

Report to: **Planning Committee**
 Date of Meeting: **13 December 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/09/0218
 Planning Proposal: Mixed Use Development Comprising Residential, Retail & Education Uses, and Associated Engineering Works for Site Infrastructure, New Access and Distributor Road, Formation of Open Space Framework with Landscaping Works.

1 Summary Application Information

- Application Type : Planning permission in principle
- Applicant : Cala Homes (West) Ltd/Lynch Homes
- Location : Land to south west of East Kilbride largely bounded by Eaglesham Road, Jackton Road and Newlands 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 off-site junction improvements.
 - The upgrading of pitch provision at Dunedin Recreation Area, including changing and parking facilities.
 - 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 and contribution to cycling/pedestrian provision.
- The provision of affordable housing, either on-site, by way of a commuted sum, or a mixture of both.
- The improvement of park and ride facilities in East Kilbride.

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

3 Other Information

- ◆ Applicant's Agent: Geddes Consulting
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
09 East Kilbride West
- ◆ Policy Reference(s): **National Policy**
Scottish Planning Policy

Glasgow & Clyde Valley Structure Plan 2006 Strategic Policy 1

South Lanarkshire Local Plan (adopted 2009)

STRAT 2 - Proposed Community Growth Areas
 STRAT 7 - Strategic Green Network 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 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
 CTY 5 – Sports Pitch Strategy Proposal
 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):
 - ▶ 69 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters
- ◆ Consultation(s):

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

Environmental Services

Health & Safety Executive

Scottish Wildlife Trust

Jackton & Thorntonhall Community Council

Lindsay, Auldhouse & Chapelton Community Council

Glasgow & Clyde Valley Structure Plan Joint Committee

Countryside & Greenspace

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

East Renfrewshire Council

SP Energy Network

British Telecom

Leisure Services (Facility Manager)

Roads & Transportation Services H.Q.(Traffic and Transportation)

The Coal Authority - Planning and Local Authority Liaison Department

Architectural Heritage Society For Scotland

Architecture and Design Scotland

TRANSCO (Plant Location)

Transport Scotland

Historic Scotland

S P T

Facilities & Cultural Services

Education Resources

Police Liaison Officer

Estates Services - Housing & Technical Resources

Scottish Natural Heritage

Roads and Transportation Services (East Kilbride Area)

Housing and Technical Resources

Planning Application Report

1 Application Site

- 1.1 The proposed East Kilbride Community Growth Area (CGA), identified within the adopted South Lanarkshire Local Plan, is located to the south western edge of East Kilbride.
- 1.2 The site consists predominately of agricultural land and is bounded by Mossneuk, Gardenhall and Newlandsmuir residential areas to the north, Lindsayfield residential area to the east, and Jackton to the north-west. Open, undeveloped agricultural land can be found to the south and west.
- 1.3 The application site extends to approximately 125 hectares and corresponds with approximately 80% of the capacity identified within the Local Plan for the CGA. An area of land around the Police Training College in the north-west corner of the site has been removed from the site during course of the planning application.
- 1.4 The applicants have advised that the amendment to the site boundary is required as at this point in time they do not have a controlling interest in this part of the Community Growth Area, albeit it was included in the original application submission. The area excluded from the current application site will still require to adhere to the overall development framework of the CGA and contribute, as required, to any legal/planning requirements as set out on the front page of this report.
- 1.5 It should be noted that part of the area identified by the Local Plan as East Kilbride Community Growth Area is not included in this application. This relates to land to the north of Eaglesham Road and is subject to a separate planning application (EK/11/0202), which is still under consideration.

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 1,950 units), retail and education uses, and associated engineering works for site infrastructure, new access and distributor road and formation of open space framework with landscaping works. In addition to the site boundary change, described above, the proposed primary school has moved from its original proposed location close to the Police Training College to land adjacent to Jackton Road, on the southern edge of the site.
- 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 an Environmental Statement (ES) along with, and in support of, their application.
- 2.3 In addition to the ES a number of additional documents were also submitted in support of the application. These included a Traffic Assessment (TA), Flood Risk Assessment (FRA - appended to the ES), Planning Statement (PS), Development Framework Report, Design Statement and Sustainability Statement. Following negotiations with the applicant and subsequent changes to the masterplan proposals, a single document called the Masterplan Report has been produced which brings together all the information contained in the above documents.

2.4 In summary the proposed development comprises the following:

- a) The major land use will be residential with a range of accommodation types including affordable housing and/or a contribution to affordable housing. The topography, water courses, vegetation and road pattern have partially dictated the layout in terms of the position of a central green space within the floodplain, green linkages and main thoroughfare, which will link Lindsayfield to Eaglesham Road.
- 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 greenspace connections. The open space will provide for the leisure and recreational 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.
- c) A new primary school will form the community focus for the development, in addition to the central greenspace. Provision for two, small scale retail facilities at either end of the site will provide addition focal points. Allotments are proposed in the south-eastern corner of the site and 5 play areas are provided to serve the residents.
- d) The main thoroughfare, which will run the length of the site, will provide a public transport link to surrounding areas and the wider network. A permeable and pedestrian friendly street network (including shared surfaces) throughout the site is proposed to encourage walking and cycling. The principle access points for the development, as currently proposed, are as follows:
 - a new roundabout on Eaglesham Road, just to the north of the existing Jackton Road junction.
 - a new road link to Lindsayfield Road.
 - Several pedestrian access points have been proposed to connect into the existing housing areas to the north, Jackton Road to the south and Newlands Road to the east.
- e) Five distinct character areas have been defined and developed as a design response to existing site characteristics and context, as informed by analysis and case studies provided in the Masterplan Report.
- f) The development will incorporate the principles of Sustainable Urban Drainage (SUDS) with ten drainage ponds located throughout the development site.

2.5 The applicants have submitted indicative phasing plans for the proposed development however this will be dependent on market conditions. The phasing plan has been designed to accommodate the proposed primary school in an early phase (phase 1 West) and taking into account other site constraints such as ownership and engineering works. Initially, development is planned to begin simultaneously at the Eaglesham Road end of the site (phase 1 west) and the Lindsayfield end (phase 1 east), with phase 2 linking these two areas of housing together. The remaining phases, to the north of the main thoroughfare, will complete all aspects of the site and eventually link the housing areas fully with the southern part of East Kilbride.

2.6 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 Facilities
- Public Open Space
- Retail facilities
- Landscaping
- Allotments

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 East Kilbride 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 2500 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 East Kilbride Community Growth Area (Policy STRAT2) and is allocated as a Proposed Housing Site (Policy RES2). Table 2.2, relative to Policy STRAT2, identifies that the East Kilbride CGA will have an indicative capacity of 2,500 houses by the year 2018. Part of the site is also allocated as Strategic Green Network (Policy STRAT 7).

3.2.2 Policy STRAT 2 states that 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. In this respect, the Council has prepared Masterplan Development Frameworks (MDF) 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 East Kilbride CGA this included:

- Definition of new landscape measures to consolidate new Green Belt edges and establish green networks within the development.
- Improved public transport services through the development area
- Contribution to the improvement of park and ride facilities at Hairmyres Station
- Local road network improvements and walking/cycling network through the development area
- Provision of a new Primary School and 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
- Assess and consider the impact of development on the setting of listed buildings and other prominent buildings, including the police college, Newhouse of Jackton and any potential development at Hayhill House
- Investment in drainage infrastructure at Philipshill Water Treatment Plan

- 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 Through Policy RES 2, 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 STRAT 7 - 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.

3.2.5 In addition to the above policy designation, which provides the overarching local plan policy direction for this area of East Kilbride, the site is affected by a number of additional policies within the Local Plan, as follows.

- Policy RES1 – Housing Land Supply Policy confirms the Council's 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 take account of these particular types of housing. The Council's Supplementary Planning Guidance on Affordable Housing and Housing for Particular Needs provides detailed advice on the application of policies RES4 and RES5.
- Policy COM3 – New Retail/Commercial Development specifies the criteria against which new retail and commercial developments will be assessed.
- 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 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 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 Hairmyres and East Kilbride Train Stations.
- Policy TRA2 – Walking, Cycling and Riding Routes policy applies as it requires the Council to safeguard existing and proposed walking and cycling routes within the Local Plan area.
- Policy CTY5 – The Council will review the pitches listed in Table 4.2 ‘Red Blaes Pitch Provision for Review’ to establish their suitability for redevelopment or upgrade, as part of a programme of phasing out use of red blaes pitches and extending the provision of synthetic grass pitches. Dunedin (2 pitches) is identified in table 4.2.

3.2.6 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 (East Kilbride)** – 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. (TE)** – have advised that on the basis of a review of the Transport Assessment (June 2009) and Transportation Statement (August 2010) and further discussions with the applicants, the following matters are recommended to be addressed through the use of conditions and/or a Section 75 obligation:

- Improved walking and cycling connections to East Kilbride.
- Bus service improvements to enable provision of a viable service to serve the CGA.
- Improvements to park and ride facilities at rail station(s) within East Kilbride.
- Off-site road improvements to accommodate the increased traffic that will result from the development.

A number of standard conditions are also recommended, related to construction phasing, implementation, traffic signal maintenance, design and a safety audit.

