woodland belts, fences and stone walls. A conifer woodland borders the A70 and a road leads down from the A70 to the Kersewell Mains Farm which includes a traditional stone-built farmhouse and byres.
- 1.5 Within the site there are a number of culverts and burns which drain surface water down to the North Medwyn. Topographically, the ground slopes in an east/west orientation from the A70 down to the North Medwyn, however the ground does rise in the centre to a high point of 278m at the quarry location.
- 1.6 The site is bounded to the north by the Medwyn Gorge Valley, Backmoor Wood and a moorland containing cairns and other archaeological sites. To the east, it adjoins the A70 and three houses (North Lodge, Kersewell Mains Cottage and Windygates) and beyond by moors, agricultural fields, woodland, a house and a Girl Guide Centre. To the south, there are agricultural fields and a minor road linking the A70 with Kaimend and the A721. To the west, the site adjoins woodland, new-built dwellings, Bertram House and fields and woodland which slope down to the North Medwyn River.
- 1.7 The application site originally included fields adjoining the river and the moorland area to the north, however these areas were subsequently excluded because of lack of ownership of the fields and the archaeological sensitivity of the moor.

2 Proposal(s)

- 2.1 The applicants seek outline permission for a comprehensive leisure development which includes:
 - ◆ an 18-hole golf course, laid out in the southern and central sections;
 - ◆ a 200-bedroom hotel, golf club house, conference facilities, indoor sports and leisure facilities containing swimming pool, sauna, solarium, squash, gym, bars, restaurants and café. The hotel and leisure facilities will be located at the site of the former quarry;
 - ◆ equestrian centre, polo pitch and equine exercise area located to the east of Kersewell Mains Farm;

- ◆ luxury log cabins, developed in 3 phases, to form a village located in an area to the west of Kersewell Mains and the former quarry. Density to be agreed at the detailed stage; and
- ◆ outdoor leisure including pony trekking and mountain biking will also be incorporated.

- 2.2 In addition to the above, the woodland to be retained will be managed and supplemented with additional planting. All existing access points from the A70 will be improved to requisite standards. The intention is to treat surface water by a Sustainable Urban Drainage System. It is proposed to establish a foul sewer system on site with treated effluent being discharged into the North Medwyn. An alternative is to pump effluent to the Carnwath Sewage Treatment Plant after necessary upgrading work.
- 2.3 The original site extended as far as the banks of the North Medwyn River and the moor in the north/east corner. As well as the facilities described above, this extended site also included a 50-bedroom hotel, a fishing loch, 60 fishing lodges and the number of log cabins was detailed as 750. Due to concerns about the ability of the site to accommodate such a development, amended plans were submitted downsizing to the proposal described in paragraph 2.1.
- 2.4 Planning permission has already been granted for 12 house plots in the north-western corner of the site.
- 2.5 An Environmental Impact Assessment has been submitted in support of the application.

3 Background

3.1 Structure Plan Status

In the Glasgow & Clyde Valley Structure Plan 2000, the relevant policies are Strategic Policy 5: Competitive Economic Framework, Strategic Policy 9: Assessment of Development Proposals and Strategic Policy 10: Departures from the Structure Plan. Strategic Policy 5 identifies strategic economic locations including Tourist Development Areas, to be promoted for development and safeguarded from inappropriate alternative uses. Strategic Policy 9 indicates that environmental resources should be safeguarded and isolated and sporadic developments in the countryside avoided. Strategic Policy 10 relates to departures from the Structure Plan which have to be justified against criteria which includes economic, social and environmental benefits and the need for the development in terms of specific locational need.

3.2 Local Plan Status

- 3.2.1 In the adopted Upper Clydesdale Local Plan, the relevant policies are 15: Rural Diversification, 19: Favourable Consideration for Tourist-related Development, 60: Archaeology, 73: Remoter Rural Area, 75: Agricultural Land, 80: Management of Woodland, 97: Purpose-built Chalets/Static Units and 107: Tourism Initiatives. Policy 15 states that there shall be presumption in favour of countryside recreation, subject to normal development control criteria. Policy 19 encourages the promotion of high quality tourism-related development. Policy 97 indicates that favourable consideration shall be given to groupings of chalets of less than 10 units. Policy 107 states that the Council will seek to develop tourism in the local plan area as a means of providing jobs and increasing income in the local community. Policy 60 seeks to protect archaeological sites. Policy 75 seeks to protect high quality agricultural land

(ie. Grades 1, 2 and 3.1). Policy 80 aims to retain woodland in the interests of amenity and encourages the planting of broadleaf and native species as a means of enhancing landscape quality and ecological diversity. Policy 73: Remoter Rural Area relates to residential development which has no direct relevance in the assessment of this proposal.

3.2.2 In the finalised draft of the South Lanarkshire Local Plan, the relevant policies are STRAT4: Accessible Rural Area, CRE2: Stimulating the Rural Economy, ENV4: Protection of the Natural and Built Environment, ENV20: European Protected Species, ENV33: Development in the Countryside, ECON9: Tourism Development and ECON12: Tourist Accommodation. Policy STRAT4 aims to build on the economic potential of the area's high quality natural environment and tourism potential. Business proposals should conform with Policy CRE2: Stimulating the Rural Economy. CRE2 indicates that the Council will endeavour to maximise job opportunities in the rural area outwith established settlements by encouraging development in certain circumstances. A list of uses which could be appropriate in principle include outdoor sport and recreation, equestrian activities, golf courses, tourist/visitor accommodation and attractions. For a new build at an isolated site to be acceptable, it will have to be demonstrated that there are no opportunities to convert existing buildings and the development can be integrated with the surrounding landscape. In addition, the site should be readily provided with services. Tourist accommodation is considered to be appropriate if it relates to conversion, however this does not extend to new build proposals unless associated with a visitor attraction. Policy ENV33 emphasises the need to respect the existing landscape and avoid adversely interfering with existing views in and out of the site. Suburban styles and solutions should be avoided. Energy efficient designs and sustainable use of materials, which contribute to sustainable development, will be encouraged. Policy ENV4 seeks to safeguard natural resources including Ancient Woodland. In areas of local/regional importance, development which would affect these areas will only be permitted where the integrity of the protected resource will not be undermined. ENV20: European Protected Species states development will only be permitted where the overall integrity of the conservation interest is unaffected. Where a Council concludes that a development proposal is likely to have a significant effect on a Natura 2000 site, then it must undertake an appropriate assessment. This need extends to proposed development outwith the boundary of the designated area. ECON9 supports the expansion of tourism in South Lanarkshire consistent with the local plan objectives. ECON12 states that favourable consideration will be given to proposals for tourist accommodation where they comply with local land use policy. In all cases, the continuous occupation of the accommodation by one party will be controlled by conditions to ensure they are not occupied on a permanent residential basis. Where new build is proposed, a high standard of design and finish will be expected. In any case, a supporting business case is required to justify the economic sustainability of the proposal.

