

# Report

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| Report to:       | <b>Planning Committee</b>                        |
| Date of Meeting: | <b>21 June 2011</b>                              |
| Report by:       | <b>Executive Director (Enterprise Resources)</b> |

|                    |  |
|--------------------|--|
| Application No     | HM/10/0052   |
| Planning Proposal: | Development of Community Growth Area, Comprising Housing, Neighbourhood Centre, Community Facilities, Access Roads, Open Space and Landscaping (Planning In Principle) |

## 1 Summary Application Information

- Application Type : Permission in principle
- Applicant : Hamilton West Consortium
- Location : Land to the south and west of Hamilton at Strathaven Road, Meikle Earnock Road and Highstonehall Road

## 2 Recommendation(s)

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

- (1) Grant planning permission in principle (subject to conditions – based on conditions attached)

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this planning application.
- (2) Planning permission in principle should not be released until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the council, the applicant and the site owners. This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the following:
  - The provision of additional nursery, primary and secondary education accommodation as required to address the effect of the proposed development.
  - The provision of improvements to roads infrastructure including identified junction improvements, including Peacock Cross.
  - The provision of appropriate community facilities (either on-site or off) in order to support the population associated with the proposed development. This should include the upgrading of Eddlewood Hall and other community facilities, as agreed.
  - The provision of open space, landscaping and recreational areas, including the provision of appropriate fixed play areas.

- Transportation infrastructure and services provision (including subsidised bus routes).
- The provision of affordable housing on-site provision and by way of a commuted sum, or a mixture of both.
- The provision of a neighbourhood centre and commercial facilities to serve the development.

All costs associated with the legal agreement, including the Council's costs, shall be borne by the applicant.

### 3 Other Information

- ◆ Applicant's Agent: Muir Smith Evans
- ◆ Council Area/Ward: 18 Hamilton West and Earnock  
20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**  
 STRAT 2 - Proposed Community Growth Areas  
 STRAT 7 - Strategic Green Network Policy  
 STRAT 9 - Environmental Mitigation and Enhancement Policy  
 STRAT 10 - Developers Contribution Policy  
 RES 1 - Housing Land Supply Policy  
 RES 2 - Proposed Housing Sites Policy  
 RES 4 - Housing for Particular Needs Policy  
 RES 5 - Affordable Housing and Housing Choice Policy  
 COM 3 - New Retail/Commercial Development Policy  
 ENV 1 - Priority Green Space Land Use Policy  
 ENV 2 - Local Green Network Policy  
 ENV 3 - South Lanarkshire Green Space Strategy Proposal  
 ENV 4 - Protection of the Natural and Built Environment Policy  
 ENV 11 - Design Quality Policy  
 ENV 12 - Flooding Policy  
 ENV 21 - European Protected Species  
 ENV 30 - New Development Design Policy  
 ENV 31 - New Housing Development Policy  
 ENV 32 - Design Statements Policy  
 ENV 35 - Water Supply Policy  
 ENV 36 - Foul Drainage and Sewerage Policy  
 ENV 37 - Sustainable Urban Drainage Systems Policy  
 TRA 1 - Development Location and Transport Assessment Policy  
 TRA 2 - Walking, Cycling and Riding Routes Policy  
 TRA 4 - Bus Provision Policy  
 TRA 6 - Bus and Railway Interchange Improvements Proposal
- ◆ Representation(s):

|   |    |                   |
|---|----|-------------------|
| ▶ | 15 | Objection Letters |
| ▶ | 0  | Support Letters   |
| ▶ | 0  | Comments Letters  |

◆ Consultation(s):

Roads and Transportation (Hamilton)

Roads & Transportation Services H.Q. (TEM)

Roads & Transportation Services H.Q. (Flooding)

Roads and Transportation (Geotech)

Environmental & Strategic Services

Regeneration Services

Education Resources - Schools Modernisation Team

Leisure and Cultural Services (Facility Manager)

Leisure Services (Arboriculture Manager)

Countryside and Greenspace Service

Housing and Technical Services

Network Rail

Scottish Water

Scotland Gas Network

SP Energy Network

BT

Scottish Natural Heritage (SNH)

Scottish Wildlife Trust (SWT)

Strathclyde Partnership for Transport (SPT)

Hazardous Installations Directorate

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

Architecture + Design Scotland

Historic Scotland

Transport Scotland: Trunk Roads: Network Management

Scottish Government - Climate Change and Water Industry Directorate

West of Scotland Archaeology Service



## Planning Application Report

### 1 Application Site

- 1.1 The proposed Hamilton West Community Growth Area (CGA), identified within the adopted South Lanarkshire Local Plan, is located to the south western edge of Hamilton. It comprises 2 distinct sites, which are separated by the existing area of residential development known as Torheads.
- 1.2 The northern site is bounded by Earnock residential area to the north, Laighstonehall residential area to the east, Highstonehall Road and Torheads residential areas to the south. Open undeveloped agricultural land can be found to the west and south. The southern site is bounded by Torheads residential area to the north, Meikle Earnock residential area to the east with open undeveloped agricultural land forming the southern and western boundaries. A disused railway line runs along the north eastern boundaries of both sites.
- 1.3 The original application site, which extended to approximately 171 hectares, corresponded largely with that area identified within the Local Plan for the CGA. However, the following areas did not form part of the application proposals:
  - Land to the north-west of Annsfield Farm - excluded due to topographical constraints,
  - The former Waterworks site, Strathaven Road - which was the subject of a separate planning application, and
  - The curtilages of the properties known as Whitecraigs Cottage and Broomknowe Farm; which did not form part of the Consortium of developers established to deliver the development of the CGA
- 1.4 The application site has however been reduced further; to approximately 160 hectares. The further areas excluded from the current application proposal relate to the following locations:
  - Land to the east of Strathaven Road, which wraps around the former Waterworks site
  - Land to the north of Meikle Earnock Road and south/south-west of Stewart Avenue
  - Land at Beechfield Manor, Meikle Earnock Road
  - Land to the south of Highstonehall Road
- 1.5 The applicants have advised that the amendments to the site boundary have been due to the fact that they do not have a controlling interest in all parts of the Community Growth Area identified in the original application submission and, on the basis of ongoing discussions, they consider that the inclusion of these sites may affect the deliverability of the overall CGA. Having said that, the applicants remain of the view that the wider masterplan layout represents a sound realistic vision of how the development of this area could proceed. However, there is a need to ensure that any planning permission in principle granted by the Council is deliverable. The future development of the areas now excluded can be progressed independently of but in line with the masterplan and associated legal agreements, in the same manner as the former Waterworks site. These sites excluded from the current application site will still require to adhere to the overall development framework of the CGA and contribute proportionately to all of the costs, via a Section 75 Obligation and/or other appropriate agreements as set out on the front page of the report.

## **2 Proposal(s)**

- 2.1 The applicants, through their amended proposals, seek consent for Planning in Principle for the development of a CGA comprising housing (approximately 1,818 units), associated neighbourhood centre, community facilities, access arrangements, open space and landscaping.
- 2.2 Given the nature and scale of the proposed development it was concluded that an Environmental Impact Assessment was required from the applicant under Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999. Consequently the applicants submitted a comprehensive Environmental Statement (ES) along with, and in support of, their application.
- 2.3 The Town & Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009 identifies that the proposals fall within the definition of “major” development and therefore the applicants undertook a Pre-Application Consultation (PAC), in accordance with the Town & Country Planning (Development Management Procedure)(Scotland) Regulations 2008, with the local community. This was undertaken through a public exhibition held in the Eddlewood Public Hall on the 7 and 8 October 2009. The outcome of the exhibition and the response of the applicants to comment received are detailed within their PAC Report.
- 2.4 In addition to the ES and PAC report a number of additional documents were also submitted in support of the application. These include a Masterplan Report (MR), a Traffic Assessment (TA), Flood Risk Assessment (FRA - appended to the ES)), Planning Statement (PS) (incorporating the Pre-Application Consultation (PAC) Report) and a Masterplan Development Framework: Technical Assessment (MDF: TA - appended to the MR)
- 2.5 These supporting documents indicate that:
  - a) The major land use will be residential with a range of accommodation types and tenures provided within the development. The topography, water courses, vegetation and road pattern divide the application site, as amended, into 3 distinct areas CGA North, CGA Central and CGA South.
  - b) The basic design principles for the development will ensure that all existing and proposed areas of open space are appropriately linked via a network of footpaths/cycleways and the desire to provide for a broad range of family housing opportunities.
  - c) A Neighbourhood Centre and Commercial Facilities will be provided which allow an opportunity to create a hub for retail and other commercial facilities served by public transport and footpath/cycleways which will be beneficial to residents and the wider community. This will be sited within the CGA Central area close to the existing Meikle Earnock area of Hamilton.
  - d) A network of linked open space will be provided throughout the development, accessible to both new and existing residents. The open space will meet the leisure and recreation needs of the residents and contribute to the appearance and character of the development. It will also act as an ecological resource and corridor for movement for wildlife.
  - e) Access to the site will be linked into the existing road networks by means of main feeder routes running through the application site, with access to the various development parcels being taken off this main access route. The principle access points for the development site will as follows:

