

# Report

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| Report to:       | <b>Planning Committee</b>                                      |
| Date of Meeting: | <b>26 June 2018</b>  |
| Report by:       | <b>Executive Director (Community and Enterprise Resources)</b> |

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| 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 (revised masterplan) |

## 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) If planning consent is granted, the decision notice should be withheld until a Planning Obligation in respect of a financial contribution for the improvement/upgrading of educational facilities, community facilities, off-site transportation works and affordable housing in the area has been concluded between the applicant and the Council. The following key matters shall be included with any agreement:
  - 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 community facilities.
  - 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.

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above section 75 Obligation shall be borne by the developers.

### 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 Strategic Development Plan 2017**

Policy 1 - Placemaking

Policy 8 - Housing Land Requirement

Policy 9 – Housing, Affordable and Specialist Provision

Policy 12 – Green Network and Green Infrastructure

Policy 16 – Improving the Water Quality Environment and Managing Flood Risk and Drainage

Policy 17 – Promoting Sustainable Transport

#### **South Lanarkshire Local Development Plan (2015)**

Policy 1 – Spatial Strategy

Policy 2 – Climate change

Policy 4 – Development Management and Place Making

Policy 5 – Community Infrastructure Assessment

Policy 10 – New retail/commercial proposals

Policy 11 – Economic development and regeneration

Policy 12 – Housing Land

Policy 13 – Affordable Housing and Housing Choice

Policy 14 – Green network and greenspace

Policy 15 – Natural and historic environment

Policy 16 – Travel and Transport

## Policy 17 – Water environment and flooding

### Supplementary Guidance

Sustainable development and climate change  
Development Management, Place Making and  
Design

Community infrastructure assessment

Affordable Housing

Green Network and Greenspaces

Natural and Historic Environment

### **South Lanarkshire Local Development Plan 2 (Proposed Plan 2018)**

Policy 1 - Spatial Strategy

Policy 2 – Climate Change

Policy 5 – Development Management and  
Placemaking

Policy 7 – Community Infrastructure Assessment

Policy 10 – New Retail/Commercial Proposals

Policy 11 – Housing

Policy 12 – Affordable Housing

Policy 13 – Green Network and Greenspace

Policy 14 – Natural and Historic Environment

Policy 15 – Travel and Transport

Policy 16 – Water Environment and Flooding

Policy SDCC2 – Flood Risk

Policy SDCC3 – Sustainable Drainage Systems

Policy SDCC4 – Sustainable Transport

Policy DM1 – New Development Design

Policy NHE18 – Walking, cycling and riding  
routes

Policy NHE20 - Biodiversity

#### ◆ Representation(s):

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

#### ◆ Consultation(s):

Roads and Transportation Development Management

Roads and Transportation Flood Risk Management

Transport Scotland

Environmental Services

Jackton & Thorntonhall Community Council

Countryside & Greenspace

Scottish Water

East Renfrewshire Council

The Coal Authority - Planning and Local Authority Liaison Department

Strathclyde Partnership for Transport

Community Resources

Education Resources

Scottish Natural Heritage

Housing and Technical Resources

SEPA

## **Planning Application Report**

### **1 Application Site**

- 1.1 The proposed East Kilbride Community Growth Area (CGA), identified within the adopted South Lanarkshire Local Development 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. The application site extends to approximately 108 hectares and corresponds with approximately 80% of the capacity identified within the Local Development Plan for the CGA.
- 1.3 It should be noted that part of the area identified by the Local Development 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). This application has been approved at planning committee (March 2012), subject to conclusion of a legal agreement. The legal agreement has not been concluded to date therefore the decision notice has not been issued. Two detailed planning applications (EK/18/0023 and EK/18/0024) have also been submitted for a total of 49 houses on land on the corner of Eaglesham Road and Jackton Road. These applications are within the application site boundary of EK/11/0202 and have not been determined to date. A planning application (EK17/0321) for a roundabout to serve the future housing proposed under EK/11/0202 was granted planning permission at the Planning Committee on 29 May 2018.

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

- 2.1 The applicants seek Planning Permission 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, including access and distributor road and formation of open space framework with landscaping works.
- 2.2 This planning application was previously approved at Planning Committee (December 2011), subject to the conclusion of a legal agreement to ensure financial contributions are made to education accommodation, community facilities, off-site road improvement/transportation works and affordable housing. To date, the legal agreement has not been concluded therefore the decision notice has not been issued.
- 2.3 In 2016, a revised masterplan was submitted, which, due to the scale of changes proposed requires to be reported to Planning Committee for further determination. The main changes to the proposed masterplan under consideration relate to a reduction in the application site area from 125 hectares to 108 hectares; alterations to open space and extent of flood risk areas following revised engineering proposals; alterations to the position of housing and associated streets; a variation to the route of the through road (primary road) that will connect Eaglesham Road to Lindsayfield; and provision of an area of housing to be accessed by vehicles from Newlands Road only.

2.4 In summary, the proposed development, as described in the amended masterplan, now 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.
- 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, including dedicated pedestrian and cycle routes. The open space will contribute towards the leisure and recreational needs of the residents and enhance the appearance and character of the development. It will also act as an ecological resource and corridor for movement for wildlife. An existing watercourse (380 metres in length) that is currently culverted will be opened up, providing ecological benefits.
- c) A new primary school (with pre-5 nursery) will form the community focus for the development, in addition to the central greenspace.
- d) Provision for two, small scale retail/commercial facilities at either end of the site would provide additional focal points.
- e) Five play areas are proposed to serve the residents, including a larger play area within the central open space.
- f) The primary road, 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 primary road link to Lindsayfield Road.
  - Pedestrian access points to connect into the existing housing areas to the north, via Greenhills Road, at various points to Jackton Road to the south, and to Newlands Road to the east.
  - A vehicle access point from Newlands Road to serve a maximum of 126 residential units.
- g) The development will incorporate the principles of Sustainable Urban Drainage Systems (SUDS) with eight drainage ponds located throughout the development site. The requirement to drain surface water to a SUDS basin and discharge to the east of Jackton Road into the White Cart is no longer necessary and this aspect has been removed from the proposed plans.

2.5 The applicants have submitted indicative phasing plans for the proposed development; however, the final sequence of development will be dependent on market conditions. It is currently anticipated that up to 120 private houses could be completed each year. The phasing plan has been designed to accommodate the proposed primary school in an early phase (phase 1 West) and also takes 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 phases 2 and 3 linking these two areas of housing together. The remaining phases, to the north of the primary road, will complete all aspects of the site. A detailed planning application

(EK/17/0305) for the construction of the primary road through the site has already been submitted and is subject to a separate report on this agenda. This road and associated landscaping and engineering works are proposed to be completed prior to the opening of the first phase of the primary school. This is currently estimated to be August 2021. The applicants have advised that they expect up to 4 developers to be building houses simultaneously on different parts of the site, thereby providing a consistent speed of housing delivery, with development of the site potentially completed within 18 years.

