

Report to:	Planning Committee
Date of Meeting:	5 April 2011
Report by:	Executive Director (Enterprise Resources)

Application No	HM/09/0361
Planning Proposal:	Erection of 336 Residential Units, Medical Centre, 60 Bed Care Home, Children's Nursery, Restaurant, Associated Car Parking and Ancillary Works (Planning Permission In Principle)

1 Summary Application Information

- Application Type : Permission in Principle
- Applicant : Muse Developments
- Location : Land at Larkhall Academy
Larkhall

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 the conditions attached).

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: GVA Grimley Ltd
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **Scottish Planning Policy**

South Lanarkshire Local Plan (Adopted)

Policy RES 2 – Proposed Housing Sites Policy
 Policy RES 6 – Residential Land Use Policy
 Policy RES 5 – Affordable Housing And
 Housing Choice Policy
 ENV 2 – Local Green Network Policy
 Policy STRAT 10 – Developers' Contributions
 Policy
 Policy TRA 1 – Development Location and
 Transport Assessment Policy
 Policy TRA 2 – Walking, Cycling and Riding
 Routes Policy
 Policy TRA 4 – Bus Provision Policy
 Policy ENV 30 – New Development Design
 Policy

◆ Representation(s):

- ▶ 34 Objection Letters
- ▶ 1 Supporting Letter

◆ Consultation(s):

Economic Development

Environmental Services

Estates Services

Community Resources: Countryside & Greenspace

Larkhall Community Council

Community Resources: Leisure Services (Amenity Services)

Community Resources: Leisure Services (Arboriculture)

Roads and Transportation Services (Hamilton Area)

Roads and Transportation Services HQ (Traffic & Transportation)

Roads and Transportation Services HQ (Flooding)

Scottish Natural Heritage (SNH)

Scottish Water

SEPA

Sportscotland

Strathclyde Passenger Transport

SUSTRANS

West of Scotland Archaeology Service (WOSAS)

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located to the south of Larkhall Town Centre. The site is bounded to the north by residential properties, open space, semi mature trees and scrub, to the east and south by residential properties, open space and the Robert Smillie Memorial Primary School and to the west by a mix of rough grassland, trees and scrub. The land to the west of the site, which lies adjacent to the Avon Water and is located in the Green Belt, consists of parkland and woodland and has been designated as a Special Area for Conservation (SAC), Site of Special Scientific Interest (SSSI), and a Site of Importance for Nature Conservation (SINC). The tree belts have also been designated as Ancient Woodland. Access to the site is via Broomhill Road.
- 2.2 The application site is irregular in shape and extends to approximately 19.3 hectares. In terms of topography, the site is undulating and site levels vary across the area. A former railway embankment runs through the site and a disused railway viaduct is located through the centre of the site which carries the disused railway over the Avon Water and the surrounding land on relatively steep embankments. The site is heavily planted with large areas of trees including broad leaf and pine trees in addition to areas of scrub.

2 Proposal(s)

- 2.1 The applicant, Muse Developments, seeks planning permission in principle for the erection of 336 residential units, medical centre, 60 bed care home, children's nursery, restaurant, associated car parking and ancillary works. The proposal forms the major part of a masterplan for the 'Larkhall Cherryhill Redevelopment' and a separate application for planning permission in principle has been submitted for the erection of a Class 1 retail store with associated petrol filling station, car parking and other associated works for the remaining area of land relative to this masterplan (HM/09/0360). The application site would bound the proposed retail development to the north and west of the site. The number of residential units proposed has been reduced from the 367 units proposed at the time of the submission of the application to 336 units following discussions with Scottish Natural Heritage (SNH) to ensure that the development has no adverse impact on the adjacent Special Area of Conservation (SAC).
- 2.2 Whilst a detailed layout has not been submitted with the application an indicative layout has been submitted showing the proposed locations of the various uses within the site. The supporting planning information states that the residential aspect of the proposal would comprise a range of housing of mixed tenure and density. Housing would be split between flats located at the north of the site, terraced houses located southeast of the Larkhall Academy and associated running track, semi detached and detached houses located south of the disused railway and detached and large detached houses located in the northwest part of the site.
- 2.3 The indicative layout shows that the site would be accessed via a new roundabout located at the junction between Broomhill Road and Church Street with an additional roundabout located adjacent to the Leisure Centre on Broomhill Road and a main spine road running through the site. A new access is proposed off Margaretvale Drive at the eastern side of the site and additional footpaths would be formed around the site to allow pedestrian circulation within the site and access from existing facilities including the schools, leisure centre and the proposed new retail store

highlighted above. The proposal would involve the demolition of two residential properties currently fronting Church Street to allow for the construction of the roundabout.

- 2.4 It is proposed to retain and improve the existing former railway line running through the site as a multi-purpose pathway (cycle and footpath), and a Green Corridor. The proposal also involves the diversion of the Raploch Burn which runs along the north of the site which would be realigned and improved for ecological benefit. The proposal would include a robust structure landscape throughout the site, particularly around the west of the site, adjacent to the Avondale Site of Special Scientific Interest, along the railway and around the boundary with the new school area. This would be incorporated to enhance the existing retained vegetation within the site. The existing mature tree belt of Ancient Woodland around the Avon Water would be retained. Drainage on the site would be provided in the form of Sustainable Urban Drainage Systems (SUDS) with detention basins located throughout the site.
- 2.5 Supporting information was submitted with the application in the form of a Transport Assessment and an Environmental Statement which covered matters relating to ecology, landscape and visual amenity, hydrology, noise and air quality and archaeology and cultural heritage. It should be noted that the applicant undertook a pre-application consultation with the local community prior to this requirement formally being introduced under the Planning etc. (Scotland) Act 2006. As a consequence a consultation report was submitted as supporting information by the applicant.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is designated as a proposed housing site in the adopted South Lanarkshire Local Plan. The relevant policies in terms of the assessment of this application are Policies RES 2 – Proposed Housing Sites Policy, Policy RES 6 – Residential Land Use Policy, RES 5 – Affordable Housing And Housing Choice Policy, ENV 2 – Local Green Network Policy, STRAT 10 – Developers' Contributions Policy, TRA 1 – Development Location and Transport Assessment Policy, TRA 2 – Walking, Cycling and Riding Routes Policy, TRA 4 – Bus Provision Policy, ENV 30 – New Development Design Policy, ENV 31 – New Housing Development Policy and DM 1 – Development Management Policy. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.3 Government Advice/Policy

- 3.3.1 In terms of Housing, Scottish Planning Policy states 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.
- 3.3.2 In terms of green networks Scottish Planning Policy advises that access to good quality open spaces can encourage people to be physically active and aid health and wellbeing. In settlements, networks of linked, good quality open space are important for their contribution to amenity and their role in nature conservation, biodiversity,

recreation and physical activity. Authorities are encouraged to improve access to existing areas of open space via green networks and paths.