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, if necessary, to ensure the provision of the following requirements: off-site road improvements, a financial contribution to park and ride improvements in East Kilbride; improved pedestrian facilities on Eaglesham Road; provision of a cycle link to Hairmyres station; a financial contribution to upgrading the existing East Kilbride cycle route (Calderglen to Newlandsmuir), cycle lockers at Hairmyres train station, financial contribution to maintenance and renewal costs of traffic signals; and a financial contribution to bus services to serve the development. These matters will therefore be addressed through the S75 Obligation/legal agreement and/or the inclusion of conditions, where appropriate, to any consent 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 **Transport Scotland: Trunk Roads: Network Management** – Following detailed

discussions, Transport Scotland have offered no objections, subject to imposition of conditions relating to bus provision and trunk road improvements.

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

- 4.5 **Environmental and Strategic Services** – have offered no objections subject to the inclusion of conditions and advisory notes relating to noise, contaminated land, ventilation, health and safety and the referral of the application proposals to SEPA. Further analysis of potential air quality impacts was also requested. Following the completion of survey work and submission of further information, there are no objections on air quality grounds.

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 4.18 below.

- 4.6 **Estates Services** – have no objections

Response – Noted.

- 4.7 **Education Resources - Schools Modernisation Team** – have no objections to the application, subject to the developers agreeing to fund the provision of a new primary school and school nursery within the Growth Area to accommodate the pupils generated by the development and to provide a financial contribution towards the future increase of capacity at appropriate secondary schools, should this be required. Furthermore, the developer will be required to provide a suitable site within the Community Growth Area for the construction of this primary school and school nursery. Education Resources are currently in discussions with the developers' agents in respect to the timing and amount of these contributions.

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 community facilities at Dunedin recreation area.

Response – Noted. This requirement can be addressed through the Section 75 Obligation, to be concluded between the applicants and the Council.

- 4.9 **Leisure Services (Arboriculture Manager)** – has no objections, based on the tree survey information submitted.

Response – Noted.

- 4.10 **Countryside and Greenspace Service** – generally support the approach proposed for the community growth area, namely the creation of an integrated residential development with a range of community facilities and associated greenspace, landscape, access network and biodiversity infrastructure resources. Comments are also provided on phasing, management and maintenance, boundary planting, greenspace connectivity and allotments.

Response – Noted. The applicant has provided additional information in the revised masterplan report in respect of the above issues. 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 proposals, 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 onsite 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 **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.
Response – Noted. Scottish Water’s requirements can be addressed through the use of conditions and/or advisory notes, where appropriate.
- 4.13 **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.
- 4.14 **SP Energy Network** – have offered no objection subject to the protection of any existing equipment within the vicinity of the application site.
Response – Noted. Any requirement in this regard can be addressed through the use of conditions and/or advisory notes, where appropriate.
- 4.15 **British Telecom** – have not commented to date.
Response: Noted
- 4.16 **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 that the following issues be addressed by the imposition of conditions as part of any consent:
- Protection of Gill Burn from development and provision for passage of otters.
 - No permission for removal of trees should be given at this stage.
 - The suggested mitigation measures in the Environmental Statement relating to ecological issues and landscape and visual issues to be implemented.
 - Provision of greenspace framework at an early stage.
- Response** – Noted. SNH’s requirements can be conditioned as part of any consent granted.
- 4.17 **Scottish Wildlife Trust (SWT)** – have not responded to date.
Response – Noted.
- 4.18 **Strathclyde Partnership for Transport (SPT)** – have provided the following comments:
- 4.18.1 **Phasing – bus access**
We have significant concerns about the revised phasing for the development, particularly in relation to the phased construction of the main through road that is to act as the bus route through the development. We would recommend that the

through road is fully connected at an early stage within the development to enable the adequate provision of bus services for the CGA. Should you be minded to grant consent for the proposals now submitted, i.e. the through road being completed in line with the school opening (on the completion of the 400th house), it is vital that a bus turning facility is provided to enable buses to serve and then turn within phase 1 East. This would allow the extension of existing bus services into the area. To facilitate this consideration should also be given to the developer providing a subsidy to bus operators from an early stage and that this requirement is reviewed annually to ensure appropriate provision in line with the phasing of development.

4.18.2 Walking and cycling

We note that our concerns relating to the provision of cycle routes within the development have been addressed through the provision of major remote paths for shared pedestrian and cyclist use. Consideration must however be given to the way in which these paths connect the development site to the wider residential area, and to existing bus routes, particularly the north of the site, which will be remote from any bus routes through the development. We would suggest that signage must also be provided to direct residents walking to bus routes.

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.

4.19 **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 flood risk and Environmental Management. Additional advice is given in relation to engineering works, surface water drainage and foul drainage.

Response – Noted. The conditions relate to the requirement to provide an updated Flood Risk Assessment and an Environmental Management Plan. The requirements of SEPA can be addressed through the use of conditions and advisory notes, where appropriate.

4.20 **Architecture + Design Scotland** – The proposals require more thorough design consideration, for both large scale principles and localised spatial planning, to build up an Urban Design Strategy of guidelines at a suitable scale for an outline planning application of this type and in this location. It was suggested that the project team and that the Local Authority work together to thoroughly reconsider and develop these proposals to create an exemplary residential environment, guided by the principles of a high quality place-making.

Response – Noted. Extensive discussions and subsequent amendments have been made to the proposals following the initial submission in order to address many of the issues raised. This has resulted in a revised masterplan incorporating a number of the improvements requested.

4.21 **Historic Scotland** – have no objections as there are unlikely to be any significant impacts on any historic environment assets of national importance.

Response – Noted.

4.22 **Health and Safety Executive** – have offered no objections.

Response – Noted.

4.23 **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.

4.24 **Lindsay, Auldhouse and Chapelton Community Council** – have not commented to date.

Response: Noted

4.25 **Jackton and Thorntonhall Community Council** - have provided detailed comments on a number of issues, under the following broad headings:

1. Not consistent with the Local Plan in terms of housing needs, post 2018.
2. Not consistent with the Masterplan Development Framework (MDF) in terms of phasing – the site should be split pre 2018 and post 2018 to accord with MDF.
3. Impact on local school capacity and uncertainty about provision of new school
4. Traffic impact on Eaglesham Road.
5. Lack of parking capacity at Hairmyres train and subsequent impact on subsidised bus services.
6. Contrary to Scottish Planning Policy in terms of favouring a greenfield site over brownfield.

A number of modifications are also suggested, in relation to: phasing; green belt boundary; school position; density; red line boundary; road layout; lack of recreation/leisure facilities; use of local labour; broadband connections; power generation/sustainability; sewage connection; retention of trees/hedgerows; sheltered housing; vehicle free housing and non-permeable planting.

Response: Negotiations and discussions to improve/modify the submission have taken place over a period of over 2 years. The concerns of the Community Council have been taken into account and while many of the modifications suggested above (and detailed in the Community Council response) have not been incorporated into the finalised submission I am satisfied that the proposed development is of a high standard and will be beneficial to present and future residents of East Kilbride. In relation to specific issues, raised above it is noted that points 1, 2 and 6 are addressed at section 5.2 (d), below. Points 4 and 5 in relation to traffic impact/park and ride are addressed at points (j) and (s) of 5.2, below. In respect of schools, Education Resources have been consulted on the planning application and have no objections. In the interim period, prior to the opening of the new primary school, arrangements will be made by Education Resources, if required, to accommodate additional pupils. The applicants have agreed to provide a financial contribution towards the upgrade of Duncanrig High School to accommodate additional pupils.

4.26 **East Renfrewshire Council** - The Structure Plan identifies a Green Belt structural corridor between East Kilbride/Jackton and Eaglesham. Development at this location would encroach upon this important corridor and could also have an adverse impact on the setting of, and views from, Eaglesham and its Conservation Area. The area plays an important role in maintaining settlement separation and contributing to undeveloped corridors between settlements. Furthermore it is likely that increased traffic flows may lead to congestion issues in the village.

I would request that any development in this location is sensitively designed to limit the impact upon Eaglesham. It remains the Council's view that development at this location would result in a significant degree of coalescence, both in physical and visual terms, between Jackton and Eaglesham.

Response: Noted. The principle of a green belt release of housing land has already been established through the Structure Plan and Local Plans. The concerns regarding the sensitivity of the green belt in this location are noted. Appropriate

conditions and legal obligations can ensure that the future form of the development is adequately controlled to protect amenity and the landscape setting of the area.

4.27 **Police Liaison Officer** – has no objections and have requested that they are consulted on the individual phases so that the principles of Crime Prevention Through Environmental Design can be applied.

Response: Noted

4.28 **Glasgow and Clyde Valley Strategic Development Planning Authority** – have no objections.

Response: Noted

4.29 **Architectural Heritage Society for Scotland** – The proposed education provision should ideally be split into two separate schools and accompanied by shops to create to focal points for activity. Regeneration and re-development of brown field sites would be a more desirable and long term alternative policy to developing the green belt.

Response: The proposed retail requirement for the development (as set out in policy STRAT2 of the Local Plan) has been split into two separate areas to enhance accessibility to these facilities. Education Resources have advised that one additional primary school will be required for this scale of development. The position of the school has been determined partly by phasing requirements, to enable the school to be built within an appropriate timeframe. The detailed design of surrounding streets and crossing points etc. will be considered at the detailed planning stage to ensure that pedestrian access to the school is encouraged. The issue of housing need has been addressed at point (c) of section 5.2, below.