- Via the existing round-about at Sherry Drive/Stewart Avenue (CGA North), with a second new roundabout on Highstonehall Road also serving CGA North,
- Via the existing round-about at Meikle Earnock Road/Stewart Avenue (CGA Central), again with a second new roundabout on Meikle Earnock Road, and
- A new round-about from Strathaven Road (CGA South). The spine road runs from Strathaven Road through CGA's South and Centre to Meikle Earnock Road.

f) The proposed development will also be provided with an internal network of footpaths and cycle paths which will run through the site, linking with the various areas of open space proposed as part of the development and also those existing areas of open space.

g) The development will incorporate the principles of Sustainable Urban Drainage (SUDS) with drainage ponds located through the development site.

2.6 The applicants have submitted indicative phasing plans for the proposed development of their application site which predicts the following completion rates. However, the rate of development is subject to market conditions:

| Year<br>(approx date) | CGA<br>North | CGA<br>Central | CGA<br>South | Annual<br>Totals |
|-----------------------|--------------|----------------|--------------|------------------|
| 1-3 (2014)            | 140          | 94             | 101          | 335              |
| 4-6 (2017)            | 207          | 253            | 187          | 647              |
| 7-11 (2022)           | 50           | 294            | 492          | 836              |

2.7 Given the scale and complexity of the proposed development and its impact on both the local and wider areas the applicants have advised that they are agreeable to entering into a Section 75 Obligation and/or other appropriate agreements between the Council, the applicants and the landowners (and their respective successors). The purpose of which would be to ensure that planning obligations and supporting terms and conditions, as agreed between the Council and the applicants, address the impact of the proposed development on the following areas of interest:

- Education
- Affordable Housing
- Off-site Roadworks
- Transportation Facilities
- Community Facility
- Public Open Space
- Infrastructure Investment
- Neighbourhood Centre and Commercial Facilities

### **3 Background**

#### **3.1 Structure Plan Background**

3.1.1 The strategic policy for the release of the Community Growth Areas is provided by the Glasgow and Clyde Valley Joint Structure Plan 2006 which became operative in April 2008. In particular Strategic Policy 1 – Strategic Development Locations identifies Hamilton West as one of thirteen community growth areas, as set out in Schedule 1(c) which indicates that the site will have an indicative capacity of 2000 units.

#### **3.2 Local Plan Background**

3.2.1 In land use terms the site is identified, within the adopted South Lanarkshire Local

Plan, as forming part of the identified Hamilton Community Growth Area (Policy STRAT2), a Proposed Housing Site (Policy RES2) and a Strategic Green Network (Policy STRAT 7).

3.2.2 To satisfy strategic housing land requirements as identified by the Structure Plan, areas within the Green Belt will be released for housing, subject to the submission of satisfactory master plans (Policy STRAT 2). Table 2.2 relative to Policy STRAT2 identifies that the Hamilton CGA will have an indicative capacity of 2,000 houses by the year 2018. In this respect the Council has prepared Masterplan Development Frameworks, for each Community Growth Area location, to brief developers on the matters to be considered and contained in master plans to be submitted for the Council's approval. In the case of Hamilton CGA this included:

- Definition of new landscape measures to consolidate new Green Belt edges and establish green networks within the development
- A new spine road and walking/cycling network connecting to improved public transport infrastructure
- Financial contribution to Peacock Cross works
- Financial contribution to the extension of existing local Primary Schools in order to accommodate a potential increase of up to 15 additional classrooms and a pre-5 nursery school
- Provision of local retail facility of a scale appropriate to serve the CGA
- The provision of 1 grass sports pitch or equivalent provision at a local facility and a share of costs towards a new synthetic pitch at a local facility
- Financial contribution to the enhancement of Eddlewood community hall
- Investment in drainage infrastructure at Hamilton Waste Water Treatment Works and in sewerage network leading to the works
- Provision of housing types to accord with Local Plan policies RES 4 'Housing for Particular Needs Policy' and RES 5 'Affordable Housing and Housing Choice Policy'.

3.2.3 During the preparation of the local plan and the work on the MDF the Planning Service has been involved in working closely with the Consortium, through a number of meetings and workshops to inform the preparation of the final masterplan. This extensive joint working was essential to ensure that the CGA was planned and developed in an appropriate manner.

3.2.4 It is noted that not all of the current application site formed part of that identified with the Hamilton West CGA Masterplan Development Framework document, which was prepared in support of the emerging local plan. However, these areas were included as part of the land identified for the CGA within the adopted South Lanarkshire Local Plan. On this basis the information contained within this document is seen as being a material consideration in the assessment of subsequent masterplan, "Planning in Principle" applications and future detailed planning applications.

3.2.5 Through Policy RES2, the Council will support development for housing within sites identified on the proposals map and associated appendix, the majority of the application site is identified as falling within such areas. The application site is also affected by Local Plan Policy STRAT7 - Strategic Green Networks, where creation of a framework of accessible green spaces and corridors will be supported with priority being given within specified areas, such as Community Growth Areas.

3.2.6 In addition to the above policy designation, which provides the overarching local plan policy direction for this area of Hamilton, the site is affected by a number of additional policies within the local plan.



- Policy RES1 – Housing Land Supply Policy confirms the Councils commitment to retaining a 5 year effective housing land supply towards which the proposed development makes a contribution, as part of the larger community growth area proposals. Policies RES4 – Housing for Particular Needs and RES5 – Affordable Housing and Housing Choice policies provide the policy basis which requires developments to takes account of these particular types of housing.
- Policy COM3 – New Retail/Commercial Development specifies the criteria against which new retail and commercial developments will be assessed.
- The location of the application site is such that local plan environmental Policies ENV1 – Priority Greenspace Land Use and ENV2 – Local Green Network apply. The Council will seek to protect and enhance the comprehensive network of green and open space within the local plan area. The Council will control measures to enhance and compensate for the loss of priority green space through planning conditions and legal agreements as appropriate.
- Policies ENV3 – South Lanarkshire Green Space Strategy, ENV4 – Protection of Natural Built Heritage Policy and ENV21 – European Protected Species Policies all apply. These advise that the Council will prepare a Green Space Strategy which will provide an integrated framework to deliver actions for a sustainable network of green spaces (ENV3), that the Council will assess development proposals in terms of their effect on the character and amenity of the natural and built environment (ENV4) and that the Council will encourage the management and maintenance of areas supporting habitats and species (ENV21).
- Design Policies ENV11 – Design Quality Policy, ENV30 – New Development Design Policy, ENV31 New Housing Development Policy and ENV32 – Design Statements are applicable as they seek to ensure the highest quality design for the development.
- Policy ENV12 – Flooding Policy is also relevant as this policy seeks to ensure that development will not result in an increased flood risk either within or outwith the development site.
- Policies ENV35 – Water Supply, ENV36 – Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems Policies seek to ensure that the site is adequately served in terms of water and sewerage infrastructure and that the proposed surface water drainage will be sustainable.
- Policy STRAT9 – Environmental Mitigation and Enhancement Policy requires all applications for development proposed by the local plan to take into account the results of the Strategic Environmental Assessment.
- Policy STRAT10 – Developers Contribution Policy provides a mechanism for assessing and seeking developer contributions related to the wider impact of a development.
- In terms of transportation issues Policy TRA1 – Development Location and Transport Assessment Policy requires that the traffic implications of major developments be set out within a Transport Assessments and that Green Travel Plans will be required. Policy TRA4 – Bus Provision Policy seeks to ensure that the developer works with the local bus companies to ensure that the proposed development has an acceptable bus service and advises that developer

contributions will be sought to upgrade and support the bus network. In addition Policy TRA6 – Bus and Railway Interchange Improvements advises that the Council proposes improved/new park and ride facilities at Hamilton West Rail Station and the redevelopment of Hamilton bus and railway stations to provide joint ticketing and improved bus circulation.

