

Report

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Report to:	Hamilton Area Committee
Date of Meeting:	22 June 2011
Report by:	Executive Director (Enterprise Resources)

Application No	HM/08/0348
Planning Proposal:	Erection of 2 Two Storey Houses

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Paul Parker
- Location : Land adjacent The Lodge
Thornhill Avenue
Blantyre

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 Hamilton Area Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 15 Blantyre
- ◆ Policy Reference(s): **South Lanarkshire Local Plan**
Policy RES6 – Residential Land Use
Policy DM1 – Development Management
Policy ENV4 – Protection of the Natural and Built Environment
Policy ENV10 – Tree Preservation Order Review Proposal
ENV21 – European Protected Species
ENV31 – New Housing Development

- ◆ Representation(s):

- ▶ 21 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (Hamilton Area)

Leisure Services (Arboriculture)

Scottish Water

West of Scotland Archaeology Service

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

Strathclyde Police H.Q. (Architectural Liaison Officer)

Enterprise Resources - Estates

Planning Application Report

1 Application Site

- 1.1 The planning application site is situated at land adjacent to the Lodge (originally the site of Thornhill Cottage), Thornhill Avenue, Blantyre and is located within an established residential area. Thornhill Avenue is a narrow, block paved road which is also a public right of way. The application site, which comprises approximately 0.4 hectares, is located midway along Thornhill Avenue, where the adopted road becomes a pedestrian footpath. It is surrounded by a mix of residential types including large traditional detached houses within Thornhill Avenue, as well as modern detached, semi-detached and terraced properties in Cameron Way, Park Lane and Manus Duddy Court.
- 1.2 The application site is fully surrounded by housing and part of it (the northern and western sides) is within an area covered by a Tree Preservation Order (TPO No. 34). The TPO covers a woodland area which includes several elm, lime, ash and sycamore, among other trees. The TPO follows the road and protects a band of woodland from Farm Road, along Thornhill Avenue, to where the footpath ends at Glasgow Road.

2 Proposal(s)

- 2.1 The applicant seeks consent to erect two detached two storey dwellinghouses on the site. The houses have been positioned so as to make best use of the site by causing least disturbance to the trees in terms of felling and making use of the existing driveway access off Thornhill Avenue. The proposed dwellings will be identical mirror images of each other with their 'L' shaped design creating a courtyard effect between them.
- 2.2 On the ground floor, each house will have a formal lounge, kid's lounge, dining room, kitchen/sitting room and shower room, in the main part of the house and a utility room, toilet and triple garage in the arm of the building extending out to the front. On the first floor there will be 4 bedrooms (3 en-suites), a bathroom, store, home office and a large master bedroom with en-suite and dressing room above the garage.
- 2.3 Externally the house will be finished in white render with sandstone cills and lintels, white uPVC windows and Marley modern roof tiles.
- 2.4 As part of the development, eight trees will be felled to accommodate the two houses. These are outwith the TPO, however replacement planting will be required.
- 2.5 A bat survey has been submitted in support of the application due to the number of trees within the site. The survey has shown that while there are no roosts within the site, the trees are utilised by bats for foraging and as such all the trees to be felled shall be subject to a further check by a qualified surveyor immediately before being removed.

3 Background

3.1 Local Plan Status

- 3.1.1 Within the adopted South Lanarkshire Local Plan the site is affected by Policies RES6 – Residential Land Use, DM1 – Development Management, Policy ENV4 – Protection of the Natural and Built Environment, Policy ENV10 – Tree Preservation Order Review Proposal, ENV21 – European Protected Species and ENV31 – New Housing Development.