3.3 **Relevant Government advice/Policy**

SPP15: Planning for Rural Development indicates that in less populated areas, encouragement should be given to delivering tourism and recreation projects and developing equestrian activities.

3.4 **Planning History**

The former Clydesdale District Council granted outline planning permission (P/LK/01900849) for an hotel, leisure centre, equestrian centre, curling centre, fishing loch and holiday accommodation and 12 houses in March 1991. In January

1992, an amendment (P/LK/01910860) was granted to increase the site area in order to increase the size of the golf course and provide a shooting moor and fishing loch, polo field, carriage trail and an eventing area. An outline consent (P/LK/01890295) for 12 dwellings was renewed in June 1993 by an outline consent (P/LK/01930108). This was subject of a Section 50 Agreement with regard to woodland management and the restriction of the total number of houses. Detailed Planning Permission (CL/96/0120) was granted for a dwellinghouse in November 2000 after the conclusion of the aforesaid agreement. Following on, two individual dwellings (CL/02/0406 and CL/02/0380) were granted planning permission in November 2002.

4 Consultation(s)

- 4.1 **West of Scotland Archaeology Service** – there is significant archaeology in an unimproved field at the northern edge where no development is planned but which might be affected by the pressure of walking and riding. Within the development area, because of a potential for archaeological finds, archaeological excavations should be undertaken prior to the commencement of any work. It is accepted that the setting of archaeological sites in the surrounding area will not be adversely affected. A condition should be applied to ensure a fence is erected around the northern field to prevent access, particularly by horses, and that a Section 75 Agreement should be concluded to secure the field in rough pasture and to avoid any future development. Due to the length and cost of carrying out excavations over such an extensive area, a programme of archaeological investigation in the development area should be covered both by condition and a Section 75 Agreement.

Response: The northern field falls outwith the application site boundary and, at an outline stage, I believe a condition to prevent access from the development area should be imposed. Likewise, a condition should be sufficient to secure archaeological investigations. If outline consent is granted, then at a detailed stage once a scheme has been fully worked up, further consideration can be given to a Section 75 Agreement to ensure the implementation of an archaeological strategy and the protection of existing archaeology.

- 4.2 **Roads & Transportation Services** – the traffic flows provided within the TA shows that the existing network can accommodate the proposed development traffic. Therefore, they offer no objection subject to the northern access point (7.3 metres wide) being used with a right turn storage lane and appropriate visibility (9 metres by 215 metres) being maintained. This will result in the removal of a large area of vegetation and an existing stone boundary wall. The central and southern accesses do not meet the required visibility requirements. Improvements will also have to be undertaken at the A70 and Stanemuir Road junction. A footway along the site frontage should be provided

Response: Noted. These matters can be covered by appropriate conditions if planning permission is granted. The tree belts which have to be removed to improve visibility will not have a significant impact upon the total woodland coverage or erode the ability of the tree belts to visually contain the development in the context of the wider area. The stone wall, theoretically, could be relocated behind the visibility splay.

- 4.3 **Scottish Water** – the proposed development lies within the water catchment area for Coulter Water Treatment Works where there are capacity issues. Scottish Water will remove their objection if the developer can demonstrate that the proposal will not adversely affect their infrastructure.

Response: Noted. If consent is granted, then this concern can be covered by the use of an appropriate condition.

- 4.4 **SEPA** – recommend a connection to the public sewer. The alternative method of on-site treatment will require further details before proper comment can be made. Surface water should be treated by a Sustainable Urban Drainage System. SEPA's preference for SUDS in respect of maintenance of water quality is not to rely on devices such as interceptors as proposed by the applicant. The use of on-line ponds should be discouraged due to its potential adverse impact upon the ecology of the river habitat. A method statement should be prepared on the use of pesticides, herbicides and fertilisers within the proposed golf course and landscaped areas. The construction phase should comply with SEPA's guidelines on pollution control.
Response: Noted. An on-line pond has now been omitted from amended plans whilst the other matters raised can be covered by appropriate conditions if permission is granted.
- 4.5 **The River Clyde Fisheries Management Trust Ltd** – support a Sustainable Urban Drainage System, however they are opposed to an on-line loch due to its impact upon water flow and fish. A fish and invertebrate survey should be undertaken.
Response: An on-line loch is no longer proposed, however I agree a survey of fish and invertebrates should be carried out and, if permission is granted, then a necessary condition will be applied.
- 4.6 **Black Mount Community Council** – concern has been expressed about the number of log cabins proposed and its resultant impact upon water infrastructure. Clarification is also sought on what is meant by a fishing lodge. The Environmental Statement includes the building of 12 houses but these are not listed in the application. It is expected that Roads will comment on the significant increase in vehicles on local roads and that mitigation measures will be implemented.
Response: The number of log cabins is no longer specified as the intention is to agree on density at a detailed stage. Amended plans now show the omission of the fishing lodges. The 12 houses referred to in the Environmental Statement are subject of a planning permission previously granted (see paragraph 3.4). A Traffic Impact Assessment has been carried out which Roads & Transportation Services have commented upon in detail (see paragraph 4.2).
- 4.7 **Environmental & Strategic Services** – construction noise and working hours should comply with current standards and a Phase 1 Desk Study should be carried out to assess the likelihood of contaminants being present. They also recommended a noise impact assessment for clay pigeon shooting and helicopter landing pad.
Response: Environmental Health has separate legislative powers to control noise and working hours. If consent is granted, then a condition will be attached to ensure a Desk Study is undertaken. The application does not propose clay pigeon shooting or a helicopter landing pad.
- 4.8 **Glasgow & the Clyde Valley Structure Plan Joint Committee** – tourist-related development would be supportive of the Metropolitan Development Strategy, subject to the provisions of Strategic Policy 9. In that respect, cultural heritage features and ancient woodland require safeguarding as far as is possible. A criterion of the policy also recommends against isolated and sporadic development in the wider countryside. Consequently, the development should be considered against that criterion. Given the projected level of vehicle movements, limits on the scale of development require consideration at this stage.
Response: Identified heritage features will not be affected and loss of woodland will be largely restricted to plantations and recently felled plantations of limited ecological