- Policy TRA2 – Walking, Cycling and Riding Routes policy applies as it requires that linear routes, such as former railway lines, should be safeguarded to provide walking, cycling and riding opportunities and that developer contributions will be sought to the provision or upgrading of the route.

3.2.7 A full assessment of the proposal against these specific policies is contained in Section 6 of this report.

### **3.3 Relevant Government Advice/Policy**

3.3.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2010 which confirms the requirement for the Council to maintain a five year supply of effective housing land and the policy guidance relating to the provision of housing. Planning authorities are required to promote the efficient use of land by directing development towards sites within existing settlements sites where possible to make effective use of existing infrastructure and service capacity. However, the planned release (through Structure and Local Plans) of Greenfield sites can also be appropriate if justified.

3.3.2 In terms of residential development SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures. New housing developments should be integrated with public transport and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. New streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development.

3.3.3 The SPP also requires planning authorities, and developers, to have regard to the risk of flooding when determining planning applications. Surface water from new development shall be treated by a sustainable drainage system (SUDS) before it is discharged into the water environment.

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

### **3.4 Planning History**

3.4.1 With regards to the planning history of the site it is noted that in terms of application submissions there is no recent proposals which are relevant to the application proposals.

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

4.1 **Roads and Transportation (Hamilton)** – have advised that due to scale of development proposed the Roads and Transportation Services response will be provided by the Transport Engineering Management Section (TEM).

**Response** – Noted.

4.2 **Roads & Transportation Services H.Q. (TEM)** – have advised that a development of this scale will have a significant impact upon the existing road network. However, on the basis of an analysis of the Transportation Assessment (TA) submitted by the applicants and further discussion on its contents they are satisfied with the general principles of the mitigations proposed. They would however recommend the following matters be addressed through the use of conditions and/or a Section 75 Obligation:

- That prior to any works commencing on site the detailed design of all identified roads and transportation infrastructure improvements shall be agreed, with the Council as Planning and Roads Authority and Transport Scotland as Trunk Roads Authority. These works shall be implemented in a phased manner as agreed with Roads and Transportation Services. The costs of which shall be met by the developer.
- That all infrastructure to be constructed and adopted, or altered, on the public road shall be the subject of a further Safety Audit
- That the design and layout of the roundabouts and internal spine roads shall be in accordance with the “Design Manual for Roads and Bridges” and the Council’s current “Guidelines for Development Roads”, including the “Interim Guidance” of January 2011, and agreed with Roads and Transportation Services prior to works commencing on site. All other roads within the development should be designed taking cognisance of the Scottish Government’s “Designing Streets” policy.
- That the developer fund the promotion and implementation of a Traffic Regulation Order to extend the 30 mile per hour speed limit, and to extend the system of street lighting, on the A723 Strathaven Road.
- That a phasing plan for all off-site road works be submitted to and approved by the Council as both Planning and Roads Authority.
- That further consideration be given to the proposed restriction on the use of Meikle Earnock Road in conjunction with the Council as Roads Authority and any works agreed be implemented to the Council’s satisfaction and at the developer’s expense.
- That a financial contribution shall be made towards the alteration or replacement of the existing traffic calming on Sherry Drive.
- That a submission be made to, and approved by, the Council as Planning and Roads Authority, setting out a bus service strategy and determining an appropriate level of service, a bus infrastructure design for the entire development. Any works agreed shall be constructed to the satisfaction of Roads and Transportation Services, in discussion with Strathclyde Partnership for Transport and Strathclyde Police.

- That a temporary bus turning circle shall be provided at an appropriate location, at the end of each phase of the development. This should be designed, approved and constructed, to the satisfaction of Roads and Transportation Services.
- That a financial contribution be made towards an upgrade of sections of the existing core path, and wider, network to create cycle routes.

Any works agreed will either be undertaken by the applicants or in the form of a financial contribution for the carrying out of the works necessary.

**Response** – Noted. It is advised that the applicants are aware of the above requirements and have confirmed their agreement in principle to entering into a S75 Obligation or other legal agreement to ensure the provision of these requirements. These matters will therefore be addressed through the S75 Obligation/legal agreement and/or the inclusion of conditions, where appropriate, to any consent be granted.

- 4.3 **Roads and Transportation Services H.Q. (Flooding)** – have offered no objections subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems(SUDS).

**Response** – Noted. Appropriate conditions can be attached to any consent granted.

- 4.4 **Roads and Transportation (Geotech)** – have advised that there are no geotechnical issues which are significant at this stage and that these matters will be addressed through the future detailed application(s) for development of the site.

**Response** – Noted.

- 4.5 **Environmental and Strategic Services** – have offered no objections subject to the inclusion of conditions and advisory notes relating to noise, dust mitigation, contaminated land, air quality, refuse storage and the referral of the application proposals to SEPA.

**Response** – Noted. Appropriate conditions and advisory notes will be applied to any consent granted. With regards to the referral to SEPA it is confirmed that they were consulted separately on the application and their response is highlighted at section 4.22 below.

- 4.6 **Regeneration Services** – have offered no objections.

**Response** – Noted.

- 4.7 **Education Resources - Schools Modernisation Team** – have advised that discussions have been held with the applicants with regards to the potential impacts on education provision and that these discussions are ongoing. On the basis of these discussions they offer no objections subject to the developers agreeing to a financial contribution towards the provision of additional Education accommodation, potentially at Woodhead Primary School, Neilsland Primary School and St. Marks (Hamilton) Primary School as well as a possible financial contribution towards the future increase of capacity at appropriate secondary schools.

**Response** – Noted. Discussions are ongoing with regard to the educational requirements arising from the proposed development and the applicants have in principle indicated a willingness to enter into a Section 75 Obligation and/or other legal agreement with the Council regarding these contributions.

- 4.8 **Leisure and Cultural Services (Facility Manager)** – have advised that they offer no objections subject to the developers agreeing to a financial contribution towards the upgrade of existing community facilities and provision of additional facilities, where appropriate.

**Response** – Noted. These requirements can be addressed through the Section 75 Obligation, to be concluded between the applicants and the Council.

- 4.9 **Leisure Services (Arboriculture Manager)** – has advised that given the current nature of the site, being heavily wooded with individual trees, copses and woodland, that a condition be attached to any approval given requiring that a tree survey to be carried out of the entire site prior to any works commencing on site and this to be updated as the site is developed  
**Response** – Noted. This requirement can be included as a condition attached to any such consent.
- 4.10 **Countryside and Greenspace Service** – whilst offering no objections to this application for “planning in principle” they have recommended that further discussions and conditions are applied requiring the production of detailed outdoor access, greenspace/biodiversity and landscape master plans for the Community Growth Area. They have further recommended that “soft” solutions to the provision of SUDs to enhance biodiversity benefits and allotment gardens should be considered.  
**Response** – Noted. The Countryside and Greenspace Service will continue to be fully involved in the preparation of the detailed landscape proposals for the site which will be the subject of future applications. Appropriate conditions will be attached to any consent to address the issues raised.
- 4.11 **Housing and Technical Services** – have no objections to the proposal subject to the provision of affordable housing being based on the requirements of both the applicable policies within the adopted Local Plan and the Council’s approved Supplementary Planning Guidance on Affordable Housing. These require that 25% of the proposed development will be in the form of affordable housing provided on-site and by a commuted sum in lieu of on or off site provision. The Obligation will ensure that the applicants provide for up to half of this requirement on site depending on funding with the remaining requirement being provided by payment of a commuted sum or sums to the Council for the provision of this type of housing.  
**Response** – Noted. These requirements can be addressed through the Section 75 Obligation to be concluded between the applicants and the Council.
- 4.12 **Network Rail** – have offered no objections to the proposals. However, they have advised that the development is likely to impact on both Hamilton Central and Hamilton West Stations and that any intensification of use will result in the need for physical or environmental improvements at the stations. They have highlight that Local Plan Policy STRAT 10 identifies a requirement for developer contributions toward such costs.  
**Response** – Noted. These requirements have not been demonstrated to be necessary through the implementation of this proposal.
- 4.13 **Scottish Water** – have no objection to the planning application. They have, however highlighted that a Development Impact Assessment is required to be submitted by the developers prior to any works commencing on site. Furthermore, they have highlighted that there may be a requirement for the developer to carry out works on the local water and waste water network to ensure there is no loss of service to existing customers and that the Glassford Water Treatment Works has limited capacity available for new demand. The developer may be required to fund works on existing infrastructure to enable their development to connect and that further discussion between the developer and Scottish Water will be required.  
**Response** – Noted. Scottish Water’s requirements can be addressed through the use of conditions and/or advisory notes, where appropriate.