4.30 **The Coal Authority** – have no objections

Response: Noted

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposals advertised in the local press. 69 letters of representations have been received in respect of the proposals including a detailed response from Gardenhall Residents Association.

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

a) **Gardenhall Residents Association** – have provided detailed comments on a number off issues, under the following, general headings.

1. Not consistent with the Local Plan in terms of housing needs, post 2018 and loss of Strategic Green Network Priority land.
2. Not consistent with the Masterplan Development Framework (MDF) in terms of phasing – the site should be split pre 2018 and post 2018 to accord with MDF.
3. Detrimental impact on local infrastructure, including roads, rail, SUDs, bus service, pathways.
4. Lack of facilities/impact on health service.
5. Impact on the environment, to include flora and fauna, trees, helicopter flight paths, buffer zones, visual, works during development.
6. Changing market conditions require a reappraisal of the proposed development.

Response: Negotiations and discussions to improve/modify the submission have taken place over a period of over 2 years. The concerns of the Residents Association have been taken into account, in particular in relation to the original position of the proposed primary school, which has been amended. Further, detailed issues raised have been assessed and the majority of points are covered in the representations detailed below. In terms of specific matters raised above, I would comment that points 1 and 2 above have been addressed at point (d), below. Point 3 in relation to traffic impact/rail and bus is addressed at points (j), (s), (x), (gg) and (hh) below. Impacts on health service lack of facilities are addressed at (k) and (z) below. Impacts on the environment, including visual impact are addressed at (c), (e), (f), (i) and (nn) of 5.2, below. In respect of housing need (point 6), it is noted that housing market conditions have changed in recent years. However, it remains a key responsibility for South Lanarkshire Council to provide housing land to facilitate sustainable, well planned urban growth.

- b) **Concerns about the extension of the development area to include a wedge/strip of land from Jackton Road to Kirkland Bridge, including a suds pond. This is a serious breach of the Local Plan. In addition, there are inconsistencies in how this area is dealt with in the submission. It appears to be the line of a new road.**

Response: The area of land forms part of the surface water drainage arrangements for the site. This is considered to be an appropriate use for green belt land and it is not considered to be contrary to the terms of the Local Plan. Built development is not proposed for this area.

- c) **It was understood that the area immediately to the south of Borthwick Drive and surrounding streets was to remain as strategic green network priority, as stipulated in the Local Plan. The area of green land is smaller than indicated in the Local Plan. We were told this was green belt land when we bought our house.**

Response: The Local Plan includes an area allocated as Strategic Green Network Priority (policy STRAT 7d) immediately south of the majority of the existing residential areas abutting the application site. This was an indicative plan of how the community growth area could contribute to the wider green network. Following examination of site constraints and production of the East Kilbride Community Growth Area Masterplan Development Framework, a revised layout of the green network is proposed, which takes advantage of the watercourse running through the site and existing areas trees/landscape features. The land was previously green belt for many years but is now incorporated into the Local Plan as a Community Growth Area.

- d) **In order to be consistent with the Local Plan, the application should be amended as follows: a reduction in the area covered by the proposed development so that it is consistent with phase 1 (pre 2018) as shown on p.24 of Masterplan Development Framework (MDF). This modification is required because the Local Plan commits to returning phase 2 to green belt status unless there is a proven demand for housing, post 2018; a strong and defensible green belt boundary for phase 1. This is important because phase 2 may be returned to green belt status. There is a strong case to be made for using the feeder road as the green belt boundary for pre 2018 development.**

Response: The MDF phasing plan provided indicative guidance at a general level on how the site could be developed out. The current, proposed phasing

plan is more detailed and reflects site constraints and other factors such as ownership, level changes, road links and education provision. Early phases of the development include the main thoroughfare, primary school and play provision/open space. The CGA sets out the strategic direction for the growth of East Kilbride and there is considered to be no conflict with the Structure Plan or Local Plan in terms of the scale and phasing of the development.

- e) **Building heights and roof scapes should be designed to minimise intrusion and as a general rule should avoid breaching the skyline.**

Response: The Environmental Impact Assessment submitted with the application included a landscape and visual analysis of potential built development. The most elevated positions of the site will require careful consideration at the detailed application stage to avoid visual intrusion.

- f) **The minor road network surrounding the site cannot cope with construction traffic. Jackton Road and Newlands Road should be designated as 'no access to construction traffic.' Construction of new access roads is essential before any construction activity takes place.**

Response: The details of construction operations cannot be considered in detail at the planning in principle stage. A condition can be imposed on any planning permission to ensure that relevant details are agreed at the detailed stage.

- g) **The proposals do not comply with policy ENV4 as the development would undermine the integrity of Grade B listed Newhouse Farm. The proposed development will necessitate demolition of Easterhouse. This property was part of the original Jackton village. It seems very short sighted to remove nearly all trace of old and historic buildings and places. The applicants have not taken into account the impact on setting of Listed Buildings, as required by STRAT 2 of the Local Plan.**

Response: The submitted masterplan details show new structural planting around most of the perimeter of Newhouse Farm. There is also a green buffer indicated to the south-east of the property, together with an indicative design response in the housing layout, which includes protection of a vista to Newhouse. The property, Easterhouse, is included within the application site boundary and there are no specific plans shown for its retention. Other buildings on the site periphery (Jackton Road and Newlands Road) are not within the site boundary and therefore will be retained. It is considered that the applicant has taken into account the impact on historic buildings and therefore the proposal complies with policies STRAT2 and ENV4, in this regard.

- h) **The area of ground to the rear of Tyne Place is liable to flood and problems in this regard have been experience in properties in this area. The proposed suds ponds do not appear to address this problem as the ground contours show a drop of up to 5m in this area. The slope of the land does not lend itself to the proposed road in this area. There is general concern over flooding and the floodplain.**

Response: No objections have been received from SEPA or the Council's Flood Prevention Unit in this regard. At the detailed planning stage, issues such as level changes and the details of proposed surface drainage arrangements will be addressed in full.

- i) **The present green belt area to the south of the existing housing in Mossneuk is a wildlife habitat for many species, including, toads, frogs, bats, birds, frogs, insects, bees, squirrels, badgers, deer,**

polecat/mink/otter. A further protected species survey should be carried out prior to any grant of planning permission. Otter protection plans and bat survey reports appear not to have been submitted. There will also be a significant impact on natural watercourses. Short term profit should be second to long term environmental benefits.

Response: An Environmental Impact Assessment was submitted with the application. This included details of protected species surveys and other general wildlife surveys (including a bat and bird survey). No objections have been received from SNH with regard to the information submitted. Further, up to date surveys, will be required prior to the commencement of operations on site and appropriate licences will be required. Appropriate protection measures can be required by the imposition of planning conditions.

- j) **There is a lack of available car parking at Hairmyres train station and therefore an existing overspill problem in the surrounding streets and hospital. The development should not be progressed until steps have been taken to address this issue. There is also insufficient capacity on the train network to accommodate extra passengers.**

Response: It is recognised that the development is likely to result in greater demand on the local rail services. This application cannot, however, address the issue of train capacity on the service to Glasgow as this is a matter for train service providers. However, the applicant has agreed, in principle, to provide funding to upgrade parking facilities within East Kilbride, as stipulated in the Local Plan.

- k) **There is a lack of facilities proposed with the development, such as a doctor's surgery/medical centre, chemist, pubs, shops, indoor community hall and outdoor recreation facilities. There is a lack of facilities for teenagers, which leads to anti-social problems in some public places. The football pitches at Dunedin are remote from Gardenhall.**

Response: The proposed development includes provision for two shops, designed to serve local retail needs. This is a requirement of policy STRAT2 of the Local Plan, in addition to the requirement to provide one grass sports pitch or equivalent provision at a local facility. The applicant has agreed to fund improvements to Dunedin Recreation Area, as requested by Community Resources. It is therefore considered that the proposal complies with policy STRAT2 of the Local Plan in terms of provision of appropriate shopping and leisure facilities. There is also a total of 5 play areas proposed, as well as a large area of open space, central to the site.

- l) **As the new school will not be provided until 400 houses have been built, Mossneuk Primary will require considerable expenditure to support the extra pupils from this development, in addition to other, nearby developments. In addition, the taxpayer will be carrying the cost of transporting pupils until 2016. This cost should be borne by the developers. There is also insufficient capacity at Duncanrig High school.**

Response: Education Resources have been consulted on the planning application and have no objections. The applicant has agreed to provide funding for the extra pupils that will be generated by the CGA, both in the primary and secondary sector. A new primary school will be required to be operational by the completion of 400 houses. This school will have a catchment area that will include some pupils currently delineated to Mossneuk primary School. The applicants have agreed to provide a financial contribution towards upgrading of Duncanrig High School to accommodate additional

pupils.