- 3.1.2 Policy RES6 states that the Council will oppose the loss of houses to other uses and will resist any developments that will be detrimental to residential amenity.
- 3.1.3 Policy DM1 – Development Management states that all planning applications will require to take due cognisance of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.
- 3.1.4 Policy ENV4 of the adopted local plan requires all development proposals to be assessed in terms of their effect on the character and amenity of the natural and built environment. This will include safeguarding sites defined in the ‘Hierarchy of Natural and Built Heritage Sites’ and ensuring that they are conserved and where appropriate enhanced. Within this hierarchy, Tree Preservation Orders are defined as being of Local/Regional importance.
- 3.1.5 Policy ENV10 states that the Council will undertake a review of Tree Preservation Orders in the Council area in order to establish the continuing relevance of existing TPOs, the need for new TPOs and guidance for landowners and householders affected by TPO designations.
- 3.1.6 Policy ENV21 of the adopted local plan states that the Council will encourage the management and maintenance of areas supporting habitats and species listed in the EC Habitats Directive.
- 3.1.7 Policy ENV31 – New Housing Development promotes quality and sustainability within the design and layout of new housing developments. Developments should make a positive contribution to the character and appearance of the area. The policy also details criteria, against which proposals should be assessed, including issues such as sustainability, quality of design, local context and waste generation.

3.2 **National Guidance**

There is no specific national guidance or advice relevant to the proposed development.

3.3 **Planning History**

- 3.3.1 Since 2004 there have been four planning applications lodged for residential development on this site, with one of these applications being refused and the other three have all been withdrawn by the applicants.
- 3.3.2 In 2004, a proposal for 6 dwellinghouses was submitted under application number HM/04/0428. It was considered that the proposal was contrary to the Hamilton District Local Plan in that the development did not take account of the local context and would have had a detrimental impact on the TPO on the site due to the level of tree felling that would have been required to accommodate 6 houses. Roads and Transportation Services were also concerned with the proposal and stated that the development would be detrimental to traffic and road safety in that the proposed road and plot layout for the development did not meet the Council's Roads Guidelines and insufficient evidence was provided to demonstrate that construction traffic, associated with a development of the size proposed could enter the site without detriment to public safety for users and residents of Thornhill Avenue. Additionally, there was a concern that the development may have had an adverse impact on drainage in the locality. As a result of these issues the application was refused on the 30 November 2005.

3.3.3 Planning applications HM/06/X0503/INVALID, HM/06/X0654/INVALID and HM/06/0659 were submitted in 2006 by 2 different applicants for 4 houses, 1 house and 3 houses respectively, however each of these applications were withdrawn by the applicants.

4 Consultation(s)

4.1 **Environmental Services** - Have stated that they have no objections subject to a number of conditions and advisory notes being attached to any consent.

Response: Noted. Appropriate conditions and advisory notes can be applied to any consent that is granted; however it should be noted that matters concerning noise can also be dealt with through the powers available to Environmental Services.

4.2 **Road and Transportation Services (Hamilton Area)** – No objections subject to conditions being attached relating to a dropped kerb, turning facility, driveway surfacing and surface water within the site. Additionally, Roads have stated that a dilapidation report on Thornhill Avenue will be required before any works start on site.

Response: Noted and appropriate conditions will be attached to any consent that is granted.

4.3 **Leisure Services (Arboricultural)** – The Arboriculture Manager has stated that he is happy with the layout of the site and has no issue with the removal of the 8 trees highlighted. However, he has stated that a tree protection plan should be submitted for the remaining trees on site before any works commence.

Response: Noted and appropriate conditions will be attached to any consent that is granted.

4.4 **Scottish Water** – Do not have any objection to the proposal.

Response: Noted.

4.5 **West of Scotland Archaeology Service** – Have confirmed that no known archaeological issue is raised by the proposal and as such they have no objections.

Response: Noted.

4.6 **SEPA (West Region)** – No response.

Response: Standard conditions will be attached to any consent that is granted.

4.7 **Strathclyde Police H.Q. (Architectural Liaison Officer)** – No response.

Response: Noted.

4.8 **Enterprise Resources - Estates** – Have stated they have no comments or objection to make on the application.

