	<h1>Report</h1>	<b>Agenda Item</b>  <h1>10</h1>
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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 April 2005</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/04/0451
Planning Proposal:	Erection of 65 Dwellinghouses, Associated Roadworks and Landscaping

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : George Wimpey West Scotland Ltd
- Location : The Lairs  
Blackwood

## 2 Recommendation(s)

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

- (1) GRANT DETAILED PLANNING PERMISSION (SUBJECT TO CONDITIONS – BASED ON CONDITIONS LISTED)

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Council Area/Ward: 04 Blackwood
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)  
Policy STRAT3 Long-Term Development Sites

- ◆ Representation(s):
  - ▶ 64 Objection Letters

◆ Consultation(s):

Education Resources

Leisure Services

Scottish Natural Heritage

Environmental Services

Roads and Transportation Services

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

Scottish Water

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

## **Planning Application Report**

### **1 Application Site**

- 1.1** The application site is located at the north end of Blackwood on land adjacent to The Lairs and The Beeches. The site extends to 7.43 hectares in size and consists of agricultural land. The site is bounded to the north and west by open countryside and to the east and south by the residential properties on The Beeches, The Lairs and Sycamore Gardens.

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

- 2.1** Detailed planning permission is sought for the erection of 65 dwellinghouses. This proposal constitutes Phase I of the wider site at The Lairs which is subject of a separate report on this agenda. The submitted plans show a mixture of 6 house types, all of which are two storeys in height. Vehicular access to the site would be taken from the existing cul-de-sac at The Lairs. The estate roads shown on the submitted plans take the form of three cul-de-sac spurs taken from a central road which stretches through the site. The applicant's intention would be for this central road to link up to future phases of the development.
- 2.2** A toddlers play area has been shown on the north-west corner of the site, with an area of open space shown on the south-eastern edge of the site, immediately adjacent to existing dwellinghouses on The Lairs. Originally the applicant illustrated the toddlers play area on the south-eastern edge of the site immediately adjacent to the existing dwellings on The Lairs, however after negotiation, the applicant agreed to amend the position so that it would link with a 'honey-pot' arrangement with future recreation provision for the remaining phases of the development.

### **3 Background**

#### **3.1 Development Plan Status**

The adopted Lower Clydesdale Local Plan identifies the site as lying within the settlement of Blackwood where Policy STRAT3 applies.

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

The Scottish Executive looks to planning authorities to maintain the effectiveness of existing greenbelts, safeguard the character and amenity of the countryside and protect the setting of towns. SPP3: Planning for Housing advocates that most housing requirements, therefore, should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and public services, helping to conserve natural heritage and protecting rural amenity.

#### **3.3 Planning History**

An outline planning application (CL/04/0450) for this site and the remainder of the land on the STRAT3 site was submitted at the same time as this detailed application and is subject of a separate report on this agenda.

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

- 4.1 Education Resources** – offer no objection.

**Response:** Noted

**4.2 Environmental Services** – advise that construction standards require to comply with current standards on noise and working hours. A noise impact assessment and investigation into potential for contamination on the site is required.

**Response:** Environmental Services have separate legislative powers for controlling construction noise and working hours. They have confirmed that the noise impact assessment submitted by the applicant is satisfactory. The majority of the information contained in the contaminated land report is satisfactory, however the report excluded an area of ground which the engineers were unable to get access to. The survey of this additional area of ground has been carried out, has been submitted and has been passed to Environmental Services for comment. A condition can be attached to any consent granted to ensure that no work commences on site until the submitted information currently under consideration by Environmental Services is cleared.

**4.3 Leisure Services** – no response received to date, however they were consulted on the associated outline application for the site. Under that application they offer no objections and provide advice on suitable boundary treatment, landscaping, open space and recreational provision.

**Response:** These issues can be conditioned.

**4.4 Roads and Transportation Services** – offer no objections subject to the following:-

- the final road layout for the whole development shall be to the satisfaction of the Council as Roads Authority and shall be designed so that, when the development has been completed, the most attractive route to the proposed first phase of the development is via Carlisle Road rather than via Heathfield Road and the Lairs.
- provision of traffic calming measures at suitable points along The Lairs
- provision of a haul road from Carlisle Road to The Lairs to allow site construction traffic to access the initial phases without using Heathfield Road and The Lairs. Also the imposition of a condition which prohibits construction traffic from using Heathfield Road and The Lairs to access the site.