- m) **There is no regard to self sufficiency of energy. This is an ideal opportunity to insist on green development, such as a wind power plant, solar panels and energy monitoring systems in houses.**
Response: The applicant has submitted a sustainability statement in support of the development. The statement sets out principles in terms of energy efficiency and sustainability, with more details to be provided at the detailed application stage. The level of information provided is considered acceptable.
- n) **Should the development proceed, then Jackton as a village will disappear with the erosion of open space between Jackton and East Kilbride. I would suggest the addition of tree planting of a minimum 15m in depth along Jackton Road to lessen the impact of the development. The development will intrude visually into the White Cart valley.**
Response: The principle of the development has previously been established through the South Lanarkshire Local Plan and Masterplan Development Framework, which has guided the form of development. It is acknowledged that the proposal will have a significant impact on the setting of Jackton. The applicant has sought to demonstrate, through the masterplan report, that the development will take into account its context in terms of the surrounding built environment and landscape setting. This includes different character areas, which are based on any relevant site characteristics and current urban design practice. At the detailed planning application stage it will be possible to control the finer detail of each development area, including issues such as building height, position and landscaping. The information provided is considered sufficient to demonstrate that the impact of the development on Jackton has been taken into account and an appropriate design response proposed.
- o) **Loss of mature trees and hedgerows. We understood that trees are protected by a tree preservation order. Trees and hedgerows to the rear of Borthwick Drive should be retained.**
Response: There is a tree preservation order that covers many of the tree belts in the areas to the south of the existing East Kilbride boundary. Details of a tree belt assessment have been submitted with the application. One area of trees identified as class 1 has been identified to be removed. This tree group is predominately located adjacent to a ditch on slopes of 1 in 8 and is identified as being in a declining condition. The Council's Arboricultural Manager has examined the submitted information and is satisfied with the survey findings. The proposed layout, in general, protects existing tree belts and includes significant new planting. Further, detailed landscaping plans will be required at the detailed planning stage.
- p) **East Kilbride has reached its optimum size and should not expand further. The development is excessive. There is sufficient housing stock, at present, in East Kilbride.**
Response: There is an identified need for new housing in East Kilbride. Housing need is addressed in more detail at (d), above.
- q) **The stability of houses within the current East Kilbride boundary could be affected by building works, especially earth moving. With earlier developments there was evidence of subsistence. How does the developer propose to build on the sloping parts of the site? Possibility of damage to mains gas pipe. Noise, dust, dirt, pollution, odour impacts and general inconvenience associated with construction work. I would**

like to know a more definite timescale for development in respect of construction impacts.

Response: The detail of any engineering works associated with future house building at the site is not available at this stage. This level of detail will be necessary at the detailed planning and building warrant stage. It is the developer's responsibility to ensure protection of any existing underground apparatus. It is acknowledged that a development of this size will result in some disturbance during construction. The Planning Service will aim to minimise any disturbance through the use of planning conditions. It is not possible to give an accurate timescale for development as this is dependent on market conditions and the development timetable of house builders.

- r) **Overlooking and overshadowing of existing properties. Loss of long distance views for residents of Gardenhall and Mossneuk. Increase in light pollution.**

Response: The submitted masterplan map shows an indicative site layout, therefore the exact position of houses are not fixed at present. At the detailed planning stage, the position of housing and landscaping will be agreed in detail with the Planning Service. Measures to be considered will include overlooking and overshadowing. The Planning Service cannot guarantee protection of any existing long distance views, however, visual impact, including dominance, will be considered at the detailed planning stage. Some additional light pollution is inevitable from this size of development. All street lights will be adopted by the Council and the specification of these lights can be considered in more detail at the planning application and Roads Construction Consent stages.

- s) **Increased traffic on Eaglesham Road and Greenhills Road. This will be exacerbated by the lack of facilities, public transport and employment opportunities within the development, which will lead to an increase in shopping and other trips by car. There is already difficulty accessing Greenhills Road from Borthwick Drive and congestion resulting from people avoiding Peel Park roundabout. There will also be increased traffic in Eaglesham. Are there plans to ease the congestion?**

Response: The proposed layout and its potential impact on the surrounding road network has been considered in detail during the course of this planning application. A traffic impact assessment has been submitted, which identifies necessary upgrading works to mitigate for increased traffic. Roads and Transportation are satisfied that the proposed works will successfully mitigate any potential impacts. Conditions can be applied to any consent to ensure that identified works are carried out at the appropriate stage of development.

- t) **Loss of recreational opportunities due to loss of green belt land. Potential increase in mental problems due to loss of greenery. There will be a negative impact on equestrian use of the area. The new pathways should be made suitable for horse riding and other outdoor pursuits. There should be no access from Jackton Road to the proposed development site. Access to Newlands Road should be restricted to pedestrians, cyclists and horses.**

Response: The proposed development includes a network of pedestrian and cycle routes throughout the site, including routes through or adjacent to existing landscape features such as trees and a watercourse. Both Jackton Road and Newlands Road are to be retained as predominately recreational routes, as they will not function as vehicle routes to serve the CGA. It is therefore considered that in the local area there are likely to be more

recreational opportunities in terms of walking/cycling and not less, as a result of the development. It is acknowledged that a large area of open countryside will be lost, however the land is predominately in agricultural use and therefore provides limited recreational opportunities at present. There are no specific plans for equestrian routes, however, Jackton Road and Newlands Road will still be available for recreational use.

- u) **Granting this application will be a betrayal of the principles upon which East Kilbride was constructed, i.e. to provide a natural living environment with ready access to countryside.**

Response: As mentioned in point (t), above, it is considered that residents will have good opportunities to access green areas and open countryside.

- v) **The existing sewerage infrastructure cannot support the development. Has Scottish Water carried out an assessment on how these challenges will be met? Septic tanks are used at present; I assume mains drainage will be installed.**

Response: Scottish Water has not objected to the proposal, however, they require developers to undertake a development impact assessment prior to any work commencing.

- w) **The submitted design brief includes example photos which mislead, e.g. sandstone villas and mature tree lines. There are inconsistencies in how the land to the rear of Borthwick Drive is shown in the Masterplan Report. The submitted plans do not accurately reflect the current residential developments along the east boundary. I would like a guarantee that what we are shown is what we will eventually end up with.**

Response: The submitted photographs are illustrative of potential site condition, or development types. While final designs are not yet available, the concept of open space, bordered by trees and fronted by housing is the relevant design response being put forward. There are two pedestrian connection points identified onto Borthwick Drive, one is identified as being a major remote footpath (lit) and one identified as a minor remote footpath. A permeable green edge is also identified in this area, which indicates some landscaping/vegetation retention but allows for a safe pedestrian access through to Borthwick Drive. Any housing areas shown outwith the application site will not form part of any approval. This application is for planning permission in principle. Further planning applications will be submitted in due course to refine the detail, prior to any work commencing on site, however the principles outlined at present are considered acceptable.

- x) **The proposed primary school may not be within walking distance for many residents, which will lead to an increase in traffic congestion and does not encourage pedestrian movement. It should be in a more central location if it is the hub of the development. A bus service in Mossneuk has recently been cancelled. The proposed shops are too far away from the areas to the north.**

Response: The position of the school has been determined partly by phasing requirements, to enable the school to be built within an appropriate timeframe. The detailed design of surrounding streets and crossing points etc. will be considered at the detailed planning stage to ensure that pedestrian access to the school is encouraged. There are plans to provide a viable bus service for residents of the CGA. An agreement on any required financial contribution and implementation of the service can be addressed through a legal

agreement and/or the inclusion of conditions to any consent. The retail requirement for the site has been split into two locations to increase accessibility for residents.

- y) **The extra population will result in problems managing crime and anti-social behaviour. The police may not have sufficient resources to deal with these issues. Proposed lanes to the rear of Lendal Place and connecting to Borthwick Drive will lead to an increase in anti-social problems as they are unlit. There are existing problems of this nature in the local area. Concerned about people passing by the front of our house.**

Response: The Police Architectural Liaison Officer has no objections to the proposal. Principles such as overlooked routes, appropriate planting and lighting can all deter criminal activity and anti-social behaviour. These principles are contained within the masterplan report and can be carried through at the detailed application stage. It should also be noted that the detail of all pedestrian connections and their locations are indicative at this stage.

- z) **There will be a major impact on local health services, which are already strained, including Hairmyres Hospital.**

Response: The NHS were consulted on the South Lanarkshire Local Plan, which included plans for the Community Growth Area. No adverse comments were received.

- aa) **There has been a lack of open and honest dialogue between South Lanarkshire Council planning and residents.**

Response: The statutory notification procedures have been followed and following alterations to the proposals, further notification and consultation was carried out.

- bb) **The lack of right to appeal compromises the Council's objectivity as the Council also provides the Local Plan.**

Response: Members of the public have an opportunity to have an input into both the local plan process and the planning application. There is no third party right of appeal for planning applications.

- cc) **Negative impact on property values. Houses will be blighted by the development.**

Response: Impact on property values is not a material planning consideration.

- dd) **All the arable land within the site will be required in the future. The possible crop yield from this area has not been assessed. The feu contract for this area deemed the land for agricultural use only.**

Response: The principle of developing the site for housing has already been established by the Local Plan. There is an identified requirement for housing both now and in the future. There is no identified shortage at present for agricultural land of this type.

- ee) **The Jackton area has seen very little development in the past as the Council defended the green belt in this area. Any development was on previously developed land only.**

Response: The land around Jackton was previously green belt land that was not identified for a community growth area. As part of the Local Plan review process, the East Kilbride CGA was identified as suitable site to contribute to

an identified shortfall in housing.

- ff) **The applicants have not used the latest Government guidance ‘Designing Streets’ in preparing the scheme. The arrangement seems to have been designed with no appreciation whatsoever for the quality of life of the existing residents of Jackton. Was proper consideration given to the residents of Jackton by the Highways department?**

Response: Designing Streets is national guidance and, as such, future detailed designs will be required to accord generally with the approach set out in the document. The finalised design of the road layout in Jackton will be established at the detailed planning application stage. Potential impacts and any related mitigation measures will be considered by the Planning Service in consultation with Roads and Transportation and Environmental Services.