Response: Noted.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken in respect of the proposal following which 21 letters of objection were received. These include bespoke letters from individuals, 14 standard pro-forma letters from residents of Cameron Way and 4 pro-forma letters from residents of Thornhill Avenue. The grounds of objection can be summarised as follows;

- (a) **The proposed development is contrary to policy within NPPG14 – Natural Heritage as it would have a detrimental impact on the character and amenity of the area through the loss of trees and possible loss or damage to trees protected by a TPO.**

Response: The TPO only covers approximately 50% of the site and the layout of the houses has been designed to have least impact on the existing trees. The applicant has reverted to using the original site access for the houses rather than creating a new access (as originally proposed) so as to avoid any unnecessary removal of trees. Additionally, all 8 trees which have been highlighted for removal are outwith the TPO and replacement planting would be required should consent be issued.

- (b) **The objectors have stated that the application should not be allowed to go ahead based on the reasons for refusal given to application number HM/04/0428. These reasons have been summarised in Section 3.3.2 above.**

Response: Every application has to be considered on its own merits, and application HM/04/0428 was for 6 houses opposed to the 2 houses which are now proposed. Additionally, the local plan has changed since the 2004 decision was made and the issues which were raised as part of that application and resulted in its refusal have been taken into account and addressed in terms of the current proposal. Further details can be found in the Assessment and Conclusions section of this report.

- (c) **No details have been provided of any replacement planting and the loss of trees would have a detrimental impact on the environment and local wildlife, including bats.**

Response: A condition will be attached to the consent stating that replacement planting must be implemented for every tree that is removed. Additionally, a bat survey has been carried out and the recommendations of the survey will also be attached as a condition.

- (d) **Replacement of the previous single dwelling with the proposed construction of two large dwellings may have an adverse impact on drainage in the locality.**

Response: There is nothing to suggest that the construction of the development would have a detrimental impact on drainage. Indeed Scottish Water has not objected to the development. Nevertheless, drainage within the site will be looked into in greater detail and assessed as part of the Building Warrant process.

- (e) **The erection of two large dwellings will result in a loss of privacy for adjacent properties in Cameron Way, particularly if the established hedgerow between the proposed dwelling and Cameron Way is destroyed.**

Response: A condition can be attached to any consent granted stating that the existing hedgerow shall remain.

- (f) **The Council have refused permission to build to this extent on this section of land in the past, nothing has changed regarding this area.**

Response: As previously stated, every application is required to be assessed on its own merits. Previous decisions are a material consideration in the determination of an application. However, the previous refusal related to a development for 6 houses, whilst the current proposal relates to the erection of 2 dwellinghouses which satisfactorily complies with the Council's current guidelines. The previous refusal does not automatically mean that this application should be determined in the same manner especially as it is significantly different to that which was refused consent.

- (g) **50% of the proposed building site comes under the Tree Preservation Order and it is obvious the two large properties proposed would totally wipe out this woodland protected area with a drastic effect on wildlife.**

Response: Only 8 trees within the site are to be felled, and these are outwith the TPO area. The rest of the trees will remain in place and a bat survey has been conducted. As there was previously a house on the site it is not anticipated that the development will have a significant impact on wildlife given the number of trees that will remain.

- (h) **South Lanarkshire Council have a strong Biodiversity Action Plan and as this is one of the last remaining snowdrop, bluebell and wildlife corridors left in this area I would ask for support in protecting it.**

Response: A large proportion of the site will be left undeveloped due to the existence of the TPO and as such the biodiversity of this area in terms of flora and fauna will remain unaffected. Whilst the current application is for 2 houses and there was only one house previously on the site, it is considered on balance that the area of the site which will be left undeveloped is acceptable in terms of protecting the biodiversity of the area.