3.3.3 Designing Streets - A Policy Statement for Scotland was introduced in March 2010 and marks the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design. Development layouts should be designed to encourage a safe environment for pedestrians and carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.

3.4 **Planning Background**

3.4.1 A previous outline planning application was submitted to the Council in May 2004 (HM/04/0322) for a mixed use development (including residential recreation, woodland, community use and access) and associated works. This covered an area partly within the current application boundary. The application identified a notional capacity of 375 residential units across the 44.5 hectare site. The application was approved at the Planning Committee in April 2005 subject to referral to the Scottish Ministers. The referral was due to the application's non-accordance with the development plan at that time, because the Council had a financial interest in part of the site, and due to the existence of an outstanding objection from Scottish Natural Heritage relating mainly to drainage issues and the potential impact on the adjacent Special Area of Conservation (SAC). The grounds of objection were not resolved and as a consequence the Scottish Ministers returned the application to South Lanarkshire Council. The application was withdrawn in July 2009.

3.4.2 It should be noted that an application for planning permission in principle was submitted to the Council by Muse Developments in July 2009 for the erection of a Class 1 retail store with associated petrol filling station, car parking and other associated works on land located directly to the west of Larkhall Leisure Centre (HM/09/0360). This planning application is also under consideration as a separate item at this Planning Committee.

4 **Consultation(s)**

4.1 **Economic Development** – have no objections to the application.

Response:- Noted.

4.2 **Environmental Services** – have no objections to the application subject to the inclusion of conditions requiring the submission of a noise assessment, contaminated land investigation and remediation proposals and the submission of details relating to air quality monitoring. An informative should also be attached advising the applicant of acceptable noise levels at the site.

Response:- Noted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

4.3 **Estates Services** – have no objections to the application.

Response:- Noted.

4.4 **Community Resources: Countryside and Greenspace** – have no objections to the application subject to the submission of details for the provision of pedestrian and cycle access arrangements, landscape master planning and biodiversity mitigation and enhancement measures for the development. If a section 75 Agreement is to be

concluded then adequate provision should be made to ensure these elements are appropriately funded through the development. Specifically in relation to outdoor access an access plan should be prepared to identify a network of routes sufficient for the provision of adequate and safe cycling and pedestrian routes throughout the development site. These should be linked to adjacent access infrastructure and be appropriate for both functional and recreational use.

Response: Noted. I am satisfied that no Section 75 Agreement is required in this instance as any consent granted would incorporate appropriately worded conditions to address the above matters.

- 4.5 **Larkhall Community Council** – no response to date.

Response:- Noted.

- 4.6 **Community Resources: Leisure Services (Amenity Services)** – have no objections to the proposal.

Response: Noted.

- 4.7 **Community Resources: Leisure Services (Arboriculture)** – the site is extremely tight and the woodland in very good condition providing an excellent local amenity. There are concerns that a very high percentage of woodland will be felled to accommodate this proposal. A tree survey should be requested to indicate where trees are to be removed and what measures will be put in place to ensure the retained trees will be protected.

Response: The application site is designated as a development site in the Local Plan and, therefore, some form of tree loss would be inevitable. Notwithstanding, any consent granted would incorporate appropriately worded conditions to ensure the submission of a detailed tree survey, tree protection measures and landscaping as requested for the Council's approval.

- 4.8 **Roads and Transportation Services (Hamilton Area)** – have no objections to the application subject to the inclusion of conditions requiring the provision of appropriate visibility splays, car parking, driveways and surface water trapping within the site. The above Service also noted a requirement for a transport assessment which should consider the impact on Broomhill Road and its junction with Church Street.

Response:- Noted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised. The required transport assessment was submitted as a supporting document and fully assessed by Roads and Transportation Services.

- 4.9 **Roads and Transportation Services (Transportation)** – have no objections to the application subject to the inclusion of appropriate conditions. Detailed discussions have taken place regarding the practicalities of the new roundabout and road safety due to the removal of the existing traffic signals. The proposed roundabout is the most suitable form of access for the development and a co-ordinated removal of the existing traffic signals and the installation of the two new pedestrian crossings is required in consultation with the Council and with the required funding provided by the applicant. Conditions should be attached to any consent granted requiring the submission of full details of the internal layout of the development in addition to details relating to the proposed roundabout and alterations to the existing mini-roundabout, pedestrian crossing facilities and traffic signals, road safety features, cycle way connections throughout the site and linkages to the National Cycle Route, car and cycle parking and a public transport strategy and travel plan for the Council's approval.

Response:- Noted and any consent granted would incorporate appropriately worded conditions to address the above matters. The costs associated with any

infrastructure works including road and transportation matters and works required in relation to public transport shall be borne by the developer.

- 4.10 **Roads and Transportation Services (Flooding)** – have no objection to application subject to the Council’s Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document. The submitted Flood Risk Assessment (FRA) requires to be updated and the proposal to realign the Raploch Burn would require a Controlled Activities Regulations (CAR) approval from SEPA.

Response: - Noted and any consent granted would incorporate appropriately worded conditions to ensure the provision of an acceptable SUDS system within the site and the submission of an updated Flood Risk Assessment for the Council’s approval. The applicant has been involved in detailed discussions with the Council regarding the submitted FRA and a copy of the Council’s SUDS design criteria has been forwarded to the applicant as requested.

- 4.11 **Scottish Natural Heritage (SNH)** – have no objections to the proposal subject to the inclusion of conditions which require the incorporation of a 70 metre buffer comprising open space and native tree planting between the Special Area of Conservation (SAC) and development Plot 5; that no infrastructure is located within the SAC, that the existing surface water drainage regime between the SAC catchment, as identified in the RPS report, and the SAC be maintained; that site levels in the buffer zone adjacent to the SAC remain as existing, that no additional soil is placed around existing trees and no soil is excavated from around existing trees; that landscaping and planting proposals for the buffer zone and all areas adjacent to the SAC site be submitted to the Council for approval in consultation with SNH; and that the measures to mitigate impacts on the woodland habitat outlined in the Environmental Statement be implemented in full.

Response:- Noted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

- 4.12 **Scottish Water** – have no objections to the application and have advised that Balmore Waste Water Treatment Works has capacity to service the proposed development.

Response:- Noted.

- 4.13 **SEPA** – have no objections to the proposal subject to conditions requiring: provision of post-development topography details for the entire site particularly those areas adjacent to the Raploch Burn to demonstrate that the development will not have a detrimental effect on flood risk and the water environment; finished floor levels within the residential element adjacent to model cross-sections 16-20 being set at or above 94.87mAOD; provision of a planning drawing detailing finished floor levels and topographic levels for the proposed restaurant and associated car parking; and the provision of an acceptable sewerage system and SUDS system.

Response:- Noted and any consent granted would incorporate appropriately worded conditions to address the above matters.

