

# Report

# 10

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>24 May 2011</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/10/0429
Planning Proposal:	Erection of 48 Dwellinghouses and Associated Engineering Operations

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Paradigm Real Estate Managers
- Location : Ashgillhead Road, Shawsburn

## 2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission – Subject to Conditions (based on the conditions attached).

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) If planning consent is granted, the decision notice should be withheld until a commuted sum equivalent to the cost of providing 25% of the site's overall capacity in the form of serviced land for the provision of affordable housing by the Council or a Registered Social Landlord (RSL) is submitted by the applicant.
- (3) If planning consent is granted, the decision notice should be withheld until a financial contribution of £24,000 for the improvement of existing recreational facilities in the area is submitted by the applicant.
- (4) If planning consent is granted, the decision notice should be withheld until a landscaping bond is agreed and submitted by the applicant.

## 3 Other Information

- ◆ Applicant's Agent: Roy Mitchell Design Ltd
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**  
***Policy RES 2 – Proposed Housing Sites Policy***  
Policy RES 5 – Affordable Housing and Housing Choice Policy  
Policy ENV 31 - New Housing Development Policy  
Policy DM 1 – Development Management Policy

◆ Representation(s):

▶ 18 Objection Letters

◆ Consultation(s):

Larkhall Community Council

Environmental Services

Housing and Technical Resources

Roads and Transportation Services (Hamilton Area)

Roads and Transportation Services HQ (Flooding)

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

Scottish Power Energy Networks

Scotland Gas Network

Scottish Water

Community Resources (Amenity Services)

Education Resources

Community Resources (Countryside and Greenspace)

# Planning Application Report

## 1 Application Site

- 1.1 The application relates to an area of land located to the north of Ashgillhead Road on the northern side of Shawsburn. The application site is bounded to the north by agricultural land, to the south by the A71 Ayr Road and adjacent residential properties, to the east by the embankment of a dismantled railway line and to the west by commercial garage premises.
- 1.2 The site extends to approximately 1.7 hectares and is currently used for grazing. The site is generally flat running from east to west with a slope from Ashgillhead Road northwards. The site incorporates a number of small scattered shrubs and is bounded by a post and wire fence and a mixture of mature and semi-mature trees located along the disused railway line and along part of Ayr Road.

## 2 Proposal(s)

- 2.1 This is a detailed planning application for the erection of 48 dwellinghouses and associated engineering operations. The proposal incorporates 38 three bedroom terraced houses and 10 three bedroom semi-detached houses. The dwellings would be two storeys in height and would be finished with grey concrete roof tiles, a mixture of render and brick exterior walls and with white UPVC windows. Following detailed discussions with the Planning Service the initial layout was amended and the proposal now incorporates 48 houses rather than the original proposal for 49 houses. Vehicular access to the site would be via a new roundabout located on Ashgillhead Road directly opposite Andrew Baxter Avenue. The semi-detached dwellings would have associated driveways located adjacent to the side elevation of the buildings and the terraced houses would have car parking located to the front of the houses.
- 2.2 An indicative landscaping scheme was submitted with the application which shows a mixture of hard and soft landscaping incorporated within the site with two toddlers' play areas and additional pockets of amenity open space. A SUDS design proposal would be incorporated within the site boundary adjacent to the carriageway which would provide treatment to the roof and road drainage prior to discharge into the storm water sewer system and eventual discharge into the nearest watercourse. Due to the site's edge of settlement location a five metre wide tree planting buffer would be provided along the northern boundary of the site and additional planting would be accommodated along a section of the eastern boundary of the site to supplement existing screening and soften the edge of the development. A Design and Access Statement, Bat and Badger Survey and Stage 1 Safety Audit were submitted with the application as supporting documents.

## 3 Background

### 3.1 Local Plan Policy

- 3.2 The application site is designated as a proposed housing site under the terms of Policy RES 2 - Proposed Housing Sites Policy in the adopted South Lanarkshire Local Plan. Additional policies relevant to the assessment of this application are Policies RES 5 – Affordable Housing and Housing Choice 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 Relevant Government Advice/Policy

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

3.3.2 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, and 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 None relevant in this instance.