4.14 **Scotland Gas Network** – have offered no objection subject to the protection of any existing equipment within the vicinity of the application site.

**Response** – Noted. This requirement can be addressed through the use of conditions and/or advisory notes, where appropriate

4.15 **SP Energy Network** – initially raised objections to the application proposals due to the existence of both overhead and underground cables within the vicinity of the proposed development. However, discussions have taken place with the applicants to ensure the safety of electric plant and equipment.

**Response** – Noted. Any requirement in this regard can be addressed through the use of conditions and/or advisory notes, where appropriate.

4.16 **British Telecom** – have offered no response to the consultation request.

**Response** – Noted.

4.17 **Scottish Natural Heritage (SNH)** – have indicated that, having assessed the submitted Environmental Statement, they have no objections to the principle of the proposed development. They have however recommended the following be conditioned as part of any consent:

- **Protected Species**

That updated surveys, with respect to bats, otters, water voles, badgers and breeding birds be undertaken no more than 6 months prior to construction commencing.

- **Ecological Management Plan**

That there is a requirement for this document to be submitted as part of any detailed proposals.

- **Landscape and Visual**

That mitigation measures are taken to avoid, reduce or remedy any adverse impacts

**Response** – Noted. SNH's requirements can be conditioned as part of any consent granted.

4.18 **Scottish Wildlife Trust (SWT)** – have offered no objections to the proposals.

**Response** – Noted.

4.19 **Strathclyde Partnership for Transport (SPT)** – welcome that the supporting documents prioritise walking, cycling and public transportation provision. However, they have highlighted the following matters:

- Bus Provision – initial subsidy to establish bus provision in the area, provision of a bus terminus/layover facility within the western area of the site
- Bus Infrastructure – location of bus stop provision
- Road Layout – design of spine road to accommodate buses (i.e. 6.5m wide, no traffic calming)
- Bus Corridors – further discussions on the feasibility for the provision of these facilities.
- Closure of Meikle Earnock Road - further discussions on this proposal
- Walking & Cycling – encourage the maximum integration of walking/cycling facilities within the development
- Phasing – must recognise the requirements for public transport accessibility

between phases

- Travel Plan – should be provided in support of any future applications

**Response** – Noted. It is confirmed that these matters will be addressed through the conclusion of a Section 75 Obligations and/or other legal agreement, or conditions/advisory notes attached to any consent given. With regards to SPT's comments in relation to Meikle Earnock Road it is advised that Roads and Transportation Services have confirmed that this element of the proposal will be the subject of further discussions to determine any requirements in this regard.

- 4.20 **Hazardous Installations Directorate** – no comment to make on the environmental statement submitted in support of the application proposals.

**Response** – Noted.

- 4.21 **Scottish Environmental Protection Agency (West Region) (S.E.P.A.)** – have offered no objection to the proposals subject to the inclusion of conditions relative to surface water from the site being treated in accordance with the principle of Sustainable Urban Drainage Systems (SUDS), that foul drainage being connected to the public sewer, the undertaking of air quality monitoring and that a Site Waste Management Plan be prepared and submitted in support of any future detailed applications. They have further advised that works in connection with the watercourse crossing and river engineering activities may require Controlled Activities Regulation (CAR) authorisation.

**Response** – Noted. The requirements of SEPA can be addressed through the use of conditions and advisory notes, where appropriate.

- 4.22 **Architecture + Design Scotland** – advised that the project was reviewed when it was the subject of a Proposal of Application Notice and welcomed the positive attitude toward achieving a strategic response to connect landscape to the town, and the intention to incorporate the landscape character of the area into the basic principles of the new development. They would offer no objections to the proposal, subject to their previous comments, relative to landscape analysis, landscape design, street and public realm network, urban design, sustainability and delivery, being addressed.

**Response** – Noted. The applicants have provided a number of supporting documents the contents of which address these matters. The detail design of the various elements will be further addressed through the use of planning condition and obligations which will control the parameters for the future development of the CGA.

- 4.23 **Historic Scotland** – no objections, both in terms of the Environmental Impact Assessment (Scotland) Regulations 1999 and Development Management Procedure (Scotland) Regulations 2008, as there will be no direct or indirect affect on any historic assets.

**Response** – Noted.

- 4.24 **Transport Scotland: Trunk Roads: Network Management** – advise that they have no objections to the development subject to the imposition of conditions.

**Response** – Noted.

- 4.25 **Scottish Government – Climate Change and Water Industry Directorate** – have offered no comment on the Environmental Statement.

**Response** – Noted.

- 4.26 **West of Scotland Archaeological Service** – Recommend archaeological evaluation of the site and ask that a suspensive condition to this effect be attached to the consent should it be granted,

**Response** – Noted. Appropriate condition can be attached to any consent granted.

## 5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposals advertised in the local press. Fifteen letters of representations have been received in respect of the proposals.

5.2 The grounds of objection and issues raised can be summarised as:

a) **Concerns over the proposed location of the community facilities proximity to existing residential properties and the potential noise/anti-social behaviour.**

**Response** – The siting of the proposed Neighbourhood Centre and Community Facilities, as shown on the masterplan, a hub for facilities for the benefit of both the residential of any new development and those of the existing residential areas adjoining the site, thereby providing better integration with existing communities. Whilst noting the concerns raised in respect of noise and anti-social behaviour it is not considered that the provision of such facilities at this location would necessarily result in such occurrences. Furthermore, the current application seek an agreement in principle for the development and therefore, if approved, there would be a requirement for the provision of further detailed submission in respect of the exact nature of these proposals, and these concerns can be more appropriately considered at that time.

b) **Concerns over the loss of greenbelt and the increase of urban sprawl into countryside.**

**Response** – The identification of land to accommodate the future housing requirements for Hamilton were fully assessed and considered through both the Glasgow and Clyde Valley Structure and South Lanarkshire Local Plans for the area. The local plan proposals were the subject of a public inquiry and subsequent approval by Scottish Ministers. The application proposals are therefore considered an appropriate form of development at this location.

c) **Concerns over the scale of development, its appearance being out of keeping, potential traffic, parking and access problems, its impact on residential amenity, drainage and infra-structure problems and will adversely impact on the natural environment.**

**Response** – The identification of this area as a location for the planned growth of Hamilton was established through the adoption of the South Lanarkshire Local Plan. This process included extensive assessment, consultation and consideration, including a Local Plan Public Inquiry, prior to its inclusion in the Local Plan. The area was identified as having an indicative capacity for 2,000 units. In support of this process and the future development of the area the Council prepared a Masterplan Development Framework document to brief developers on the matters to be considered and contained in master plans to be submitted for the Council's approval. It is further advised that this application has also been the subject of extensive assessment and consultation and in depth consideration by relevant organisations to assess the development in terms of the issues raised. The consensus being that the proposals are, in general terms, acceptable. All possible steps will be taken through conditions and legal obligations to mitigate and minimise any adverse impact on the area.



- d) **There will be an unacceptable impact on the wildlife and natural habitats of the area.**

**Response** – Whilst it is accepted that a development of this scale has the potential to affect the nature of the area it is noted that the site has been the subject of extensive assessment in this regard. These assessments have been considered by the relevant internal Council Services and external bodies and are deemed to be acceptable, subject to condition, which can be included where appropriate.

- e) **Concerns over the proposed location of Sustainable Urban Drainage (SUDs) ponds and the potential impact on existing residential properties.**

**Response** – Whilst noting these concerns it is considered that there is unlikely to be any adverse impact on residential property as a result of the siting of SUDs facilities. The location of these within the masterplan are indicative only, the siting and design of these facilities will be the subject of further detailed submissions and assessment, which would be conditioned as part of any consents given.

- f) **Concerns over the loss of daylight and privacy resultant from the proposed development.**

**Response** – Given the relationship of the proposed residential areas, and landscaped buffers to be provided to neighbouring properties it is considered that there will be no adverse impact on existing residential properties adjoining the application site in terms of these concerns.

- g) **That there should be a requirement for the protection of nature trails within the application site**

**Response** – It is confirmed that the Council's Landscape and Access Manager has been consulted on the proposal and has advised that the approach adopted, in terms of the creation of an integrated community growth area incorporating the principles of 'green/habitat networks', is in line with current national and local environmental planning, biodiversity and outdoor access policy and guidance and is therefore supported. Having said that, it is recommended that conditions be applied requiring the production of detailed outdoor access, greenspace/biodiversity and landscape plans, which would be included where consent to be granted.