- gg) **The highways solution proposed will destroy rather than create ‘a locally distinctive, high quality place.’ Apparently the framework plan had an access to the development from the Gardenhall/Mossneuk area. Why was this abandoned and did it relate to cost savings for the applicant? Greenhills Roads is much more suited to dealing with the CGA traffic – can this be reinstated?**

Response: The Masterplan Development Framework included a potential road link to Greenhills Road, which would have directly linked the northern part of the CGA to Mossneuk. Following consultation with Roads and Transportation, this link was removed from the plans due to a lack of spare capacity on Greenhills Road. There are no plans for this aspect of the proposal to be reviewed.

- hh) **The applicants’ TA assumes that the proposed road connection to Lindsayfield will be in place. This may not happen at all, or for many years, with the result that all traffic will use the Jackton access. Eaglesham Road in Jackton is not suited to the additional traffic. No improvements are proposed/ possible due to the existing homes and businesses that have a direct access onto the Road.**

Response: The submitted phasing details state that the main thoroughfare (link road through the site) will be completed and operational to coincide with the opening of the new primary school (400 houses). This requirement can be enforced by a legal agreement and/or planning conditions, as deemed appropriate. The requirements of Roads and Transportation are set out in paragraph 4.2, above. These include a 2m wide footway along Eaglesham Road, from the development to the train station and a controlled crossing point. The exact detail of the arrangements in Jackton will be considered in full at the detailed planning stage.

- ii) **The existing pavements in Jackton are narrow and it can be dangerous at present for pedestrians. There is also a dangerous bend, when entering the village from the east. The extra homes will exacerbate the situation. It will not be possible to form cycle lanes on Eaglesham Road due to the constraints, which casts doubt on whether any statements on sustainability are credible. In this regard, access to Hairmyres station is also poor. Pedestrians at present have difficulty crossing the roundabout at Greenhills Road/Eaglesham Road.**

Response: These points are addressed above at hh), above. A cycling route to Hairmyres Station is also proposed. This requirement can be enforced by a legal agreement and/or planning conditions, as deemed appropriate.

- jj) **To retain the character of Jackton, the intended access point could be moved to an alternative location, either north or south. The proposed shop location will result in parking on Eaglesham Road, with associated disruption and danger to children.**

Response: Due to existing site constraints and land ownership there is limited capacity to alter the position of the main thoroughfare. The proposed shop position is highly accessible and therefore has advantages in terms of visibility and ease of access. The plans submitted indicate a rear parking arrangement, not directly accessed off Eaglesham Road. The detailed layout will require further consideration at the detailed planning stage.

- kk) **The proposal will result in noise disturbance for residents in Jackton as a result of the traffic and roundabout. How can a 200 year old house be insulated against such significant noise? Properties will be blighted by the proposed roundabout, may be damaged by construction operations and existing vehicle accesses will be negatively affected.**

Response: No objections have been received from Environmental Services in terms of potential noise disturbance. A relevant condition can be imposed on any planning permission requiring that further detail is submitted to assess and mitigate against any potential noise disturbance. The detailed road layout for Jackton will be considered at the detailed planning stage. Account will be taken of existing access requirements and associated impacts resulting from the new road layout.

- ll) **A better way of housing people would be to leave a green buffer between existing residents and the proposed housing, or alternatively, residents should be allowed to extend their gardens into the development land. There should be no further development of Greenfield land south of Glasgow until the supply of brownfield land has been exhausted. There are other areas of land that could be developed nearby, instead of this development.**

Response: The layout of the CGA has been partly determined by the existing site constraints and specifically the existing watercourse and flood plain. This has resulted in a large area of open space in the centre of the site, with associated green links. The proposal to have housing in areas adjacent to Mossneuk will allow safe pedestrian linkages to be made to the CGA, which will allow residents of Mossneuk and Gardenhall to access the facilities/landscape within the CGA. The issue of housing demand/need has been addressed at point (d), above.

- mm) **Flats would be totally out of character with the existing dwellings in Jackton, both in appearance and height, as most buildings are single storey. The flats would also overshadow and overlook existing properties in Jackton.**

Response: This planning application does not propose any flats within the Jackton area. The proposed character area of Jackton within the masterplan report proposes a variety of building heights, including single, one and a half and two storey buildings.

- nn) **Concern about proximity of Police Training College, to school and housing. The firing range and helicopter landing pad and training could be alarming for children. The school is under the helicopter flight path, which is dangerous.**

Response: The school is now approximately 500m from the Police Training College. This is considered to be sufficient distance to prevent any

disturbance or danger.

- oo) **Why did 2009 proposals allow for 1500 homes and this has now been expanded to 1900 on south side of Eaglesham Road, with a further 580 on the north side?**

Response: The indicative total capacity for CGA, as identified in the Local Plan is 2500. This application is for approximately 1950 houses and application EK/11/0202 is for just over 400 houses. The amount of units proposed, in total, therefore is still with the parameters of the indicative local plan capacity. The applicants have reviewed their proposal and increased the indicative capacity of the site. This is considered acceptable, as there is deemed to be no conflict with the Local Plan.

- pp) **Could the existing park on Eaglesham Road be retained? The proposed toddlers play area are useless as they are either too small or attract teenagers and vandalism. There is a lack of children's play facilities.**

Response: The site of the existing play area in Jackton has been identified as a suds pond to accommodate the drainage requirements for the site. Overall, there are plans for four toddlers play areas and one larger play area to be provided within the new layout, as well as a large area of open space in the central part of the site. This is considered to be an acceptable level of play provision for the development. The applicant has indicated in the masterplan report that the play areas will be integrated into the housing areas, with safe linkages and overlooked by housing. These design principles will help to reduce the likelihood of these sites attracting anti-social behaviour.

- qq) **What if building works stop due to a further decline in the economy? Is there sufficient demand for housing in the current climate and has this been fully researched?**

Response: The Council cannot directly control the demand for housing, other than providing sufficient land, as needed. There is an indentified shortage of housing in the local area. This issue is addressed in more detail in point (d), above.

- rr) **Suds ponds are a danger to children and unsightly. Will the burn be culverted?**

Response: There are no plans to culvert additional areas of the Gill Burn, with the only interventions required to deal with path or road crossing points. These crossings will require to be designed to take into account the requirements of otters. The detailed design of the suds ponds, including any protective fencing, will be considered at the detailed planning stage.

- ss) **The development will be in breach of our right to peaceful enjoyment of our property and our right of respect for our private and family life, as set out in the Human Rights Act 1998. The neighbour notification is incompetent, having included the loss of value statement under invalid planning considerations. This is contrary to Human Rights legislation.**

Response: This application is assessed in terms of the relevant planning legislation, guidance and local plan, taking into account any other material considerations. This is considered to be the correct and valid method for assessing any planning proposal.

- tt) **The proposed flatted development to the rear of Blackadder Place/Wamphray Place/Whiteadder Place would result in a loss of privacy. The previous plans showed this as high amenity housing, i.e. bungalow style**

Response: The submitted details do not indicate flats to be provided on the land to the rear of the existing housing areas at the north of the site. Low and medium density housing is proposed in this area.

- uu) **The proposed pedestrian crossing points on the distributor road will be dangerous due to traffic volumes. There will be a risk to children attending school, who have to cross Eaglesham Road.**

Response: Roads and Transportation have no objections to the proposed development, subject to the imposition of appropriate conditions. Suggested conditions include the requirement to provide a safety audit.

- vv) **What percentage of the 1950 homes will be affordable? What schooling is to be provided? Was an Environmental Impact Assessment carried out?**

Response: 25% of the sites capacity is proposed for affordable housing. A new primary school is proposed to the south of the site, adjacent to Jackton road. An Environmental Impact Assessment was submitted with the planning application.

- ww) **This planning application and EK/11/0202 should not be considered separately.**

Response: Planning application EK/11/0202 is clearly relevant to the consideration of this planning application. However, each application is decided on its individual merits and it is considered possible, through the use of conditions and legal agreements to consider each application separately.

- 5.3 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 a number of requirements for the East Kilbride CGA, as detailed at section 3.2.2 above and these principles are reflected in Policy STRAT2 of the adopted local plan, which states 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 revised 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 and Policy STRAT 2. In this regard it is noted that:

- With respect to 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, a green spine, including open space, has been provided along the route of the Gill Burn, supplemented by areas of new planting, where appropriate and linking to new and existing parts of the green network, which connect both north and south.
- Five different character areas have been identified within the masterplan, which are designed to respond to the different characteristics of each part of the site and therefore offer variety in the layout/design of the housing areas.
- The proposed development will be based around a new spine road (main thoroughfare) 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 recreational routes, local services and adjacent residential areas. Bus routes will be extended around the main thoroughfare with bus stop infrastructure located to ensure that all residents will be within 500 metres of a bus stop. Improvements to park and ride facilities are also proposed.
- 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 contributing to the cost of a new primary school and future secondary school requirements, as necessary.
- Two, separate retail facilities of a scale appropriate to serve the Community Growth Area will be provided, one at the Jackton end and one further east, adjacent to the main area of open space.
- A large area of open space is proposed in the central part of the site, together with several play areas scattered through the housing areas. Community Resources have advised that sports provision can be accommodated by upgrading works to Dunedin recreation area.
- 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.
- In relation to investment in drainage infrastructure, Scottish Water has confirmed that an upgrade to drainage infrastructure at Philipshill Waste Water Treatment Plant is not required.