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

4.1 **Education Resources** – have no objections to the application. The current Dalsersf Primary School which will be completed shortly has sufficient capacity at this time to accommodate the predicted number of pupils generated from this development. No developer's contributions are, therefore, required.

**Response:** Noted.

4.2 **Environmental Services** – have no objections to the proposal subject to the inclusion of conditions requiring the submission of a noise assessment, dust mitigation measures and a contaminated land investigation for the Council's approval. Informatives should be attached advising the applicant of appropriate audible construction noise levels at the site.

**Response:** Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the above matters.

4.3 **Housing and Technical Resources** - have no objections to the proposal. The preference for this site would be a commuted sum payment as opposed to any on site provision calculated in accordance with the guidelines set out in the Council's Affordable Housing Supplementary Planning Guidance. The Council's first preference for meeting affordable housing need in the Hamilton Housing Market Area (HMA) is provision of subsidised housing for rent provided by the Council or a Registered Social Landlord. As subsidy for affordable housing investment is very limited, the Council must prioritise available resources to development that contributes to meeting identified need in highest pressured areas. The site at Shawsburn on the outskirts of Larkhall would not be considered a priority as there are sites in considerably higher pressure areas across the Hamilton HMA where on site provision is a greater priority in terms of targeting available resources.

**Response:** Noted. If planning consent is granted, the decision notice would be withheld until a commuted sum equivalent to the cost of providing 25% of the sites overall capacity in the form of serviced land for the provision of affordable housing by the Council or Registered Social Landlord (RSL) is submitted by the applicant.

- 4.4 **Larkhall Community Council** – no response to date to the formal planning consultation.  
**Response:** Noted.
- 4.5 **Community Resources (Amenity Services)** – no response to date to the formal planning consultation.  
**Response:** Noted.
- 4.6 **Scottish Power Energy Networks** - have no objections to the proposal, however, they have submitted details indicating the location of their apparatus in the area.  
**Response:** - Noted. This information will be passed on to the applicant.
- 4.7 **Roads and Transportation Services (Hamilton Area)** – have no objections to the application subject to the inclusion of conditions requiring the provision of acceptable visibility splays, the formation of a footway along the frontage of the site and the provision of adequate car parking and drainage facilities within the site. A mini roundabout is acceptable in principle to serve the proposed development. Further, detailed design information for the mini roundabout will be required and should be designed in accordance with DMRB and the central island should be a maximum of 4.0m diameter. Any future expansion of this development into the field on the north side of the site will require a full size roundabout (32 metre inscribed circle diameter). The applicant should note that plots 1-4 and 45-48 may not be able to be built as shown should there be a need to accommodate a 32 metre roundabout in the future. This is also the case for a 28 metre roundabout which it is understood the applicant intends to put forward as a workable solution.  
**Response:** Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised. The applicant has been advised of Roads and Transportation's requirements in relation to any future expansion into the adjacent field to the north of the site. The applicant has also been advised that this area of land is designated as Green Belt land in the adopted Local Plan and any future re-designation of this land would have to be addressed appropriately through the local plan review process.
- 4.8 **Roads and Transportation Services HQ (Flooding)** – have no objections to the proposal subject to the submission of a flood risk assessment for the Council's approval, the provision of a sustainable urban drainage system (SUDS) within the site and subject to the Council's SUDS design criteria being satisfied through the completion of a self certification document.  
**Response:** Noted. Appropriately worded conditions would be incorporated into any consent granted to address the matters raised. A copy of the SUDS self certification document has been forwarded to the applicant.
- 4.9 **Scottish Water** – have no objection to the proposal, however, they have noted that Ashgill Waste Water Treatment Works currently has limited capacity to service the proposed development.  
**Response:** Noted. Any consent granted would be conditioned to ensure that no dwellings are occupied until a satisfactory sewerage scheme is in place. In terms of the current capacity of the Waste Water Treatment Works the applicant has been advised to contact Scottish Water to discuss this matter further.
- 4.10 **SEPA** - have no objections to the proposal subject to the provision of a suitable sewerage system and a sustainable urban drainage system within the site. They have also advised that the application may be subject to the Controlled Activities Regulations (CAR), that construction/demolition works associated with the development must be carried out with due regard to the guidelines on avoidance of