- (i) **There is a concern about public safety as Thornhill Avenue forms part of a right of way which is used as a walking route by children going to and from school, people using the railway station and dog walkers, among others. The avenue is tree lined, only 4.7m in width at the widest part with concealed accesses and an awkward brow of the hill access. As such the road is not suitable for heavy building site traffic with pedestrians using the road and two residents living at the blind bend.**

Response: Roads and Transportation Services have advised that they have no objections or concerns in relation to the access or public safety subject to conditions. Although it is a block paved shared surface, Thornhill Avenue is a public road and therefore anyone can use the road. Notwithstanding this, the applicant has agreed to use construction vehicles fitted with flashing amber beacons and "beepers" that would alert other road users that these vehicles are moving near-by and have a "banksman" available at all times to direct construction traffic into and out of Thornhill Avenue.

- (j) **A number of objectors have requested that paperwork submitted in connection with application HM/04/0428 be taken into consideration in the assessment of the current application.**

Response: These objections were taken into consideration in the assessment of the previous application which was subsequently refused. These objections related to a different application/proposal and therefore it is not appropriate to cross reference representations to this application.

- (k) **There is a concern that the plans are inaccurate and that the boundaries are larger than they should be and therefore the application site may be taking in land which is owned by the Council.**

Response: The Estates Department have checked all the relevant drawings and assessed both the Council's and the applicant's title plans and are satisfied that there is no encroachment on to the Council's land. Additionally, amended plans were submitted by the applicant on 27 April 2011 to address objector's concerns and ensure all the plans were accurate notwithstanding the limitations of the printing process.

- (l) **The objector has stated that the plans do not show where facilities such as parking, vehicular turning and toilets will be located within the site during construction.**

Response: This information is not material to the determination of a planning application as they are temporary in nature and benefit from the provisions of the General Permitted Development Order. Nevertheless all such facilities should be accommodated within the site.

- (m) **One of the objectors has stated that they have an agreement with the Council which states that Thornhill Avenue will only be used as an access for the existing properties and that as such it would only be acceptable to develop one house on the site.**

Response: In simplistic terms such an agreement is a legal matter between the parties involved. This itself does not automatically mean that the planning application is unacceptable.

6 Assessment and Conclusions

- 6.1 Detailed planning consent is sought for the erection of two detached dwellinghouses at land adjacent to the Lodge (formerly the site of Thornhill Cottage), Thornhill Avenue, Blantyre. The site is currently derelict and forms part of a woodland TPO which covers approximately 50% of the site.
- 6.2 In terms of the local plan, the application site is located within an established residential area. The principle of residential development complies with the provisions of Policy RES6 of the adopted local plan and consequently it is not contentious in land use terms. The principle of erecting two houses is therefore acceptable.
- 6.3 While the proposed development may accord with the general land use policies for the area, as outlined above, the local plan has policy guidance on development management to assess the details of the proposal. In terms of the impact on residential amenity, further guidance on the design of new houses is contained within policies DM1 and ENV31 respectively. The layout of the houses within the site has been designed to take account of the Council's Residential Development Guide in terms of plot ratios, rear garden distances and parking, whilst working around the existing trees on the site. The houses will be sited fairly centrally within the site where the trees are most sparse and where the optimum rear garden depths can be achieved. There will be no change to the existing driveway and each house will have ample parking within a courtyard area to the front of the houses as well as a triple garage. As such access and parking are considered to be acceptable. In terms of public road safety, Thornhill Avenue is a shared surface road and forms part of a

right of way. As such Roads and Transportation have stated that a provision must be made for safe pedestrian use of the road during construction. The applicant has agreed that all vehicles will be fitted with flashing lights and beepers and there will be a 'banksman' available at all times for the period of construction. This has been agreed with the Council's Roads Department.