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 of approximately 1950 houses 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 broadly 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/approval of matters specified in conditions 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 opportunities of an appropriate scale within the site is considered a vital element in providing a successful Community Growth Area for East Kilbride. 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 STRAT 7 of the Local Plan identifies Strategic Green Networks where the creation of a framework of accessible green spaces and corridors will be supported. 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 this policy. 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 an updated Flood Risk Assessment and compliance with the Council's design criteria. No objections have been received from Scottish Water. 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 have agreed on the works required to mitigate any potential impacts. 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 addressed 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 the fundamental point is that the principle of the CGA has been established through the Structure and Local Plan processes. With regard to matters of detail, these can be addressed/assessed through either the use of conditions or determination of future detailed applications for the development of the site. Furthermore the proposed masterplan provides the planning framework for these details to be designed and brought forward to ensure that the development integrates with the surrounding area.
- 6.21 Following on from the above point, it is considered that the proposed masterplan has been developed in a manner which provides the basis for delivery of a high quality residential area at this location. To ensure that the development is consistent with up to date design practice and the overall masterplan concept, it is proposed that a condition be attached to this consent requiring that the applicants provide a design statement, to be agreed with the Council, for each of the future development areas to demonstrate compliance with the approved masterplan principles. This will enable the design concept set out in the masterplan to 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 East Kilbride Community Growth Area.

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:

- 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.
- Transportation Facilities – contributions towards the provision of appropriate levels of bus services, upgrade to existing park and ride facilities, cycle and pedestrian infrastructure improvements, as appropriate.
- Community Facilities – 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.
- Retail 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)

6 December 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Architectural Heritage Society For Scotland 24/07/2009
 - Education Resources 10/07/2009
 - Health & Safety Executive 02/07/2009
 - West of Scotland Archaeology Service 16/07/2009
 - Scottish Water 09/07/2009
 - TRANSCO (Plant Location) 15/07/2009
 - Power Systems 21/07/2009
 - Glasgow & Clyde Valley Structure Plan Joint Committee 03/07/2009
 - Jackton & Thorntonhall Community Council 03/08/2009
 - S P T 27/07/2009
 - Coal Authority Mining Reports Office 13/07/2009
 - Scottish Executive Development Department 17/07/2009
 - Environmental Services 28/07/2009
 - S.E.P.A. (West Region) (Flooding) 10/08/2009
 - Enterprise Resources - Estates 14/07/2009
 - Scottish Natural Heritage 20/08/2009
 - S.E.P.A. (West Region) 04/09/2009

Roads & Transportation Services H.Q. (Flooding)	02/09/2009
Community Resources	24/08/2009
Roads and Transportation Services (East Kilbride)	10/09/2009
S.E.P.A. (West Region)	24/09/2009
S.E.P.A. (West Region)	16/11/2009
Environmental Services	17/12/2009
Roads & Transportation Services H.Q.(Traffic and Transportation)	04/11/2011
S P T	31/10/2011
Jackton & Thorntonhall Community Council	21/10/2011
Scottish Natural Heritage	12/10/2011
Roads & Transportation Services H.Q. (Flooding)	10/11/2011
S.E.P.A. (West Region) (Flooding)	21/10/2011
S P T	01/11/2011

► Representations

- Representation from : Martin Kerr, 8 Whiteadder Place, Gardenhall, East Kilbride, G75 8ED, DATED 07/07/2009
- Representation from : Mr & Mrs Black, 8 Lendal Place, Gardenhall, East Kilbride, G75 8JU, DATED 10/07/2009
- Representation from : Mr & Mrs G McAtamney, 6 Lendal PLace, East Kilbride, G75 8JU, DATED 10/07/2009
- Representation from : David Whyte, 1 Whiteadder Place, Gardenhall, East Kilbride, G75 8ED, DATED 10/07/2009
- Representation from : Mr & Mrs A Harris, 2 Lendal Place, Gardenhall, East Kilbride, G75 8JU, DATED 10/07/2009
- Representation from : Alison Mori, 16 Annan Avenue, Gardenhall, East Kilbride, G75 8XT, DATED 10/07/2009
- Representation from : W Struthers, Redroofs, 344 Eaglesham Road, Jackton, East Kilbride, G75 8RW, DATED 22/07/2009
- Representation from : Mr & Mrs G Johnston, 16 Lendal Place, East Kilbride, G75 8JU, DATED 09/07/2009
- Representation from : William & Mary McGregor, 8 Wamphray Place, East Kilbride, G75 8BN, DATED 07/07/2009
- Representation from : Mr & Mrs J McKenna, 10 Lendal Place, Gardenhall, East

Kilbride, DATED 09/07/2009

Representation from : W T Blaney, 5 Tyne Place, East Kilbride, G75 8RY, DATED 16/07/2009

Representation from : J E Allan, 94 Franklin Place, Westwood, East Kilbride, DATED 07/07/2009

Representation from : RT Blackwood, 50 Borthwick Drive, Gardenhall, East Kilbride, G75 8YW, DATED 15/07/2009

Representation from : Andrew Robello, 35 Findhorn Place, Gardenhall, East Kilbride, G75 8NG, DATED 15/07/2009

Representation from : Mr P Somerville & Ms N Honan, 9 Wamphray Place, Gardenhall, East Kilbride, G75 8BN, DATED 03/07/2009

Representation from : M Green, The Bothen, Jackton, East Kilbride, G75 8RR, DATED 10/08/2009

Representation from : Claire Marr, Little Park House, Jackton, East Kilbride, G75 8RR, DATED 10/08/2009

Representation from : Alex Marr, Little Park House, Jackton, East Kilbride, G75 8RR, DATED 10/08/2009

Representation from : Alexander Gilchrist, 49 Borthwick Drive, East Kilbride, Glasgow, G75 8YR, DATED 13/07/2009

Representation from : Mr & Mrs Melville, 7 Wamphrey Place, Gardenhall, East Kilbride, G75 8BN, DATED 13/07/2009

Representation from : Alistair Stewart, Newhouse of Jackton, Near East Kilbride, G75 8RR, DATED 03/08/2009

Representation from : James M Barclay, Littlepark Cottage, Jackton, G75 8RR, DATED 05/08/2009

Representation from : Kenneth Gorman, 31 Balfour Terrace, East Kilbride, G75 0JQ, DATED 14/07/2009

Representation from : Morag MacKintosh, 18 Lendal Place, East Kilbride, G75 8JU, DATED 14/07/2009

Representation from : Fraser MacKintosh, 18 Lendal Place, East Kilbride, G75 8JU, DATED 08/07/2009

Representation from : Dorothy Hill, 4 Lendal Place, Gardenhall, East Kilbride, G75 8JU, DATED 07/08/2009

Representation from : Kenneth H Watt, Woodacre, Rowallan Street, Helensburgh, G84 9PP, DATED 20/08/2009

Representation from : Kenneth H Watt, Woodacre, Rowallan Street, Helensburgh, G84 9PP, DATED 07/08/2009

Representation from : Mary McGregor, 8 Wampphary Place, Gardenhall, East Kilbride, DATED 09/10/2009

Representation from : Kenneth H Watt, Woodacre, Rowallan Street, Helensburgh, G84 9PP, DATED 19/10/2009

Representation from : Kenneth H Watt, Woodacre, Rowallan Street, Helensburgh, G84 9PP, DATED 06/11/2009

Representation from : A and C Marr, Little Park House, Jackton, G75 8RR, DATED 18/10/2011

Representation from : Moira and Edward Dantzig, North Craighall Farm, Jackton Road, Jackton, Glasgow, G75 8RR, DATED 21/10/2011

Representation from : Alan Harris, 2 Lendal Place, East Kilbride, DATED 01/11/2011

Representation from : Amy Harris, 2 Lendal Place, East Kilbride, DATED 01/11/2011

Representation from : Elizabeth Harris, 2 Lendal Place, East Kilbride, DATED 01/11/2011

Representation from : Alistair Stewart, Newhouse of Jackton, Near East Kilbride, G75 8RR, DATED 21/10/2011

Representation from : Joe Allan, 94 Franklin Place, Westwood, East Kilbride G75 8LS, DATED 10/10/2011

Representation from : Mr and Mrs Gilchrist, 49 Borthwick Drive, East Kilbride, G75 8YR, DATED 31/10/2011

Representation from : Robert and Ruth Stevenson, Newlandscroft, Jackton Road, Jackton, G75 8RR, DATED 20/10/2011

Representation from : Ritchie and Laura Gilchrist, South Craighall, Jackton Road, Jackton, Glasgow, G75 8RR, DATED 20/10/2011

Representation from : Mr and Mrs Paulo, 325 Eaglesham Road, East Kilbride, DATED 20/10/2011

Representation from : Mr Stewart Webster, 27 Fairgrove Drive, East Kilbride G75 9FH, DATED 10/10/2011

Representation from : John A McMillan, 14 Blackadder Place, East Kilbride, G75 8YT, DATED 25/10/2011

Representation from : Jim Steele, Received via e-mail, DATED 25/10/2011

Representation from : Mary McGregor, Received via e-mail, DATED 28/10/2011

Representation from : Mr Gordon Russell, 36 Annan Avenue, East Kilbride, DATED 26/10/2011

