



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 03 October 2022

Dear Councillor

## **Planning Committee**

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

**Date: Tuesday, 11 October 2022**

**Time: 10:00**

**Venue: Hybrid - Council Chamber, Council Offices, Almada Street, Hamilton, ML3 0AA**

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Cleland Sneddon**  
**Chief Executive**

### **Members**

Richard Nelson (Chair), Gerry Convery (Depute Chair), Joe Fagan (ex officio), Alex Allison, Ralph Barker, Archie Buchanan, Ross Clark, Margaret Cowie, Maureen Devlin, Mary Donnelly, Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Celine Handibode, Mark Horsham, Ross Lambie, Monique McAdams, Lesley McDonald, Davie McLachlan, Norman Rae, John Ross, Dr Ali Salamati, Graham Scott, David Shearer, Helen Toner, David Watson

### **Substitutes**

Walter Brogan, Robert Brown, Mathew Buchanan, Margaret Cooper, Poppy Corbett, Allan Falconer, Grant Ferguson, Graeme Horne, Martin Hose, Julia Marrs, Ian McAllan, Kenny McCreary, Bert Thomson

## BUSINESS

### 1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 5 - 10  
Minutes of the meeting of the Planning Committee held on 13 September 2022 submitted for approval as a correct record. (Copy attached)

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### Item(s) for Decision

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- 3 **Application P/21/2167 for Change of Use of After School Care Facility to Class 1 Retail Premises and Associated External Alterations at Cruse House, 20 Argyle Drive, Hamilton** 11 - 24  
Report dated 3 October 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 4 **Application P/21/0521 for Erection of 3 Car Garage and Store with Vehicular Access From Moss Road at 9 Newton Road Strathaven** 25 - 36  
Report dated 29 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 5 **Application P/22/0471 for Erection of Domestic Wind Turbine at 1 Fernhill Grange, Bothwell** 37 - 54  
Report dated 29 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 6 **Application P/21/2093 for Erection of 37 Houses and 16 Flats with Associated Roads, Landscaping and Infrastructure (Approval of Matters Specified in Conditions Imposed on Consent HM/10/0052) at Land to the North of Meikle Earnock Road, Meikle Earnock Road, Hamilton** 55 - 66  
Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 7 **Application P/21/1811 for Residential Development (153 Units) with Associated Roundabout, Roads, Landscaping and SUDS (Relating to Consent HM/10/0052) at Land West of Strathaven Road, Strathaven Road, Hamilton** 67 - 82  
Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 8 **Application P/21/1812 for Residential Development (628 Units) with Associated Roads, Landscaping and SUDS (Approval of Matters Specified in Conditions Imposed on Consent HM/10/0052 - Namely Conditions 2, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20 and 22) at Land to the West of Strathaven Road, Strathaven Road, Hamilton** 83 - 100  
Report dated 3 October 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 9 **Application P/21/1582 for Substitution of Flats with Houses, Amendment to Plot 24 to Provide 14 Semi-Detached and Terraced Houses, Alteration to Cycle Track Alignment and Proposed Culvert of Section of Existing Burn to Replace Footbridge (Amendment to Consents CR/16/0138 and P/20/1729) at Land 145 Metres Southwest of 7 Dechmont Cottages, Gilbertfield Road, Cambuslang** 101 - 120  
Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)