- 4.14 **Sportscotland** – have no objections to the proposal, however, the application site contains areas used for informal recreation and has path networks running through it. Sportscotland requests that the Council ensures that path networks are retained or replaced to allow ease of pedestrian movement through the site and that the Council ensures it is satisfied that the level of informal recreation space which will be available meets the needs of existing and future residents in the area.

Response:- Noted and any consent granted would incorporate appropriately worded conditions to address the above matters.

4.15 **Strathclyde Passenger Transport** – have no objections to the proposal. They have suggested that an additional access from Glen Avenue should be considered to achieve a more integrated and attractive through route. A condition should be attached to any consent for the phasing of the development to ensure walking, cycling and public transport routes are integrated into the development at appropriate stages. The final development of the main access road, creating loop road, should be of a design to accommodate bus services. A Section 75 Agreement should be considered to facilitate a contribution towards the cost of initiating a bus service for the site for at least the first 5 years at an initial estimated cost of around £80,000 per year. As the details of the finalised travel plan are being prepared, a budget/financial sum should be considered to ensure implementation of the travel plan measures.

Response:- Noted. The applicant's Transport consultants have held a number of meetings with local service operators (Whitelaw) within the area to discuss the extension of bus services. Whitelaw have confirmed that they would be content to enter into further discussions with the applicant's following approval of the planning application to secure bus services to the site. It is considered that it would not be necessary for this matter to be addressed by a legal agreement and that any consent granted could incorporate an appropriately worded condition to ensure the submission of a public transport strategy for the Council's approval in consultation with Strathclyde Passenger Transport bus service provision at the site.

4.16 **SUSTRANS** – have no objections to the proposal. They suggest that the developer makes a financial contribution through a Section 75 Agreement towards the implementation of the proposed cycle routes from Larkhall to Chatelherault and Strathclyde Country Parks. It is suggested that there should be no timescale attached to the spending of the Section 75 monies to ensure that there is greater flexibility as to where the funds can be directed within the scheme. Alternatively, it is suggested that the developer implements the section of cycle route in the vicinity of the site. It is also recommended that adequate cycling provision should be made for staff, customers and residents.

Response:- Noted. The applicant, in consultation with SUSTRANS and the Council's Roads and Transportation Services, has committed to delivering the required cycle way connections of National Cycle Route 74 within the application site. On this basis, it is considered that it would not be necessary for this matter to be tied into a legal agreement. Any consent granted would incorporate a condition requiring the submission of full details of these works for the Council's approval and future implementation following the submission and approval of the required application for the approval of the matters specified in condition.

4.17 **West of Scotland Archaeology Service (WOSAS)** – have no objections to the application, however, they recommend that the site be subject to a pre-determination evaluation in order to assess the nature, depth of, and extent of any potential archaeological features within the development area. Should this not be possible they recommend that a suspensive condition be attached to any consent issued to secure a programme of archaeological works to be conducted in advance of any development.

Response: Noted. As the application is for planning permission in principle I am satisfied that the matters raised can be addressed through a condition requiring the implementation of a programme of archaeological works in accordance with a written scheme of investigation to be approved by both the West of Scotland Archaeology Service and the Council.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under Article 12 (5) Due to the Nature or Scale of Development, under Non-Notification of Neighbours and due to the Submission of an Environmental Statement in the Hamilton Advertiser and Edinburgh Gazette appropriately. Thirty four letters of objection were received in addition to one letter of support. The grounds of objection are summarised below.

- (a) **Too many houses are proposed for the site. The previous proposal allowed for garden space which would not impact excessively on the Local Nature Reserve.**

Response: The application is for planning permission in principle and whilst an indicative layout has been submitted showing the proposed locations of the various uses within the site no detailed layout has been submitted for assessment at this stage. Any detailed layout submitted under a subsequent application for the approval of matters specified in conditions would have to take into account the Council's Residential Development Guide and national planning guidance contained within Designing Streets. With regard to the Local Nature Reserve the applicant has had detailed discussions with SNH regarding the incorporation of an appropriate landscaped buffer between the development (Plot 5) and the Nature Reserve and any consent granted would be conditioned appropriately to address this matter.

- (b) **There are too many additional uses which were not previously proposed.**

Response: As discussed, the application is for planning permission in principle and no detailed layout has been submitted for assessment at this stage. However, the additional uses proposed are considered to be ancillary to the residential development and I am satisfied that they would not be detrimental to the amenity of the area subject to any detailed layout and design meeting the Council's normal development design standards upon the submission of an application for the approval of matters specified in conditions.

- (c) **With regard to the proposed widening of the access road clarification is required as to whether or not the Council owns an area of land within the application site.**

Response: The Council has an interest in part of the application site.

- (d) **The proposal will have an adverse impact on road safety. Even with the introduction of a roundabout the proposed access road is a residential street which does not have capacity for the volume of traffic that this development will generate.**

Response: Whilst the application is for planning permission in principle detailed discussions have taken place regarding the proposed access to the site and Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues subject to the submission of full details of the internal layout of the development in addition to details relating to the proposed roundabout and alterations to the existing mini-roundabout, pedestrian crossing facilities and traffic signals, road safety features etc for the Council's approval. Should planning permission in principle be granted these further details would be submitted and assessed under an application for the approval of matters specified in conditions.

- (e) **The introduction of a roundabout so close to Larkhall Academy and Leisure Centre is irresponsible. The extra traffic caused by the**

development during and after completion will have an adverse impact on road safety particularly for children and older people in the area.

Response: Roads and Transportation Services are satisfied that the proposed roundabouts are the most suitable forms of access for the development and that the proposal raises no access or road safety issues. Any consent granted would incorporate conditions requiring the submission of a detailed design of the proposed roundabouts and new pedestrian crossings for the Council's approval.

- (f) **Due to traffic congestion parking restrictions were introduced to regulate parking in the area. There is currently insufficient parking in the area and any increase in traffic caused by this development will make matters worse.**

Response: Whilst Roads and Transportation Services are satisfied that the proposal would have no adverse impact on parking in the area, should planning permission in principle be granted full details of the proposed car parking arrangements for the development would have to be submitted and approved by the Council under an application for the approval of matters specified in conditions.

- (g) **The road layout at the existing listed Archway entrance into the Broomhill Estate should not be altered to suit the developer.**

Response: Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues and as the application is for planning permission in principle any impact on the listed Archway would be assessed upon the submission of an application for the approval of matters specified in conditions should planning permission in principle be granted.

- (h) **The proposal will have an adverse impact on the local sewerage system.**

Response: Neither Scottish Water or SEPA raised any adverse comments in relation to any potential impact on the sewerage system. This is a matter which could be addressed through the submission of reserved matters if applicable.