pollution and that any waste materials imported to the site during construction must be stored and used only in accordance with a waste management licence or exemption under the Waste Management Licensing Regulations 1994 (as amended) and any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations. **Response:** Noted. Any planning consent granted would be conditioned to ensure the provision of appropriate sewerage and SUDS facilities within the site and informatives would be attached to address the additional matters raised.

4.11 **Scotland Gas Networks** – have no objections to the proposal, however, they have submitted details indicating the location of their apparatus in the area.

**Response:** - Noted. This information will be passed on to the applicant.

4.12 **Countryside and Greenspace** – have no objections to the proposal. The bat and badger survey and report prepared by Central Environmental Services in respect of the proposed development site is considered to be acceptable. The Survey concludes that no potential bat roosts or hibernation habitats exist within the site. There is no constraint on those trees proposed for felling apart from the need to fell any hedging outwith the bird breeding season. In addition, no badger setts occur within at least 30 metres of the site and no evidence of badger foraging activity was found in the area.

**Response:** - Noted. This information will be passed on to the applicant.

## 5.0 Representation(s)

5.1 Neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser under Article 12 (5) Non-Notification of Neighbours. Eighteen letters of objection were submitted. The grounds of objection are summarised as follows:

(a) **Any new development should incorporate a park area and not just toddlers' areas as there is a lack of amenities in the area.**

**Response:** Two toddlers' areas are proposed for the development and the applicant has agreed to provide a financial contribution of £24,000 towards upgrading recreational provision in the area in lieu of providing the full range of play facilities in the site.

(b) The proposed houses appear to be two and a half to three storeys in height which is not in keeping with the surrounding houses.

**Response:** Following discussions with the Planning Service amended drawings were submitted which show that the proposed dwellings would be two storeys in height.

(c) **Plots 1, 2, 35, 36, 48 and 49 are out of line with existing plots on Ashgillhead Road and are too close to the roadside and out of keeping with development in the surrounding area. Their driveways would be obscured when driving towards the development from Ashgill and travelling over the old railway bridge. They would have an impact on road safety as it is already difficult to enter and exit driveways on this road due to the volume of traffic. This development will cause further problems.**

**Response:** Several plots within the layout have been re-positioned as part of an amended layout which involved re-notification of neighbours. However, I

am satisfied that the proposed dwellings would not be out of keeping with development in the surrounding area.

- (d) **There are concerns regarding the entry/exit to the parking area next to Plots 2 and 3 as it is far too close to the proposed large roundabout. In addition, driveways to Plots 35, 36, 48 and 49 would be obscured when driving towards the development from Ashgill and travelling over the old railway bridge and would, therefore, have an impact on road safety.**

**Response:** An amended layout was submitted with the parking area and associated entry/exit referred to removed from the development. Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues.

- (e) **Existing roads in the area need upgraded due to the increasing volume of traffic from new housing. In addition, the existing traffic lights at the junction between Ayr Road and Ashgillhead Road are an accident blackspot without adding more traffic.**

**Response:** Roads and Transportation Services are satisfied that the proposal raises no road safety issues.

- (f) **There are concerns regarding the use of boundary fences at 54, 56 and 58 Ashgillhead Road as these were erected and paid for by existing residents and it is unfair that they should pay for boundary fences for the proposed development.**

**Response:** The applicant would be responsible for the costs related to the erection of boundary fencing for the development.

- (g) **Several plots will overlook existing properties in the area and have an impact on the privacy of those existing residents.**

**Response:** I am satisfied that the proposal would have no significant adverse impact on existing properties in terms of overlooking or loss of privacy.