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|-----------|--|-----------|
| <b>10</b> | <b>Application P/21/1962 for Substitution of House Types, Amendment to SUDS Proposals, Addition of Sub-Station, Addition of Gas Governor and Alteration of Cycle Path Alignment (Amendment to Consent CR/17/0039) at Land 180 Metres Northwest of Dalton School Lodge, Gilbertfield Road, Cambuslang</b><br>Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)                                   | 121 - 140 |
| <b>11</b> | <b>Application P/21/2031 for Substitution of House Types and Additional 6 Houses, Amendment to SUDS Proposals, Addition of Sub-Station, Addition of Gas Governor and Alteration of Cycle Path Alignment (Amendment to Consent CR/17/0076) at Phase 2D, Land 180 Metres Northwest of Dalton School Lodge, Gilbertfield Road, Cambuslang</b><br>Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 141 - 160 |
| <b>12</b> | <b>Application P/22/0674 for Installation of Battery Storage Facility (Section 36 Scottish Government Consultation) at Land 700 Metres North of Birkhill Mill, Cairnhouses Road, Douglas, Lanark</b><br>Report dated 29 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 161 - 172 |
| <b>13</b> | <b>Application P/22/0699 for Change of Use of Office Accommodation in North Stand to Assisted Accommodation at New Douglas Park, Cadzow Avenue, Hamilton</b><br>Report dated 29 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 173 - 182 |
| <b>14</b> | <b>Application P/22/0498 for Demolition of Existing Garage and Shed and Erection of New Shed and Gym at 20 Stonehouse Road, Sandford</b><br>Report dated 29 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 183 - 196 |
| <b>15</b> | <b>Application P/22/0779 for Amendment to Planning Consent P/20/1667 to Remove Madrid House Type, Remix Plots and Addition of Garden Rooms to 20 Plots at Land 90 Metres East Southeast of 24 Simpson Drive, Strutherhill, Larkhall</b><br>Report dated 29 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)  | 197 - 210 |
| <b>16</b> | <b>Application P/22/0923 for Erection of 19 Houses with Infrastructure, Open Space, Road Improvements and Associated Works at Land 35 Metres North of Trunlehill, Newlands Road, East Kilbride</b><br>Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 211 - 222 |
| <b>17</b> | <b>Application P/22/0927 for Erection of 12 Flats with Associated Vehicular Access, Parking and Landscaping at Low Waters Miners Welfare and Social Club, 4 Alness Street, Hamilton</b><br>Report dated 30 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)  | 223 - 234 |
| <b>18</b> | <b>South Lanarkshire Local Development Plan 2 - Supporting Planning Guidance - Community Infrastructure Assessment</b><br>Report dated 20 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 235 - 264 |

- 19 South Lanarkshire Local Development Plan 2 - Supporting Planning 265 - 324**  
**Guidance - Hagshaw Energy Cluster Development Framework**  
Report dated 20 September 2022 by the Executive Director (Community and Enterprise Resources). (Copy attached)

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## **Urgent Business**

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### **20 Urgent Business**

Any other items of business which the Chair decides are urgent.

***For further information, please contact:-***

Clerk Name:	Stuart McLeod
Clerk Telephone:	07385 370 117
Clerk Email:	stuart.mcleod@southlanarkshire.gov.uk

## PLANNING COMMITTEE

2

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 13 September 2022

### Chair:

Councillor Richard Nelson

### Councillors Present:

Councillor Alex Allison, Councillor Ross Clark, Councillor Gerry Convery (Depute), Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Gladys Ferguson-Miller, Councillor Alistair Fulton, Councillor Celine Handibode, Councillor Mark Horsham, Councillor Ross Lambie, Councillor Lesley McDonald, Councillor Davie McLachlan, Councillor Julia Marrs (*substitute for Councillor David Shearer*), Councillor Norman Rae, Councillor Dr Ali Salamati, Councillor Bert Thomson (*substitute for Councillor Ralph Barker*), Councillor Helen Toner, Councillor David Watson

### Councillors' Apologies:

Councillor Ralph Barker, Councillor Archie Buchanan, Councillor Joe Fagan (ex officio), Councillor Elise Frame, Councillor Monique McAdams, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer

### Attending:

#### Community and Enterprise Resources

B Darroch, Planning and Building Standards Manager (East); T Finn, Planning and Building Standards Manager (Headquarters); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; I Morton, Planning Team Leader (West Team)

#### Finance and Corporate Resources

M Cannon, Solicitor; S Jessup, Administration Assistant; S McLeod, Administration Officer

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### Death of HRH Queen Elizabeth II

The Chair referred to the death of HRH Queen Elizabeth II. As a mark of respect, all present stood and observed a minute's silence.

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## 1 Declaration of Interests

The following interests were declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Donnelly	Application P/22/0954 for Erection of Single Storey Rear Extension at 59 Newfield Crescent, Hamilton	Applicant
Marrs	Application P/22/0954 for Erection of Single Storey Rear Extension at 59 Newfield Crescent, Hamilton	Friend of the applicant

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 16 August 2022 were submitted for approval as a correct record.

**The Committee decided:** that the minutes be approved as a correct record.

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### **3 Application P/22/0954 for Erection of Single Storey Rear Extension at 59 Newfield Crescent, Hamilton**

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A report dated 24 August 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0954 by M Donnelly for the erection of a single storey rear extension at 59 Newfield Crescent, Hamilton.

**The Committee decided:** that planning application P/22/0954 by M Donnelly for the erection of a single storey rear extension at 59 Newfield Crescent, Hamilton be granted subject to the conditions specified in the Executive Director's report.