- 6.4 In terms of the scale, mass and height of the development, the site is surrounded by a mix of residential types which are of different period styles, design and of varying sizes. The proposed houses will be in keeping with the larger traditional detached houses on Thornhill Avenue rather than the neighbouring modern residential estates. This is considered to be acceptable given the size of the site and the fact that the development will be well screened from the surrounding residential properties by the existing trees and hedgerow. Indeed, due to the existing screening on the site there will be no overlooking, overshadowing or privacy issues.
- 6.5 In terms of Policies ENV4 and ENV10, which seek to protect the existing trees on the site, the Council's Arboriculture Manager has met with the developer and their arboriculturalist on site and the plans have been amended as a result of this meeting and discussions. The houses have been positioned within the site to fit in amongst the trees and work with the TPO to avoid additional felling. The applicant has also reverted to using the original site access for the houses rather than creating a new access (as originally proposed) so as to not avoid any unnecessary removal of trees. As such only 8 trees will be felled to accommodate the development. These are outwith the TPO and the Council's Arboriculture Manager has stated that this is acceptable provided a tree is planted for each tree felled. Additionally, a condition will be attached to any consent granted for the submission of a tree protection plan to ensure that no damage is caused to the remaining trees on site, or those on Thornhill Avenue, during construction.
- 6.6 Policy ENV21 encourages the management and maintenance of areas supporting habitats and species listed in the EC Habitats Directive, in this instance, bats. In compliance with this, a bat survey has been carried out on site. The results found that whilst some of the trees had features which could support bats there was no evidence of roosts in any of the trees surveyed. However, the site, and the trees on Thornhill Avenue, have value for foraging and commuting bats due to the mature broadleaved trees. In line with these findings, a condition will be attached to any consent granted requiring that a further check be done on any trees to be felled and that all other recommendations of the survey report be complied with. Only 8 trees are proposed to be felled within the site and as such it is considered that sufficient woodland will be left for foraging and commuting bats.
- 6.7 Twenty one letters of objection were received, the points of which have been summarised in Section 5. The third party representations received in respect of the development are not in planning terms of significant weight or merit to warrant refusal of the proposal.
- 6.8 I am satisfied that the proposal complies with the adopted local plan and would have no detrimental or significant impact on residential amenity, road safety or the existing TPO on the site and therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on either residential or visual amenity and the design of the development is considered acceptable in terms of the existing Tree Preservation Order. The proposal complies with the provisions of Policies RES6, DM1, ENV4, ENV10, ENV 21 and ENV31 of the adopted local plan. The issue of consent, subject to appropriate conditions, is therefore fully justified.

Colin McDowall
Executive Director (Enterprise Resources)

8 June 2011

Previous References

- ◆ HM/04/0428
- ◆ HM/06/X0503/INVALID
- ◆ HM/06/X0654/INVALID
- ◆ HM/06/0659

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan
- ▶ Wild Surveys Ltd – Bat Report
- ▶ SLC Residential Development Guide
- ▶ SLC Guideline for Development – Roads

- ▶ Consultations
 - Roads and Transportation Services (Hamilton Area) 30/07/2008
 - Environmental Services 28/10/2008
 - West of Scotland Archaeology Service 24/10/2008
 - Scottish Water 23/10/2008
 - Leisure Services (Arboriculture) 03/11/2008
 - Enterprise Resources - Estates 23/10/2008

- ▶ Representations
 - Representation from : James Dick, Bythorne House, Thornhill Avenue, Blantyre, G72 9DD, DATED 24/03/2011
 - Representation from : James Dick, Bythorne House, Thornhill Avenue, Blantyre, G72 9DD, DATED 26/06/2008
 - Representation from : Robert Forrest, The Lodge, Thornhill Ave, Blantyre, G72 9DD, DATED 26/06/2008
 - Representation from : Pat Dick, Bythorne House, Thornhill Ave, Blantyre, G72 9DD, DATED 26/06/2008
 - Representation from : Louise Forrest, The Lodge, Thornhill Avenue, Blantyre, G72 9DD, DATED 26/06/2008
 - Representation from : Dawn McCallum, 18 Cameron Way, Blantyre, DATED 08/07/2008
 - Representation from : The Occupier, 1 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 3 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 4 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : J Boyle, 6 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : A M Tully, 7 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : William Dawson, 8 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 9 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 12 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 14 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 16 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : Irene Stuart, 20 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 22 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : The Occupier, 26 Cameron Way, Blantyre, DATED 08/07/2008