Representation from : Colin Balloch, 3 Findhorn Place, Gardenhall, East Kilbride, G75 8NG, DATED 26/10/2011

Representation from : Jacqueline Black, 8 Lendal Place, East Kilbride, DATED 26/10/2011

Representation from : Brian Stevenson, 17 Trent Place, Broadmeadows, East Kilbride, G75 8RU, DATED 31/10/2011

Representation from : George Johnston and Maureen Johnston, 16 Lendal Place, East Kilbride, G75 8JU, DATED 31/10/2011

Representation from : Angela Scott, 14 Lendal Place, East Kilbride, G75 8JU, DATED 31/10/2011

Representation from : Mr Boyle, 5 Allan Court, Gardenhall, East Kilbride, DATED 31/10/2011

Representation from : Mrs Boyle, Received via e-mail, DATED 31/10/2011

Representation from : William Graham, 38 Annan Avenue, Gardenhall, East Kilbride, G75 8XT, DATED 31/10/2011

Representation from : Barrie Matthew, 59 Borthwick Drive, East Kilbride, G75 8YR, DATED 31/10/2011

Representation from : J McCafferty, 17 Swift Place, Gardenhall, East Kilbride G75 8RT, DATED 06/10/2011

Representation from : John McCafferty, 17 Swift Place, East Kilbride G75 8RT, DATED 06/10/2011

Representation from : Carolyn Wolfson, The Goat Cottage, 340 Eaglesham Road, Jackton, East Kilbride, G75 8RW, DATED 21/10/2011

Representation from : Lesley and Derek Anderson, 346 Eaglesham Road, Jackton, East Kilbride, DATED 24/10/2011

Representation from : Liz Russell, received via e-mail, DATED 25/10/2011

Representation from : Mr Gordon Russell, 36 Annan Avenue, East Kilbride, DATED 25/10/2011

Representation from : John Stewart and Marlene Stewart, 19 Swift Place, Broadmeadows, East Kilbride, G75 8RT, DATED 20/10/2011

Representation from : J M Barclay, Littlepark Cottage, Jackton, East Kilbride, G75 8RR, DATED 20/10/2011

Representation from : Wm Struthers, 344 Eaglesham Road, Jackton, East Kilbride, G75 8RW, DATED 20/10/2011

Representation from : RT Blackwood, 50 Borthwick Drive, Gardenhall, East

Kilbride, G75 8YW, DATED 20/10/2011

Representation from : Ross Richardson and Claire Kelly, 48 Borthwick Drive, East Kilbride, DATED 20/10/2011

Representation from : Mr William T Blaney, 5 Tyne Place, East Kilbride, G75 8RY, DATED 20/10/2011

Representation from : Mr Ronald McLean, 8 Montgomery Street, Eaglesham, G75 0AS, DATED 14/11/2011

Representation from : Gardenhall Residents' Association, c/o 10 Findhorn Place, East Kilbride, G75 8NG DATED 31/10/2011

Contact for Further Information

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

Alan Pepler, Planning Officer, Civic Centre, East Kilbride
Ext 6652, (Tel :01355 806652)
E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:
0713/040/E Planning Application Boundary, 0713/064/C Detailed Masterplan showing 1 in 200 Year Floodplain, 0713/063/B detailed Masterplan, East Kilbride CGA (part) Masterplan Report (September 2011)

- 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, including details of construction traffic routes and associated construction/operations;
 - (e) the design and location of all boundary treatments including walls and fences;
 - (f) a Landscaping Plan
 - (g) the means of drainage and sewage disposal.
 - (h) the design and location of all retaining walls
 - (i) details of the phasing of development (covering all relevant aspects of development detailed in (a) above).
 - (j) a habitat and greenspace management plan, which shall include an updated Biodiversity Plan (inculcating updated surveys to identify existing habitats and species, mitigation and enhancement proposals), an action plan for implementation and phasing of work and future maintenance/ management agreements. For the avoidance of doubt, the mitigation measures outlined in Section 7.6 of the Environmental Statement (ES) and primary mitigation measures outlined in 6.6 of the ES relating to the Gill Burn and associated tributaries and field pattern shall be implemented in full and reference to these measures, together with details of how the mitigation will be implemented.

- 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 developmentat 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 "East Kilbride CGA (part) Masterplan Report (September 2011)" and the East Kilbride Community Growth Area (part) - Environmental Statement (June 2009), the terms of which are hereby approved and which accordingly, forms part of the planning permission in principle.
- 5 That prior to the submission of the first of the application(s) for matters specified in Condition 2 for each Phase (as defined in Drawing 5.8 of the Masterplan Report), further details of the sequence of construction for that phase shall be submitted to the Council for approval. This shall include proposals for the implementation of infrastructure works, accesses, roads and footpaths, housing, landscaping and other approved uses and no work shall begin until the phasing scheme has been approved in writing. Following approval of phasing plan, the development shall be implemented in accordance with the approved scheme.
- 6 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 and each of the identified character areas.
- 7 Development shall not commence in Phase 1 West (as shown in Diagram 5.8 of the Masterplan Report) until a scheme for protecting properties on Eaglesham Road, Jackton from noise from traffic has been submitted to and approved in writing by the Council as Planning Authority. No dwellinghouse in Phase 1 West shall be occupied until the measures specified in the approved noise prevention scheme are implemented in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
- 8 That unless otherwise agreed in writing with the planning authority, no more than 657 dwellings shall be occupied before widening of the A726/Curmmunock bypass arm, generally in accordance with diagram 6.1 of the Transportation Statement (August 2010), has been implemented to the satisfaction of the planning authority.
- 9 That unless otherwise agreed in writing with the planning authority, no more than 219 dwellings shall be occupied before widening of the south approach to the GSO/Redwood Drive roundabout, generally in accordance with diagram 6.4 of the Transportation Statement (August 2010), has been implemented to the satisfaction of the planning authority.
- 10 That unless otherwise agreed in writing with the planning authority, no more than 1094 dwellings shall be occupied before widening of the approaches to Eaglesham Road/Greenhills Road junction and pedestrian crossing arrangements, generally in accordance with diagram 6.5 of the Transportation Statement (August 2010), have been implemented to the satisfaction of the planning authority.
- 11 That unless otherwise agreed in writing with the planning authority, no more than 875 dwellings shall be occupied before widening of the Strathaven Road north approach to the Greenhills Road/Strathaven Road junction, generally in accordance with drawing number 06068-SK-27 of the Transportation Statement (August 2010), have been implemented to the satisfaction of the planning authority.

- 12 That unless otherwise agreed in writing with the planning authority, no more than 350 dwellings shall be occupied before the existing zebra crossing on Eaglesham Road near Westwood Road (as identified in the Transportation Statement August 2010) is replaced by a Puffin Crossing to the satisfaction of the planning authority.
- 13 That unless otherwise agreed in writing with the Planning Authority, prior to the occupation of any dwellinghouse within the site, pedestrian facilities on Eaglesham Road (Jackton) shall be provided, generally in accordance with Drawing No. 06068-PR-01 of the Transportation Statement (August 2010), as follows:
- (i) Widen east footway to 2m between the proposed access roundabout and the access to former Jackton Primary School;
 - (ii) Widen east footway to 2m between Nos. 331 & 335 Eaglesham Road; and
 - (iii) Provision of new Toucan crossing on Eaglesham Road, south of no. 325 Eaglesham Road.
 - (iv) Provision of new 2m wide footway from crossing point to Police College roundabout.
- 14 That unless otherwise agreed in writing with the planning authority, no more than 350 dwellings shall be occupied before the Hairmyres Station cycling route, generally in accordance with drawing nos. 06068-SK-11Rev B and SK-29 Rev A of the Transportation Statement (August 2010), has been implemented to the satisfaction of the planning authority.
- 15 Unless otherwise agreed in writing by the planning authority, after consultation with Transport Scotland, no more than 438 dwellings shall be occupied, before the modifications to the A726(T) Queensway / GSO (Phillipshill) junction, generally as illustrated on DBA Sketch number 06068/SK/31, have been implemented to the satisfaction of the planning authority, in consultation with Transport Scotland.
- 16 Unless otherwise agreed in writing by the planning authority, after consultation with Transport Scotland, no more than 875 dwellings shall be occupied, before the modifications to the A726(T) Queensway / West Mains Road junction, generally as illustrated on DBA Sketch number 06068-SK-24, have been implemented to the satisfaction of the planning authority, in consultation with Transport Scotland.
- 17 Unless otherwise agreed in writing by the planning authority, after consultation with Transport Scotland, no more than 438 dwellings shall be occupied, before the modifications to the A726(T) Queensway / Eaglesham Road junction, generally as illustrated on DBA Diagram 6.3 in the TA Addendum document dated August 2010, have been implemented to the satisfaction of the planning authority, in consultation with Transport Scotland.
- 18 Unless otherwise agreed in writing by the planning authority, after consultation with Transport Scotland, no more than 875 dwellings shall be occupied, before the modifications to the A726(T) Queensway / A725(T) Kingsway (Birniehill) roundabout junction, generally as illustrated on DBA Sketch number 06068/SK/20, have been implemented to the satisfaction of the planning authority, in consultation with Transport Scotland.
- 19 Unless otherwise agreed in writing by the planning authority, after consultation with Transport Scotland, no more than 875 dwellings shall be occupied, before the modifications to the A725(T) Kingsway / Whitemoss Avenue junction, generally as illustrated on DBA Sketch number 06068/SK/32, have been implemented to the

satisfaction of the planning authority, in consultation with Transport Scotland.