- (i) **There are concerns that the proposal will have an adverse impact on the Archway located at Broomhill Road both visually and physically.**

Response: Whilst the application is for planning permission in principle and no detailed drawings, including elevations of the building, have been submitted, due the proposed distance between the store and the Archway I am satisfied that the proposal would not have a significant adverse impact on the Archway either visually or physically

- (j) **Deliveries to the store will cause traffic and noise disturbance during both the day and at night.**

Response: This representation primarily relates to the separate application for the proposed retail store. However, neither Roads and Transportation Services or Environmental Services raised any objection to the proposal in relation to the traffic and noise disturbance and any consent granted would incorporate a condition requiring the submission of a noise assessment for the Council's approval.

- (k) **The proposal will have a detrimental impact on the environment and daily lives of the local residents through noise and air pollution.**

Response: Environmental Services raised no objections to the proposal subject to the inclusion of conditions relating to the submission of a noise

assessment and details relating to air quality monitoring for the Council's approval. These matters would be fully addressed through the submission of an application for the approval of matters specified in conditions should planning permission in principle be granted.

- (l) **Some of the footpaths proposed appear to be located within the Local Nature Reserve (LNR). Clarification is also sought in relation to vehicular access for maintenance and emergency vehicles for the LNR and the viaduct. A 10 metre buffer zone should be provided between the site and the LNR where physically possible.**

Response: Details relating to proposed footpaths and vehicular access for maintenance and emergency vehicles for the LNR and the viaduct would be clarified through the submission of an application for the approval of matters specified in conditions should planning permission in principle be granted. However, it is not anticipated that any footpaths would be located within the LNR.

- (m) **There are other more suitable locations on the outskirts of Larkhall. There will be no Green Belt left as a result of the proposal.**

Response: The majority of the application site is identified as a proposed housing site in the adopted Local Plan and the remainder of the site is located within a residential policy area of this Plan. Therefore, the principle of the proposal is considered to be acceptable.

- (n) **The site should be used for social housing rather than homes for the private sales market.**

Response: Any detailed layout submitted under a subsequent application for the approval of matters specified in conditions would have to incorporate 25% of the site's capacity for the provision of affordable housing.

- (p) **There are concerns that not all neighbours were notified where required.**

Response: I am satisfied that the correct statutory neighbour notification procedures were undertaken.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks planning permission in principle for the erection of 336 residential units, medical centre, 60 bed care home, children's nursery, restaurant, associated car parking and ancillary works at land adjacent to Larkhall Academy. As discussed, the proposal forms the major part of a masterplan for the 'Larkhall Cherryhill Redevelopment' and a separate application for planning permission in principle has been submitted for the erection of a Class 1 retail store with associated petrol filling station, car parking and other associated works for the remaining area of land relative to this masterplan (HM/09/0360). The determining issues that require to be addressed are whether the proposal complies with national and local plan policy and its impact on the amenity of the adjacent properties.

- 6.2 In terms of Housing, Scottish Planning Policy states 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.

- 6.3 In terms of green networks Scottish Planning Policy advises that access to good quality open spaces can encourage people to be physically active and aid health and wellbeing. In settlements, networks of linked, good quality open space are important for their contribution to amenity and their role in nature conservation, biodiversity, recreation and physical activity. Authorities are encouraged to improve access to existing areas of open space via green networks and paths.
- 6.4 *Designing Streets - A Policy Statement for Scotland* was introduced in March 2010 and marks the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.
- 6.5 In this instance, the majority of the application site has been identified as a proposed housing site in the adopted Local Plan and the remainder of the site is located within a residential policy area. The application partly involves the re-use of a brownfield site for housing. The site would be accessible by public transport and well integrated into existing walking and cycling networks. In terms of green networks the proposal would retain and improve the existing former railway line running through the site as a multi-purpose pathway (cycle and footpath), and a Green Corridor to ensure that access to the remainder of the railway embankment and the network of formal footpaths in the area is both retained and enhanced. With regard to *Designing Streets* any detailed layout submitted under a subsequent application for the approval of matters specified in conditions would have to take account of this guidance in addition to the design standards set out in the Council's Residential Development Guide. I am, therefore, satisfied that the principle of the proposal is acceptable and in accordance with national planning policy.
- 6.6 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Plan. The relevant policies in terms of the assessment of this application are Policies RES 2 – Proposed Housing Sites Policy, RES 6 – Residential Land Use Policy, ENV 2 – Green Network Policy, RES 5 – Affordable Housing And Housing Choice Policy, STRAT 10 – Developers' Contributions Policy, TRA 1 – Development Location and Transport Assessment Policy, TRA 2 – Walking, Cycling and Riding Routes Policy, TRA 4 – Bus Provision Policy, ENV 30 – New Development Design Policy, ENV 31 – New Housing Development and DM 1 – Development Management Policy. I will deal with them in turn.
- 6.7 Policy RES 2 identifies the majority of the site as a proposed housing site, therefore, the principle of residential development on the site is established. Whilst the proposed development incorporates a medical centre, care home, children's nursery and restaurant these uses are considered to be ancillary to the main residential development proposed and I am satisfied that these additional uses would not be detrimental to the amenity of the area subject to meeting normal development design standards upon the submission of any application for the approval of matters

specified in conditions. I, therefore, consider that the principle of these additional uses is acceptable and that the proposal meets the terms of this policy.

- 6.8 Part of the site is located within a residential policy area in the adopted Local Plan and Policy RES 6 states that within these areas, the Council will oppose the loss of houses to other uses and resist any developments which will be detrimental to the amenity of those areas. Any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking or visual intrusion. As discussed, the application is for planning permission in principle and no details have been submitted in terms of the layout or design of the proposal. However, the site is located within an area which is mainly residential in character, therefore, it is considered that the proposal would relate satisfactorily to adjacent and surrounding development and that the character and amenity of the area would not be impaired by reason of traffic generation, parking or visual intrusion. I am, therefore, satisfied that the proposal meets the terms of this policy.
- 6.9 Policy ENV 2 – Local Green Network Policy seeks to protect and support actions to enhance the Local Green Network as identified on the Proposals Map. Development that is likely to have an adverse effect on its connectivity or its value for biodiversity or as an amenity will not be supported. Opportunities for creating new links to the Network will be promoted by the Council as part of planning consents for new developments and in partnership with other public sector agencies. Developer contributions for this will be sought in accordance with Policy STRAT 10 where there is a need to provide for a direct shortfall in infrastructure, or mitigate a specific impact, and where the requirement is so directly related to the regulation of the proposed development that it should not be permitted without it. The subject areas for developer contributions include transportation infrastructure and services and strategic landscaping open space, public access and environmental mitigation. A former railway embankment runs through the north and western areas of the site and the applicant proposes to fund and directly implement improvements to ensure that this former railway line is retained as a multi-purpose footpath and cycle way and as a green corridor. Any consent granted would include a condition requiring the submission of a landscaping scheme for the Council's approval to ensure the enhancement of the site and a positive contribution on the green network connectivity and its value of biodiversity and amenity space. I am, therefore, satisfied that the proposal meets the terms of Policies ENV 2 and STRAT 10 in this regard.
- 6.10 Policy RES 5 – Affordable Housing And Housing Choice Policy states that the Council recognises the need to provide housing to meet the needs and demands of a diverse population. All new housing must meet the requirements of Policy ENV 31 – New Housing Development. In any housing market area where a quantifiable need arises as evidenced by the Local Housing Strategy, developers will be expected to provide up to 25% of their site's capacity for the provision of affordable housing. The provision of a commuted sum in lieu of provision will only be accepted in very exceptional circumstances where neither on nor off site provision in the locale can be provided or there are no funding commitments from the Scottish Government Housing and Regeneration Directorate. On this basis any consent granted would include a condition requiring the provision of up to 25% of the site's capacity for the provision of affordable housing and the area of affordable housing would have to be indicated on the detailed layout submitted under any subsequent application for the approval of matters specified in conditions.