- 2.6 The application, as originally submitted, was supported by an Environmental Impact Assessment. For the 2016 revised submission, given the nature and scale of the proposed development it was concluded that an updated Environmental Impact Assessment was required from the applicant under Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011. Consequently, the applicants submitted an Environmental Statement (ES) along with, and in support of, their revised application. The updated Environmental Statement covered: traffic, transportation and access; surface water, flooding and SuDs; and ecology. In addition, an updated flood risk assessment was submitted.
- 2.7 The original committee approval was subject to the conclusion of 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 conditions, as agreed between the Council and the applicants, address the impact of the proposed development on the following areas of interest. Following recent discussions, substantial progress has been made on identifying requirements, with the updated position as follows:
- **Education** – provision of a new non-denominational primary school and nursery within the site, in addition to upgrading works to secondary provision and denominational primary.
  - **Affordable housing** - It is currently proposed that 12.5% of the site's overall capacity (244 units) will be provided as affordable housing on site and a financial contribution equivalent to 12.5% of the site's capacity towards off-site affordable housing in the local housing market area.
  - **Off-site road works** – improvements to local road network to mitigate the impact of additional traffic.
  - **Transportation facilities** – A financial contribution towards park and ride facilities, a financial contribution towards the provision of bus services for the site, improvements to local pedestrian and cycle networks.
  - **Community facilities** – It is currently proposed that there will be improvements to Greenhills Hall, Greenhills Library, Calderglen Country Park and Dunedin recreation area.

In addition to the above, the applicants have agreed to undertake improvement to the trunk road network, required to mitigate the development, as identified by Transport Scotland.

- 2.8 The applicants have also submitted an updated development viability appraisal document, which details the relevant economic and delivery factors related to the development of the site. In this regard, it is acknowledged that the required developer contributions have significantly increased since the previous Planning Committee approval of December 2011 and as a result there are viability issues in respect of the delivery of key aspects of the infrastructure. In this regard, Members will be aware that the EKCGA is one of the identified projects of Glasgow City Deal.

Therefore, in turn, consideration will be given to support the development of the CGA through the City Deal process.

- 2.9 In terms of the education infrastructure requirements specifically, in order to aid the delivery of the project, and more effectively balance pupil numbers between schools, a consultation on a change to the catchment area for the secondary school associated with the proposed new primary school to serve the CGA has recently been completed. This will allow the new non-denominational primary school planned for the Jackton area to be within the catchment of Calderglenn High School, rather than Duncanrig Secondary School, as originally proposed.
- 2.10 In addition to the above, given the length of time that has elapsed following the original planning committee approval of this application, a review of the conditions that were approved by Committee in 2011 has taken place. This review has taken into account updated submissions, revised infrastructure requirements and additional information submitted by the applicants. The paper apart sets out a revised list of conditions that it is recommended are imposed to any planning permission is issued, following the conclusion of a legal agreement. It is considered that these conditions reflect the current position and address all issues relevant to the delivery and completion of the community growth area.

### **3 Background**

#### **3.1 Strategic Development Plan Background**

- 3.1.1 The strategic policy direction for the release of the Community Growth Area is provided by the Approved Second Strategic Development Plan for the Glasgow and the Clyde Valley Area. Strategy Support Measure 1 relates to delivery of the spatial development priorities, which includes community growth areas.

#### **3.2 Local Plan Status**

- 3.2.1 In land use terms, the site is identified within the adopted South Lanarkshire Local Development Plan (2015) as forming part of the identified East Kilbride Community Growth Area (Policy 1 Spatial Strategy) and is allocated as a Proposed Housing Site (Policy 12 Housing Land). Appendix 3 (Development priorities), relative to Policy 1, sets out the requirements for the site, as follows:

- 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.
- Contribution to the extensions of local secondary schools.
- Provision of local retail facility of a scale appropriate to serve the community growth area.
- The provision of one grass sports pitch or equivalent provision locally.
- Assess and consider the impact of development on the setting of listed buildings and other prominent buildings, including the police college, Newhouse of Jackton.
- Provision of housing types to accord with Local Development Plan policies including affordable housing.
- Upgrade or contributions towards trunk road improvements as required.



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

- Policy 4 – Development management and placemaking
- Policy 5 – Community infrastructure assessment.
- Policy 10 – New retail/commercial proposals
- Policy 11 – Economic Development and Regeneration
- Policy 13 – Affordable housing and housing choice
- Policy 14 – Green network and greenspace
- Policy 15 Natural and historic environment
- Policy 16 – Travel and Transport
- Policy 17 – Water environment and flooding

3.2.3 The following supplementary guidance documents are also relevant to this assessment:

- Sustainable development and climate change
- Development Management Place Making and Design
- Community infrastructure assessment
- Affordable Housing
- Green Network and Greenspaces
- Natural and Historic Environment.

3.2.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:

- Policy 1 - Spatial Strategy
- Policy 2 – Climate Change
- Policy 5 – Development Management and Placemaking
- Policy 7 – Community Infrastructure Assessment
- Policy 10 – New Retail/Commercial Proposals
- Policy 11 – Housing
- Policy 12 – Affordable Housing
- Policy 13 – Green Network and Greenspace
- Policy 14 – Natural and Historic Environment
- Policy 15 – Travel and Transport
- Policy 16 – Water Environment and Flooding
- Policy SDCC2 – Flood Risk
- Policy SDCC3 – Sustainable Drainage Systems
- Policy SDCC4 – Sustainable Transport
- Policy DM1 – New Development Design
- Policy NHE18 – Walking, cycling and riding routes
- Policy NHE20 - Biodiversity

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

### **3.3 Relevant Government Advice**

- 3.3.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP introduces a presumption in favour of development that contributes to sustainable development and states that the planning system should identify a generous supply of land for each housing market area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times. Further, the planning system should enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places.
- 3.3.2 In terms of placemaking principles, SPP states that the planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place, i.e. distinctive, safe and pleasant, welcoming, adaptable, resource efficient, and easy to move around and beyond.
- 3.3.3 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 2013 document Creating Places – A Policy Statement on Architecture and Place for Scotland, which sets out government aspirations for design and the role of the planning system in delivering these.

### **3.4 Planning History**

- 3.4.1 As stated above, this planning application was originally submitted in June 2009 and was reported to planning committee in December 2011 with a recommendation for approval, subject to conclusion of a legal agreement. The application was approved by the Planning Committee but the section 75 agreement has not been concluded, therefore, the decision notice has not been issued. In 2016, the applicants submitted the revised proposal, now subject to determination at this Planning Committee.

## **4 Consultation(s)**

- 4.1 Following submission of the revised masterplan in November 2016, further consultation was carried out. The current position of each consultee is set out as follows:
- 4.2 **Roads and Transportation Development Management** – following submission of an updated Transport Assessment, there are no objections, subject to conditions and advisory notes to cover Roads Construction Consent requirements and appropriate off-site improvements dealt with by a legal agreement.  
**Response:** Noted. Appropriate conditions and advisory notes can be attached to any consent granted.
- 4.3 **Roads and Transportation Flood Risk Management** – have no objections, subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems and flood risk.  
**Response:** Noted. Appropriate conditions can be attached to any consent granted.
- 4.4 **Transport Scotland** – have no objections, subject to imposition of conditions relating to trunk road improvements.  
**Response:** Noted. Appropriate conditions can be attached to any consent granted.