- (h) **The development will result in a loss of daylight and a loss of view to the residents of an existing adjacent property.**

**Response:** Due to the distance between existing and proposed dwellings I am satisfied that the proposal would have no adverse impact on existing properties in terms of loss of daylight. Loss of view is not a material planning consideration.

- (i) **The lane at the rear of Plots 7, 8, 9 and 10 will encourage youths to loiter and will impact on the amenity of the residents of 54 Ashgillhead Road.**

**Response:** The footpath referred to has been re-located to a position whereby I am satisfied that it would not adversely impact on the amenity of the above property.

- (j) **The refuse area for Plot 10 is extremely close the existing property at 54 Ashgillhead Road.**

**Response:** Environmental Services raised no adverse comments in this regard.

- (k) **The proposed finish materials for the dwellings are not in keeping with those in the surrounding area which are finished in render rather than brick.**

**Response:** The exterior walls of the proposed dwellings would be finished in a mixture of white or cream coloured render and buff or red brick exterior

walls. I am satisfied that the finish materials would be appropriate and would not be out of keeping with development in the surrounding area.

- (l) **The existing tree line at the back of 54, 56 and 58 Ashgillhead Road should be increased to provide a separation between the development and the existing properties.**

**Response:** Due to the site's edge of settlement location, a five metre wide tree planting buffer would be provided along the northern boundary of the site to soften the edge of the development. However, I do not consider it necessary to insist on screening to provide a separation between the development and the existing properties.

- (m) **Consideration should be given to the bats which are nesting in the old stables and the badgers which occupy the site earmarked for development both of which are protected species. Also, the rabbits and birds of prey which reside in the area. A few urban areas of shrubs and trees and small lawns will not make up for the land that will be lost.**

**Response:** The site is designated as a proposed housing site in the adopted Local Plan, therefore, the principle of residential development on the site has been established. Furthermore, the bat and badger survey submitted confirmed that no potential bat roosts or hibernation habitats exist within the site and no badger sets are located within at least 300 metres of the site.

- (n) **The toddlers' play area in the western area of the site is located too close to an existing property on Ashgillhead Road and would impact on the owner's existing amenity.**

**Response:** The site layout has been amended and the relevant play area would now be located approximately 44 metres from the closest existing dwelling which is considered to be acceptable.

- (o) **How would the toddler's play areas be maintained as they tend to become run down and make the area look untidy.**

**Response:** The toddler's play areas would be maintained via a nominated factor for the development.

- (p) **The proposed development will increase traffic, noise and light pollution in the area and impact on the amenity of existing residents and residents of the local nursing homes.**

**Response:** Subject to the inclusion of appropriately worded conditions neither Roads and Transportation Services nor Environmental Services raised any adverse comments in relation to the above matters.

- (q) **The size and layout of the proposed development is not in keeping with development in the surrounding area as the existing houses are detached and the majority of those proposed are terraced houses.**

**Response:** The application incorporates a mix of terraced and semi detached houses and I am satisfied that the proposal would not be out of keeping with development in the surrounding area.

- (r) **There are concerns that this is one step closer to Ashgill and Larkhall becoming one continuous village.**

**Response:** Each planning application has to be assessed on its own merits. However, it should be noted that the settlement of Ashgill is located a significant distance from Larkhall. Any future re-designation of Green Belt



land is a matter which would have to be addressed appropriately through the local plan review process.

- (s) **The amended site layout shows that the existing small roundabout will not change. The original site layout showed a much larger roundabout at the entrance from Ashgillhead Road into the new estate. It is understood that this is Phase 1 of the development and that if sales go well there may also be further development. A much larger roundabout is required not more traffic to the existing inadequate small roundabout.**

**Response:** The existing mini-roundabout would be improved and would incorporate an element of deflection on the south side of Ashgillhead Road as part of the proposed works in order to achieve appropriate vehicle speeds as traffic approaches the roundabout. Roads and Transportation Services are satisfied that the proposed roundabout is acceptable and that the application raises no road safety issues.

- (t) **Plot 34 on the amended layout has a small roof area to the side of the property but this is not showing on the elevation drawings. Can this be clarified.**

**Response:** An additional drawing was submitted showing the side elevation of the above dwelling. For clarification purposes this information was forwarded to the person commenting.