**Response:** Noted. These issues can be conditioned.

**4.5 Scottish Water** – object to the application as the cost of providing infrastructure to serve the development is outwith Scottish Water's "reasonable cost" obligations. They advise that they would remove their objection if the applicant either bears the cost of the increase in capacity of Scottish Water's existing infrastructure to accommodate their development and/or, promotes a scheme that does not compromise the quality and quantity of discharge from the existing sewerage system.

**Response:** The applicant has been advised of Scottish Water's comments. In order to resolve the objection, discussions are ongoing between the applicant's engineers and Scottish Water. In particular, the applicant has commissioned a drainage impact assessment to investigate the required work involved in upgrading the facilities. It would be my intention to attach a suspensive condition to any consent granted in relation to this issue.

**4.6 SEPA** – recommend the application be delayed until the applicant and Scottish Water can confirm if the constraint issues currently affecting the sewerage infrastructure can be resolved. They also ask that surface water should be treated in accordance with the principles of sustainable urban drainage (SUDS).

**Response** – The issue of connection to the public sewer network is covered above. A condition requiring the provision of SUDS can be attached to the consent if granted.

- 4.7 **SEPA (Flooding)** – advise they have no record of flooding or flood risk pertaining to this site. They further comment that the Cander Water is approximately 350 metres to the west and a tributary flows in open channel both within the site and along its western boundary and it may therefore be at risk of flooding during high flows in the tributary or Cander Water. They therefore recommend that further investigation of the potential flood risk to the site is carried out.

**Response:** The applicant has submitted the necessary flood risk assessment.

- 4.8 **SNH** – confirm there are no statutory designated sites for nature conservation within the application site, however advise that there is some natural heritage interest within the application site. They confirm that they object to the proposed development unless it is made subject to certain conditions relating to the requirement of a habitat survey of the burn, badger survey and a water vole survey.

**Response** – These surveys can be conditioned.

## 5 Representation(s)

- 5.1 The application was advertised under Article 12(5) – Non Notification of Neighbours procedure as the applicant could not determine all the ownership of adjoining land. It was also advertised as Development Potentially Contrary to the Development Plan. Following this publicity and neighbour notification 64 letters of objection were received. The grounds of objection are summarised as follows:

- a) **Concern over the proposed use of The Lairs, the old Carlisle Road and other roads within the adjacent estate being used to gain access to the development in relation to increase in traffic volume, traffic congestion, associated noise, pollution, reduction in amenity of the surrounding area.**

**Response:** The Council's Roads Service has offered no objection to the proposal subject to various conditions listed under 4.4 above. I am satisfied that the access proposals are acceptable and will not have a significant adverse impact on residential amenity.

- b) **The roads within Blackwood are in a very poor condition and could not support the developer's lorries carrying building materials.**

**Response:** Noted. Conditions can be attached to any consent granted in relation to provision of a Haul Road for construction vehicles, prohibiting construction vehicles from using Heathfield Drive and The Lairs to access the site.

- c) **The planning application indicates that access to the new development via Carlisle Road will not take place until after all 3 phases of the housing development have been completed. This means that all vehicles requiring access to the new development will, for several years, use The Lairs. Concern that the future phases will never take place and the access from Carlisle Road never developed thus leaving The Lairs as the only access route.**

**Response:** This limited use of The Lairs is inevitable in the short term but will exclude all construction traffic. The final road layout for the whole development shall be designed in such a way that the most attractive route to the proposed

first phase of the development is via Carlisle Road rather than via Heathfield Road and The Lairs.

- d) **The vehicular access road should be situated via the Draffan Road or the old slip motorway road.**

**Response:** These are not suitable alternative accesses.

- e) **Concern over traffic and pedestrian safety outside the Primary School.**

**Response:** Traffic calming proposals in the vicinity of the school will be conditioned under the associated outline application which is subject of a separate report on this agenda.