value. For a tourist-related development incorporating a golf course, equestrian facilities and holiday log cabins, a rural setting is obviously the most appropriate location. However, it is easily accessible to main centres of population via A Class roads and, in that respect, for a proposal of this scale and nature, it cannot be considered as being sporadic. The proposal has been downsized from that originally proposed and a full Traffic Impact assessment has been carried out and this concludes that there will be no adverse impact upon the road network.

- 4.9 **SNH** – object to the proposal. Two years ago a flock of pink-foot geese were recorded feeding on fields to the west of the site. The geese came from the Westwater Reservoir roost located approximately 14km to the east which is a classified Special Protection Area. The site is situated close to a Scenic Area and there are concerns about the effect of the proposal upon areas of long-established woodland and watercourses. The protection of woodland and watercourses is emphasised in NPPG14: Natural Heritage. Due to its proposed layout and scale, the proposal would contravene Policy 72 of the Upper Clydesdale Local Plan. The area around the site is classified as Plateau Farmland where the open nature of the landscape means a development is often visible for some distance and is sensitive to tall buildings and structures. Insufficient evidence has been produced to demonstrate that geese will not be affected, therefore further detailed surveys would be necessary. Surveys should be carried out on waders and Black Grouse. Although surveys to date did not find evidence of bats, otters and water voles, it is recommended that they are carried out again. No information has been supplied on trees which would have to be felled and it is unclear if part of the burns would have to be culverted or realigned. It is also noted that there are areas of marshy grassland and wet heath and SNH has concerns about any adverse effect upon these habitats.

Response: The development site is not covered by Policy 72 of the Upper Clydesdale Local Plan. Tall buildings for a development of this nature are not anticipated and therefore the existing mature woodland, along with supplementary planting, will help screen and contain the development. It is accepted that views of part of the development would be visible from various viewpoints, however the visual impact can largely be described as low. Most of the trees to be felled would be restricted to plantation woodland and clear felled areas. However, the proposal does afford opportunities to plant additional trees and to implement effective woodland management. I agree further information is required with regard to the impact of the proposal upon watercourses. However, these matters can be given further consideration at a detailed stage if consent is granted. Also, if consent is granted, conditions can be attached to ensure adequate wildlife surveys are undertaken. In respect of Pink Foot geese, I have received a letter from someone who lived at Kersewell Mains Cottage from 1990 to 2004 and used to shoot vermin within the application site area. During that time, he states that he never witnessed any geese landing on the grounds of Kersewell Mains. Geese forage off grass and stubble and therefore due to extensive agricultural grazing land in the locality, there is sufficient alternative land even if geese have used Kersewell Mains although there is no evidence to substantiate this. Geese have a wide range in their flights from Westwater when searching for feeding areas and consequently I find it hard to accept that their roosting population at Westwater would be adversely affected. Notwithstanding, I am satisfied that, at an outline stage, a condition can be incorporated to ensure a survey is carried out to assess any likely impacts. Any recommended mitigation can be fully considered prior to the submission of a detailed application. This could include phasing or restricting initial construction to outwith the wintering season for geese. The wet heath habitat falls outwith the application site boundary, however the golf course, and possibly the log cabins, will result in the loss

of the marsh/marshy grassland. The Environmental Statement indicates that this habitat is very simple, species poor and of low ecological value. In mitigation, native species in woodland planting and the maintenance of a range of grassland habitats will be fully incorporated as an element of the landscaping proposals. Due to the proposed habitat creation and the management of retained habitats, the ecological value would be enhanced. It should also be remembered that the principle of the development was established by the grant of outline consent in March 1991. Although this consent has since lapsed, circumstances pertaining to the site and its surroundings have remained largely unaffected.

4.10 **Historic Scotland** – to date no comments have been received.
Response: Noted.

4.11 **Central Scotland Countryside Trust** – to date no comments have been received.
Response: Noted.

5 Representation(s)

5.1 The proposal was advertised as a bad neighbour development and as being Development Potentially Contrary to the Development Plan. As an Environmental Impact Assessment was required, notice of the submission of an Environmental Statement was also advertised in the local press. Following these advertisements and neighbour notification, 13 letters of objection and 2 covering general comments were submitted. The main points of these letters are summarised below.

(a) **The proposed development is excessive and out of proportion to the surrounding landscape.**

Response: The retention and management of existing woodland along with additional tree and shrub planting will help the development integrate with the surroundings. The principle of a leisure development had previously been established by the grant of planning permission (P/LK/01910860) in January 1992 for a more extensive development.