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 determining issues that require to be addressed in respect of this application are compliance with both national and local plan policy and the impact on surrounding development.
- 6.2 The proposal relates to the erection of 48 dwellinghouses and associated engineering operations. In terms of national planning policy and residential development, Scottish Planning Policy advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures. New housing developments should be integrated with public transport and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. New streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development. In this instance, the application site is identified as a proposed housing site in the adopted Local Plan and the site would be easily accessible by public transport and well integrated into existing walking and cycling networks. The development is, therefore, in accordance with national planning policy.
- 6.3 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 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. It is considered that the proposed layout generally complies with the main guidance contained within Designing Streets. I am, therefore, satisfied that the proposal is acceptable and in accordance with national planning policy.

- 6.4 In terms of local plan policy, the application site is identified as a proposed housing site in the adopted South Lanarkshire Local Plan and the proposal can be assessed against Policies RES 2 – Proposed Housing Sites Policy, RES 5 – Affordable Housing and Housing Choice Policy, ENV 31 – New Housing Development Policy and DM 1 – Development Management Policy.
- 6.5 Policy RES 2 states that the Council will support development for housing on those sites included in the Housing Land Audit as summarised in Appendix 1 and identified on the Proposals Map. As the application site is identified as a proposed housing site the principle of residential development on the site has been established. I am, therefore, satisfied that the proposal raises no policy issues and conforms with the terms of the above policy.
- 6.6 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 as serviced land for the provision of affordable housing. It goes on to state that 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. The Council will require developers to make a contribution to fund social rented affordable housing on alternative locations within the housing market area. The Council will work in partnership with the Scottish Government Housing and Regeneration Directorate (and Registered Social Landlords) to fund, secure and retain any such provision. The commuted sum will be the equivalent value of affordable housing serviced land as set out in the Council's Affordable Housing Supplementary Planning Guidance. In this instance, the Council's preference would be for the provision of a commuted sum payment as opposed to any on site provision. The site at Shawsburn on the outskirts of Larkhall would not be considered a priority as there are sites in considerably higher pressure areas across the Hamilton HMA where on site provision is a greater priority in terms of targeting available resources. On this basis, if planning consent is granted, the decision notice would be withheld until a commuted sum equivalent to the cost of providing 25% of the sites overall capacity in the form of serviced land for the provision of affordable housing by the Council or Registered Social Landlord (RSL) is submitted by the applicant.
- 6.7 In terms of the detail of the application Policies ENV 31 and DM 1 generally require all development to take account of the layout, form, design and local context of the area and to make provision for suitable access, sustainability and safety measures. It is considered that the proposed layout is acceptable and that it meets the main standards set out in the Council's Residential Development Guide, particularly in relation to access and car parking, house to plot ratios, landscaping and amenity open space. As discussed, it is also considered that the layout generally complies with the guidance contained within Designing Streets. I am satisfied that the proposal is acceptable in terms of its design with a suitably high standard of materials to ensure that the dwellings will not be out of character with surrounding development. I am also satisfied that the proposed dwellings would be positioned a

sufficient distance away from existing properties to ensure that there would be no adverse impact on those properties in terms of overshadowing or loss of privacy. Due to the site's edge of settlement location a five metre wide tree planting buffer would be provided along the northern boundary of the site and additional planting would be accommodated along a section of the eastern boundary of the site to supplement existing screening and soften the edge of the development.

- 6.8 In addition to the above the applicant has agreed to provide a financial contribution of £24,000 towards upgrading recreational provision in the area in lieu of providing the full range of play facilities in the site, which would be payable to the Council prior to the issue of consent. I am, therefore, satisfied that the proposal meets the terms of Policies ENV 31 and DM 1.
- 6.9 Whilst the issue of additional traffic generation has been a matter of concern amongst local residents Roads and Transportation Services are satisfied that the proposal raises no access or road safety issues and it is considered that these concerns can be addressed through the use of appropriate conditions.
- 6.9 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the submission of a commuted sum equivalent to the cost of providing 25% of the sites overall capacity in the form of serviced land for the provision of affordable housing by the Council or Registered Social Landlord (RSL) and the submission of a financial contribution for the improvement of recreational facilities in the area and an appropriate landscaping bond.