- 20 Prior to the commencement of any development on site proposals for the provision of either new or extended bus services within the development, including details of operating hours, frequency of service, route and timescale for introduction, together with evidence of an agreement with a public transport operator to provide this service, shall be submitted to and approved in writing by the planning authority, after consultation with Transport Scotland and SPT.
- 21 Concomitant with the occupation of any part of the development the agreed bus services referred to in Condition 20 above shall be introduced.
- 22 That prior to the commencement of any works on site, or as otherwise agreed with the Council as Planning Authority, details of a temporary bus turning circle/circles for Phase 1 shall be submitted to and approved in writing by the Planning Authority. Construction shall be completed in accordance with the bus service strategy required by condition 20 above.
- 23 That prior to the commencement of any works on site, or as otherwise agreed with the Council as Planning Authority, a bus infrastructure design for each bus stop location including lay-by, shelter (with a power supply), pole and lighting shall be submitted to and approved in writing by the Planning Authority. Construction shall be completed in accordance with the bus service strategy required by condition 20 above.
- 24 That prior to the submission of the first of the application(s) for matters specified in Condition 2 for each phase (as defined in Drawing 5.8 of the Masterplan Report), a detailed plan of public access across the site (existing, during construction and upon completion) shall be submitted to and approved in writing by the Planning Authority, comprising:-
 - (a) 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 indicating the proposed scheme of access routes for walkers, cyclists and horse riders 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.

No work shall commence on site until the written approval of the Council as Planning Authority has been given.

- 25 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;
 - (vii) 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 site 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, allotments, public realm, woodland and greenbelt areas; and
 - (xii) proposals for the maintenance of all areas of open space within the development.
- 26 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 to be approved in writing by the Planning Authority and 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.
- Following approval of these details, the play areas will thereafter be constructed to the satisfaction of the Council as Planning authority.
- 27 That prior to the submission of any of the application(s) for approval of matters specified in condition 2 above, an updated Flood Risk Assessment (FRA) shall be submitted to and approved by the Council as Planning Authority, in consultation with SEPA. The FRA shall confirm key hydrological and hydraulic modeling information to enable the 1 in 200 year flood extent to be fully verified and therefore compliant with the principles of Scottish Planning Policy (SPP) and Sustainable Flood Management (SFM).
- 28 That the application(s) for approval of the matters as specified in condition 2, shall include submission of Construction Method Statements (CMS) and an Environmental Management Plan (EMP). The CMS(s) should take account of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 and SEPA's Pollution Prevention Guidance Notes, or any subsequent regulations or guidance.
- 29 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 a sewerage scheme designed in accordance with

Scottish Water's standards.

- 30 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 (or any subsequent updated version of this guidance) and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 31 That prior to any work starting on site, 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).
- 32 That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 33 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, to be 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.
- 34 (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless

approved in writing by the Council as Planning Authority.

(b) On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.

(c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

- 35 That the further application(s) required by Condition 2 above, shall be accompanied by a scheme for the control and mitigation of dust to be approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 36 That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.
- 37 That unless otherwise agreed in writing with the Planning Authority, a no development zone of a minimum of 15 metres shall be retained on either side of the Gill Burn as demonstrated on Page 103 of the Masterplan Report hereby approved.
- 38 That the further application(s) required by condition 2 above, shall be accompanied by a full safety audit for all infrastructure to be constructed and adopted, or altered on the public road, in accordance with the Institute of Highways and Transportation Guidelines, to be approved in writing by the Council as roads and planning authority.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was 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 To ensure the provision of adequate facilities within the site and in order to retain effective planning control
- 6 To retain effective planning control and safeguard the amenity of the area.
- 7 To minimise noise disturbance to adjacent occupants.

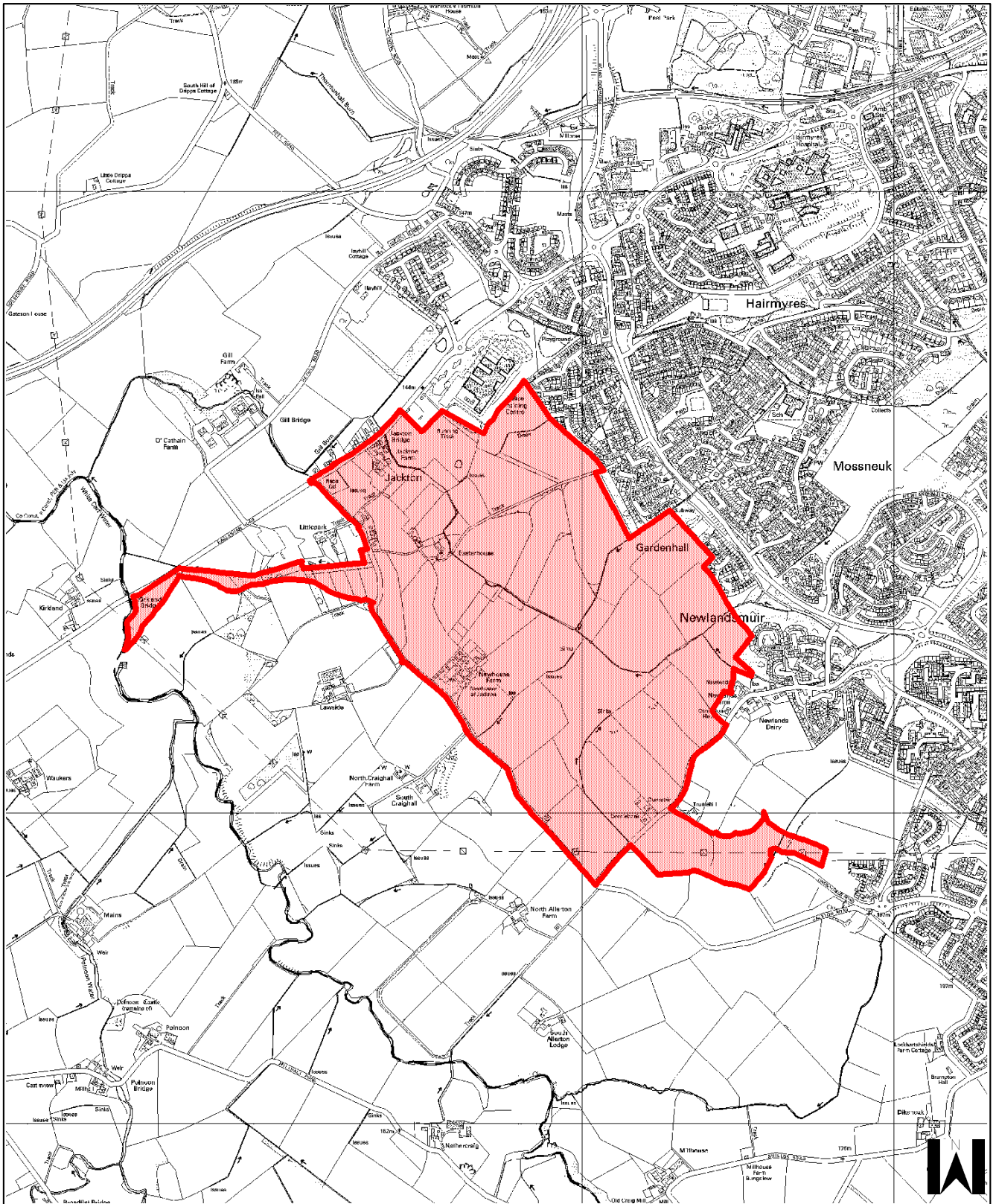
- 8 To ensure that satisfactory transportation facilities are provided to serve the development.
- 9 In the interests of traffic and public safety.
- 10 In the interests of traffic and public safety.
- 11 In the interests of traffic and public safety.
- 12 In the interest of public safety
- 13 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 14 To ensure satisfactory cycle and pedestrian access facilities to the site.
- 15 To restrict the scale of the development to that suited to the layout of the access and other junctions, minimise interference with the safety and free flow of traffic on the trunk road, and to ensure that the standard of junction layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.
- 16 To restrict the scale of the development to that suited to the layout of the access and other junctions, minimise interference with the safety and free flow of traffic on the trunk road, and to ensure that the standard of junction layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.
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- 19 To restrict the scale of the development to that suited to the layout of the access and other junctions, minimise interference with the safety and free flow of traffic on the trunk road, and to ensure that the standard of junction layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.
- 20 To be consistent with the requirements of Scottish Planning Policy.
- 21 To be consistent with the requirements of Scottish Planning Policy.
- 22 To ensure that the site is served sufficiently by public transport.
- 23 To ensure that the site is served sufficiently by public transport.
- 24 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.
- 25 In the interests of the visual amenity of the area.
- 26 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 27 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.
- 28 In order to retain effective planning control
- 29 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.
- 30 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.

- 31 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 32 In order to safeguard any archaeological items of interest or finds.
- 33 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 34 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 35 To minimise the risk of nuisance from dust to nearby occupants.
- 36 To ensure the protection and maintenance of the existing mature trees within the site
- 37 In order to retain effective planning control
- 38 In the interests of traffic and public safety.

EK/09/0218

Planning and Building Standards Services

Land to SW of East Kilbride bounded by Eaglesham Road,
Jackton Road and Newlands Road East Kilbride



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