- h) **Concerns over closure of Meikle Earnock Road as a through route to private vehicles and creation of bus only access.**

**Response** – It is noted that within the Transportation Assessment undertaken in respect of the application it is proposed to close Meikle Earnock Road to private vehicles to the east of the roundabout at Stewart Avenue and retain this as a bus only access. However, it is accepted that given the scale of the development, any impact on the existing road networks will be spread throughout the phasing of the development and over a number of years. On this basis any proposals for the closure of Meikle Earnock Road to private vehicles will be the subject of on-going monitoring, assessment and discussion. Roads have confirmed that requirement for any restriction on the use of this link will require the promotion of a Traffic Regulation Order, which would be the subject of further public consultation.

It is considered that the inclusion, or otherwise, of this proposal is not critical at this stage in the determination of this application and should not therefore influence the determination of the application.

- i) **Concerns over impact on existing educational facilities.**  
**Response** – It is confirmed that the applicants have been in discussion with Education Resources with regards to their requirements. Education Resource has confirmed, as stated at 4.7 above, that the developers are agreeable to making a financial contribution towards the provision of additional Education accommodation at Woodhead Primary School, Neilsland Primary School and St. Marks (Hamilton) Primary School as well as a financial contribution towards the future increase of capacity at appropriate secondary schools.
- j) **Concerns over the Pre Application Consultation (PAC) procedures undertaken.**  
**Response** – This representation relates to the advert placed with the local press advertising the public meeting require as part of PAC procedures. It is advised that the applicants submitted a "Proposal of Application Notice" to the Council prior to the undertaking of Pre Application Consultations with the community. The contents of this were acceptable in terms of guidance. Subsequently an application was placed advertising a Public Meeting in relation to the Hamilton West Community Growth Area. This notice advised that it was the applicants' intention to lodge an application with the Council and that an exhibition of their proposals would be held in Eddlewood Hall and that comments could be made directly to the applicants' planning agents. This Service is satisfied that this was in accordance with procedure. In support of the subsequent planning application submission the applicants, as required, submitted a Pre-Application Consultation Report.
- k) **Concerns over the developments impact on a private septic tank and the existence of way-leave to maintain it.**  
**Response** – Whilst raising these concerns it is noted that the objector has confirmed that these were address satisfactorily within the Pre-Application Consultation Report.
- l) **Concerns over the impact of the proposed development on property values.**  
**Response** – It is advised that such concerns are not material planning considerations and should not therefore influence the determination of a planning application.
- m) **Safety concerns due to additional traffic during adverse weather conditions.**  
**Response** – It is advised that Roads and transportation Services who have been consulted on the application proposals have offered no concerns in this regard.
- n) **Concerns over current economic climate impacting on the development of the application proposals.**  
**Response** – The viability of the proposals are a private commercial decision for the consortium member to consider and are not material to the determination of this planning application.
- o) **Issues relating to a historic land ownership dispute.**  
**Response** – This is a private matter between the objector and the applicants which, again, are not material to the determination of this planning application.
- p) **Concerns over the creation of vehicle access and public transport**

### **interchange to the rear of the objector's property**

**Response** – These concerns relate to information provide within the Hamilton west Community Growth Area – master development Framework document prepared by the Council in 2007 and not the information contained within the application submission. This document was intended to set out a development framework for consideration by the Reports at the Local Plan Inquiry, which was due to commence in October 2007, and provide guidance for future masterplan and outline application. The proposals have therefore progressed beyond this document and will continue to evolve through future detailed proposals for delivering the CGA.

r) **Concerns over potential omissions from the traffic analysis, in particular traffic movement associated with the existing residential areas at Stewart Avenue.**

**Response** – Roads and Transportation have advised that they are satisfied with the information provided within the submitted TA and subsequent discussions with the applicant's transportation consultants.

5.2 These representations have been copied and are available for inspection in the usual manner and on the Council's Planning Portal.

## **6 Assessment and Conclusions**

6.1 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. In this regard both the approved Glasgow and Clyde Valley Structure Plan (2006) and the adopted South Lanarkshire Local Plan (2009) identify the application site for use as a Community Growth Area for residential development. In general land use and policy terms the principle of the development at this location has been assessed and is acceptable.

6.2 The Masterplan Development Framework (MDF) prepared in support of the local plan set out the Council's guiding principles and requirements for any future masterplan for the development of the site. The MDF identified the a number of requirements for the Hamilton West CGA, as detailed at section 3.2.2 above and these principles were incorporated into Policy STRAT2 of the adopted local plan, which stated that the MDF for each CGA location would brief developers on the matters to be considered and contained in master plans to be submitted for the Council's approval.

6.3 It is considered that the planning application under consideration has generally been prepared in line with the guidelines set out in the MDF and the local plan and has been lodged to establish the principle of the development based on the resultant masterplan. Furthermore, the approach of the masterplan generally reflects the design principles and guidance set out in the Scottish Government's Designing Places and Designing Streets policy documents.

6.4 As mentioned above the submitted masterplan must be assessed against the requirements set out within the MDF. In this regard it is noted that:

- With respect the new Green Belt edge and green networks within the development the masterplan identifies areas of existing and proposed woodland around the perimeter of the site to consolidate the new Green Belt edge. Furthermore, similar areas of woodland, supplemented by areas of public openspace/buffers zones which run through the site provide the spines for a

green network, which link to existing network corridors.

- The proposed development will be based around a new distributor or spine roads for both the CGA North and CGA Central/CGA South areas linking the development to the wider road network. The masterplan identifies a network of local roads, foot paths and cycle routes linking the housing areas to the local centre, open space areas and the wider network. Bus routes will be extended around the distributor road with bus stop infrastructure located to ensure that all residents will be within 400 metres of a bus stop.
- Roads and transportation Services have confirmed that a financial contribution will be required towards the Peacock Cross road works.
- Education Services have confirmed that discussions have taken place with the applicants with regards to their requirements and that the applicants are agreeable in principle to making a financial contribution towards necessary improvement works to existing primary schools within the area and future secondary school requirements if necessary.
- A local retail facility of a scale appropriate to serve the Community Growth Area will be provided, as part of the Neighbourhood Centre and Community Facilities.
- Sports pitch provision for the community growth area could be accommodated within the locale of the Neighbourhood Centre and Community Facilities; however Community Resources have advised what their requirements for the development are in light of its impact on existing facilities. In addition it has been confirmed that a financial contribution towards the enhancement of Eddlewood community hall would be required.
- With regards to the need for investment by the developer in drainage infrastructure at the Hamilton Waste Water Treatment Works Scottish Water have confirmed that there is sufficient capacity to serve the development. However, they have also highlighted a potential requirement for investment at the Glassford Water Treatment Works and water and wastewater networks.
- The developers have also indicated their support in principle for the provision of affordable housing in line with local plan policy. This will require that 25% of the residential units would be affordable housing. As guided by the Council's approved Supplementary Planning Guidance on Affordable Housing this provision is likely to be on the basis of a combined on-site provision and an agreed commuted sum from the developer to the Council.

6.5 On the basis of the above it is therefore concluded that the proposed development satisfies all the relevant criteria of both the Masterplan Development Framework and Policy STRAT2 of the Local Plan.

6.6 The proposed development approximately 2000 houses at this location; around 1800 through this current application and an estimated further 200 within the remaining land parcels within the CGA, will assist the Council in meeting its housing land supply requirements. The proposals therefore accord with local plan Policies RES1 – Housing Land Supply and RES2 – Proposed Housing Sites. Furthermore, an agreement on the provision of affordable housing and the potential of such a large development to provide a wide range of house types and styles will meet with requirements of Policies RES4 – Housing for Particular Needs and RES5 – Affordable Housing and Housing Choice.