(b) **Adverse effect upon wildlife and fauna.**

Response: SNH has expressed concern about the potential impact upon wildlife, in particular pink-foot geese. Therefore, I am of the opinion that further survey work is required to quantify the effects.

(c) **The roads infrastructure could not cope with an increase in vehicle usage.**

Response: Roads have no objections subject to appropriate conditions being incorporated.

(d) **Noise would have a detrimental affect upon local residents.**

Response: Although noise was not specifically addressed as an item in the Environmental Statement, Environmental Health did recommend standards for construction noise and working hours be complied with and that a noise assessment be carried out for clay pigeon shooting and a helicopter landing pad. However, Environmental Health have their own legislative powers for controlling noise and working hours. Clay pigeon shooting and a helicopter landing pad are not proposed.

(e) **The proposed golf course and hotel facilities would place an additional financial strain and impact on existing facilities.**

Response: These facilities would be reasonably self-contained and I am satisfied that the benefits of the proposal to the local area will outweigh any additional pressure on services.

- (f) **The planning application has been submitted in the absence of local community engagement and with total disregard to local environmental impacts.**

Response: Although no public meetings were held prior to the submission of the application, many local residents are aware of the previous consent. The application was advertised in the local press, neighbours were notified and the Community Council was formally consulted. All letters of representation have been fully considered as part of the determination process.

- (g) **Claims that neighbour notification has not been carried out correctly.**

Response: The original application boundary did adjoin a property which had not been notified. However, the site was amended, drawing boundaries further back from the property and, as such, the requirement to notify was no longer required. Other residents making the claim were not notifiable neighbours as defined by regulations.

- (h) **Insufficient time has been given to consider these proposals.**

Response: As an Environment Statement was submitted, the press advertisement indicated that representations could be made within 28 days of the advert date. Notwithstanding, it has been South Lanarkshire Council's practice to accept objections after the representation period has expired, up to consideration of the application by committee.

- (i) **Breach of local development policy.**

Response: Any potential departure from policy will have to be considered on the individual merits of the proposal. The fact that a proposal may contravene policy does not necessarily mean it should be rejected.

- (j) **Areas of land have been marked as being owned by the applicant when they are not and are merely subject of negotiation to purchase.**

Response: The areas referred to did fall within the original application site boundary, however with the submission of amended plans, these areas have now been excluded.

- (k) **Insufficient information on access routes, traffic numbers, build programmes, noise levels and security have been submitted.**

Response: The Environmental Statement makes specific reference to access routes, traffic numbers and the build programmes. Traffic issues have been addressed in greater detail in a Traffic Impact assessment submitted as a prerequisite for determining this application. Noise is an issue which is more appropriately addressed at a detailed stage when fuller details on the type and density of development would be available. Security is a site management issue for the developer and is not of direct relevance to the assessment of an outline application.

- (l) **The location plan did not identify some of the properties in the area.**

Response: Plans in the Environmental Statement do clearly show properties adjoining or close to the site.

- (m) **Outfall from septic tank at adjacent property which crosses onto the site is legally protected.**
Response: This is a legal issue between the affected landowners.
- (n) **An electricity pole on adjoining property should not be used for further connections.**
Response: It is highly unlikely that a development of this scale would utilise a single pole in the garden of a residential property.
- (o) **Most of the trees along the roadside should be retained.**
Response: This is the applicant's intention, however some trees would have to be removed to accommodate roads visibility splays.
- (p) **Visitors may use privately maintained roads.**
Response: The visitors would not use private roads outwith the applicant's control.
- (q) **There are concerns that 750 log cabins cannot be accommodated on site.**
Response: This is recognised and as a result an amended plan was submitted which indicated that density numbers would be considered at a detailed stage.
- (r) **It is possible that a development of this scale would adversely affect neighbouring businesses providing similar leisure activities.**
Response: Competition is not a relevant planning matter. Notwithstanding, the hotel and log cabins are likely to be used by visitors using the golf course, equestrian centre and other facilities on site.
- (s) **What health and safety standards are going to be incorporated for staff and visitors?**
Response: This is not a relevant planning matter.
- (t) **Has the impact upon the local health services been estimated?**
Response: As the leisure facilities are catering to short-stay visitors, the impact upon local health services is expected to be minimal.
- (u) **The Right of Way which links through from Bertram House to the A70 could be affected.**
Response: This Right of Way is not affected by this proposal.
- (v) **The North Medwyn is regularly walked and fished and adjacent land is used for camping.**
Response: The Right of Way which runs alongside the North Medwyn is not affected. Fishing and temporary camping is a land management issue outwith the Planning remit.
- (w) **No details on the number and occupancy of the cabins or the effectiveness of sewerage treatment have been supplied.**
Response: Such level is a matter to be considered at a detailed planning application stage if outline consent is granted.
- (x) **The impact of views for visitors of possible windfarm proposals.**

Response: The windfarm proposals referred to have still to be determined and the developer is fully aware of them and has taken full account of the possibility of their approval and potential impact upon visitor numbers.

- (y) **There is no indication on how farm animals are to be protected from visitor's dogs.**

Response: This is not a relevant Planning matter.

- (z) **The area should be subject of archaeological investigation.**

Response: If planning permission is granted, then a condition will be attached requiring archaeological investigations.

- (aa) **The archaeological features in the eastern parts will need to be actively protected.**

Response: Identified archaeological features fall outwith the application site boundaries. If outline consent is granted, then a condition can be attached to ensure that the boundary between the development site and the field containing archaeological features is properly fenced to prevent access.

- (ab) **There is no indication that the proposal would benefit local employment.**

Response: This claim has not been substantiated. A development of this scale would inevitably generate employment opportunities which local people looking for work could take advantage of.