## **7 Reasons for Decision**

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

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

**10 May 2011**

## **Previous References**

None

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations

Roads and Transportation Services (Hamilton Area)	09/05/2011
S.E.P.A. (West Region)	13/09/2010
Environmental Services	15/09/2010
Scotland Gas Networks	23/09/2010
SP Energy Network	21/09/2010
Roads and Transportation Services (Hamilton Area)	19/10/2010
Scottish Water	17/09/2010
Roads & Transportation Services H.Q. (Flooding)	23/12/2010
Community Resources (Countryside and Greenspace)	22/03/11
Education Resources	22/03/2011
Housing and Technical Resources	22/03/2011

► Representations

- Representation from : Jim Solly by e-mail, DATED 30/09/2010
- Representation from : Ann Hunter, 5 Magnolia Gardens, Shawsburn Village, Larkhall, ML9 3RF, DATED 04/10/2010
- Representation from : Jamie Hunter, 5 Magnolia Gardens, Shawsburn Village, Larkhall, ML9 3RF, DATED 04/10/2010
- Representation from : Craig Hunter, 5 Magnolia Gardens, Shawsburn Village, Larkhall, ML9 3RF, DATED 04/10/2010
- Representation from : James Hunter, 5 Magnolia Gardens, Shawsburn Village, Larkhall, ML9 3RF, DATED 04/10/2010 and 15/04/2011
- Representation from : Charles McCormick, 11 cadzow Street, Larkhall, ML9 2AY, DATED 01/10/2010
- Representation from : William Martin, 54 Ashgillhead Road, Shawsburn, Larkhall, ML9 3AE, DATED 28/09/2010
- Representation from : Marion Martin, 54 Ashgillhead Road, Shawsburn, Larkhall, ML9 3AE, DATED 28/09/2010
- Representation from : Amanda martin, 54 Ashgillhead Road, Shawsburn, Larkhall, ML9 3AE, DATED 28/09/2010
- Representation from : Irene McCormick, 8 Machanhill View, Larkhall, , DATED 23/09/2010
- Representation from : Anthony John McCormick, 58 Ashgillhead Road, Shawsburn, Larkhall, ML9 3RF, DATED 23/09/2010

Representation from : Anthony McCormick, 58 Ahgillhead Road, Shwasburn, Larkhall, ML9 3RF, DATED 23/09/2010

Representation from : Amie Gillon, 56 Ashgillhead Road, Shawsburn, Larkhall, ML9 3RF, DATED 24/09/2010

Representation from : William Gillon, 56 Ashgillhead Road, Shawsburn, Larkhall, ML9 3AE, DATED 24/09/2010

Representation from : David Gillon, 56 Ashgillhead Road, Shawsburn, Larkhall, ML9 3RF, DATED 24/09/2010

Representation from : Elspeth Gillon, 56 Ashgillhead Road, Shawsburn, Larkhall, ML9 3RF, DATED 24/09/2010

Representation from : Margaret McCormick, 58 Ashgillhead Road, Shawsburn, Larkhall, ML9 3RF, DATED 24/09/2010

**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](mailto:Enterprise.hamilton@southlanarkshire.gov.uk)

**CONDITIONS**

- This decision relates to drawing numbers:
- 1 RMDL/276/001 Rev H  
RMDL/276/002  
RMDL/276/003 REV A  
RMDL/276/004 REV A  
RMDL/276/005 REV A  
RMDL/276/006 REV A  
RMDL/276/007 REV A  
RMDL/276/008 REV A  
RMDL/276/009 REV A  
RMDL/276/010 REV A  
RMDL/276/011 REV H  
RMDL/276/012 REV B  
RMDL/276/013 REV E  
RMDL/276/014 REV E  
RMDL/276/015 REV A  
RMDL/276/016 REV E  
RMDL/276/017 REV C  
RMDL/276/018 REV B  
RMDL/276/019 REV E  
RMDL/276/020 REV A
  - 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
  - 3 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
  - 4 (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.