- 4.5 **Environmental Services** – have noted that an air quality impact assessment was previously submitted and that this is sufficient to address air quality issues. Comments also provided on the encouraging sustainable travel to reduce reliance on private car travel. No objections, subject to previous conditions and advisory noted relating to contaminated land, ventilation, health and safety and referral of the application proposals to SEPA.  
**Response:** Noted. The proposed development includes pedestrian and cycle connections and bus provision through the site. Appropriate conditions and advisory notes can be attached to any consent granted.
- 4.6 **Education Resources** – following agreement on provision of a new primary school and nursery within the CGA to accommodate the pupils generated by the development and provision of a financial contribution towards the upgrading of secondary school and denominational primary school accommodation within the catchment area, there are no objections to the proposal.  
**Response:** Noted. A section 75 legal agreement will require to be concluded in relation to these matters.
- 4.7 **Community Services** – have no objections subject to a provision of appropriate play facilities and open space and a financial contribution towards off-site improvements to community facilities in the local area. The identified facilities for improvement at present are Greenhills Hall and library, Calderglen Country Park and Dunedin recreation area.  
**Response:** Noted. A section 75 legal agreement will require to be concluded in relation to these matters.
- 4.8 **Countryside and Greenspace** - generally support the approach of protecting and enhancing the Gill Burn corridor as important biodiversity assets running through the site. Comments are also provided on phasing, proposed lighting on footpaths, management and maintenance, boundary planting, greenspace connectivity and retention of trees and hedgerows within the landscaping strategy.  
**Response** – Noted. 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.
- 4.9 **Housing and Technical Resources** – 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 Development Plan and the Council's approved Supplementary Planning Guidance on Affordable Housing.  
**Response:** Noted. Agreement has been reached on the provision of on-site affordable housing totaling 244 housing units, spread throughout the site, to be provided on a phased basis. Four sites are identified as fixed locations at present with two further sites identified to fall with a larger area, subject to further agreement. A financial contribution, equivalent to 12.5% of the site's capacity, is also proposed towards off-site affordable housing in the local housing market area. A section 75 legal agreement will require to be concluded in relation to these matters.
- 4.10 **Scottish Water** – provided no objections to the original proposal but highlighted the requirement for the developers to submit a Development Impact Assessment for Scottish Water's consideration  
**Response:** Noted. The applicants are aware of this requirement.
- 4.11 **Scottish Natural Heritage** - 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.
- Pre-start tree inspections for bats and ensuring lighting is not directed onto bat roosting sites outwith the application site.
- The suggested mitigation measures in the Environmental Statement relating to ecological issues and landscape and visual issues to be implemented.
- Pre-construction checks for water voles and badgers.

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

4.12 **Coal Authority** – have no comments as the site does not fall within the defined coalfield.

**Response:** Noted.

4.13 **East Renfrewshire Council** – have not commented to date.

**Response:** Noted.

4.14 **Jackton and Thorntonhall Community Council (JTCC)** - have submitted a substantial document detailing their position and reasons/relevant background information to support this position. The main conclusions are summarised below. Substantial comment is provided on the housing supply projections and the need for the CGA in terms of housing demand. In particular JTCC state that they cannot support the application as it currently stands because it does not conform to the Local Development Plan (LDP) as the scale is ill-matched to the reality of housing need and it would require expenditure of public money that would be unlikely to generate a positive return for the public on any realistic timescale. JTCC proposes that South Lanarkshire Council (SLC) re-considers the extent of the EKCGA which, as currently defined, is larger than now required, larger than developers currently prefer and expensive to develop. They recommend that SLC now consults with the developers and JTCC to define a smaller, more appropriately sized and more economically attractive developable area. SLC could then withdraw or substantially reduce its request for funding of the EKCGA under the Glasgow City Deal. The next LDP could be used to return the remaining parts of the CGA to its previous green belt status.

**Response:** The detailed comments in the submission are noted. The CGA sets out the strategic direction for the growth of East Kilbride and there is considered to be no conflict with the Strategic Development Plan or Local Development Plan in terms of the scale and phasing of the development. In terms of matters raised relating to the expenditure of public money, it is noted that the CGA is a key, strategic development for East Kilbride and the surrounding area and as such the Council is fully supportive of the proposal in terms of its long term economic benefits. There is a requirement for the provision of substantial developer contributions to fund key infrastructure required to support a development of this size.

4.15 **Strathclyde Partnership for Transport (SPT)** – have confirmed that the previous comments provided relating to bus provision, walking and cycling remain valid. It is therefore recommended that conditions are attached requiring the development of a bus service strategy and associated infrastructure, in addition to provision within the legal agreement for funding bus provision. A network of footpath and cycle links, including connections to Hairmyres station, should also be included.

**Response:** Noted. Following discussion with SPT, agreement on the phased provision of a bus service strategy has been reached. The provision of bus services

will be reviewed at key stages of development and any required financial contribution will be contained within a legal agreement.

4.16 **SEPA** – have offered no objection to the proposals, subject to the inclusion of an appropriate condition on flood risk. Further advice is provided in relation to surface water, engineering works, foul drainage and ecology.

**Response** – Noted. The requirements of SEPA can be addressed through the use of conditions and advisory notes to any consent granted.

## 5 Representation(s)

5.1 The original application was subject to neighbour notification in 2009 and a total of 69 letters of representation were received. Further statutory neighbour notification was undertaken in November 2016 and the proposals advertised for non-notification of neighbours, nature or scale of development and submission of an Environmental Statement. Following submission of the revised masterplan, 15 letters of representation have been received in respect of the amended proposals.

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

a) **Concern over the visual, amenity, traffic and safety impacts of the proposed retail unit on Jackton and to the adjacent residential property. There is little or no guidance as to where the shopping centre is to be placed.**

**Response:** The exact location of the proposed retail facility, its access and service area is indicative at this stage as the application is for permission in principle. A detailed planning application will be required in due course, which will provide detailed plans of the proposed building position and associated information. At this stage, Environmental Services will be re-consulted in relation to potential amenity impacts and there will be further neighbour notification of the proposed plans.

b) **Potential adverse impacts on hedgehogs, bat birds and roosting sites. How recent is the environmental statement? Is the applicant aware of the relevant wildlife legislation?**

**Response:** An updated Environmental Statement has been submitted to support the revised proposal. This includes habitat and specific species surveys, which were updated in September 2016. SNH have been consulted on the proposal and have offered no objections, subject to appropriate mitigation.

c) **How much affordable housing will there be? There is a local requirement for this. The houses of tenants should be of the same standard as those of owners and an integral part of any development.**

**Response:** In accordance with policy, 25% of the capacity of the site will be affordable housing. It is intended that this would be split equally between on-site provision and a commuted sum to enable delivery of affordable housing off-site within the East Kilbride housing market area.

d) **Planning must consider the current economic situation and whether this is any need or justification for retail within the CGA. If planning permission is granted for this development, it should be with no retail provision.**

**Response:** In relation to the current proposal for planning permission in principle, the LDP states that one of the requirements for the CGA is provision of a local retail facility of a scale appropriate to serve the Community Growth Area. It is therefore considered that the proposed retail provision will not have an adverse impact on East Kilbride town centre, or local neighbourhood centres as the scale

will be designed to serve the CGA. Any future, detailed, planning application for retail provision will be assessed with regard to policy 10 (New retail/commercial proposals) of the LDP, including potential impacts on existing retail provision.