*Councillors Donnelly and Marrs, having declared an interest in this item, withdrew from the meeting during its consideration*

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### **4 Application P/22/0524 for Erection of 296 Houses and Associated Infrastructure Works (Approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of Planning Consent EK/09/0218 at Bellway Phase 2, East Kilbride Community Growth Area (CGA), Newhouse Road, East Kilbride**

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A report dated 1 September 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0524 by Bellway Homes Limited and Abbey Developments (Jackton) Limited for the erection of 296 houses and associated infrastructure works (approval of matters specified in conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of planning consent EK/09/0218 at Bellway Phase 2, East Kilbride Community Growth Area (CGA), Newhouse Road, East Kilbride.

There followed a discussion on the application during which an officer responded to members' questions on aspects of the report.

**The Committee decided:** that planning application P/22/0524 by Bellway Homes Limited and Abbey Developments (Jackton) Limited for the erection of 296 houses and associated infrastructure works (approval of matters specified in conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of planning consent EK/09/0218 at Bellway Phase 2, East Kilbride Community Growth Area (CGA), Newhouse Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 26 June 2018 (Paragraph 4)]*

*Councillor Watson, as the mover of an amendment which failed to find a seconder, asked that his dissent be recorded*

*Councillor Rae joined the meeting during this item of business*

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### **5 Application P/22/0851 for Erection of 55 Houses with Associated Infrastructure and Landscaping at Land 165 Metres Southwest of South Lanarkshire Lifestyles Stonehouse, Strathaven Road, Stonehouse, Larkhall**

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A report dated 25 August 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0851 by Miller Homes for the erection of 55 houses with associated infrastructure and landscaping at land 165 metres southwest of South Lanarkshire Lifestyles Stonehouse, Strathaven Road, Stonehouse, Larkhall.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:**

- (1) that planning application P/22/0851 by Miller Homes for the erection of 55 houses with associated infrastructure and landscaping at land 165 metres southwest of South Lanarkshire Lifestyles Stonehouse, Strathaven Road, Stonehouse, Larkhall be granted subject to:-
  - ♦ the conditions specified in the Executive Director's report
  - ♦ prior conclusion of a Section 75 Agreement and/or other appropriate agreement between the Council and the applicant to ensure a financial contribution was made for the improvement/upgrading of educational and community facilities and the provision of off-site affordable housing
  - ♦ the applicant meeting the Council's costs associated with the legal agreements
- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Legal Agreement.

*[Reference: Minutes of 7 July 2015 (Paragraph 15) and 26 April 2016 (Paragraph 6)]*

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**6 Application P/22/0469 for Discharge of Conditions 1 (Excluding 1(f)), 6, 8, 9, 10, 11, 12, 13, 14, 16 and 18 of Consent HM/17/0488 (Mixed Use Development Incorporating Residential Houses, Hotel, Office, Care Home, Retail, Restaurant/Cafe, Open Space and Associated Works (Planning Permission in Principle) (Approval of Matters Specified in Conditions) at Former University of the West of Scotland, Almada Street, Hamilton**

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A report dated 2 September 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0469 by First Endeavour LLP and the University of the West of Scotland for the discharge of conditions 1 (excluding 1(f)), 6, 8, 9, 10, 11, 12, 13, 14, 16 and 18 of Consent HM/17/0488 (mixed use development incorporating residential houses, hotel, office, care home, retail, restaurant/café, open space and associated works (Planning Permission in Principle) (Approval of Matters Specified in Conditions) at the site of the former University of the West of Scotland, Almada Street, Hamilton.

There followed a discussion on the application during which an officer responded to members' questions on aspects of the report.

**The Committee decided:** that application P/22/0469 by First Endeavour LLP and the University of the West of Scotland for the discharge of conditions 1 (excluding 1(f)), 6, 8, 9, 10, 11, 12, 13, 14, 16 and 18 of Consent HM/17/0488 (mixed use development incorporating residential houses, hotel, office, care home, retail, restaurant/café, open space and associated works (Planning Permission in Principle) (Approval of Matters Specified in Conditions) at the site of the former University of the West of Scotland, Almada Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 13 February 2018 (Paragraph 9)]*

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**7 Application P/22/0348 for Erection of Restaurant with Ancillary Takeaway and New Vehicular Access, Parking and Associated Works at 235 Stonelaw Road, Rutherglen**

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A report dated 25 August 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0348 by M Naveed for the erection of a restaurant with ancillary takeaway and new vehicular access, parking and associated works at 235 Stonelaw Road, Rutherglen.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

**The Committee decided:** that application P/22/0348 by M Naveed for the erection of a restaurant with ancillary takeaway and new vehicular access, parking and associated works at 235 Stonelaw Road, Rutherglen be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 6 November 2018 (Paragraph 5)]*

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**8 Application P/21/1127 for Erection of 6 Wind Turbines (5 With a Maximum Height to Tip of 250 Metres and 1 with a Maximum Height to Tip of 209 Metres) and Associated Infrastructure Including Access Tracks and Electrical Control Building at Mill Rig Wind Farm, Waterhead Peelhill and Linbank Highway, Strathaven**

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A report dated 2 September 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/1127 by Mill Rig Wind Farm LLP, c/o Banks Renewables Limited for the erection of 6 wind turbines (5 with a maximum height to tip of 250 metres and 1 with a maximum height to tip of 209 metres) and associated infrastructure including access tracks and electrical control building at Mill Rig Wind Farm, Waterhead Peelhill and Linbank Highway, Strathaven.