- (ac) **Geese have never been witnessed on the grounds of Kersewell Mains.**

Response: Noted.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The determining issues are compliance with structure and local plan policies, the impact on amenity, natural resources and habitat, and whether the proposal can be satisfactorily accommodated within the context of the site. If the development contravenes policy, then the question is whether there are sufficient reasons to justify a departure from the adopted local plan.

6.2 Structure Plan

- 6.2.1 In the Glasgow and Clyde Valley Structure Plan, Strategic Policy 5 encourages tourism development in the Clydesdale Area. Under the terms of Strategic Policy 9A, the proposal is strategically significant because of the development would exceed the threshold for vehicular movements. Strategic Policy 9B relates to the location of the development and its impact on strategic resources. As noted above, this is considered an appropriate location for tourism development. The only strategic environmental resource affected is woodland listed in the Ancient Woodlands Inventory. However, as previously discussed, most of this woodland area related to recent plantations with minimal ecological value. Notwithstanding, this matter can be given further consideration at a detailed stage if outline planning permission is granted. Strategic Policy 9C relates to provision by the developer in relation to infrastructure and remedial action required. As this is an outline application, detailed information on these aspects is not available. Strategic Policy 10 relates to departures from the Structure Plan which have to be justified against its criteria. Although this application is strategically significant, it is not considered that it

represents a departure from the Structure Plan, therefore Strategic Policy 10 does not apply.

6.3 Local Plans

- 6.3.1 In the adopted Upper Clydesdale Local Plan, Policy 15: Rural Diversification encourages land for countryside recreation as long as the development is not visually intrusive, will not adversely affect environmental resources and can meet normal development control criteria. In terms of the visual and environmental impacts, it is considered that there are no significant concerns and most outstanding issues can be adequately covered by condition. Policy 19: Favourable Consideration for Tourist-related Development encourages the promotion of high quality tourism-related development and, in that respect, a proposal involving an hotel, golf course and equestrian centre falls within that definition. Policy 97 allows for small groupings of chalets containing less than 10 units. Although the number of log cabins has not been specified, it is clear that the likely number will be in excess of 10 units. Policy 107: Tourism Initiatives promotes tourism in the local plan as a means of job creation and regenerating the local community. If this development is progressed, there will be obvious job creation opportunities and economic benefits to the local area, in particular the nearby village of Carnwath. Policy 75: Agricultural Land aims to protect high quality agricultural land (ie. grades 1, 2 and 3.1). None of the affected agricultural land can be described as high quality as it mainly comprises land which falls within 4.1 or 4.3 classification with the lower areas closest to the North Medwyn River defined as a 3.2 classification. Protection of archaeological resources is the principle aim of Policy 60: Archaeology. The intention to avoid identified archaeological sites and to carry out further investigations ties in with that aim. Policy 80: Management of Woodland encourages the management and retention of woodland for amenity purposes and the planting of broadleaved and native species to enhance the landscape and to promote ecological diversity. Although some plantation woodland will be removed, this will be offset with additional planting including native and broadleaved trees and the positive management of the retained woodland in line with the aspirations of the aforesaid policy.
- 6.3.2 In the South Lanarkshire Local Plan (Finalised Draft as modified), Policy STRAT4: Accessible Rural Area seeks to realise the tourism potential of the area depending on compliances with Policy CRE2: Stimulating the Rural Economy. Policy CRE2 encourages tourism initiatives and, in principle, outdoor leisure, tourist/visitor accommodation, golf courses and equestrian activities are appropriate uses in the rural area. Consequently, the proposal is largely compliant with the terms of the policy. Policy ENV4: Protection of the Natural and Built Environment seeks to protect natural heritage resources including ancient woodlands which are identified within the site. Ancient woodlands are considered to be of local/ regional importance and the policy aims to ensure that the integrity of the conservation interest is not undermined. Only a small percentage of the woodland is semi-natural, however due to grazing, the species composition is simple. The remainder of the area comprises of plantations, recently planted with mainly non-native commercial species and felled plantations; as a result, the ecological value is low. In the southern part of the site, there will be loss of conifer plantations and felled plantation habitats, none of which are structurally diverse or species rich. However, careful design of the golf course will help minimise the loss of this habitat. Additional tree planting and woodland management is expected to enhance the woodland to be retained whilst increasing species diversity. On balance, the conservation interest of the designated Ancient Woodlands will not be diminished even after taking account of the potential tree loss.

6.3.3 Policy ENV20: European Protected Species supports the maintenance and management of areas supporting the habitats and species protected by EC Habitats and Birds Directives. There is no evidence of European Protected species on the site, however, if consent is granted, conditions can be applied to ensure the undertaking of further surveys with recommendations for mitigation measures if any protected species are identified or assessed as being likely to be significantly affected by the development. It should be noted that the proposal involves the development of a substantial leisure complex which will accrue significant social and economic benefits to South Lanarkshire and beyond. No similar proposals have been submitted nor is there any evidence to suggest similar proposals are likely in the future. Agriculture is in decline and the directive from Government is that local authorities should encourage diversification. This ties in with the aims of SPP15: Planning for Rural Development which advises Councils to be proactive in facilitating land development in the countryside, the aim being to achieve a prosperous rural economy. The site encompasses a large landholding, completely in the applicant's control. The landscape character, consisting of a mixture of woodland belts and open grassland surrounded by attractive countryside, makes the site particularly conducive to a development which includes a variety of outdoor and indoor leisure uses and holiday accommodation especially as the topography and shelter belts will help screen it and reduce visual impacts in the context of its surroundings. Furthermore, the site can be readily accessed from large population centres via A class roads. Consequently, I conclude that there are no alternative sites or proposals of similar character or nature which could be replicated elsewhere and result in the same accrual of social/economic benefits. As stated in paragraph 4.9, there is no evidence from the survey carried out by the applicant or from local reports that the site has ever been used by Pink Foot geese. The site is not used as a roost and there are extensive areas of grassland surrounding the site which could be used as sites for foraging if, in fact, the geese had previously used the application site for foraging although, as previously stated, there is no evidence to substantiate this. Therefore, I am satisfied that the proposal will not be detrimental to the maintenance of the population of Pink Foot geese at a favourable conservation status in their natural range. Furthermore, even although there is no evidence of European Protected Species on site, as a precautionary measure additional surveys and reports to an agreed methodology, incorporated as conditions of consent, of geese, water voles, otters and bats can be undertaken along with recommended mitigation measures if necessary.