- f) **Request that a meeting between the residents, the local Councillor and the Council's Roads Service is set up to discuss potential road traffic problems associated with using The Lairs as an access route to the development.**

**Response:** It is not normal practice for the planning department to meet with objector's on planning applications. Full discussion has taken place with the Roads Service regarding all access issues.

- g) **Local schools cannot support an intake of additional children from the proposed development.**

**Response:** The Council's Education Service was consulted on this proposal and they have no objections.

- h) **The play areas/recreational facilities should be situated within the centre of the development, within a safe area. Clarification also sought on the type of equipment which will be installed in the play area.**

**Response:** Noted and agreed. In terms of the type of equipment, a condition will be placed on any consent granted requiring that specifications of the play equipment be submitted for approval.

- i) **Instead of providing play areas/recreational facilities within the new development, the developers should upgrade the various, existing facilities in the local area.**

**Response:** I consider that the scale of the proposed development requires direct provision of play provision within the site.

- j) **We do not want another play ground or park in this area, the other one in the village is a meeting place for teenagers and this would not be any benefit to our community.**

**Response:** Due to the size of the proposed overall development at this site, the developer is required to provide facilities within the site.

- k) **A number of the dwellinghouses adjacent to the site have a sewage outlet from the septic tanks running through the application site.**

**Response:** The applicant's legal department has confirmed that they are investigating the issues regarding the septic tanks draining onto the site from the adjoining properties.

- l) **The development will have a detrimental impact on the value of my property.**

**Response:** This is not a material planning consideration.

- m) **There is a tree preservation order on the trees at Carlisle Road, any widening of the road would have an impact on the trees.**  
**Response:** The trees to which the objector refers are located some distance from the application site and are not affected by this application.
- n) **Kingarth Lane should not be turned into a public road to aid further access to the development.**  
**Response:** Noted. There are no proposals to turn Kingarth Lane into a public road.
- o) **If the application is granted the developer should install street lighting on Kingarth Lane and improve the surface.**  
**Response:** I consider a condition of this nature to be too onerous a requirement on the applicant.
- p) **During construction of the development, the amenity of the adjoining properties will be detrimentally affected.**  
**Response:** Environmental Services have legislative powers to control construction noise.
- q) **Existing facilities for teenagers in the area are inadequate**  
**Response:** If Committee agree to grant consent for this proposal, the provision of recreation facilities will be conditioned. In terms of other amenities, I am satisfied that there are adequate amenities in Blackwood and the surrounding area to support the proposed housing development.
- r) **The developers do not own the land they propose to use. The land adjacent to The Lairs is in fact owned by the residents of the Barratt estate and cannot therefore be used by Wimpey to construct an access route.**  
**Response:** The applicant has provided me with a copy of a title plan which demonstrates that the site which the objector is concerned about falls under the control of the applicant.
- s) **The development will have an impact on the natural environment given that the proposed area provides a natural habitat for many plants and wildlife.**  
**Response:** See 4.8 above.
- t) **There is insufficient policing, shops and medical facilities for the area.**  
**Response:** I am satisfied that there are adequate amenities in Blackwood and the surrounding area to support the proposed housing development.
- u) **Concerns over detrimental effect on the privacy of the adjoining dwellings in relation to the new dwellinghouses.**  
**Response:** I am satisfied that the proposal complies with the Council's Residential Development Guide.
- v) **The sewerage infrastructure is insufficient to support the new development.**  
**Response:** See 4.5 above.

- w) **The local residents have not been adequately informed of the construction that is being proposed and the details of types, numbers of houses and where the accesses would be.**

**Response:** I am satisfied that statutory neighbour notification procedures have been adhered to. The application was also advertised in the local press. The plans have been available for the public to view in the Lanark Area Office.

- x) **The existing boundary fence at the rear of the existing dwellinghouses should not be used as the new boundary fence for the new development, a substantial fence should be erected by the developer.**

**Response:** This issue can be covered by conditions.

- y) **In view of the fact that the soil in the field where the proposed development will take place is understood to be mainly sand, it is a possibility that the existing plans may need to be changed when the development starts, if this is the case will neighbours be notified of any change?**

**Response:** Any material change to the proposal would be subject to an amended application being submitted along with the statutory neighbour notification taking place.