- 6.11 Policy TRA 1 states that the Council will promote transport and land use planning principles which encourage and support the use of land in highly accessible locations for predominantly people-based development and seek to ensure that development takes account of the need to provide proper provision for walking, cycling and public transport. The transportation implications of major developments as defined by the Council's Guidelines for Development Roads will require to be set out in a Transport Assessment and the preparation of Green Travel Plans will be required for such developments. A Transport Assessment was submitted with the application which has assessed the impact on the local road network. Conditions would be attached to any consent granted to ensure that the required infrastructure improvements would be completed prior to the occupation or operation of the development where appropriate.
- 6.12 Policy TRA 2 states that The Council will seek to safeguard existing and proposed walking and cycling routes within the Local Plan area as identified on the Proposals Map. Particular support is given to the development of the Clyde Walkway and National Cycle Network Routes 74 and 75 on or around the lines identified. In addition, linear routes, such as former railway lines, will be safeguarded to provide walking, cycling and riding opportunities. Development proposals adjacent to or on the line of a route as defined above will require to take account of the route and where appropriate, developer contributions will be sought (in accordance with Policy STRAT 10) to the provision or upgrading of the route. As discussed, the applicant proposes to retain the existing disused railway line and has agreed to fund and directly implement works to improve the railway line as a multi-purpose footpath and cycle way and as a green corridor. Conditions would be attached to any consent granted requiring the submission of details of the proposed cycle way connections through the site and its linkages to the National Cycle Route 74. Policy TRA 4 seeks to ensure that developers of major developments will work with Strathclyde Partnership for Transport and bus operators to extend bus services and improve bus infrastructure at or in the vicinity of the site and on this basis the applicant is required to prepare a public transport strategy for the Council's approval in consultation with Strathclyde Partnership for Transport and to implement the strategy prior to the occupation or operation of the development as appropriate. It is considered, therefore, that the proposed improvements to walking, cycling and public transport infrastructure and the required improvements to the road network can be achieved satisfactorily and that the proposal conforms with Policies TRA1, TRA 2 and TRA 4.
- 6.13 In terms of the design of the proposed development Policies ENV 30, ENV 31 and DM 1 are relevant to the assessment of the application and they generally require new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. However, as the application is for planning permission in principle no details have been submitted with the application in terms of the layout or design of the proposal. Consequently, any subsequent application for the approval of matters specified in conditions would require to incorporate a phasing strategy for the development and would have to take account of the guidance contained within Designing Streets and the Council's Residential Development Guide and be in keeping with development in the surrounding area.
- 6.14 Whilst the issues of access and additional traffic generation have been matters of concern amongst local residents it is considered that these concerns can be addressed through the use of appropriate conditions. Detailed discussions have taken place in relation to the formation of the new roundabout and the removal of the existing traffic signals and Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. It is considered that the

proposed roundabout is the most suitable form of access for the development and a co-ordinated removal of the existing traffic signals and the installation of the new pedestrian crossings would be required in full consultation with the Council and funded by the applicant. The proposal would provide significant infrastructure improvements on Church Street and the surrounding road network in addition to enhanced pedestrian and cycle connections in the area and the implementation of a public transport strategy. With regard to natural heritage issues SNH are satisfied that the proposed mitigation and survey work can be addressed through appropriate planning conditions to ensure that there would be no impact on protected species.

- 6.15 In summary, I am satisfied that the proposed mixed use development is acceptable and that it complies with both national and local plan policy. The site can be safely accessed with adequate levels of car parking provision and the proposal raises no significant environmental or infrastructure issues. I would, therefore, raise no objection to the application and recommend that planning permission in principle be granted.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on either residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies RES 2, RES 5, RES 6, ENV 2, STRAT 10, TRA 1, TRA 2, TRA 4, ENV 30, ENV 31 and DM 1 of the adopted South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

29 March 2011

Previous References

HM/09/0360
HM/04/0322

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - West of Scotland Archaeology Service 21/08/2009
 - Roads and Transportation Services (Hamilton Area) 02/09/2009
 - Environmental Services 08/09/2009
 - Scottish Natural Heritage 11/09/2009
 - Estates Services 26/08/2009
 - Roads & Transportation Services H.Q. (Flooding) 24/09/2009
 - S.E.P.A. (West Region) 16/10/2009

Strathclyde Passenger Transport	06/10/2009
S.E.P.A. (West Region) (Flooding)	01/03/2010
Scottish Natural Heritage	18/05/2010
Scottish Water	16/03/2011
Roads & Transportation Services H.Q. (Traffic and Transportation)	04/02/2011 & 02/03/2011
Community Resources: Leisure Services (Arboriculture)	29/07/2010
Community Resources: Greenspace & Countryside	22/12/2010
Community Resources: Leisure Services (Amenity Services)	30/12/2010
Sportscotland	11/09/2009
SUSTRANS	30/09/2009

► , Representations

- Representation from : Mrs H Dixon & Miss J Walker, 45 Church Street, Larkhall, ML9 1LE, DATED 17/08/2009
- Representation from : Robin Frame, Glenharvie, Netherburn, Larkhall, ML9 3DJ, DATED 18/08/2009
- Representation from : Mr & Mrs W Whip, 11 Broomhill Gate, Larkhall, ML9 1ED, DATED 21/08/2009
- Representation from : Friends of Moragn Glen, FAO Mr T. Malcolm, 5 Jura Gardens, Larkhall, ML9 2JS, DATED 25/08/2009
- Representation from : Dr Saurabh Kumar, 50 Church Street, Larkhall, ML9 1HE, DATED 04/08/2009
- Representation from : Mr & Mrs Gibb, 12 Broomhill Road, Larkhall, ML9 1QW, DATED 24/08/2009
- Representation from : Friends of Morgan Glen, FAO Tom Malcolm (Chairman), 5 Jura gardens, Larkhall, ML9 2JS, DATED 01/10/2009
- Representation from : Bernard Mclaughlin, 19 The Croft, Larkhall, ML9 1AX, DATED 31/08/2009
- Representation from : David McLachlan, 4 Ness Gardens, Larkhall, ML9 1QQ, DATED 27/08/2009