6.3.4 Policy ENV33: Development in the Countryside places an emphasis on the protection of landscape quality and avoiding adverse interference with views in and out of the site. For the reasons detailed in paragraph 6.4.3, I believe the proposal does comply with the policy aims. Policy ECON9: Tourism Development supports the expansion of tourism consistent with the local plan objectives, subject to normal development control criteria including environmental impacts, service/infrastructure provision and accessibility. Environmental impacts are considered at paragraph 6.4. At an outline stage, service/infrastructure issues which have been raised by consultees can be adequately covered by conditions. The site is served by the A70 and can be easily accessed from major population centres. In the Environmental Statement, the applicant has stated that a shuttle service between Carstairs Junction Station and the site would be implemented after discussions with Network Rail. Therefore the proposal is largely compliant with the aforesaid policy.

6.3.5 Policy ECON12: Tourist Accommodation advises that favourable consideration should be given to proposals for tourist accommodation which comply with the local

land use policy, subject to occupancy conditions controls, good design and finish and a supporting business case. In view of the above policy assessment, I would conclude that the proposal does comply with the land use policy designation covering the site as identified in the finalised draft local plan. Design issues can be considered at a detailed stage. The business case for holiday accommodation can be justified by its direct linkage to the proposed mix of leisure uses which would be available to visitors and which would be the principal reason for attracting visitors who stay in the accommodation.

- 6.4 As part of the application documents, the applicant submitted an Environmental Statement (Eardley Landscape Associates, March 2005) which assessed the potential impact of the proposal upon ecology, archaeology, landscape and visual effects, traffic and transportation and hydrology. It should be noted that this assessment was based upon a more intensive development and larger site area prior to the submission of a downsized proposal. The conclusions of the Environmental Assessment are summarised below.

6.4.1 Ecology

All of the woodland has been listed in the Ancient Woodland Inventory, however the majority of the woodland is defined as 'plantation', comprising of non-native species. Most of the woodland is of low ecological value. There is a variety of grassland habitat types, most of which are of low ecological value. The stream which crosses the site has good water quality and contains some interesting floral species, including water cress and common water crowfoot. The stream is also a potential habitat for water voles although none were identified during the survey. In terms of habitat loss, the proposed hotel will result in the removal of a derelict quarry. The golf course will encroach upon semi-improved and marshy grassland and conifer plantation habitats. The equestrian facilities will be located on an area of improved grassland. The log cabin will also inevitably result in landscape modifications principally affecting grassland. The potential habitat loss, however, can be off-set by new habitat creation in the form of new woodland, shrub planting and a range of managed grasslands. Further, the ecological value of the unaffected habitats can be enhanced through careful management. During a mammal survey, no otters, bats or water voles were identified, however as a matter of precaution, further detailed surveys are recommended. A badger sett was identified close to the south-eastern boundary of the application boundary and, in that respect, protective measures will be necessary. Additional studies to fully assess the impact on the water course and associated species will be necessary.

6.4.2 Archaeology

There are no significant impacts upon known archaeological features, whilst archaeological investigation and studies can be undertaken to identify any potential unknown sites and implement a mitigation strategy where necessary.

6.4.3 Landscape and Visual Assessment

The site has no landscape designation, only the grassland areas, the location of the holiday cabins and golf course, will experience significant change. In terms of visibility, limited views towards parts of the site will be available from selective locations, both nearby and distant. However, overall the visual impact of the development will be largely contained by existing woodlands, shelter belts and the nature of the topography within and outwith the site. Generally, the sensitivity of the development relative to people visiting the area for countryside recreation, local residents and people who work in the area is considered to be low/moderate.

Although it is accepted that the character of the land directly affected will be significantly changed, it is nevertheless felt these changes can be mitigated through landscape enhancement and effective woodland management. Furthermore, care can be taken in the design of new buildings and access roads to ensure that they complement and visually integrate with their surroundings. Additional planting will help soften and screen the new buildings. These benefits would increase over the years as the new woodland planting matures.

6.4.4 Roads and Transportation

A Transport Impact Assessment submitted by the applicant has resulted in a recommendation to restrict the principal access from the A70 to only one access point and carry out junction and visibility improvements. As long as necessary conditions can be imposed, the additional traffic generation is not expected to have a detrimental effect upon the road system and traffic flow.

6.4.5 Hydrology and Drainage

There are a series of drains and ditches which carry water down to the North Medwyn River to the south-west. There are no records of flooding on the site. It is the intention to establish a private sewerage treatment plant linked to tertiary reed beds to maintain water quality, to directly serve the development. SUDS principles will be applied throughout as a means of controlling surface water run-off. Rain water may be used for toilet flush, irrigation or to supply decorative water features.

6.5 This outline application relates to a comprehensive outdoor and indoor leisure development with visitor accommodation in the form of luxury log cabins styled around a village concept and a 200-bedroom hotel. This project represents a resurrection of a previous historic consent granted in the early 1990s which was allowed to expire. The economy has now improved, making the project viable and, as a result, the investors are keen to progress the development. Their proposal has the potential to create significant employment opportunities and regenerate the local economy. The impact upon the landscape character of the area can be adequately contained through the retention of woodland belts and the landform which provide screening from various viewpoints. Additional surveys can be carried out and mitigation measures implemented to ensure that there will be no adverse impacts upon protected species.