The application was considered acceptable on the basis that the proposal was consistent with:-

- ◆ relevant government policy and guidance
- ◆ the adopted South Lanarkshire Local Development Plan 2

At its meeting on 7 July 2025, the Committee had approved a procedure for processing planning applications which required completion of a Planning Obligation. If approved, the application would be subject to a Planning Obligation and/or other agreement and the approved procedure would apply.

**The Committee decided:-**

- (1) that planning application P21/1127 by Mill Rig Wind Farm LLP, c/o Banks Renewables Limited for the erection of 6 wind turbines (5 with a maximum height to tip of 250 metres and 1 with a maximum height to tip of 209 metres) and associated infrastructure including access tracks and electrical control building at Mill Rig Wind Farm, Waterhead Peelhill and Linbank Highway, Strathaven be granted subject to:-
  - ◆ the conditions specified in the Executive Director's Report
  - ◆ the conclusion of a Planning Obligation and/or other legal agreements between the Council and the applicant to ensure:-
    - ◆ a bridge assessment analysis was undertaken to ensure that all bridges affected by the proposals could safely accommodate abnormal loads and that a report be submitted (which demonstrated suitable check certification had been carried out) for the Council, as Roads Authority, to approve
    - ◆ any remediation works required to be carried out on any bridge not considered to be capable of carrying the proposed loads, following approval of the works by the Council, as Roads Authority, be carried out by the applicant
    - ◆ a suitable inspection regime of the bridges during construction of the wind turbines, which would inform the resultant requirements and responsibilities of the applicant, be detailed in the legal agreement
    - ◆ the provision of community contribution payments
  - ◆ the applicant meeting the Council's legal costs associated with the Planning Obligation and/or other legal agreements
- (2) that it be noted that in accordance with the agreed procedure, should there be no significant progress, by the applicant, towards the conclusion of the Planning Obligation and/or other legal agreements within 6 months of the date of the Committee at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which would be secured by the Planning Obligation and/or other legal agreements, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Planning Obligation and/or other legal agreements had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place which would set an alternative agreed timescale for the conclusion of the Planning Obligation and/or other legal agreements.

*[Reference: Minutes of 7 July 2015 (Paragraph 15) and 10 September 2019 (Paragraph 6)]*

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**9 Application P/22/0349 for Extension to Time Period of Planning Permission P/19/0076 for a Further 3 Years at Larkhall Community Growth Area, Summerlee Road, Larkhall**

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A report dated 5 September 2022 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/22/0349 by Persimmon Homes for an extension to the time period of planning permission P/19/0076 for a further 3 years at Larkhall Community Growth Area, Summerlee Road, Larkhall.

**The Committee decided:** that application P/22/0349 by Persimmon Homes for an extension to the time period of planning permission P/19/0076 for a further 3 years at Larkhall Community Growth Area, Summerlee Road, Larkhall be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 19 November 2019 (Paragraph 5)]*

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## **10 Urgent Business**

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There were no items of urgent business.

# Report

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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/2167
Planning proposal:	Change of use of after school care facility to Class 1 retail premises and associated external alterations

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	1A Real Estate Ltd
Location:	Cruse House 20 Argyle Drive Hamilton South Lanarkshire ML3 9EB

## 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 conditions attached.

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) A request for a hearing prior to determination has been received. However, in terms of the Council's guidance on hearings, the request is not considered to meet the criteria in this case. Therefore, the application can be determined without a hearing taking place.