- z) **The development will be of no benefit to the area as the proposed dwellinghouses are not for locals, but people on high incomes who will not contribute to village life.**

**Response:** The applicant intends to provide a mix of housing types to meet the full range of housing needs through the various phases of the wider development.

These letters have been copied and are available for inspection in the usual manner. Twenty-one letters have been received from some of the objectors advising they wish to attend the Committee meeting. Two of the individuals request a hearing. This request has been carefully considered, however the request does not meet the Council's criteria for hearings.

## **6 Assessment and Conclusions**

- 6.1** The principle of residential development of this site is addressed in the associated outline planning application (CL/04/0450) which is also subject to a report in this Agenda. Therefore, the main determining issues in assessing the application relate to compliance with the Council's Residential Development Guide and traffic impact.
- 6.2** The application entails the development of 65 dwellinghouses. The submitted plans show a range of house types each two storeys in height, comprising four bedrooms with integral garages. The applicant proposes to partially retain an area of open space at the south-eastern edge of the site, immediately adjacent to the existing dwellinghouses on the Lairs. The submitted plans also show provision of a toddlers play area at the north-western edge of the site. The future detailed applications which will be submitted for the remaining phases of the site will allow for recreational facilities and play areas in the vicinity of the proposed toddlers play area, thus forming a single, 'honeypot' facility within the site.



- 6.3** I am satisfied that the proposed layout complies with the Council's Residential Development Guide. The Council's Roads Service has no objection to the proposal in terms of traffic safety, subject to the provision of traffic calming measures and a construction haul road being formed.
- 6.4** After carefully considering all relevant issues, I am of the view that the proposal is consistent with local plan policy.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**18 April 2005**

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 

Scottish Natural Heritage	04/08/04
Scottish Water	15/07/04
S.E.P.A. (West Region)	28/07/04
Environmental Services	27/07/04
Roads & Transportation Services	07/07/04 &13/10/04
Education Resources	10/09/04
S.E.P.A. (West Region) (Flooding)	22/09/04
Leisure Services	16/09/04
- ▶ Representations
 

Representation from :	Mr & Mrs Paxton, 2 Heathfield Drive, Blackwood DATED 27/07/04
Representation from :	Mr & Mrs B Shields, 6 The Lairs, Blackwood DATED 27/07/04
Representation from :	Miss Alice McEwan, 17 Earn Drive, Blackwood DATED 27/07/04
Representation from :	J Baker, 17 The Beeches, Blackwood DATED 27/07/04

Representation from : James Troup, 23 The Lairs, Blackwood  
DATED 16/07/04

Representation from : Mr & Mrs Simpson, 27 The Lairs, Blackwood  
DATED 16/07/04

Representation from : John Graham, 3 Kingarth Lane, Blackwood  
DATED 19/07/04

Representation from : James & Catherine Low, 3 The Beeches, Kirkmuirhill  
DATED 15/07/04

Representation from : Robina Martin Hanney Little, 42 Southfield Road, Blackwood  
DATED 20/07/04

Representation from : Mr & Mrs Banigan, 29 Sycamore Gardens, Blackwood  
DATED 20/07/04

Representation from : William A Newlands, 47 Sycamore Gardens, Blackwood  
DATED 20/07/04

Representation from : Heather Clark, 27 Sycamore Gardens, Blackwood  
DATED 20/07/04

Representation from : Mrs Karola Copeland, 19 The Beeches, Blackwood  
DATED 21/07/04

Representation from : J & S Simpson, 2 The Lairs, Blackwood  
DATED 21/07/04

Representation from : Mrs L Bryce, 12 The Lairs, Blackwood  
DATED 22/07/04

Representation from : June M Fearn, 3 The Lairs, Blackwood  
DATED 22/07/04

Representation from : J K Samson, 34 Heathfield Drive, Blackwood  
DATED 22/07/04

Representation from : Catherine Litterick, 5 Morton Court, Blackwood  
DATED 02/08/04

Representation from : Mrs D Kirkwood, Tormiston House, Vere Road, Blackwood  
DATED 02/08/04