6.6 Most of the issues raised by the consultees can be addressed by conditions and some of the comments received are more appropriately dealt with at a detailed stage.

6.7 The proposal is largely compliant with the objectives of the adopted and finalised draft local plans. Notwithstanding, Policy 97 does restrict chalets to less than 10 units and although numbers have not been specified, the proposed development will significantly exceed that number and, on that basis, the proposal will inevitably have to be treated as a departure from the local plan. The development represents an ideal opportunity to enhance the tourism potential of the area with the resultant economic benefits. In conclusion, I am satisfied that the development is acceptable and that a departure from the adopted Upper Clydesdale Local Plan can be justified on the following grounds:

- ◆ the proposal represents a significant opportunity to enhance the tourism potential of the area, attract visitors and create jobs and is therefore consistent with advice in SPP15;

- ◆ the proposal can blend in with its surroundings due to the presence of existing woodland belts which can be further enhanced by additional landscaping;
- ◆ the proposal is consistent with the finalised draft South Lanarkshire Local Plan;
- ◆ apart from Policy 97, the proposal is consistent with all relevant policies contained in the adopted Upper Clydesdale Local Plan;
- ◆ the proposal is consistent with the Glasgow & Clyde Valley Structure Plan;
- ◆ there is no evidence that the proposal will have an adverse impact upon European Protected Species; and
- ◆ there are currently no suitable alternative sites or proposals in the locality for a leisure complex which will result in the achievement of significant social/economic benefits.

7 Reasons for Decision

7.1 For the reasons stated in paragraph 6.7 above.

Iain Urquhart
Executive Director (Enterprise Resources)

12 March 2007

Previous References

- ◆ P/LK/01900849
- ◆ P/LK/01910860
- ◆ P/LK/01890295
- ◆ P/LK/01930108
- ◆ CL/96/0120
- ◆ CL/02/0406
- ◆ CL/02/0380

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Environmental Services	04/07/2005
River Clyde Fisheries Management Trust	30/08/2005
Black Mount Community Council	25/08/2005
S.E.P.A. (West Region)	26/08/2005
Glasgow & Clyde Valley Structure Plan Manager	05/09/2005
West of Scotland Archaeology Service	27/07/2005
Scottish Water	09/08/2005

Roads and Transportation Services (South Division)

08/08/2005

Scottish Natural Heritage

05/10/2005

► Representations

Representation from : S J Shon , 2 Finlayson Lane
Kaimend
ML11 8TA, DATED 14/07/2005

Representation from : G D MILLER, 1 Warrack Close
Kersewell
Carnwath
ML11 8TD, DATED 13/07/2005

Representation from : Nigel and Joanne Jones, 1 Finlayson Lane
Kaimend
By Carnwath
ML11 8TA, DATED 06/07/2005

Representation from : Patricia A. and Thomas Richardson, Kersewell Mains
Cottage
Carnwath
MI11 8LG, DATED 05/07/2005

Representation from : Julie Jackson, Fairways
Edinburgh Road
MI11 8HS, DATED 05/07/2005

Representation from : Keith Dunlop, The Lade
Edinburgh Road
Carnwath
ML11 8HS, DATED 05/07/2005

Representation from : Andrew Timpson, Waulkmill
Edinburgh Road
By Carnwath
ML11 8LG, DATED 19/07/2005 and 04/07/2005

Representation from : Angela Bartle, 2Finlayson Lane
Kaimend
ML11 8TA, DATED 15/07/2005

Representation from : Lesley Sheridan, 9 Finlayson Lane
Kaimend
By Carnwath
ML11 8TA, DATED 15/07/2005

Representation from : Stephen Smith, Adelaide Cottage
Kersewell Avenue
Kaimend
Carnwath, DATED 25/07/2005

Representation from : Ed Archer, 18 Hope Street

Lanark
ML11 7LZ, DATED 18/07/2005

Representation from : Dr R.E.G. Aitken , Friends of the Pentlands
East Redford House
133 Redford Road
Edinburgh EH13 0DX, DATED 26/07/2005

Representation from : A P Coleman, Biggarsheils Mill
Biggar
ML12 6RE, DATED 25/11/2006

Representation from : Jim McCorquodale, 3 Walter Street
Wishaw
ML2 8LQ, DATED 19/10/2006

Contact for Further Information

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

Ian Hamilton (Planning Officer), South Vennel, Lanark
Ext: 810 3186 (Tel: 01555 673186)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That before the expiration of three years from the date of this outline permission and before any development starts, a written application and plans in respect of the following Reserved Matters shall be submitted to and approved by the Council as Planning Authority:
 - (a) siting, design and external appearance of all buildings and other structures;
 - (b) means of access to the site;
 - (c) a landscaping plan for the area indicated in green on the approved plans incorporating a beech/hawthorn hedge at a scale of 1:200 showing the location, species and ground spread of proposed trees, shrubs and hedges;
 - (d) layout of the site, including all roads, footpaths and parking areas;
 - (e) provision of drainage works and means of sewage disposal; and
 - (f) phasing of the development.
- 3 That the further application required under Condition 2 above shall include provision for:
 - (a) a 2 metre wide footway along the entire A70 site frontage with a pedestrian crossing point linking this to the existing footways;
 - (b) a visibility splay of 9 metres by 215 metres at the northern access point with a right hand storage lane designed to comply with the Design Manual for Roads and Bridges;
 - (c) vehicular access shall be solely restricted to the northern access point with the central and southern accesses closed to traffic;
 - (d) the access shall be 7.3 metres wide;
 - (e) the A70/Stanemuir Road junction improvements resulting in a 9 metres by 215metres visibility splay to the right;
 - (f) a drainage system capable of preventing any water from flowing onto the public road or into the site from surrounding land, provided and maintained at the applicants expense; and
 - (g) the submission of a Travel Plan to encourage public transport and reduce reliance on private cars.
- 4 That no trees on the site shall be lopped, topped or felled without the prior written consent of the Council as Planning Authority and that two copies of a plan shall be submitted to the Council indicating the existing trees on the site, including a note of height, species, base level and extent of canopy or branch spread, those to be retained and any proposed planting of trees and that no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.
- 5 That before any work commences on site, a woodland management and maintenance scheme, shall be submitted to the Council as Planning Authority for written approval and it shall include:
 - (a) proposals for the continuing care, maintenance and protection of the trees, shrubs and hedges including details of the timing and phasing of all such works;