## 3 Other information

- ◆ Applicant's Agent: Kevin Spence
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**  
Policy 2 Climate Change  
Policy 3 General Urban Areas

Policy 5 Development Management and  
Placemaking  
Policy 10 New Retail and Commercial Proposals  
Policy 15 Travel and Transport  
Policy DM1 New Development Design

♦ **Representation(s):**

▶	24	Objection Letters
▶	0	Support Letters
▶	0	Comment Letter

♦ **Consultation(s):**

Roads Development Management Team

Environmental Services

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site consists of a modern, single storey building and associated ground, located at Cruse House, 20 Argyle Drive, Hamilton. It was originally constructed as a new build unit in the early 1980's, as a doctor's surgery, as well as also being used as a bereavement support unit, and more recently as an afterschool childcare facility. Historic OS maps also indicate that the site was occupied by a retail unit in the 1950s/ 1960s.
- 1.2 Argyle Drive is a no through road, set within an established residential area predominantly comprised of 2 and 3 storey local authority constructed houses and flats. Until recently, a pedestrian safety barrier existed along the frontage of the site, although it had been removed by the applicant to facilitate access for building renovation purposes. The barrier has now been reinstated by the applicant. The site is bounded by residential properties to north, south and east, and by a small area of public open space at the rear, to the west.

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

- 2.1 The applicant proposes the change of use of the vacant Class 10 unit (Non – Residential Institution) to form a Class 1 retail shop unit, and for associated external alterations to form an aluminium framed, double glazed shopfront. The original plans also proposed the formation of a single car parking space to the front of the site, although this has now been amended to indicate the reinstatement of the recently removed pedestrian safety barrier, following discussions with roads and planning officers.
- 2.2 The detailed plans submitted indicate that the majority of the 188 square metre property will be utilised as retail floorspace, with the remainder of the floorspace providing a small storeroom at the rear, a staff WC and a staff kitchen area. A small, covered cycle store is also proposed at the front of the premises.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of the South Lanarkshire Local Development Plan 2 (adopted 2021), the site is located within a general urban area, and is therefore subject to an assessment against the following policies:-

- ◆ Policy 2 Climate Change
- ◆ Policy 3 General Urban Areas and Settlements
- ◆ Policy 5 Development Management and Placemaking
- ◆ Policy 10 New Retail/Commercial Proposals
- ◆ Policy 15 Travel and Transport
- ◆ Policy DM1 New Development Design

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Given the nature and scale of the proposal, there is no specific government guidance relevant to the determination of this application. There is, however, a growing move towards providing locally accessible, sustainable services and facilities, often referred to as 20 minute neighbourhoods. As the name suggests, these neighbourhoods should be able to provide residents with the majority of services and facilities they seek within a reasonable walking distance of where they live, helping to minimise car use/dependency, and assisting with tackling climate change by providing sustainable alternatives.

### **3.3 Planning Background**

- 3.3.1 As stated above, the site is understood to have been occupied by a Class 1 retail shop in the late 1950s and 1960s, prior to the erection of the current building as a doctor's surgery in 1980. The property was subsequently utilised as a bereavement centre facility by Cruse Bereavement Support. Planning permission was also granted in 2003 for the partial change of use of the premises to an after school care facility, albeit restricted to between 3 pm and 5.30 pm Monday to Friday, (planning ref: HM/03/0808). It is understood that both the bereavement support facility and the after school care facility operated from the premises at the same time, albeit at different hours of the day.

## **4 Consultation(s)**

- 4.1 **Roads and Transportation Services** – no objections, as the proposals will not generate a significant volume of traffic, and the lack of parking may in fact encourage walking trips. In addition, on street parking already occurs on Argyle Drive and, provided the anticipated small number of drivers park in a considerate manner, Roads and Transportation Services do not consider this will cause issues.  
**Response:** Noted and agreed.

- 4.2 **Environmental Services** – no objections, subject to the attachment of an informative relating to the proposed use of the premises for the preparation, sale, or consumption of food.  
**Response:** Noted. Relevant informatives would be added to any consent.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken, and the proposal was further advertised in the local press. 24 letters of objection and a petition with 67 signatures have been received as a result of this publicity. The organiser of the petition claims that 102 people signed the petition, however, admits it was submitted in 3 parts, one of which had no front cover sheet and which to date has not been located. The grounds of objection and matters raised are summarised below:-

- a) **Concerns regarding the negative impact on the surrounding area from extra traffic, noise, and danger to existing residents from cars parking on pavements and restricting visibility, noting that Argyle Drive is a narrow, no through road with no traffic calming, set within a residential area, where historically there have been several serious accidents. Further, there is no parking provision for customers which will lead to the road being blocked, access to resident's driveways being restricted and potential restrictions on emergency vehicles and refuse trucks etc being unable to safely pass the site. In addition, the road is not suitable for large delivery vehicles and the previous use as an after school care facility caused many parking issues, which will be exacerbated if the current application is approved.**

**Response:** These concerns are noted, however, the Council's Roads and Transportation Services have been consulted on this application and have offered no objections to the proposed change of use. Further, the modest size of the retail unit proposed does not appear to be of a scale that would result in significant additional traffic or parking in the local area. Colleagues in Roads and Transportation Services would assess the need for any traffic calming, should it be requested, and the Police could investigate any illegal/obstructive parking issues that may arise.