**e) What is intended for the salient east of Jackton Road (outlined in red)?**

**Response:** The red line boundary east of Jackton Road covers an area of road and surrounding engineering works, which connects the boundary of the CGA housing area and the existing Lindsayfield development. Planning application (EK/17/0305) for the main thoroughfare provides details on this connection.

**f) Concern over impact of the proposals on Newlands Rd in relation to additional traffic, damage to road by construction traffic, road closures noise and adverse impact on the quality of rural life, including recreational use of the road. We seek assurances that these inconveniences will be kept to a minimum, that monitoring will be in evidence and that there will be a point of contact for communication and reporting processes.**

**Response:** The principle of development of the CGA has already been established by the previous planning committee approval of December 2011. The main issues for consideration for this revised proposal therefore relate to the impact of any of the proposed amendments. In this regard, it is noted that the revised scheme includes provision for 128 properties to be accessed directly from Newlands Road. In order to accommodate this additional traffic, the upper (northern) part of Newlands Road will require to be widened and new footways constructed to link in with the existing infrastructure. The intention is that the southern part of Newlands Road would be re-designated as shared surface with Newlands Road terminating for vehicles at either side of the CGA through road, which would connect Lindsayfield to Eaglesham Road. A pedestrian crossing feature will be required to enable recreational connections between Newlands Road and Jackton Road to continue. Roads and Transportation have confirmed that they have no objections to the revised proposals, subject to planning conditions, which will include matters relating to construction routes, road cleaning and phasing. Any complaints relating to construction operations in the future should be reported to the Roads and Transportation Service to enable appropriate action to be taken. The finalised design solution for this part of the CGA (including the proposed access) will be subject to a detailed planning application, including statutory consultation and neighbour notification.

**g) Object to public funds being made available via City Deal to kick start what is in fact private development. If private developers can't financially justify the full development as originally proposed then they should scale it back to an affordable size. The infrastructure required for the development is unaffordable in the current economic climate.**

**Response:** As mentioned in paragraph 2.8 above, the applicants have submitted an updated development viability appraisal document, which details the relevant economic and delivery factors related to the development of the site. In this regard, it is acknowledged that the required developer contributions have significantly increased since the previous planning committee approval of December 2011 and as a result there are viability issues in respect of the delivery of key aspects of the infrastructure. In this regard, Members will be aware that the EKCGA is one of the identified projects of Glasgow City Deal. Therefore, in turn, consideration will be given to support the development of the CGA through the City Deal process.

**h) There is no justifiable case for additional housing in the area. East Kilbride has significant amounts of brownfield land (as many employers have left).**

**Surely there is sufficient land available in these areas to enable green belt areas to remain undeveloped. Much smaller sites of approximately 20-30 houses should be promoted instead.**

**Response:** The principle of the development of the CGA has been established through the previous committee approval of the original planning application. The allocation of the CGA for housing is in compliance with the Strategic Development Plan and adopted and proposed Local Development Plans.

- i) **The development will cause significant detrimental effects on the residents of Jackton and will impact the peaceful use of their properties and surrounding area. There will be a loss of amenity in terms of impact on recreation opportunities and enjoyment of the countryside.**

**Response:** This amended proposal under consideration does not include any significant alterations to the development layout within the Jackton area compared to the original masterplan approved by committee. A further planning application will be required in due course which will set out the detailed design for the proposed development within the Jackton area. Any future planning application will be subject to statutory neighbour notification and consultation. The development of the CGA is supported in principle by the Strategic Development Plan and Local Development Plan.

- j) **The proposal is located on previously designated green belt land and should be maintained as such. Agricultural land will be lost.**

**Response:** The principle of the development of the CGA has been established through the previous committee approval of the original planning application. The allocation of the CGA for housing is in compliance with the Strategic Development Plan and adopted and proposed Local Development Plans.

- k) **The surrounding infrastructure and proposed road layout will be unable to cope with the additional vehicles that this development will create, leading to congestion, particularly in Jackton, Greenhills Road, Stroud Road and Lindsayfield Road. I assume that people living in Lindsayfield have not been consulted or notified as to the additional traffic that will be using their already busy road.**

**Response:** The applicant submitted an updated transportation assessment to support the proposed development. Roads and Transportation have assessed the submitted information and have confirmed that they have no objections to the proposals in relation to traffic impacts. The planning application has been subject to statutory neighbour notification and consultation. The CGA has also been an allocated housing site with the development plan over several years.

- l) **A site immediately north of Jackton with access adjacent to the proposed roundabout has been previously promoted by the planning authority as a housing site. Although the land is not allocated for residential development in the current local development plan, there are material considerations. These include the fact that part of the site has previously been developed and that the planning authority has previously confirmed that the site is considered suitable for residential development in principle. The site is clearly capable of development and it could make a valuable contribution to provision of affordable housing. The planning authority should not approve a masterplan which would prejudice access to the site. We wish to object to the current proposal for the positioning of the roundabout junction at Eaglesham Rd. In its current position, access to the site in question would be prejudiced. A minor adjustment to the location of the roundabout, moving it a number of metres south-westwards, would remove this**

**prejudice, whilst having little effect on the layout of the CGA. If no CGA existed, providing an access to the site would be a simple matter.**

**Response:** A planning application (EK/17/0350) has been submitted for development of the site referred to above. This application is still under consideration. However it is noted that the planning application submitted for the primary road (EK/17/0305) has taken into account the potential for a housing development at this site, subject to a separate report on this agenda.

- m) **The drainage ditch near the foot of my property will be affected, causing possible flooding.**

**Response:** The applicant has submitted supporting technical information, including a flood risk assessment. No objections have been received from the Flood Management Team or SEPA to the proposed development. Further planning applications will be required for the development, which will include detailed information on flood risk/drainage.

- n) **There has been a lack of dialogue with local residents and there does not seem to be the opportunity to comment on the principle of community growth areas. The original Masterplan Development Framework for the CGA did not appear to include consultation with residents.**

**Response:** The principle of development has been established by the previous planning committee approval (December 2011) for this planning application. This included statutory consultation and neighbour notification. The CGA is also designated within the South Lanarkshire Local Development Plan 2015, which was subject to consultation and notification.

- o) **Objection to the principle of medium to high density housing on the 'Hillside' area as defined in the masterplan. The proposal will result in overlooking, loss of light and overshadowing due to the elevated nature of the site. Object to proposal to install uniform, aligned and featureless rears of houses adjacent to my property.**

**Response:** As this application is for planning permission in principle, there are no details of potential house types or styles available for this planning application. Further planning applications will require to be submitted, which will include detailed house types. These applications will be subject to neighbour notification and consultation. Any future planning applications will take into account all relevant policy matters and include consideration of such issues as privacy, scale, detailed design and over shadowing.