- (b) details of the number, variety and size of trees and shrubs to be planted and the phasing of such works.
- 6 That no development shall be commenced until the developer provides a written agreement from Scottish Water that the site can be served by a water scheme constructed to the specification and satisfaction of Scottish Water as the Water Authority.
 - 7 That prior to the commencement of work on site details of a sewerage disposal system shall be submitted to and approved by the Council as Planning Authority in consultation with SEPA. The proposed development shall not be completed or occupied until the approved sewerage disposal system has been installed to the full satisfaction of the said Authority.
 - 8 That the further application required under the terms of Condition 2 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
 - 9 That before the commencement of work on site the management practices for the use of pesticides, herbicides and fertilisers within the proposed golf course and other landscaped areas shall be submitted to and approved by the Council as Planning Authority in consultation with SEPA.
 - 10 That prior to the commencement of work on site a survey of and assessment of the impact of the proposed development upon the hydrology, habitats and ecology of all water courses within the site shall be carried out by a suitably qualified person and submitted to the Council as Planning Authority in consultation with SEPA and SNH. The report shall fully consider the impact upon aquatic plants, fish, amphibians, invertebrates and birds and mammals with habitats alongside watercourses with particular regard given to water voles, otters, Kingfishers, Sandmartins and common water-crowfoot. The development shall not commence until such action as is recommended by this report to minimise impacts upon the hydrology and ecology of water courses has been implemented to the entire satisfaction of the said Authority.
 - 11 That all areas potentially affected by the proposed development shall be carefully surveyed by a suitably qualified person for any species and habitat which receives statutory protection, particularly for badgers, otters, bats and the habitat of water voles. If such species or habitats are found to be in or around the development site, mitigation measures for their protection shall be put in place, in consultation with SNH prior to any work starting.
 - 12 That prior to the commencement of work on site, a survey and assessment on the impact of the development upon Pink-footed geese, to a methodology agreed by SNH, shall be submitted to and approved by the Council as Planning Authority in consultation with SNH. The survey shall take place between September and May from different vantage points throughout the survey period and particularly at dawn and dusk. Information shall be provided on:
 - a) the impact on the habitat, for instance the extent of feeding area for the geese (measured in hectares) of habitat loss;

- b) the impact on the pink foot geese population (measured in %) which could be lost at the Westwater Reservoir SPA due to the proposed development, mainly as a result of feeding area loss and disturbance;
 - c) disturbance during construction activities; and
 - d) mitigation measures presenting different options and alternative solutions, where impact is likely.
- 13 That before work starts, a bird breeding survey, following the Brown & Shepherd (1993) methodology, shall be undertaken for two days in spring/summer at the start of the breeding season and the second at a later date, to note the presence of breeding birds, in particular waders and to define the extent of their breeding and feeding territory (the survey shall cover the application site and an extended area 500 metres wide around the application site boundary) shall be submitted to and approved by the Council as Planning Authority in consultation with SNH. The survey report shall include recommendations for mitigation measures where impacts upon breeding birds are likely.
- 14 That before work commences on site, a survey, to a methodology agreed by SNH, to identify the presence of black grouse and of any leks, shall be undertaken and submitted to and approved by the Council as Planning Authority in consultation with SNH.
- 15 The developer shall submit for the approval of the Planning Authority an archaeology mitigation strategy along with the detailed or reserved matters application. Thereafter the developer shall ensure that the approved strategy is fully implemented, that all significant archaeological remains are preserved in situ as may be required by the Planning Authority, or that any necessary recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 16 That the northern field (cross hatched blue on the approved plan) shall be fenced off from the development to prevent the use of the field for walking and horse riding and shall be maintained in rough pasture, with no disturbance of the turf or the underlying subsoil in order to protect buried archaeological features and deposits.
- 17 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 18 That the holiday log cabins and lodges hereby approved shall be for short-term holiday occupation only and shall not at any time be occupied on a permanent residential basis.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997. Consent is granted in outline only.
- 2 Consent is granted in outline only.
- 3 In the interests of public safety.
- 4 To ensure the protection and maintenance of the existing mature trees within the site and to retain effective planning control.
- 5 To ensure the protection and maintenance of the existing woodland within the area
- 6 To ensure that the development is served by an appropriate water supply.
- 7 To ensure the development is served by an appropriate effluent disposal system.
- 8 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 9 In the interests of pollution control.
- 10 To minimise the impacts on the hydrology and ecology of water courses which cross the application site.
- 11 To minimise risk to protected species and habitats and to ensure legal compliance with the requirements of the Protection of Badgers Act 1992, Wildlife and Countryside Act 1981, Nature Conservation (Scotland) Act 2004 and Conservation (Natural Habitats & c) Regulations 1994.
- 12 To minimise the impact upon and disturbance to pink-foot geese and their habitats.
- 13 To minimise the impact upon breeding birds.
- 14 To minimise the potential impact of the development upon black grouse numbers.
- 15 In order to safeguard any archaeological items of interest or finds.
- 16 In order to safeguard to safeguard archaeological sites (Non-Statutory Register Sites) and any archaeological items of interest or finds.
- 17 To ensure the site is free of contamination and suitable for development.
- 18 In the interests of amenity and in order to retain effective planning control.

For information only

For information only