Representation from : Mr & Mrs Drysdale, 26 Sycamore Gardens, Blackwood  
DATED 02/08/04

Representation from : Linda J Smith, 8 Fleming Gardens, Blackwood  
DATED 28/07/04

Representation from : Mr Joe Harland, 44 Southfield Road, Blackwood  
DATED 28/07/04

Representation from : Miss Sarah Neilson, 13 The Lairs, Blackwood  
DATED 28/07/04

Representation from : Mr & Mrs Plenderleith, 53 Heathfield Drive, Blackwood  
DATED 28/07/04

Representation from : Mr & Mrs A Auld, 11 The Lairs, Blackwood  
DATED 28/07/04

Representation from : D Grey & S Grey, 51 Sycamore Gardens, Blackwood  
DATED 29/07/04

Representation from : Alison Ross, 2 Fraser Drive, Blackwood  
DATED 29/07/04

Representation from : Mr G Muir, 1 Earn Drive, Blackwood  
DATED 29/07/04

Representation from : Mrs M Poole, 3 Heathfield Drive, Blackwood  
DATED 29/07/04

Representation from : George Hutton, 49 Heathfield Drive, Blackwood  
DATED 30/07/04

Representation from : Mr & Mrs Murray, 63 Heathfield Drive, Blackwood  
DATED 30/07/04

Representation from : Alan Battison, 60 Southfield Road. Blackwood  
DATED 30/07/04

Representation from : Mr John Cameron, 35 The Lairs, Blackwood  
DATED 30/07/04

Representation from : Douglas & Karen Smith, 19 The Lairs, Blackwood  
DATED 05/08/04

Representation from : Mr & Mrs Lang, 63 Carlisle Road, Blackwood  
DATED 23/07/04

Representation from : Diane Litterick, 29 The Lairs, Blackwood  
DATED 23/07/04

Representation from : John Thomson, 1 The Lairs, Blackwood  
DATED 26/07/04

Representation from : Mr & Mrs Crooks, 6 Heathfield Drive, Blackwood  
DATED 26/07/04

Representation from : Mrs Margaret Anderson, 55 Heathfield Drive, Blackwood  
DATED 26/07/04

Representation from : Mrs Isobel Kennedy, 2 Morton Court, Blackwood  
DATED 26/07/04

Representation from : Carole & Carson Simpson, 27 The Lairs, Blackwood  
DATED 23/07/04

Representation from : Alan M Lyttle, 23 Heathfield Drive, Blackwood  
DATED 23/07/04

Representation from : Robert & Janette Patrick, 1 Woodlea, Blackwood  
DATED 23/07/04

Representation from : Mr William Kerr, 1 Heathfield Drive, Blackwood  
DATED 23/07/04

Representation from : Mr & Mrs Walters, 2 Woodlea, Blackwood  
DATED 27/07/04

Representation from : Alan Court, 4 Heathfield Drive, Blackwood  
DATED 27/07/04

Representation from : Stephen Reilly, 8 Heathfield Drive, Blackwood  
DATED 27/07/04

Representation from : Elizabeth Craig, 37 Sycamore Gardens, Blackwood  
DATED 27/07/04

Representation from : Ella Brown, 17 Moffat Court, Blackwood  
DATED 27/07/04

Representation from : Anne Templeton, 5 Heathfield Drive, Blackwood  
DATED 27/07/04

Representation from : Jean Young, 16 Heathfield Drive, Blackwood  
DATED 03/08/04

Representation from : Alan Young, 20 Heathfield Drive, Blackwood  
DATED 03/08/04

Representation from : Mr & Mrs James F Thomson, 8 The Lairs, Blackwood  
DATED 16/08/04

Representation from : Gillian Elliot, 22 Moffat Court, Blackwood  
DATED 27/08/04

Representation from : Joyce Wedgeworth, 33 The Lairs, Blackwood  
DATED 27/08/04

Representation from : Mrs M Murray, 55 Carlisle Road, Blackwood  
DATED 07/07/04

Representation from : Wendy Murray, 53 Sycamore Gardens, Blackwood  
DATED 06/07/04

Representation from : Mr & Mrs W Semple, 9 The Beeches, Blackwood  
DATED 13/07/04