- p) **Object due to lack of capacity for car parking at Hairmyres park and ride.**

**Response:** The legal agreement under negotiation currently includes the requirement to make a financial contribution towards additional park and ride facilities to serve this area.

- q) **Concern that any cut and fill operations will disturb the structure of the house.**

**Response:** As the application is for planning permission in principle, there are no details of engineering works or exact house positions available for this planning application. Further planning applications will be required, which will include all relevant details. These applications will be subject to neighbour notification and consultation.

- r) **What is the process for keeping local residents up to date with the progress of this planning application?**



**Response:** All persons that submitted a representation will be notified of the planning decision in respect of this planning application. Future, detailed planning applications will be subject to neighbour notification and consultation.

- s) **What is the process for the more detailed stages of planning? When will we get a say on what is to be built adjacent to us?**

**Response:** All neighbouring residents within 20 metres of the relevant site boundary will be notified of future planning applications. In addition, publication of an advert in the local paper may be required, depending on the scale and ownership characteristics of surrounding land.

- t) **What is the audit process with the Council with regard to the contributions that will be made to the sports centre at Dunedin or Duncanrigg High School? What audit trail requirements are being put in place for the developers in terms of many of the claims made throughout the masterplan submission?**

**Response:** In the event a legal agreement is concluded to require the payment of financial contributions, the purpose of the contributions will be set out in the document. Any developer contributions received for works to upgrade facilities and infrastructure will be allocated in accordance with the legal agreement. Any approval of this planning application will be subject to planning conditions and a legal agreement, which will be designed to control aspects of the development and ensure that appropriate mitigation and infrastructure is delivered.

- u) **If a planning decision has not been released for legal reasons, why this flurry of activity now for causes that appear less than fundamental?**

**Response:** The planning application was originally submitted in 2009 and approved by committee in 2011. Since that point detailed negotiations have been ongoing between a number of parties which led to the submission of the revised masterplan in 2016. This further application for Planning Permission in Principle, if approved, will set the parameters of the future development of the CGA and therefore it is critical the proposals in their entirety are acceptable. The applicants have advised that they are now in an improved position to deliver the development and have therefore submitted revised proposals.

- v) **Historic Environment Scotland has rigorous conditions with regard to listed buildings to be carried out.**

**Response:** Historic Environment Scotland were consulted on the proposed development and offered no objections to the original proposal. The revised masterplan does not result in any change to potential impacts on listed buildings or historic assets.

- w) **The land in question is suffering from planning blight due to the length of time that the allocated land has been left as undeveloped.**

**Response:** It is acknowledged that delivery of the CGA has been delayed beyond the original, projected timescale. This has been largely due to the recent adverse economic conditions. The Council is working closely with the applicants to facilitate delivery of the development.

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 This report seeks approval of a revised Masterplan for the proposed East Kilbride Community Growth Area that was submitted in 2016. The proposals were submitted as an amendment to the Masterplan that was approved by the Planning Committee in December 2011. This was subject to the conclusion of a legal agreement between the Council and applicants to ensure contributions towards infrastructure improvements and the provision of affordable housing would be made.
- 6.2 By way of background, the approved Glasgow & Clyde Valley Strategic Development Plan 2017 and the adopted South Lanarkshire Local Development Plan (2015) identify the application site as a Community Growth Area for residential development. In addition, the East Kilbride CGA Masterplan Development Framework 2007 (MDF) initially set out the Council's guiding principles and requirements for any future masterplan for development of the site. The principle of development of the CGA is therefore well established at this point, with the assessment relating specifically to the amendments made to the proposal following the previous committee decision.
- 6.3 The changes under assessment as part of this revised proposal are as follows:
- A revised drainage strategy resulting in a reduction in the number of SUDs basins from 10 to 8. The requirement to discharge water to the east of Jackton Road and into the White Cart is also no longer necessary.
  - Revised and updated analysis of flood risk by the applicant has resulted in a reduced flood plain area (from 7.9 ha to 5.3 ha) in the central part of the site and therefore the identification of more developable land in this area.
  - As a result of the flood/risk changes, the area of central park/green space (described as Gillburn Meadows in the masterplan) has been reduced from approximately 6 hectares to 4 hectares.
  - A substantial area of land around the police training college has been removed from the application site. Additionally a land holding around the property Easterhouse has been excluded from the site boundary. The application site area has therefore reduced from 125 hectares to 108 hectares.
  - The position of the main road through the site has been altered to more closely align with the route of an existing sewer, thus minimising the loss of developable land for housing.
  - De-culverting a water course (380 metres in length) within the site.
  - A part of the development to accommodate 126 homes is to be directly accessed from Newlands Roads.
  - Replacement of proposed allotments with public open space.
- 6.4 In general terms, it is considered that the revised planning application under consideration has been prepared in line with the guidelines set out in the MDF and the Local Development Plan. Furthermore, it is noted that the approach of the revised masterplan generally reflects the design principles and guidance set out in Scottish Planning Policy and associated design and placemaking guidance, including Designing Streets. In particular, the emphasis on linked green infrastructure, provision of attractive and direct pedestrian and cycle connections, provision of overlooked open space spaces and the facilitation of public transport links are noted as positive aspects of the masterplan. On this basis it is therefore concluded that the proposed development satisfies all the relevant criteria of both the Masterplan Development Framework and the requirements for the site set out in the South Lanarkshire Local Development Plan 2015 (LDP).
- 6.5 The proposed development of approximately 1950 houses will assist the Council in

meeting its housing land supply requirements. The proposals therefore accord Policy 12 – Housing Land of the LDP. 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 Policy 13 – Affordable Housing and Housing Choice. In this regard, it is noted that 12.5% of the site's housing capacity (244 housing units) is currently proposed to be delivered on site at various locations within the site. In addition to the on-site provision, developer contributions equivalent to 12.5% of the site's housing capacity will also be provided to enable further off-site affordable housing to be provided in the housing market area.

- 6.6 In terms of transportation matters, the revised masterplan for the proposed development has been the subject of a detailed Transport Assessment. This includes an access strategy which seeks to ensure the provision of bus infrastructure and services, cycle and pedestrian improvements, as well as road junction improvements. Roads and Transportation Services are satisfied that the information submitted and associated proposals adequately address the potential impacts of the development and make provision for future sustainable travel patterns. It is therefore considered that the development accords with Policy 16 – Travel and Transport.
- 6.7 As stated above, the proposed masterplan has been prepared broadly in line with principles of the Council's masterplan development framework (MDF) and therefore it is considered that the masterplan will provide for a development of high design quality which complies with Policy 4 – Development Management and Place Making. 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 high quality of design that complies with the principles established by the revised masterplan.
- 6.8 The provision of new retail/commercial opportunities of an appropriate scale within the site is considered an important element in providing a successful Community Growth Area for East Kilbride. Residential areas surrounding this facility would also benefit from access to new facilities. In this regard, it is considered that there would be no conflict, in principle, with the aims of Policy 10 – New Retail/Commercial Proposals. However, the details of the scale of any retail facility will be assessed as these proposals are developed to ensure there is no impact on established retail locations.
- 6.9 Parts of the CGA are identified as green network and priority greenspace, where policy 14 (Green network and greenspace) applies. The submitted masterplan proposals indicate that any such areas within the application site are generally to be protected and enhanced. Based on the proposals set out in the masterplan, it is concluded that the development complies with this policy.
- 6.10 Assessments and consultations with relevant agencies have been undertaken with regards to the affect of the development on any natural or built heritage assets. In particular, SNH were consulted on the submitted ecological survey and offered no objections, subject to appropriate mitigation and updated surveys prior to the commencement of development. 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 15 - Natural and historic environment. Historic Environment Scotland were consulted on the original proposals and confirmed that they had no objections to the development.
- 6.11 With regards to flood risk and drainage matters, there are no objections from the

Council's Flood Risk Management team, subject to an updated Flood Risk Assessment and compliance with the Council's design criteria. No objections have been received from SEPA. 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 policy 17 (Water environment and flooding) of the LDP.