- 5 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.
- 6 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 7 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 8 That before any work commences on the site, a scheme of landscaping shall be submitted to and approved by the Council as Planning Authority and it shall include:(a) 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; (b) details and specification of all trees, shrubs, grass mix, etc.; (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; and no work shall be undertaken on the site until approval has been given to these details.
- 9 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 10 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 11 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 10 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 12 That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as

Roads and Planning Authority.

- 13 That before development starts, full details of the proposed roundabout, designed in accordance with DMRB with the central island a maximum of 4.0m diameter, shall be submitted to and approved by the Council as Planning and Roads Authority and thereafter implemented to the Council's satisfaction.
- 14 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular access 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.
- 15 That crossing points with dropped kerbs shall be provided at the applicant's expense at the positions marked ORANGE on the approved plan to permit access for the disabled.
- 16 That before the development hereby approved is completed or brought into use, a 2 metre wide footway shall be constructed along the frontage of the site as shown on the approved plans to the specification of the Council as Roads and Planning Authority.
- 17 That before the dwellinghouse hereby permitted is occupied, 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.  
  
Parking provision should be as follows:  
2-3 bedroom house - 2 parking spaces  
4 bedroom house - 3 parking spaces  
All parking spaces shall be 2.5m x 6m.
- 18 That all dwellinghouses without garages shall have driveways with a minimum length of 12 metres measured from the heel of the footway/service strip. The first 2 metres of each driveway as measured from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the public footway and/or carriageway.
- 19 That any clearance of scrub or trees at the site shall be undertaken outwith the main bird breeding season (March - August inclusive). If work is undertaken within this period a survey, by a suitably qualified ecologist, shall be undertaken immediately before felling or clearance commences to determine the presence of nesting birds.
- 20 That prior to any work starting on site, a flood risk assessment shall be submitted to and approved in writing by the Council as Planning and Roads Authority.
- 21 That before any work commences on the site, a scheme for the provision of the play areas within the site hatched PURPLE on the approved plans shall be submitted to the Council as Planning Authority for written approval and shall include: (a) details of the type and location of play equipment, seating and litter bins to be situated within the play areas; (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 areas; details of the erection of