Representation from : Mr & Mrs Lang, 63 Carlisle Road, Blackwood  
DATED 09/07/04

Representation from : Ian and Carolyn Meikle, 53 Carlisle Road, Blackwood  
DATED 09/07/04

Representation from : Mr David Bell, 1 The Beeches, Blackwood  
DATED 14/07/04

Representation from : Mr Norris & Miss Logan, 17 The Lairs, Kirkmuirhill  
DATED 12/07/04

Representation from : Iain U Keith, 'Glenurquhart', 61 Carlisle Road, Blackwood  
DATED 12/07/04

Representation from : John Logan, 5 The Lairs, Blackwood  
DATED 12/07/04

#### **Contact for Further Information**

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

Gail Rae, Planning Officer, Clydesdale Area Office  
Ext 3205 (Tel : 01555 673205 )  
E-mail: [Enterprise.lanark@southlanarkshire.gov.uk](mailto: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 the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That no consent is hereby granted for the type and distribution of external finishes as shown on the approved plan, and no work shall commence on site until samples of alternative materials have been submitted to and approved in writing by the Council as Planning Authority.
- 4 That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include: (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 5 That the landscaping scheme approved under the terms of Condition 4 above shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the last dwellinghouse hereby approved, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 6 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 4 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 7 That the open space relating to the development shall be laid out simultaneously with the development or each phase thereof, and shall be completed to the satisfaction of the Council as Planning Authority.
- 8 That proposals for the maintenance of all areas of open space within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

- 9 That before any work commences on the site a scheme for the provision of an equipped play area within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include:(a) details of the type and location of play equipment, seating and litter bins to be situated within the play area; (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; (c) details of the fences to be erected around the play area; and (d) details of the phasing of these works.
- 10 That prior to the completion or occupation of the last dwellinghouse within the development, all of the works required for the provision of equipped play area included in the scheme approved under the terms of Condition 9 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.
- 11 That proposals for the maintenance of the equipped play area within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.
- 12 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 13 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 12 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 14 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouses and the adjoining road.
- 15 That before any of the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 16 That before the development starts, a certificate from a recognised firm of chartered engineers shall be submitted to the Council as Planning Authority confirming the mineral stability of the site.
- 17 That before the last dwellinghouse hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 18 That no dwellinghouse shall be occupied until the access roads and footways leading thereto from the existing public road have been constructed to base course level.

- 19 That before the last dwellinghouse hereby permitted is occupied, all roads and footways within the development shall be completed to final wearing course level.
- 20 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems.
- 21 That notwithstanding condition 20 above calculations shall be submitted detailing the surface water run-off and subsequent attenuation capacity required within the site in order to comply with the required SUDS design criteria. These calculations are to be set out in a clear unambiguous manner with all references to source material and supporting information.
- 22 That notwithstanding condition 20 above a CCTV camera survey of the existing culvert shall be carried out and the results submitted to and approved in writing by the Council as Planning Authority.
- 23 That before any work commences on site, traffic calming measures at suitable locations in The Lairs shall be completed to the satisfaction of the Council as Roads and Planning Authority.
- 24 That before any work commences on site the haul road from Carlisle Road to the Lairs allowing site traffic to access the new housing site without using Heathfield Drive and The Lairs, shall be completed and operational to the satisfaction of the Council as Planning Authority.
- 25 All site vehicles and construction traffic shall use the haul road specified under Condition 24 above to enter and leave the site and no construction traffic shall enter the site via Heathfield Drive, The Lairs or other route.