6.12 Policy 5 (Community infrastructure assessment) of the LDP highlights 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 for the implementation of any works required. 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 and nursery 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 Road works – 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.

As described elsewhere in the report, 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. It is therefore considered that the proposed development is in accordance with policy 5 (Community infrastructure assessment) of the LDP.

6.13 On 29 May 2018 the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposals accords with the relevant polices detailed in section 3.2.4 above.

6.14 In light of the above, it is concluded that the proposed development, as detailed in the revised masterplan, accords with the relevant policies of the adopted South

Lanarkshire Local Development Plan 2015. Whilst noting the concerns raised by third party representations, it is noted that the principle of the CGA has been established through the Strategic Development Plan and Local Development Plan processes, as well as the previous planning committee approval of the original version of this application. With regard to matters of detail, these will be addressed 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.

- 6.15 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.
- 6.16 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.
- 6.17 In summary, the principle of the development of a Community Growth Area at this location has been established through the Glasgow and Clyde Valley Strategic Development Plan, South Lanarkshire Local Development Plan and previous planning committee approval of this application. All other matters in respect of the submission of masterplan proposals have now been satisfactorily addressed.
- 6.18 On this basis, it is recommended that planning permission in principle is granted for the revised masterplan, as defined above, 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 Strategic Development Plan 2017 and the adopted South Lanarkshire Local Development Plan 2015, and in particular Policy 1 (Spatial Strategy) , in that it would assist in the delivery of a quality, mixed use development at this location. The proposal is also in accordance with Policy 1 of the South Lanarkshire Local Development Plan 2 (Proposed Plan 2018) and associated policies. 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. Due to the scale of development, a maximum time period for submission of matters specified in conditions applications of 20 years is considered appropriate in this case.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

15 June 2018

### **Previous References**

- ◆ None

## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Neighbour notification letter dated

### ▶ Consultations

|  |            |
|--|------------|
| Education Resources                              | 15/05/2018 |
| Roads and Transportation Development Management  | 07/06/2018 |
| Roads and Transportation (Flood Risk Management) | 23/11/2017 |
| Transport Scotland                               | 17/03/2017 |
| Jackton & Thorntonhall Community Council         | 22/12/2016 |
| S P T  | 09/01/2017 |
| Countryside and Greenspace                       | 29/11/2016 |
| Environmental Services                           | 05/04/2017 |
| SEPA   | 14/12/2016 |
| Scottish Natural Heritage                        | 29/11/2016 |
| Community Resources                              | 16/05/2018 |
| Coal Authority                                   | 24/11/2016 |
| Housing and Technical Resources                  | 20/06/2017 |

### ▶ Representations

- Representation from : Steve McBride, 339 Eaglesham Road, Jackton, East Kilbride, G75 8RW, DATED 23/11/2016
- Representation from : Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS, DATED 29/11/2016
- Representation from : Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS, DATED 30/11/2016
- Representation from : James M Barclay, Littlepark Cottage, Littlepark Lane, Jackton, East Kilbride, G75 8RR, DATED 02/12/2016
- Representation from : Ross and Louise Gardner, 17 Swift Place, Gardenhall, East Kilbride, G75 8RT, DATED 05/12/2016
- Representation from : James M Barclay, Littlepark Cottage, Littlepark Lane,

Jackton, East Kilbride, G75 8RR, DATED 12/12/2016

Representation from : Steven McBride, 339 Eaglesham Road, Jackton, East Kilbride, G75 8RW, DATED 14/12/2016

Representation from : Mrs M Johnston, 16 Lendal Place, East Kilbride, G75 8JU, DATED 19/12/2016

Representation from : Joe Frame , Robertson Frame Limited, The Five Jays, Edinburgh Road, Cleghorn, Lanark, ML11 7RW, DATED 21/12/2016

Representation from : Mr & Mrs McPhail, Dunrobin, Newlands Road, East Kilbride, DATED 22/12/2016

Representation from : Edward Dantzig, Lethington Leisure Limited, DATED 23/12/2016

Representation from : Ritchie K Gilchrist MRICS, South Craighall, Jackton Road, Jackton, Glasgow, G75 8RR, DATED 04/01/2017

Representation from : Mrs M Johnston, 16 Lendal Place, East Kilbride, G75 8JU, DATED 01/06/2017

Representation from : Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8RR, DATED 08/06/2017

Representation from : Alex and Claire Marr, Little Park House & the Bothen, Jackton G75 8BN, DATED 03/07/2009

### **Contact for Further Information**

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

Alan Pepler, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Ext: 5052 Tel: 01698 455052

Email: [alan.pepler@southlanarkshire.gov.uk](mailto:alan.pepler@southlanarkshire.gov.uk)

### Conditions and reasons

1. Prior to the commencement of development of each construction phase (as defined in *East Kilbride CGA Phasing Plan June 2018*), a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by the Planning Authority in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval. 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 public and construction access to the site, including details of construction traffic routes and associated construction facilities, including any wheel cleaning facilities.
  - e) the design and location of all boundary treatments, including walls and fences;
  - f) the design and location of all retaining walls;
  - g) a Phasing Plan;
  - h) a Habitat and Greenspace Management Plan;
  - i) a Design Statement;
  - j) a Landscaping Plan;
  - k) details of equipped play areas to be provided;
  - l) the means of drainage and sewage disposal, including written confirmation from Scottish Water;
  - m) a detailed scheme for surface water drainage;
  - n) a Flood Risk Assessment, where relevant;
  - o) a Site Investigation carried out to the appropriate phase level;
  - p) a scheme for the control and mitigation of dust;
  - q) a Construction Method Statement and an Environmental Management Plan, including reference to the Water Environment (Controlled Activities) (Scotland) Regulations 2011 and SEPA's Pollution Prevention Guidance Notes, or any subsequent regulations or guidance; and
  - r) a road safety audit, where relevant.

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended

2. In accordance with condition 01 above, an updated Phasing Plan for each construction phase (as defined in *East Kilbride CGA Construction Phasing Plan-June 2018*), shall be submitted to the Planning Authority for approval prior to the commencement of development on each construction phase. This shall include proposals for the implementation of infrastructure works, accesses, roads and footpaths, housing, landscaping and other approved uses. Following approval of



Phasing Plan, the development shall be implemented in accordance with the approved scheme, unless otherwise agreed by the Planning Authority.