- Representation from : Robert Murray, 26 Craigbank Road, Larkhall, ML9 1QF, DATED 27/08/2009
- Representation from : Jean Gilfillan, 18 Tweed Street, Larkhall, ML9 1HR, DATED 27/08/2009
- Representation from : Ann Rankin (Secretary), Friends Of Morgan Glen, 18 Cherrytree Crescent, Larkhall, ML9 2AP, DATED 28/08/2009
- Representation from : Margaret Rankin, 18 Cherrytree Crescent, larkhall, ML9 2AP, DATED 28/08/2009
- Representation from : Elizabeth J McLachlan, 4 Ness Gardens, larkhall, ML9 1QQ, DATED 26/08/2009
- Representation from : John Jamieson, 194 Glen Avenue, Larkhall, ML9 1JZ, DATED 26/08/2009
- Representation from : Friends Of Morgan Glen, Mary Jamieson, 194 Glen Avenue, larkhall, ML9 1JZ, DATED 26/08/2009
- Representation from : Friends Of Morgan Glen, John Jamieson, 194 Glen Avenue, Larkhall, ML9 1JZ, DATED 26/08/2009
- Representation from : Mary Jamieson, 194 Glen Avenue, Larkhall, ML9 1JZ, DATED 26/08/2009
- Representation from : Margaret Rankin, 18 Cherrytree Crescent, Larkhall, ML9 2AP, DATED 27/10/2009
- Representation from : Mary Jamieson, 194 Glen Avenue, Larkhall, DATED 27/10/2009
- Representation from : Ann Rankin, 18 Cherrytree Crescent, Larkhall, ML9 2AP, DATED 27/10/2009
- Representation from : Friends of Moragn Glen, FAO Ann Rankin (Secretary), 18 Cherrytree Crescent, Larkhall, ML9 2AP, DATED 27/10/2009
- Representation from : John Jamieson, 194 Glen Avenue, Larkhall, DATED 27/10/2009
- Representation from : David McLachlan, 4 Ness Gardens, Larkhall, DATED 27/10/2009
- Representation from : The Owner/Occupier, 20 Tweed Street, Larkhall, DATED 27/10/2009
- Representation from : Elizabeth McLachlan, 4 Ness Gardens, Larkhall, DATED 27/10/2009
- Representation from : Mrs E and Mr J Downie, 6 Karadale Gardens, Larkhall, ML9

1BE, DATED 26/05/2010

Representation from : Mr and Mrs M Perrie, 5 Karadale Gardens, Larkhall, ML9 1BE, DATED 24/05/2010

Representation from : Mr and Mrs W A Orr, 19 Winnie Knowe, Larkhall, ML9 1LD, DATED 24/05/2010

Representation from : J Forsyth, 7 Broomhill Gate, Larkhall, ML9 1EB, DATED 14/05/2010

Representation from : E B Jamie, East and West Watston Farm, Boghall Street, Stonehouse, ML9 3PH, DATED 14/05/2010

Representation from : Catherine Robson, 82 Margaretvale Drive, Larkhall, ML9 1EH, DATED 07/05/2010

Representation from : Mrs M Frew, 9 Broomhill Road, Larkhall, ML9 1QW, DATED 11/05/2010

Representation from : Doreen Hamilton, 1 Karadale Gardens, Larkhall, ML9 1BE, DATED 27/05/2010

Representation from : Mrs Marion McTavish, 15 Broomhill Road, Larkhall, ML9 1QW, DATED 13/05/2010

Contact for Further Information

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

Jim Blake, Planning Officer, Brandon Gate, Hamilton
Ext 3508 (Tel :01698 453508)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 Prior to the commencement of development of any phase, as set out by the phasing plan required under the terms of Condition 2, 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 (car parking and cycle parking) and open spaces;
 - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
 - (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
 - (d) the means of access to the site;
 - (e) the design and location of all boundary treatments including walls and fences including those annotated a-b, c-d and e-f on the approved plans;
 - (f) the hard and soft 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, tree protection measures, a woodland management plan and biodiversity mitigation and enhancement measures;
 - (g) the means of drainage and sewage disposal.
 - (h) provision of up to 25 % of the site's capacity for affordable housing unless otherwise agreed by the Council as Planning Authority;
 - (i) open space and recreational provision;

- 2 That prior to the submission of any matters set out under the terms of Condition 1 above, a phasing of development plan shall be submitted to and approved by the Council as Planning Authority.

- 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 3 years from when permission in principle was granted
 - (b) expiry of 6 months from date when an earlier application for approval was refused, and
 - (c) expiry of 6 months from date on which an appeal against the refusal was dismissed.

Approval of the further specified matters can be made for -

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

Only one application for approval of matters specified in conditions can be made after 3 years from the grant of planning permission in principle.

- 4 This decision relates to drawing numbers:
L(--)-1002 Rev A
L(--)-2002 Rev A
L(--)-03 Rev A

- 5 That the further application(s) required under the terms of Condition 1 above shall include a detailed design of the new roundabout on Church Street at Broomhill Road along with alterations to the existing roundabout on Broomhill Road/Broomhill Drive/Margaretvale Drive generally in accordance with drawing no's 60034706-SK2062 and 60034706 SK2071 for the consideration and detailed approval of the Council as Planning Authority.
- 6 That unless otherwise agreed, prior to the occupation of the mixed use development, construction of the new roundabout on Church Street at Broomhill Road along with alterations to the existing roundabout on Broomhill Road/Broomhill Drive/Margaretvale Drive shall be undertaken to the satisfaction of the Council as Planning Authority.
- 7 That the further application(s) required under the terms of Condition 1 above shall include a detailed design of pedestrian crossing facilities within the site and new controlled pedestrian crossing points on Church Street for the consideration and detailed approval of the Council as Planning Authority.
- 8 That unless otherwise agreed, prior to the occupation of the mixed use development, pedestrian crossing facilities (as identified in Condition 7 above) shall be constructed to the satisfaction of the Council as Planning Authority.
- 9 That the further application(s) required under the terms of Condition 1 above shall include a detailed assessment of the need for traffic signals at Church Street/John Street for the consideration and detailed approval of the Council as Planning Authority.
- 10 That unless otherwise agreed, prior to the occupation of the mixed use development alterations to the traffic signals at Church Street/John Street shall be undertaken to the satisfaction of the Council as Planning Authority.
- 11 That unless otherwise agreed, prior to the occupation of the 150th residential unit a detailed design of the proposed alterations to the roundabout at Drygate Street/Muir Street shall be submitted for the consideration and detailed approval of the Council as Planning Authority.
- 12 That unless otherwise agreed, prior to the occupation of the 150th residential unit construction of the alterations to the roundabout at Drygate/Muir Street shall be undertaken to the satisfaction of the Council as Planning Authority.
- 13 That the further application(s) required under the terms of Condition 1 above shall include details of SCOOT or MOVA control measures with associated operational costs at the following junctions for the consideration and detailed approval of the Council as Planning and Roads Authority.
 - 1) Machan Road/Keir Hardie Road
 - 2) Church Street/John Street
 - 3) Church Street/McNeil Street/Union Street/Muir Street
 - 4) Union Street/Raploch Street/Wellgate Street
 - 5) Duke Street/Hamilton Street/Wellgate Street/Drygate Street
 - 6) Hamilton Street/Hamilton Road/Summerlee Road
- 14 That the further application(s) required under the terms of Condition 1 above shall