- b) **Concerns regarding the negative impact on the residential amenity of the surrounding residential area, in particular delivery noise early in the morning, litter and anti-social behaviour if permission is granted.**  
**Response:** These concerns are noted, however, the levels of noise disturbance and litter associated with a retail shop of the 188 square metre size proposed are considered unlikely to be of an extent that warrants refusal of the application. It should also be noted that historically a similar sized retail unit occupied the site, and that it has had a variety of commercial/business uses with associated noise and disturbance over the last 40 years. With regard to anti-social behaviour, the Police would be able to investigate any instances of anti-social behaviour in the area. Further, it is also considered that a retail shop operating from the currently vacant premises would create an active frontage in this part of Argyle Drive, in addition to noting that most shop units have CCTV to monitor anti-social behaviour outside their premises. Indeed, it could be argued that the reuse of the site could in fact result in an improvement to the appearance of the vacant building, and potentially result in less anti-social behaviour.
- c) **Questions over the need for a retail unit on the site, given the proximity of the site to the existing Burnbank shopping centre and other nearby retail premises. In addition, concerns that an approval for a shop would take away business from these existing shops.**  
**Response:** Noted, however, issues of commercial competition are not a material consideration in the assessment of the application, and the Council assesses each planning application on its individual merits.
- d) **Everyone in the wider housing estate should be served neighbour notification, as the proposed development will impact on the whole neighbourhood, not just those within the 20 metre buffer zone indicated on the neighbour notification map. Do the total number of neighbours in the buffer zone qualify for a serious objection to the proposed development?**  
**Response:** These comments are noted, however, the planning application has been subject to the normal standard levels of statutory consultation (neighbour notification of properties close to the site and an advert in the local newspaper). It is understood that some residents would have liked further properties outwith the 20 metre buffer zone to have been neighbour notified, however, the distance requirements for neighbour notification are set out in relevant legislation by the Scottish Government. It is considered that the standard methods of consultation on the planning application were sufficient in this instance.
- e) **Concerns that the retail shop will sell alcohol. Drug and alcohol addiction is a serious problem in the local area, which can also be backed up by the local police and the Council. Would any resultant disturbances and anti-social behaviour be dealt with by the overstretched local police service?**  
**Response:** These concerns are noted, however, planning permission is sought for a Class 1 retail shop use, where the sale of alcohol cannot be restricted under planning controls. Notwithstanding this, the sale of alcohol from the premises would require to be the subject of a separate licensing application. With regard to anti-social behaviour, as stated in point b) above, the Police would be able to investigate any instances in the area.
- f) **Concern that the premises would encourage criminality.**  
**Response:** This concern is noted, however, no further reasoning or evidence for coming to this conclusion are provided.

- g) **Concerns that the building has no water supply, is prone to flooding and cannot be insured. How will the new owners go about repairing the drains etc, without making repairs/changes to the building, noting that there is not enough space for access for equipment to repair?**

**Response:** These concerns are noted and are for the owner/applicant to consider. Given its urban location, it is unlikely that all relevant services, including water and drainage, cannot be provided. With regard to the degree of available space around the existing building for repairs to be undertaken, following a recent site visit it is considered that adequate space exists on all sides of the structure, should repairs be required.

- h) **Concerns that building works have been carrying on since March 2022, without any planning permission having been granted. In addition, the workmen have been blocking existing resident's access to their properties and have removed a large section of pedestrian safety barrier along Argyle Drive, to facilitate the placing of a skip on the public pavement area outside the property. Planning Permission should be denied in light of this blatant disregard for safety and respect for neighbouring properties.**

**Response:** These comments are noted. In response, the Council has contacted the agent for the application on a number of occasions, to advise that building works should cease until such time that a decision has been made on the application, and that any works continuing are undertaken without approval, and wholly at the risk of the applicant. With regard to the removal of the safety barrier, the applicant has been told to replace this in its original position, which has been agreed to. Roads and Transportation Services have also been pursuing this issue separately with the applicant. Finally, with regard to refusing permission in light of the works already undertaken at the property and their impact on local residents, Scottish Government advice is that retrospective applications should be assessed in the same manner as any other planning application.

- i) **Concerns that a previous application for a retail premises was turned down. What makes this current application different?**

**Response:** There is no record of a previous planning application having been refused for a shop at the current site within the last 20 years, and the objector hasn't provided any further clarification. It should, however, be noted that in terms of the 1997 Use Classes (Scotland) Order, had the original approved use of the property as a Class 2 Doctor's surgery, and the later Class 2 bereavement support centre continued, the applicant would not have required a planning application to change the use to a Class 1 retail shop. This is because a change from Class 2: Financial, professional, and other services to Class 1: Shops is a permitted change in terms of the relevant Use Classes legislation. The current planning application only requires permission as the premises was partly utilised for 2 and a half hours a day, Monday to Friday, as a Class 10 after school facility.