Reason: To retain effective planning control and safeguard the amenity of the area.

3. In accordance with condition 01 above, a Habitat and Greenspace Management Plan for each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be submitted to the Planning Authority for approval. This shall include an updated Ecological Assessment (incorporating updated surveys to identify existing habitats and species, mitigation and enhancement proposals, where agreed necessary with the Planning Authority), and an Action Plan for implementation and phasing of ecological mitigation work, and future maintenance/management agreements.

For the avoidance of doubt, the recommendations and mitigation measures identified within section 4 of the Addendum to the Environmental Statement (2016) shall be referenced, together with details of how the mitigation will be implemented.

Reason: In order to ensure the protected species and ecological features are adequately protected.

4. In accordance with condition 01 above, further application(s) for each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*), 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 general principles outlined in the approved drawings and *Updated Masterplan Report Re-Submission 2018*.

Reason: To retain effective planning control and safeguard the amenity of the area.

5. In accordance with condition 01 above, further application(s) for communal open space for each construction phase (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*), shall be accompanied by a detailed Landscape Plan generally in accordance with Drg No. *0713-LAGA-P003-C Landscape General Arrangement: Whole Site*. The following details should be included for the written approval of the Planning Authority:

- a) 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;
- b) 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;
- c) details of any top-soiling or other treatment to the ground;
- d) sections and other necessary details of any mounding, earthworks and hard landscaping;
- e) proposals for the initial and future maintenance of the landscaped areas;
- f) details of the phasing of these works;
- g) 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, paths, cycle infrastructure etc.);
- h) arrangements for structural landscape area (existing and proposed woodland, new site boundaries, public open space/buffer zones); and

- i) management and maintenance prescriptions for all areas of open space, public realm, woodland and greenbelt areas.

Once approved, the Landscape Plan for the relevant construction phase shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Planning Authority. No homes shall be occupied within any development parcel within the relevant construction phase until the Landscape Plan has been approved in writing by the Planning Authority.

Reason: In the interests of the visual amenity of the area.

- 6. In accordance with condition 01 above, further application(s) for each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*), shall be accompanied by a detailed Landscape Plan generally in accordance with Drg No. *0713-LAGA-P003-C Landscape General Arrangement: Whole Site*. The following details should be included for the written approval of the Planning Authority:

- a) 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;
- b) 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;
- c) details of any top-soiling or other treatment to the ground;
- d) sections and other necessary details of any mounding, earthworks and hard landscaping;
- e) proposals for the initial and future maintenance of the landscaped areas;
- f) details of the phasing of these works;
- g) 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, paths, cycle infrastructure etc.)
- h) where applicable, arrangements for structural landscape area (existing and proposed woodland, new site boundaries, public open space/buffer zones); and
- i) management and maintenance prescriptions for all areas of open space, public realm, woodland and greenbelt areas.

Once approved, the Landscape Plan shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of the visual amenity of the area.

- 7. In accordance with Condition 01 above, any further applications for a development parcel due to provide equipped play (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be accompanied by a scheme for the provision of equipped play to be approved in writing by the Planning Authority. Where equipped play is being provided in the relevant development parcel, details 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 equipped play will thereafter be constructed to the satisfaction of the Planning Authority.

Reason: To ensure the provision of adequate play facilities within the site and in order to retain effective planning control.

8. In accordance with Condition 01 above, further application(s) for each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be accompanied by details of surface water drainage arrangements to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria (including signed appendices as required), to be approved in writing by the Planning Authority. Unless otherwise agreed in writing with the Planning Authority, the proposed works shall be implemented in accordance with the approved details prior to the completion of the last dwellinghouse on the relevant development parcel.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

9. In accordance with Condition 01 above, unless otherwise agreed in writing by the Planning Authority, further application(s) for each development parcel or communal open space (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be accompanied by a relevant flood management submission as per the recommendations of the updated flood risk assessment of October 2016 (together with subsequent management and maintenance arrangements), to be approved in writing by the Planning Authority. The works will require to comply with the Council's Sustainable Drainage Design Criteria and requirements (including signed appendices as required). Unless otherwise agreed in writing with the Planning Authority, the proposed works shall be implemented in accordance with the approved details prior to the completion of the last dwellinghouse on the relevant development parcel.

Reason: 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.

10. In accordance with Condition 01 above, further application(s) for each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be accompanied by a site investigation carried out to the appropriate phase level, to be approved in writing by the Planning Authority. The investigation shall be completed in accordance with the following:

- (a) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
- (b) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency; and
- (c) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice;' or
- (d) Any other updates to the above, or other relevant guidance.

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 and submitted to the Council. 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 prior to the commencement of construction on the relevant development parcel.

If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. No works, other than investigative works, shall be carried out on the relevant development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) prior to receipt of the Planning Authority's written approval of the remediation plan.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

11. In accordance with condition 10 above, if required, remediation works shall be implemented as follows:
  - a) Remediation of the works shall be carried out in accordance with the approved remediation plan prior to the occupation of any home on the relevant part of the development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*). Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.
  - b) On completion of the remediation works, the developer shall submit a completion report to the 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. This shall be submitted prior to the occupation of any home on the remediated area of the development parcel.
  - c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week 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 Planning Authority prior to the occupation of any home on the remediated area of the development parcel and in accordance with the above criteria.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

12. In accordance with Condition 01 above, further application(s) for each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be accompanied by a scheme for the control and mitigation of dust, to be approved in writing by the Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Planning Authority.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

13. Unless otherwise agreed in writing with the Planning Authority, prior to the occupation of the first dwelling in Phase 1E (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*), the upgrade works to Newlands Road, in accordance with approved DBA drawings: 16259-SK-07 Rev E – Newlands Road

Proposals and 16259-SK-23 – Newlands Road – Proposed Footway Details, shall be completed.

Reason: In the interests of traffic and public safety.

14. Prior to the occupation of no more than 438 dwellings on the site hereby approved (as defined by the approved Masterplan *Drawing No. 0713-MPDF-P004-F Detailed Indicative Development Framework*), the following measures shall be implemented to the satisfaction of the Planning Authority, unless alternative measures are agreed in consultation with Transport Scotland:

- (a) The modifications to the A726(T) Queensway / GSO (Phillipshill) junction, in accordance with DBA Dwg: In accordance with DBA Dwg: 15261-GA-002; and
- (b) The modifications to the A726(T) Queensway / Eaglesham Road junction, in accordance with DBA Dwg: 15261-GA-004 – *General Arrangement Eaglesham Road / Queensway*.

Reason: 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.

15. Prior to the occupation of no more than 875 dwellings on the site hereby approved, (as defined by the approved *Drawing No. 0713- MPDF-P004-F Detailed Indicative Development Framework*), the following measures shall be implemented to the satisfaction of the Planning Authority, unless alternative measures are agreed in consultation with Transport Scotland:

- (a) The modifications to the A726(T) Queensway / A725(T) Kingsway (Birniehill) roundabout junction In accordance with DBA Dwg: 15261-GA-005 – *General Arrangement Birniehill Roundabout*; and
- (b) The modifications to the A725(T) Kingsway / Whitemoss Avenue junction. In accordance with DBA Dwg: 15261-GA-006 – *General Arrangement Whitemoss Roundabout*.