include details of the new traffic signal junction along with staging and timing plans at Duke Street/Hamilton Street/Wellgate Street/Drygate Street for the consideration and detailed approval of the Council as Planning Authority, generally in accordance with drawing no 60034706 SK2022.

- 15 That unless otherwise agreed, prior to the occupation of the 150th residential unit a detailed review of the traffic management and road network, the scope of which shall be agreed with the Council, shall be undertaken and recommendations submitted for the approval of the Council as Planning Authority.
- 16 In accordance with outcomes of Condition 15 and prior to the occupation of the 150th residential unit, unless otherwise agreed with the Council, the details of the associated traffic management works, including the promotion of any necessary Traffic Regulation Orders, shall be implemented by the applicant to the satisfaction of the Council as Planning Authority.
- 17 That the design and layout of all new infrastructure and improvements shall be in accordance with the "Design Manual for Roads and Bridges" and the Council's "Guidelines for Development Roads" unless otherwise agreed by the Council as Planning Authority.
- 18 That the further application(s) required under the terms of Condition 1 above shall include a detailed internal layout of the commercial aspect of the development including a swept path assessment for servicing for the consideration and detailed approval of the Council as Planning Authority.
- 19 That the further application(s) required under the terms of Condition 1 above shall include a detailed internal layout of the residential development in accordance with "Designing Streets" for the consideration and detailed approval of the Council as Planning Authority.
- 20 That the further application(s) required under the terms of Condition 1 above shall include details of suitable road safety features and the extension/alterations to the existing Part Time Mandatory 20mph speed limit for the consideration and detailed approval of the Council as Planning Authority and thereafter these measures shall be implemented to the Council's satisfaction unless otherwise agreed by the Council.
- 21 That the further application(s) required under the terms of Condition 1 above shall include details of the footway connections throughout the site including new street lighting and connections to Glen Avenue and the existing footpath on Quarry Road for the consideration and detailed approval of the Council as Planning Authority.
- 22 That unless otherwise agreed, prior to the occupation of any part of the development the footway connections throughout the site and including new street lighting and connections to Glen Avenue and the existing footpath on Quarry Road shall be undertaken to the satisfaction of the Council as Planning Authority.
- 23 That the further application(s) required under the terms of Condition 1 above shall include details of the access to the adjacent land to the west of the application site for the consideration and detailed approval of the Council as Planning Authority.
- 24 That unless otherwise agreed, prior to the occupation of any part of the development the access to the adjacent land to the west of the application site shall be undertaken to the satisfaction of the Council as Planning Authority.

- 25 That the further application(s) required under the terms of Condition 1 above shall include details of the cycle way connections throughout the site and linkages to the proposed National Cycle Route 74 and upgrading of the existing disused railway for the consideration and detailed approval of the Council as Planning Authority.
- 26 That unless otherwise agreed, prior to the occupation of any part of the development the approved cycle way connections throughout the site and linkages to the proposed National Cycle Route 74 and upgrading of the existing disused railway line shall be undertaken to the satisfaction the Council as Planning Authority.
- 27 That the further application(s) required under the terms of Condition 1 above shall include a public transport strategy detailing the frequency and routing of new/amended bus services for the consideration and detailed approval of the Council as Planning Authority in discussion with Roads and Transportation Services and Strathclyde Partnership for Transport. The strategy shall include public transport infrastructure (bus stops and shelters), travel information to ensure users are aware of pedestrian, cycle and public transport provision which shall also include the provision of real time information unless otherwise agreed by the Council.
- 28 That unless otherwise agreed, prior to the occupation of the 1st residential property details of the welcome pack shall be submitted to and approved by the Council as Planning Authority to encourage sustainable travel to and from the development.
- 29 Development shall not commence until an assessment of the potential for the proposed use to cause noise nuisance including, if applicable, noise produced by the ventilation equipment, to occupants in the surrounding area, has been submitted to the Council as Planning Authority. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.
- 30 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) 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.

(c) 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.

- 31 (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.
- 32 That unless otherwise agreed, before work commences on site a local air quality monitoring and modelling assessment shall be carried out and the information submitted to and approved by the Council as Planning Authority. The information shall be used to assess potential impacts of the development on existing air quality during the construction phase and when the development is in use. The assessment shall have regard to the contributory impact on air quality that the development may pose.
- 33 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 approved by the Council as 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 and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council in agreement with the West of Scotland Archaeology Service.
- 34 That before any dwellinghouse hereby permitted is occupied, unless otherwise agreed with the Council, the following car parking spaces shall be provided within the curtilage of the plot and outwith the public road or footway and shall thereafter be maintained to the specification of the Council as Planning Authority.

1 bedroom - two parking spaces

- 2 bedrooms - two parking spaces
- 3 bedrooms - two parking spaces
- 4 bedrooms - three parking spaces

- 35 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access at the junctions for Plots 1A to 1D and Plot 2 and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines. The roundabouts shall be designed in accordance with the Council's Design Manual for Road and Bridge works and shall require the submission of a safety audit as part of the further application(s) required under the terms of Condition 1 above.
- 36 The surface of the access road shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 37 That unless otherwise agreed, all dwellinghouses with garages shall have driveways with a minimum length of 6 metres measured from the heel of the footway/service strip and the first 2 metres of each driveway as measured from the heel of the footpath shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.
- 38 That the further application required under the terms of Condition 1 above shall take cognisance of the guidance on new residential development contained in Designing Streets and the Council's Residential Development Guide.
- 39 That the further application required under the terms of Condition 1 above shall include details of the provision of post-development topography for each of the agreed phases of the development particularly those areas adjacent to the Raploch Burn to demonstrate that the development will not have a detrimental effect on flood risk and the water environment.
- 40 That the further application(s) required under the terms of Condition 1 above shall include an updated Flood Risk Assessment for the consideration and detailed approval of the Council as Planning and Roads Authority.
- 41 That the development footprint of the development shall reflect that shown on the revised 'Plan Showing Development Plots' (Drawing No. L(--)-04 Rev A, dated March 2010), incorporating a c.70m buffer comprising open space and native tree planting between the SAC and development Plot 5.
- 42 That no foul drainage infrastructure shall be located within the SAC.
- 43 That the site levels in the buffer zone adjacent to the SAC shall remain as existing, in that no additional soil shall be placed around existing trees or no soil shall be excavated from around existing trees.
- 44 That the landscaping and planting proposals for the buffer zone and all areas adjacent to the SAC site shall be submitted for the detailed consideration and approval of the Council in consultation with SNH.
- 45 That the measures to mitigate impacts on the woodland habitat outlined in the