- j) **Concerns that the site is prone to flooding during periods of heavy rain, which creates a hazard.**

**Response:** Noted. The proposals seek consent for a change of use of an existing building, with no additional extensions, and are therefore unlikely to result in any additional flood risk.

- k) **Suggestions that the vacant premises could be used for something much more beneficial to local residents, for example, a centre for kids with activities to do and somewhere they can play safely.**  
**Response:** It is acknowledged that there are other potential ways to develop this site, however, when a planning application is submitted an assessment of that particular proposal requires to be undertaken. Alternative proposals would require the submission and assessment of separate planning applications. The applicant wishes to have the submitted planning application assessed and determined in its current form.
- l) **Concerns that the plans do not indicate where the proposed shop will keep their commercial waste. In addition, commercial waste could encourage insects and vermin, result in contaminated surface water running into the ecosystem and impact on air quality for residents in terms of foul smells from the bins.**  
**Response:** The applicant seeks planning permission for the change of use to a retail shop and therefore commercial waste is likely to be limited to cardboard boxes and food/retail goods packaging. The site has adequate open space to the side and the rear where commercial waste bins may be stored, and the agent has amended the proposed site plan to reflect this. Given the type of use proposed it is unlikely that the type of waste produced will result in attracting insects and vermin to the site or result in air quality issues/smells. With regard to contaminated surface water, again, given the type of waste likely to result, cardboard and packaging, this is highly unlikely to result in contaminated surface water at the site. Notwithstanding this, the Council's Environmental Services could investigate and take action should any issues of contaminated water, smells, vermin, or air quality arise.
- m) **Concern that an application for 3 car parking spaces outside the premises will take up most of the existing pavement area, resulting in a dangerous health and safety issue, particularly for wheelchair users.**  
**Response:** Noted, however, following a number of discussions between the applicant and the Council, the plans have been amended to drop the originally requested car parking spaces at the front of the premises. Roads and Transportation Services have also stated that the preference will be to reinstate the recently removed pedestrian safety barrier located at the edge of the pavement to the front of the premises and are in active discussion with the applicant to ensure this is carried out.
- n) **Concerns that if the safety barrier is to stay removed that delivery vehicles and customers will park on the pavement. Alternatively, if the barrier removed is to be reinstated this will narrow the road outside the shop and make it nearly impossible for vehicles to pass.**  
**Response:** As stated in m) above, the safety barrier is to be reinstated and the road is considered to be wide enough to enable 2 vehicles to pass each other safely. It should also be noted that parking vehicles on the public road, in a considerate manner, can be considered to effectively represent a form of traffic calming, slowing vehicle speeds.
- o) **A petition has been submitted in objection to the application by the local residents. This petition clearly shows that every resident, with the exception of one who had no opinion, do not want, or need the store. Residents in adjoining streets have also signed, indicating that they also don't want this store. In weighing this up, the Planning Committee can only reach one outcome. Further, this decision does not impact on any**

**other person than the local residents. Refusing the application does not affect the applicant's lifestyle, as he has several other stores. As a democracy the overwhelming voice of the majority must be taken. Residents should not have their lives impacted on for the profit of one person.**

**Response:** The submission of the petition and the number of signatures is noted, however, all of the points raised have been fully considered in the assessment of the planning application. The strength of public feeling is recognised, however, a planning application requires to be assessed against material planning considerations. With regard to the potential impact of a refusal on the applicant's lifestyle, this is not a material planning consideration. It should also be noted that in the vast majority of cases, including this one, any resultant planning approval is attached to the physical property/site, and not to the applicant.

- p) Concerns that on all postcode search engines a Nisa store is listed at this property. This is rather presumptuous since planning has not been approved, or has it?**

**Response:** This concern is noted, however, it is not material to the assessment of the application. The Council has no input into what information is provided by internet postcode search engines. To date, as stated above, no approval has been given for the use/works proposed, or for those partly undertaken on site.

- q) Having read the comments from the Roads Department, the Government's guidelines for 20 minute neighbourhoods is more than covered. There are more than 20 convenience stores, 6 supermarkets and Hamilton Town Centre within 20 minutes' walk of the application site. The proposed shop will be within 3 minutes' walk from anywhere on the housing estate.**

**Response:** This comment is noted, however, the proposals seek consent to bring a vacant local property back into productive use, adding to consumer choice in the local neighbourhood. It may also be that this is the only retail shop unit that a number of residents are physically able to walk to, given its close proximity for local residents, some of whom may in fact be unable to walk/travel further to other retail premises in the wider surrounding area.