Reason: 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. That no development shall take place within each development parcel (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) until the implementation of a programme of archaeological works for the relevant part(s) of the site, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority in consultation with the West of Scotland Archaeology Service. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented for the relevant part(s) of the site and that all recording and recovery of archaeological resources is undertaken to the satisfaction of the Planning Authority, in consultation with the West of Scotland Archaeology Service.

Reason: In order to safeguard any archaeological items of interest or finds.

17. That notwithstanding the plans hereby approved and unless otherwise agreed in writing with the Planning Authority, a no development zone shall be provided on either side of the Gill Burn, in accordance with approved Drawing No. 0713 – MPSK-PO13-A SNF – No Development Zone. For the avoidance of doubt a 15m buffer on either side is required, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to ensure the protected species are adequately protected.

18. Prior to the occupation of any dwelling on the site, or as otherwise agreed in writing with the Planning Authority, phasing details for the implementation of the bus infrastructure to serve construction phase 1 (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*), generally in accordance with drawing No. 0713-MPSK-P027, shall be submitted to and approved in writing by the Planning Authority. The infrastructure shall include lay-by, shelter (with a power supply), pole and lighting. The approved bus infrastructure shall thereafter be implemented in accordance with the agreed phasing, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the site is served sufficiently by public transport.

19. Prior to the occupation of 650 dwellings on the site, or as otherwise agreed in writing with the Planning Authority, phasing details for the implementation of the bus infrastructure to serve construction phases 2 and 3 (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*), generally in accordance with drawing 0713-MPSK-P027, shall be submitted to and approved in writing by the Planning Authority. The infrastructure shall include lay-by, shelter (with a power supply), pole and lighting. The approved bus infrastructure shall thereafter be implemented in accordance with the agreed phasing, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the site is served sufficiently by public transport.

20. Prior to the occupation of any dwelling on the site, or as otherwise agreed in writing with the Planning Authority, details of temporary bus turning circles/turning arrangements for Construction Phase 1 (as defined in *East Kilbride CGA Construction Phasing Plan – June 2018*) shall be submitted to and approved in writing by the Planning Authority. The bus turning circles/turning arrangements shall be completed in accordance with the phasing details required by condition 18 above, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the site is served sufficiently by public transport.

21. Unless otherwise agreed in writing with the Planning Authority, prior to the occupation of any dwellinghouse in *development parcels 1C, 1D, 1J or 1H (as defined in East Kilbride CGA Construction Phasing Plan (June 2018))*, pedestrian facilities on Eaglesham Road (Jackton) shall be provided, generally in accordance with Drawing No. 16259-PR-02 as follows:

(a) Widen east footway to 2m between the proposed access roundabout and the access to former Jackton Primary School; and

(b) Where identified, upgrade of the existing footpath from the signalised crossing point to Haimyres Station, including widening to 2m where possible.

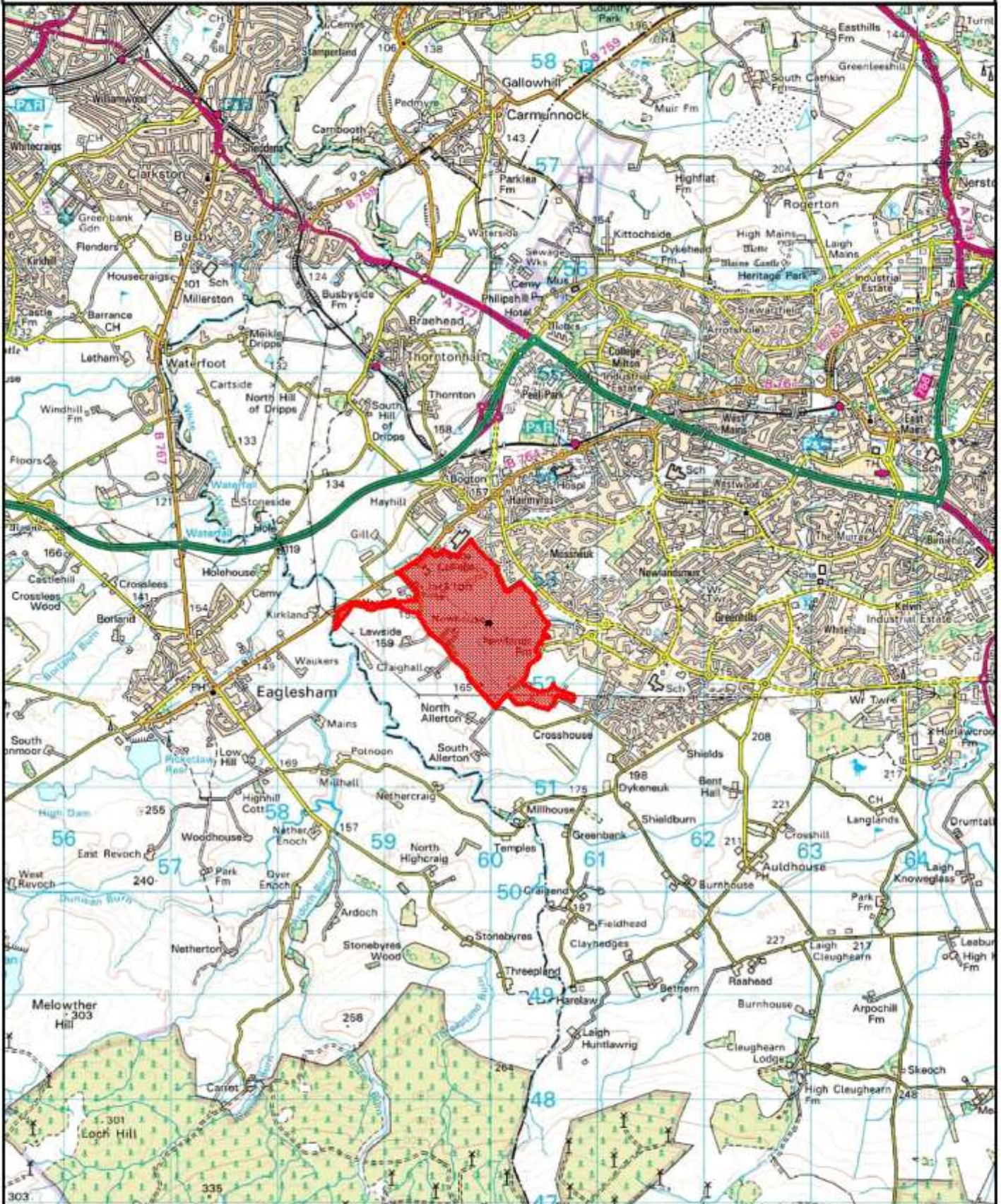
Reason: To ensure satisfactory pedestrian facilities at the site.

22. Unless otherwise agreed in writing with the Planning Authority, a maximum of 126 housing units shall be accessed by vehicle from Newlands Road.

Reason: For the avoidance of doubt and to retain effective planning control.

EK/09/0218

Land to South West of East Kilbride, Largely Bounded by Eaglesham Road, Jackton Road



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**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development