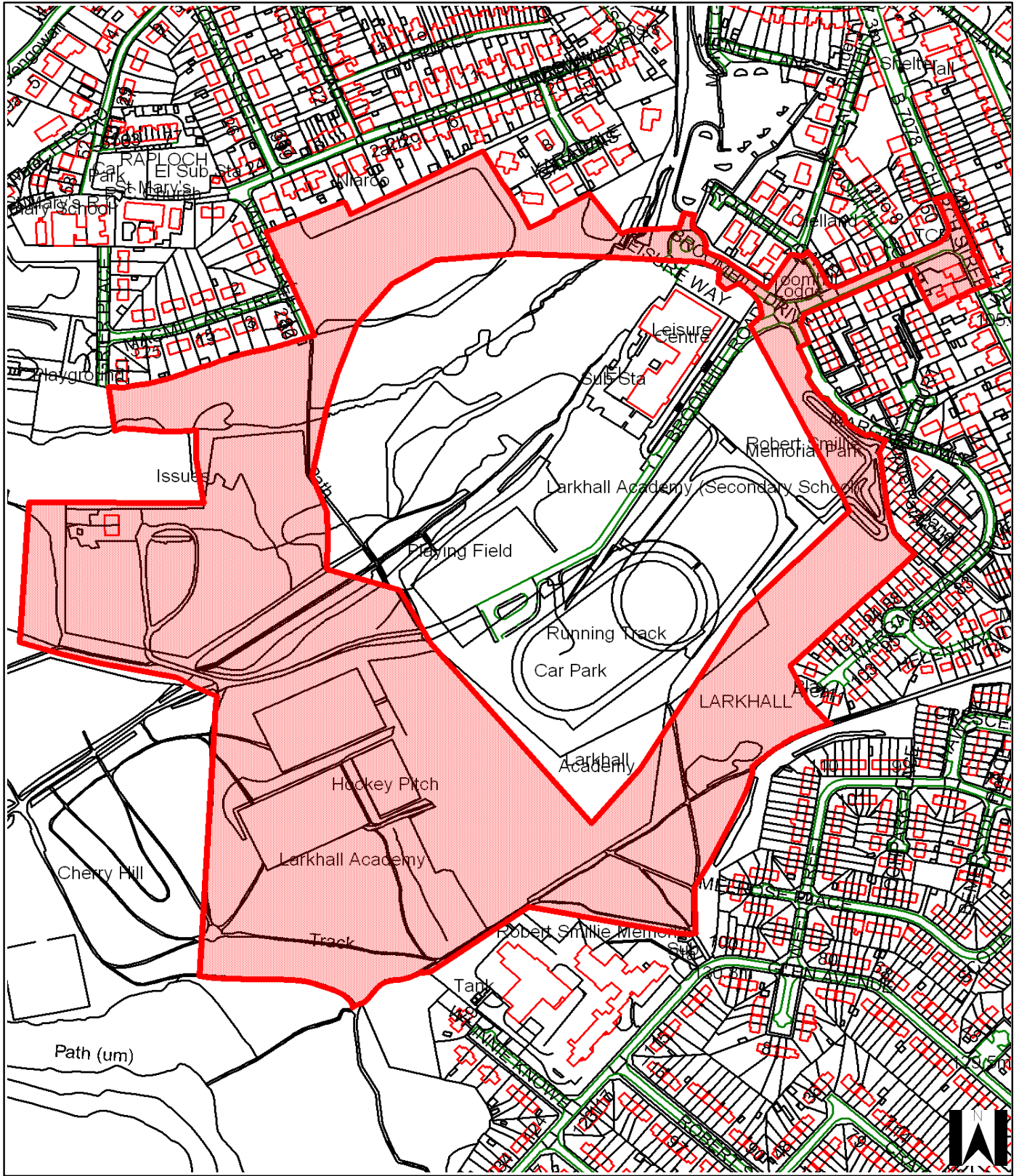
Environmental Statement undertaken by RPS in July 2009 shall be implemented in full.

- 46 That consent is granted for up to 336 residential units contained within the mixed use development hereby approved unless otherwise agreed with the Council as Planning Authority.

REASONS

- 1 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 These details have not been submitted or approved.
- 3 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 5 These details have not been submitted or approved.
- 6 In the interest of public and road safety.
- 7 These details have not been submitted or approved.
- 8 In the interest of road safety.
- 9 These details have not been submitted or approved.
- 10 In the interest of road safety.
- 11 These details have not been submitted or approved.
- 12 In the interest of public and road safety.
- 13 These details have not been submitted or approved.
- 14 These details have not been submitted or approved.
- 15 In the interest of public and road safety.
- 16 In the interest of public and road safety.
- 17 In the interest of road safety.
- 18 These details have not been submitted or approved.
- 19 These details have not been submitted or approved.
- 20 These details have not been submitted or approved.
- 21 These details have not been submitted or approved.
- 22 In the interests of road safety.
- 23 These details have not been submitted or approved.
- 24 In order to retain effective planning control.
- 25 These details have not been submitted or approved.
- 26 In the interest of public and road safety and to encourage sustainable travel to and from the development.
- 27 These details have not been submitted or approved.
- 28 To encourage sustainable travel to and from the development.
- 29 To minimise noise disturbance to adjacent occupants.
- 30 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 31 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 32 To safeguard the amenity of the area.
- 33 To safeguard any archaeological remains within the site.
- 34 To ensure the provision of adequate parking facilities within the site.
- 35 In the interest of road safety
- 36 In the interest of public safety
- 37 In the interest of public safety
- 38 In the interests of amenity.

- 39 To demonstrate that the development will not have a detrimental effect on flood risk and the water environment.
- 40 To demonstrate that the development will not have a detrimental effect on flood risk and the water environment.
- 41 To ensure there is no adverse impact on the adjacent Special Area of Conservation (SAC).
- 42 To ensure there is no adverse impact on the adjacent Special Area of Conservation (SAC).
- 43 To ensure there is no adverse impact on the adjacent Special Area of Conservation (SAC).
- 44 To ensure there is no adverse impact on the adjacent Special Area of Conservation (SAC).
- 45 To ensure there is no adverse impact on the adjacent Special Area of Conservation (SAC).
- 46 In the interests of amenity and in order to retain effective planning control.



For information only

For information only