- 6.7 In terms of transportation matters the masterplan for the proposed development has been the subject of a detailed Transport Assessment. This includes an access strategy and seeks to ensure the provision of bus infrastructure and services and thus it is considered that the development accords with Policies TRA1 - Development Location and Transport Assessment Policy, TRA2 - Walking, Cycling and Riding Routes Policy, TRA4 – Bus Provision Policy and TRA6 – Bus and Railway Interchange improvements.
- 6.8 As stated above the proposed masterplan has been prepared in line with principles of the Council's masterplan development framework (MDF) which itself was based on the local plan's design policies and therefore it is considered that the masterplan will provide for a development of high design quality which complies with Local Plan Policy ENV11 – Design Quality Policy and accords with the various criteria of Policies ENV30 – New Development Design, ENV31 – New Housing Development and ENV32 – Design Statements. In addition, any future detailed/reserved matters applications will be the subject of further design assessments to ensure the provision of a high quality of design.
- 6.9 The provision of new retail/commercial development within the site is considered a vital element in providing a successful Community Growth Area for Hamilton. In addition this will provide essential facilities for existing residential areas surrounding this facility and would not therefore conflict, in principle, with the aims of Policy - COM3 – New Retail/Commercial Development. However, the details of the scale of any retail facility would be required in due course to ensure there is no impact on established retail locations.
- 6.10 Policy STRAT7 the Local Plan identifies Strategic Green Networks where the creation of a framework of accessible green spaces and corridors will be supported. These aims are supported by Policies ENV1 – Priority Greenspace Land Use Choice and ENV2 – Local Green Networks which supports the extension and enhancement of green spaces and green networks within the Local plan area. The masterplan proposals indicate that any such areas within the application site are to be protected and enhanced. It is therefore concluded that the development complies with these policies. With regards to the Council's preparation of a Green Space Strategy (Policy ENV3), it is advised that a consultative draft of this has been prepared. It is considered that given the applicants proposals to protect and enhance these facilities that there is no conflict with the aims of this document.
- 6.11 Assessments, and consultations with relevant agencies, were undertaken with regards to the affect of the development any natural or built heritage assets. It is concluded that there would be no adverse impacts resultant from the proposals and therefore it is considered that there is no conflict with the requirements of Policy ENV4 – Protection of Natural and Built Environment Policy.
- 6.12 With regards to European Protected Species, Policy ENV21 specifically seeks to protect the species covered by the EC Habitats and Birds Directives and the Wildlife and Countryside Act. This matter has been fully assessed through the submitted Environmental Statement and Scottish Natural Heritage are satisfied with the methodology behind these assessment, subject to the undertaking of further survey works prior to the commencement of any works on the site.
- 6.13 The application proposals have been assessed by relevant bodies in terms of Policies ENV12 – Flooding, ENV35 – Water Supply, ENV36 – Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems of the Local Plan.

- 6.14 With regards to flooding there are no objections, subject to compliance with the Council's design criteria being met and an independent verification of the submitted Flood Risk Assessment being provided. Scottish Water have confirmed that, whilst they offer no objection to the application, there is likely to be a requirement for a financial contribution towards the provision of any new or improved infrastructure, as required. The masterplan also details that the development will be designed to sustainable urban drainage system requirements. It is therefore considered that the proposed development is in accordance with these policies.
- 6.15 Policy STRAT10 – Developers' Contributions of the local plan highlight that where development proposals would require the implementation of capital or other works or facilities to enable the development to proceed, developer contributions would be required to the implementation of any works required. The applicants have confirmed their agreement to entering into a Section 75 Obligation to provide appropriate funds for matters arising as a result of their development, where appropriate.
- 6.16 In light of the above it is concluded that the proposed development accords with the relevant policies of the adopted South Lanarkshire Local Plan.
- 6.17 Although the proposals can be assessed favourably against the terms of both structure and local plan policies, other material considerations such as road safety and other issues, such as the impact of a development of this scale, require to be looked at.
- 6.18 In terms of road safety a Transport Assessment has been undertaken to support the development and this has identified various off-site road works / improvements which will be required as a result of the proposal. Roads and Transportation Services have been involved in detailed discussions with the applicants and it has been agreed that the works outlined in paragraph 4.2 above will be undertaken. It has been agreed that the developers will make appropriate financial contributions, at agreed times, to allow these works to be undertaken and that these will be included in a Section 75 Obligation or other legal agreement.
- 6.19 The requirements of the remaining consultees can be address through the use of conditions and/or within the Section 75 Obligation or other legal agreement, as appropriate.
- 6.20 Whilst noting the concerns raised by third party representations it is considered that these are either unsupported or can be addressed/assessed through the either the use of conditions or determination of future detailed/reserved matters applications for the development of the site.
- 6.21 It is considered that the proposed masterplan has been developed in manner which provides the basis for delivery of a high quality residential area at this location. To enhance this aspect of the development it is proposed that a condition be attached to this consent requiring that the applicants prepare a design brief, to be agreed with the Council, for each of the future development areas. In doing so it is hoped that the attractive and ambitious development set out in the masterplan can be successfully delivered.
- 6.22 On the basis of the above it is concluded that the masterplan for the proposed development, along with its other supporting statements, provides the basis for the successful development of the Hamilton Community Growth Area. The proposal will be the subject of conditions which will be attached to the consent should the

application be granted.

6.23 Notwithstanding the above, and as previously stated, the scale and complexity of the proposal and impact on both the local and wider areas require that a Section 75 Obligation and/or other legal agreement be completed prior to the release of any planning consent. The aim of which is to ensure that planning obligations and supporting terms and conditions, as agreed between the Council and the applicants, address the impact of the proposed development on the following areas of interest:

- **Education** – a financial contribution to the Council for educational provision to equate to the demand for school places arising from the proposed development.
- **Affordable Housing** – provision for up to half of this requirement on site with the remaining requirement being provided by payment of a commuted sum or sums to the Council for the provision of this type of housing.
- **Off-site Roadworks** – the undertaking of certain off-site road works and infrastructure provisions, agreed with the Council, or the making of a sufficient financial contribution to allow the Council as Roads Authority to undertake these works. This will also include a contribution towards the works undertaken to the Peacock Cross.
- **Transportation Facilities** – contributions towards the provision of appropriate levels of bus services and upgrades to existing bus station facilities, as appropriate.
- **Community Facility** – a financial contribution to the Council towards the provision of agreed facilities, or alternative works in lieu of the non provision of facilities on site.
- **Public Open Space** – Whilst the majority of the open space and informal recreation facilities will be provided within the proposed development and controlled by planning conditions, any Obligation or other legal agreement will ensure that the applicants are obliged to provide and thereafter maintain these facilities.
- **Infrastructure Investment** – Investment in water and drainage infrastructure necessitated by the proposed development will require to be undertaken.
- **Neighbourhood Centre and Commercial Facilities** – ensuring the provision of these facilities within an appropriate timescale, linked to the phasing of the development.

6.24 In summary, the principle of the development of a Community Growth Area at this location has been established through both the Glasgow and Clyde Valley Structure Plan and South Lanarkshire Local Plan. All other matters in respect of the submission of masterplan proposals have now been satisfactorily addressed.

6.25 On this basis I would recommend that planning permission in principle is granted subject to conditions and the conclusion of an appropriate Section 75 Obligation and/or other legal agreement.

## 7 Reasons for Decision

7.1 The proposed development accords with the relevant policies of both the approved Glasgow and Clyde Valley Joint Structure Plan and the adopted South Lanarkshire

Local Plan, as set out within Section 3 of this report and in particular Policy STRAT 2, in that it would assist in the delivery of a quality mixed use development at this location. The proposed development will not give rise to adverse impact on infrastructure that cannot be covered by planning conditions or the Section 75 Obligation or other legal agreement.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**14 June 2011**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan adopted 2009
- ▶ Hamilton West Community Growth Area - Masterplan Development Framework August 2009
- ▶ Hamilton West Community Growth Area - Hamilton West Consortium - Masterplan Report (incorporating Masterplan Development Framework: Technical Assessment)
- ▶ Hamilton West Community Growth Area - Hamilton West Consortium - Planning Statement (incorporating a Re-Application Consultation (PAC) Report )
- ▶ Hamilton West Community Growth Area - Hamilton West Consortium - Transport Assessment and Addendum
- ▶ Hamilton West Community Growth Area - Hamilton West Consortium - Environmental Statement - Vol.1 - Non Technical Summary
- ▶ Hamilton West Community Growth Area - Hamilton West Consortium - Vol.2 - Environmental Statement ( incorporating wildlife surveys Flood Risk Assessment )
- ▶ Hamilton West Community Growth Area - Hamilton West Consortium Vol.1 - Environmental Statement - Technical Appendices (incorporating Ground Investigation Reports)