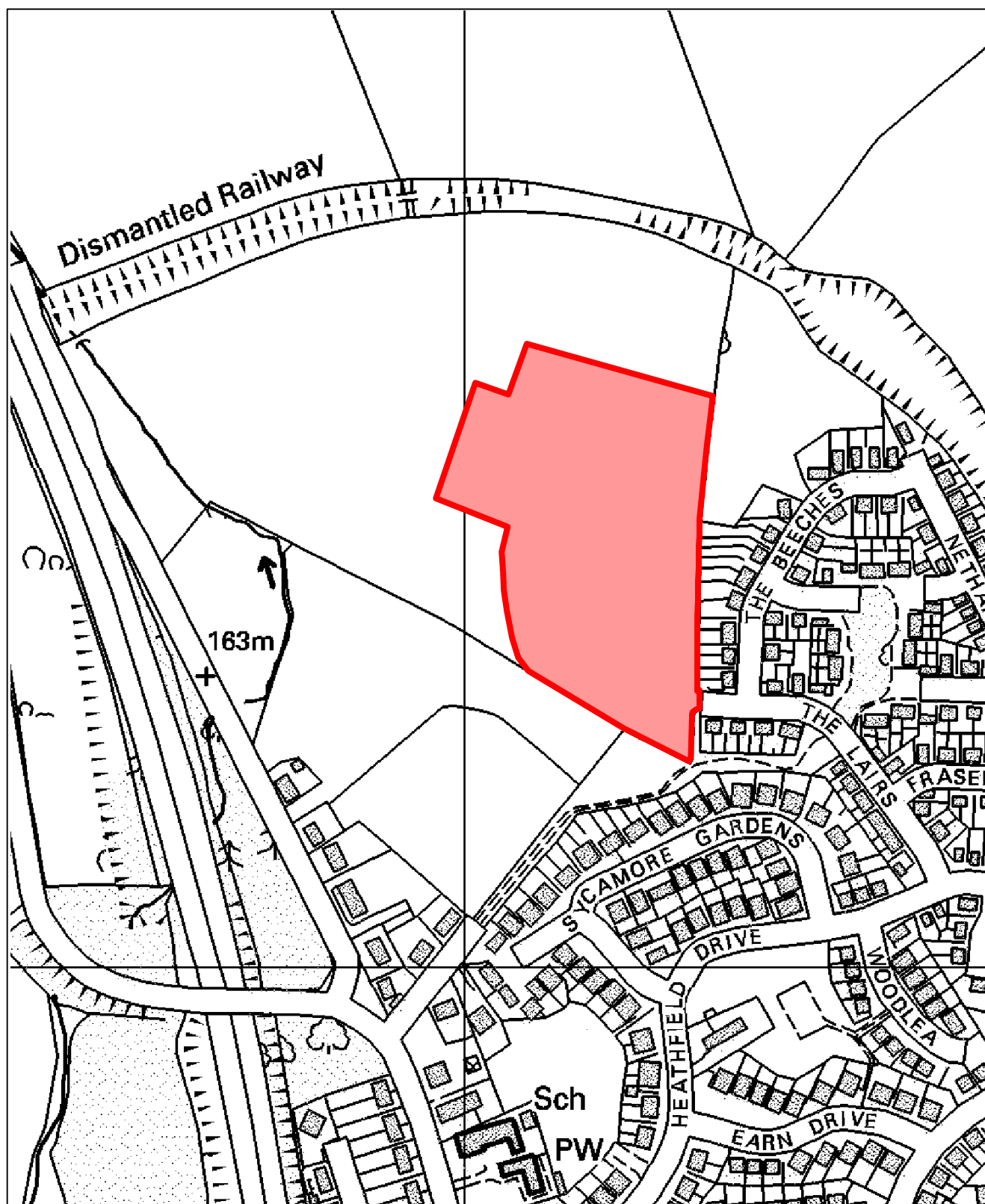
## REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of the visual amenity of the area.
- 5 In the interests of amenity.
- 6 In the interests of amenity.
- 7 In the interests of amenity.
- 8 In the interests of amenity.
- 9 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 10 In order to retain effective planning control
- 11 In the interests of amenity
- 12 These details have not been submitted or approved.
- 13 In order to retain effective planning control
- 14 In the interests of amenity and in order to retain effective planning control.
- 15 To ensure the provision of a satisfactory drainage system.
- 16 To ensure the mineral stability of the site
- 17 In the interest of public safety
- 18 In the interest of public safety



- 19 In the interest of public safety
- 20 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 off-site flooding.
- 21 In order to comply with the SUDS design criteria
- 22 To ensure the condition and capacity of the existing culvert is suitable to receive the discharge from the attenuation pond
- 23 In the interests of public safety
- 24 In the interests of public safety
- 25 In the interests of public safety

For information only



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