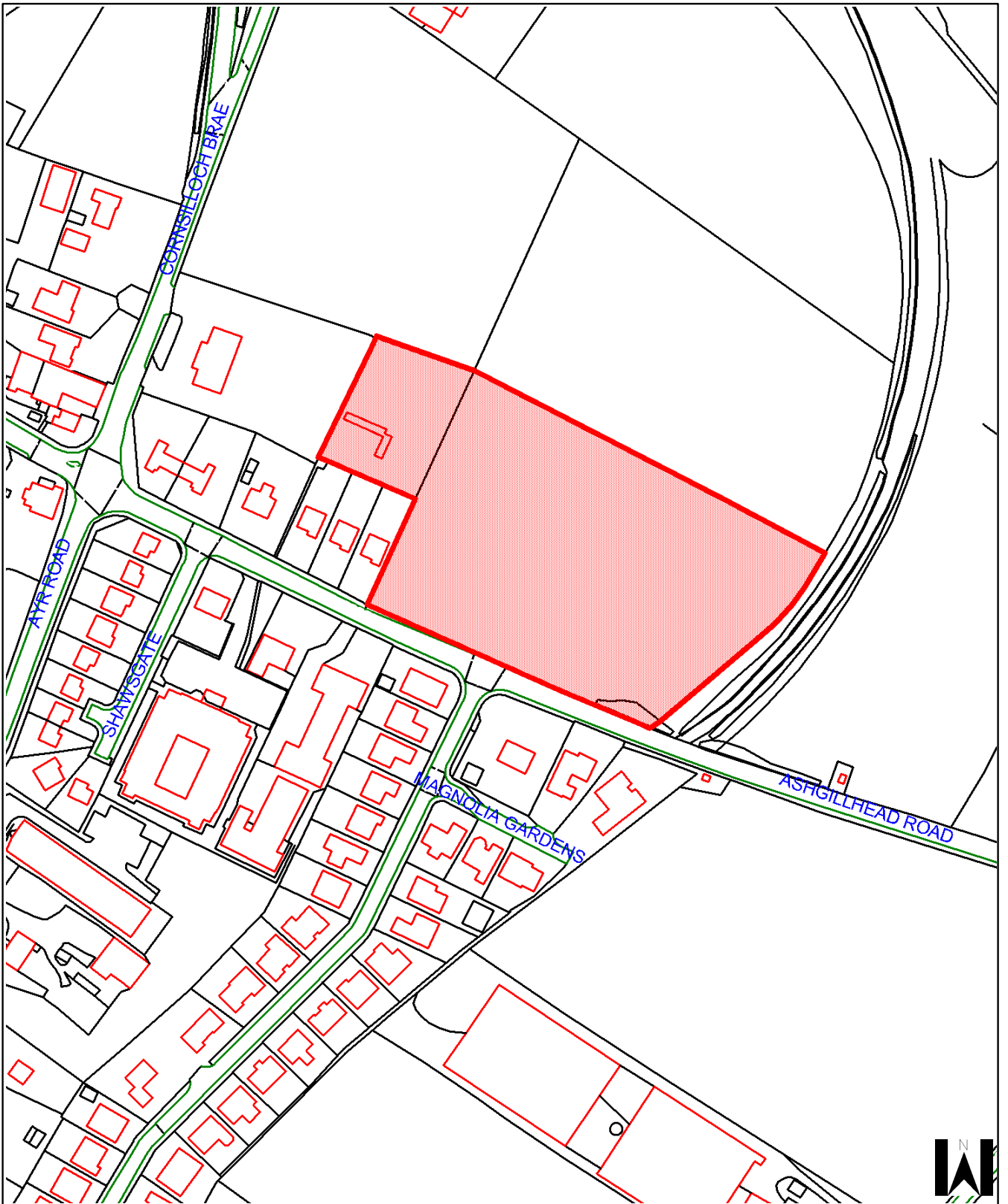
a traffic calming/safety feature at the entrance to the play facilities; and (e) details of the phasing of these works.

- 22 That prior to the completion or occupation of the 20th dwellinghouse within the development, all of the works required for the provision of an equipped play area included in the scheme approved under the terms of Condition 24 above shall be completed, and thereafter, that area shall not be used for any purpose other than as a play area.
- 23 That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.
- 24 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.
- 25 That wheel washing facilities shall be installed at the entrance/exit to the site in order that all vehicles leaving the site are kept clear and free from debris. The applicant or subsequent operator(s) shall at all time be responsible for the removal of mud or other materials deposited on both the public and private highways leading to the site by vehicles entering or leaving the site.

## REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 To minimise the risk of nuisance from dust to nearby occupants.
- 4 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 5 To ensure the provision of a satisfactory sewerage system.
- 6 To ensure the provision of a satisfactory sewerage system.
- 7 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.
- 8 In the interests of the visual amenity of the area.
- 9 In the interests of amenity.
- 10 These details have not been submitted or approved.
- 11 In order to retain effective planning control
- 12 In the interest of public safety
- 13 In the interest of public safety
- 14 In the interest of road safety
- 15 In the interest of public safety
- 16 In the interest of public safety
- 17 To ensure the provision of adequate parking facilities within the site.
- 18 In the interest of public safety
- 19 To ensure the protection of bird habitats within the site.
- 20 To ensure that there will be no increased risk of flooding or increased surface water run off and/or reduction of flood storage capacity.
- 21 These details have not been submitted or approved.
- 22 In the interests of amenity and in order to retain effective planning control.
- 23 In the interests of amenity and in order to retain effective planning control.

24 In the interests of amenity and in order to retain effective planning control.  
25 To prevent deleterious material being carried into the highway.



For information only

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