#### ▶ Consultations

|   |                          |
|---|--------------------------|
| Roads and Transportation (Hamilton)             | 23/03/2010               |
| Roads & Transportation Services H.Q. (TEM)      | 31/05/2011               |
| Roads & Transportation Services H.Q. (Flooding) | 22/03/2010               |
| Roads and Transportation (Geotech)              | 14/06/2010               |
| Environmental Services                          | 21/04/2010               |
| Regeneration Services                           | 24/03/2010               |
| Education Resources                             | 08/04/2010<br>20/05/2011 |



|   |            |
|---|------------|
| Leisure and Cultural Services (Facility Manager)                    | 08/04/2011 |
| Leisure Services (Arboriculture Manager)                            | 31/05/2011 |
| Countryside and Greenspace Service                                  | 15/10/2010 |
| Network Rail  | 25/06/2010 |
| Scottish Water  | 24/03/2010 |
| Scotland Gas Network  | 20/07/2010 |
| SP Energy Network   | 08/04/2010 |
| Scottish Natural Heritage (SNH)                                     | 28/04/2010 |
| Scottish Wildlife Trust (SWT)                                       | 30/03/2010 |
| Strathclyde Partnership for Transport (SPT)                         | 13/04/2010 |
| Hazardous Installations Directorate                                 | 07/04/2010 |
| S.E.P.A.  | 28/04/2010 |
| Architecture + Design Scotland                                      | 20/04/2010 |
| Historic Scotland   | 12/04/2010 |
| Transport Scotland: Trunk Roads: Network Management                 | 19/04/2010 |
| Scottish Government - Climate Change and Water Industry Directorate | 09/04/2010 |
| West of Scotland Archaeology Service                                | 12/03/2010 |

► Representations

- Representation from : Mr & Mrs Smith, 26 MacDairmid Drive, Hamilton, ML3 8AZ  
DATED 23/02/2010
- Representation from : Linzi McGuire, , DATED 22/02/2010
- Representation from : Hugh Mellon, 63 Ambleside Rise, Hamilton, ML3 7HJ  
DATED 22/02/2010
- Representation from : Fraser Clark, Beechfield House, Hamilton, ML3 8RN  
DATED 01/03/2010
- Representation from : A & L McDonald, 18 MacDairmid Drive, Hamilton, ML3 8AZ  
DATED 01/03/2010
- Representation from : Steven Rouse, 30 Macdairmid Drive, Hamilton  
DATED 19/02/2010 & 26/02/2010
- Representation from : Mr & Mrs P Rooney, 79 Ambleside Rise, Hamilton, ML3 7HJ

DATED 03/03/2010

Representation from : Mrs Jacqueline Cowan, 83 Brackenhill Drive, Hamilton  
ML3 8AY, DATED 19/02/2010

Representation from : Sharon and David Hamilton, 20 MacDairmid Drive, Hamilton  
ML3 8AZ, DATED 01/03/2010

Representation from : Laura Canning, 24 MacDairmid Drive, Hamilton, ML3 8AZ  
DATED 01/03/2010

Representation from : Mrs Isobel Crawford, 22 MacDairmid Drive, Hamilton,  
ML3 8AZ, DATED 01/03/2010

Representation from : Miller Homes Scotland, Glasgow Business Park  
Unit 1125 Parkway Court, 281 Springhill Parkway, Glasgow  
G69 6GA, DATED 17/03/2010

Representation from : Mrs Evelyn Smith, 4 Brora Crescent, Hamilton, ML3  
8LF, DATED 11/06/2010

Representation from : Craig Smillie, 75 Ambleside Rise, Hamilton, ML3 7HJ  
DATED 01/04/2010

**Contact for Further Information**

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

James Watters, Planning Officer, Brandon Gate, Hamilton  
Ext 3522 (Tel: 01698 453522)  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto:Enterprise.hamilton@southlanarkshire.gov.uk)

## CONDITIONS

- 1 This decision relates to drawing numbers:  
  
2106/42 revision H  
2106/48 revision C  
2106/112 revision B
  
- 2 Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority. These matters are as follows:
  - (a) the layout of the site, including all roads, footways, parking areas and open spaces;
  - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
  - (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
  - (d) the means of access to the site;
  - (e) the design and location of all boundary treatments including walls and fences;
  - (f) the design and location of all retaining walls;
  - (g) a Landscaping Plan;
  - (h) the means of drainage and sewage disposal;
  - (i) details of the phasing of development (covering all relevant aspects of development detailed in (a) above). Following approval, the development shall be implemented in accordance with the approved scheme, or as otherwise agreed;
  - (j) an updated Bio-diversity Plan;
  - (k) an Access Plan
  
- 3 The application(s) for approval of these further matters must be made to the Council as Planning Authority before whichever is the latest of the following:
  - (a) expiry of 10 years from when permission in principle was granted
  - (b) expiry of 6 months from date when an earlier application for approval was refused, and
  - (c) expiry of 6 months from date on which an appeal against the refusal was dismissed.

Approval of the further specified matters can be made for –

- (i) different matters, and
- (ii) different parts of the development

at different times.

Only one application for approval of matters specified in conditions can be made after 10 years from the grant of planning permission in principle.

4 That notwithstanding the terms of condition 2 above the future development of the site hereby approved in principle shall accord with the matters set out within the "Hamilton West Consortium Masterplan Report (31 December 2009)" and the Hamilton West Consortium – Environmental Statement (Volumes 2 & 3) (21 & 22 January 2010), the terms of which are hereby approved and which accordingly, forms part of the planning permission in principle.

5 That the further application(s) required by condition 2 above shall be accompanied by a detailed Design Statement which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site and shall demonstrate the extent to which the proposed development conforms with the guidance set down within the Master Plan.

6 That within 12 months, or as otherwise agreed, of the consent being issued the developer shall submit details of the phasing of the development, including landscaping proposals and play provision throughout the site, shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing unless otherwise agreed by the Council as Planning authority. Following approval, the development shall be implemented in accordance with any approved scheme.

That any submitted phasing plan shall detail the development of the site including proposals for the implementation of infrastructure works (including off-site road works), road access and public transport provision. The plan requires to take cognisance of the rate of build-out of the development and its proposed phasing and should identify what improvements require to be implemented before any phase of the development is occupied.

7 That the further application(s) required by condition 2 above shall include the detailed design of all roads and transportation infrastructure improvements identified in the Transport Assessment, or in subsequent discussions with Roads and Transportation Services, and required by the Council as Roads Authority (and Transport Scotland as Trunk Roads Authority) shall be agreed with the Council as Planning Authority (in consultation with Roads and Transportation Services and Transport Scotland as Trunk Roads Authority).

8 That unless otherwise agreed the design and layout of the roundabouts and internal spine roads throughout the site should be in accordance with the "Design Manual for Roads and Bridges" and the Council's current "Guidelines for Development Roads", including the "Interim Guidance" of January 2011, and subject to more detailed discussion and agreement with Roads and Transportation Services prior to submission of a Roads Construction Consent application.

All other roads within the development should be designed taking cognisance of the Scottish Government's "Designing Streets" policy.

9 That notwithstanding the terms of Condition 4 above, the proposals for the closure of Meikle Earnock Road to through public traffic and the creation of a bus only access will be the subject of further assessment and discussion with Roads and Transportation Services, in consultation with SPT. The nature of this assessment to be agreed with the Council as Planning and Roads Authority.

10 That prior to the commencement of any works on site, or as otherwise agreed with the Council as Planning Authority, a Bus Service Strategy determining an

appropriate level of service for the development shall be submitted to, and agreed by the Council as Planning and Roads Authority, in discussion with Strathclyde Partnership for Transport and thereafter implemented to the satisfaction of the Council. The implementation of works shall thereafter proceed in accordance with the agreed Strategy, unless otherwise agreed in writing with the Planning and Roads Authority.

- 11 That the further application(s) required by condition 2 above shall include details of the Bus Service Strategy, required by virtue of Condition 10 above and should cover details in respect of:
  - i) plans that detail the roads, cycleways and footways associated with that particular phase the development;
  - ii) details of bus infrastructure design for that phase of development including lay-by, shelter (with a power supply), pole and lighting details;
  - iii) location/position of bus stops and bus layover; and
  - iv) a temporary bus turning circle at an appropriate location, at the end of each phase of the development.
- 12 That prior to any work starting on site, or as otherwise agreed with the Council as Planning Authority, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority (and the Scottish Executive as Trunk Roads Authority).
- 13 That the further application(s) 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.
- 14 That prior to any work starting on site, or as otherwise agreed, the submitted Flood Risk Assessment, shall be the subject of independent verification, in accordance with the Council's current design criteria, which should be submitted to and approved in writing by the Council as Planning and Roads Authority in consultation with SEPA.
- 15 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by water and sewerage schemes designed in accordance with Scottish Water's standards.
- 16 That the further application(s) required by condition 2 above shall be accompanied by an Outdoor Access Plan for the development detailing the provision of walking, cycling and horse riding shall be submitted to the Council as Planning Authority, comprising:-
  - (a) A plan, at an appropriate scale, indicating the location and alignments of all existing formal and informal access routes, paths and tracks within and across the site and including linkages with adjacent areas;
  - (b) A report detailing the existing condition of those routes;
  - (c) An assessment of current levels of use, types of user and purpose of trips, together with a reasoned estimate of how this might change as a result of the development or otherwise;

- (d) A plan, at an appropriate scale, indicating the proposed scheme of access routes for walkers, cyclists and horse riders [as appropriate] including linkages with adjacent areas;
- (e) A statement showing how this scheme complies with the requirements of the Disability Discrimination Act 1995;
- (f) Detailed specifications for the construction of all routes, and for all associated artefacts and structures such as seating, cycle racks, lighting, handrails, access controls, signage and interpretation;
- (g) A programme for completion and subsequent maintenance.