Representation from : Scott Wilson, 14 Cameron Way, Livingston Way, Blantyre, G72 9DF, DATED 22/07/2008

Representation from : James Dick, Bythorne House, Thornhill Avenue, Blantyre, G72 9DD, DATED 04/08/2008

Contact for Further Information

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

Mariona Hunter, Planning Officer, Brandon Gate, Hamilton
Ext 3509 (Tel :01698 453509)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 The development hereby permitted shall be started within three years of the date of this permission.
- 2 This decision relates to drawing numbers:
001A - Location Plan
002A - Tree Removal Plan
003 - Front Elevation
004 - Side Elevation
005 - Rear Elevation
006 - Side Elevation
007 - Ground Floor Plan
008 - First Floor Plan
009 - Section of Main House
010 - Section of Garage
TC/2010/00B - Planning – Site Plan
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 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.
- 5 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, other than those already agreed in drawing 002A, without the prior written consent of the Council as Planning Authority.
- 7 All trees to be removed must be replaced by semi-mature/mature trees of a similar species at the locus, and details of the trees to be replanted shall be submitted for the written approval of the Council as Planning Authority.
- 8 That all trees to be retained within the site, and those along Thornhill Avenue, shall be fully protected during the period of construction and prior to any work commencing on the site, a tree protection plan indicating the root protection zone of each tree and written details specifying the nature of such protection measures shall be submitted to and approved by the Council as Planning Authority in accordance with BS5837.
- 9 That the existing hedgerow along the south western boundary of the site, adjoining Cameron Way, shall be retained to the satisfaction of the Council as Planning Authority.
- 10 That before the dwellinghouses hereby approved are completed or brought into use, 3 no. parking spaces per dwellinghouse shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

- 11 That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.
- 12 That before the dwellinghouses hereby approved are brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 13 That before the dwellinghouses hereby approved are completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 14 That before the dwellinghouses hereby approved are completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided and the first 2 metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.
- 15 The surface of driveway shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 16 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.
- 17 That the development hereby approved shall not be commenced until the land drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 16 above.
- 18 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 19 That prior to work commencing on site, any trees that have been identified for felling or limbing should be checked for bats by a licenced surveyor with a tree climber immediately prior to the work being carried out and should any bats or evidence of bats be found a Section 44 Habitats Licence shall be obtained. Further, the recommendation within Section 4.2 of the Bat Survey Report dated 17th November 2008 by Wild Surveys Limited should be implemented to the full satisfaction of the Council as Planning Authority.
- 20 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.
- 21 That prior to works commencing on site a Dilapidation Report shall be carried out, submitted and approved, on Thornhill Avenue in conjunction with the Council's Roads and Transportation Service to the satisfaction of the Council as Planning and Roads Authority. Following the undertaking of the survey any deterioration to the road network as a consequence of the development will be repaired at the expense of the applicant.

- 22 That prior to the commencement of any work on site the position of both houses shall be 'pegged out' and the route for gas, electricity and water pipes/connections etc shall be clearly identified and notwithstanding the provisions of condition No.6 above, all trees to be felled shall be cleared marked/identified and no operations shall commenced until written approval for the said details has been issued by the Council as Planning Authority.

REASONS

- 1 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 These details have not been submitted or approved.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 To ensure the protection and maintenance of the existing mature trees within the site
- 7 In the interests of amenity.
- 8 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 9 In the interests of amenity.
- 10 To ensure the provision of adequate parking facilities within the site.
- 11 To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.
- 12 In the interest of public safety
- 13 In the interest of public safety
- 14 To prevent deleterious material being carried into the highway.
- 15 In the interest of public safety
- 16 To ensure the provision of a satisfactory land drainage system.
- 17 To ensure the provision of a satisfactory land drainage system.
- 18 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.
- 19 To ensure the protection of bats within the site, as a European Protected Species.
- 20 In the interests of amenity and in order to retain effective planning control.
- 21 In the interest of road safety
- 22 In the interest of amenity and to ensure no unnecessary trees are felled.

For information only

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