17 That the further application(s), required under the terms of Condition 2 above, shall include updated Biodiversity surveys to identify existing habitats and species, mitigation and enhancement proposals, action plan for implementation and phasing of work and future maintenance/management arrangements. This shall be submitted to and approved in writing by the Council as Planning Authority and any future works or actions shall thereafter be carried out in accordance with the approved scheme.

18 That any Landscape Plan, required under the terms of Condition 2 above, shall be submitted to the Council as Planning Authority for written approval and it shall include:

- (i) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs;
- (ii) 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;
- (iii) details and specification of all trees, shrubs, grass mix, etc.;
- (iv) details of any top-soiling or other treatment to the ground;
- (v) sections and other necessary details of any mounding, earthworks and hard landscaping;
- (vi) proposals for the initial and future maintenance of the landscaped areas;
- (vi)i details of the phasing of these works;
- (viii) detailed specifications for all soft and hard landscape features including new trees and shrub planting, hard and soft surface treatments, other amenity features (seating, lighting, sculpture, water features etc);
- (ix) arrangements for structural landscape area (existing and proposed woodland, new greenbelt boundaries, public open space/buffer zones)
- (x) a woodland management and maintenance scheme;
- (xi) management and maintenance prescriptions for all areas of open space, community, public realm, woodland and greenbelt areas; and
- (xii) proposals for the maintenance of all areas of open space within the development shall;
- (xiii) detailing the relationship of the proposed landscape features with adjacent proposals and existing facilities.

19 That the further application(s) required by condition 2 above shall be accompanied by a scheme for the provision of equipped play area(s) 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(s);
- (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(s); and
- (d) details of the phasing of these works.

20 That the further application(s) required by condition 2 above shall be accompanied by a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:

(i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);

(ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;

(iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

21 That the further application(s) required by condition 2 above shall be accompanied by a scheme to control and minimise the emission of pollutants from and attributable to the development, shall be submitted to and approved in writing by the Council as Planning Authority. The scheme shall set out measures which will be implemented to ensure that the emission of pollutants shall meet the requirements of the Air Quality (Scotland) Regulations 2000 and Air Quality (Amendment) Regulations 2002. The approved scheme shall thereafter be implemented prior to the development being brought into use and shall thereafter be implemented in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

22 That the further application(s) required by condition 2 above shall be accompanied by a scheme for controlling emissions from vehicles used in connection with the development, shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall thereafter be implemented prior to the development being brought into use and shall thereafter operated to the satisfaction of the Council as Planning Authority.

23 That the further application(s) required by condition 2 above shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbances. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by

the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

## REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision is made.
- 2 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4 In order to retain effective planning control.
- 5 In order to retain effective planning control.
- 6 In order to retain effective planning control.
- 7 In the interest of road and public safety and in order to retain effective planning control.
- 8 In the interest of road and public safety and in order to retain effective planning control.
- 9 In the interest of road and public safety.
- 10 These details have not been submitted or approved.
- 11 These details have not been submitted or approved.
- 12 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 13 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.
- 14 To ensure that there will be no increased risk of flooding to land and properties.
- 15 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.
- 16 To ensure that development makes appropriate provision for outdoor access and to achieve the completion and subsequent maintenance of the access proposals within an appropriate timescale.
- 17 These details have not been submitted or approved.
- 18 These details have not been submitted or approved.
- 19 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control.
- 20 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 21 To minimise the risk of nuisance from pollutants to nearby occupants.
- 22 To minimise the risk of nuisance from pollutants to nearby occupants.
- 23 To ensure that provision is made to address areas of archaeological interests.



HM/10/0052

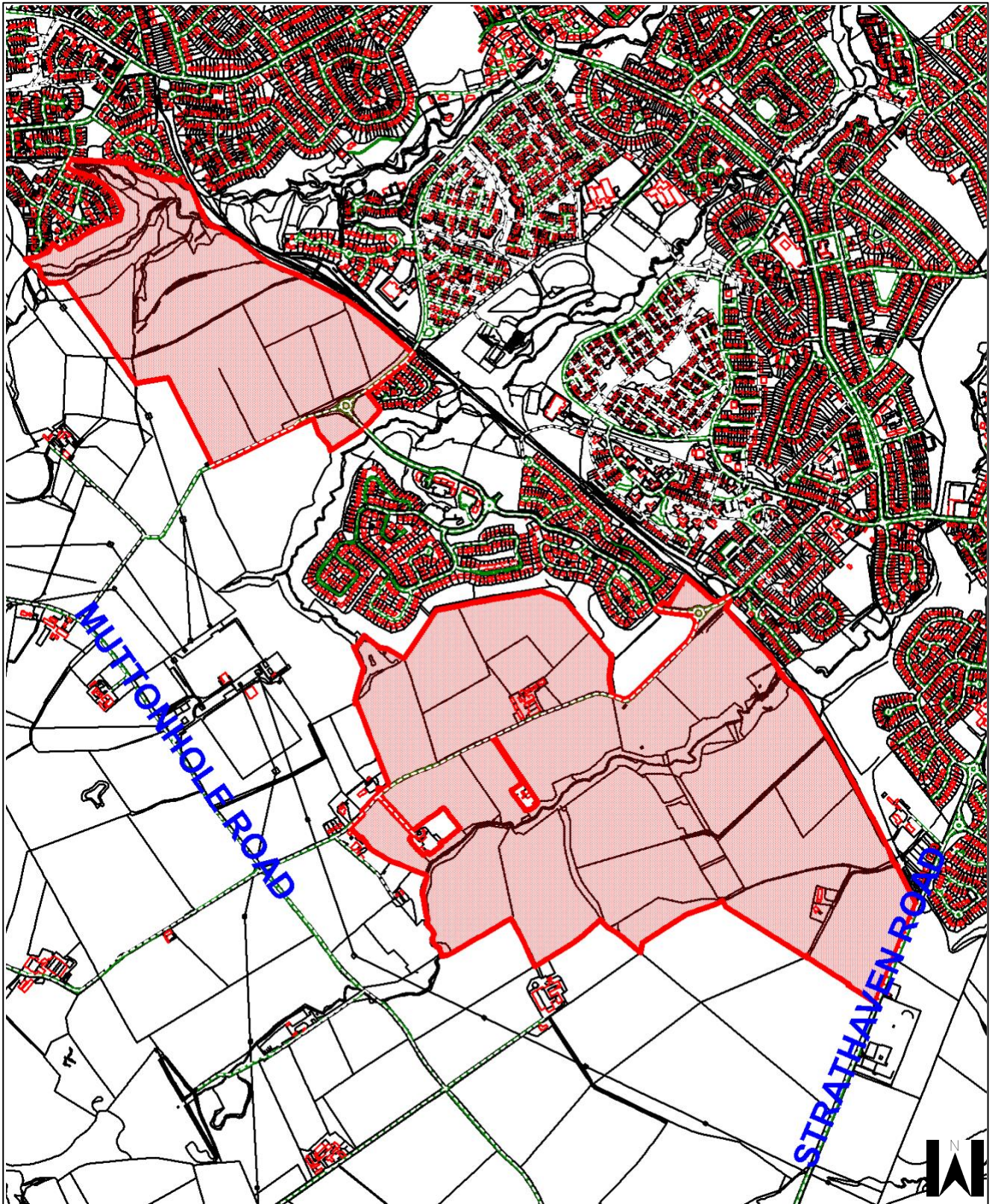
Planning and Building Standards Services

Land to the south and west of Hamilton at Strathaven Road, Meikle Earnock Road and Highstonehall Road

1:16000

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