- 5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning consent for the change of use of a vacant Class 10 unit (Non – Residential Institution) to form a Class 1 retail shop unit, and for associated external alterations to form a new double glazed shopfront at 20 Argyle Drive in Hamilton. The main determining issues in assessing this proposal are whether it accords with adopted local development plan policy and its impact upon residential and visual amenity, and on road safety.
- 6.2 In terms of the adopted South Lanarkshire Local Development Plan 2, the relevant policies to be considered for this application are Policies 2, 3, 5, 10, 15 and DM1.
- 6.3 Policy 2 – Climate Change states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by meeting a number of criteria, including maximising the reuse of vacant and derelict land, and having no significant adverse impacts on the water and soils environment, air quality and biodiversity. Having carefully considered the impact of the proposal and associated alterations on site, it is considered that the retail use, and the

development's scale, design, and siting would not have a significant adverse impact on the water and soil environments, or on biodiversity. The proposals in this instance raise no issues in relation to flood risk, and the proposals are considered to represent the appropriate re-use of a previously occupied, vacant building.

- 6.4 Policy 3 (General Urban Area) states that within urban areas and settlements, proposals for uses ancillary to residential areas will be assessed on their individual merits, with particular regards to their effect on the amenity and character of the area. Developments which would be detrimental to the amenity of residents and the wider community, or to the character of the surrounding area will not be permitted. Following a detailed assessment, it is considered that the proposed use as a retail shop would not be detrimental to the amenity of residents and the wider community, or to the character of the surrounding area.
- 6.5 Policy 5 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated with, the local context and built form. Proposals should have no significant adverse impacts on the local community and include, where appropriate, measures to enhance the environment. As the proposal seeks to bring a vacant, unoccupied property back into productive use, with minimal external alterations, the proposals are considered to take account of the local context and built form and have no significant adverse impact on the local community.
- 6.6 Policy 10 New Retail/Commercial Proposals states that any proposals for retail or commercial development will be assessed against a number of criteria, including; proposals should not undermine the vitality and viability of town centres and/or local centres; be supported by the area's catchment population; complement regeneration strategies for the area; promote sustainable development; take account of development location and accessibility; promote quality design and accessibility for all. Following a detailed assessment, it is considered that the proposed change of use and associated alterations complies with all relevant policy criteria of Policy 10, in particular being of a modest scale that should not undermine the vitality and viability of either Burnbank or Hamilton town centre.
- 6.7 Policy 15 Travel and Transport states new development proposals should aim to reduce the need to travel. Proposals should incorporate measures to reduce travel by private car and encourage walking, cycling and public transport. Proposals should also support and facilitate economic recovery, regeneration, and sustainable growth. As this proposal seeks to bring a vacant property back into use as a retail unit to serve the local neighbourhood, reducing the need to travel, it is considered to represent a form of development that fully complies with the requirements of Policy 15.
- 6.8 Finally, Policy DM1 (New Development Design) states that new development will require to promote quality and sustainability and should make a positive contribution to the character and appearance of the environment. New developments will require to:-
- ◆ Respect the local context and be appropriate to the character and topography of the site in terms of layout, scale, proportion, massing, and appearance.
  - ◆ Be of a high quality design which is sympathetic to local traditions of form, detailing and materials.
  - ◆ Ensure that any archaeological, built heritage, landscape features and natural conservation interests on or adjacent to the site are identified and incorporated into the overall layout and design, with appropriate measures taken to enhance and/or protect the setting of these features.

- ◆ Address sustainable development issues including the incorporation of energy efficient designs and layouts, the re-use/recycling of materials, water and waste, and the use of alternative energy sources.
- ◆ Ensure there is no conflict with adjacent land uses and no adverse impact on properties in terms of overlooking, loss of privacy, overshadowing, noise and disturbance.

6.9 Following a detailed assessment, it is considered that the proposals do respect the local context and are appropriate to the character and topography of the site, are of a high quality design that is sympathetic to the local area and have no adverse impact on built heritage or nature conservation. Further, they represent a sustainable reuse of an existing vacant building and ensure no conflict with the adjacent residential land use and it is unlikely to result in adverse impacts.

6.10 In summary, following a full and detailed assessment of the proposed development, it is considered that it would have no significant adverse impact upon residential or visual amenity, the character of the area or road safety, and that it is in accordance with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (2021). As such, the granting of planning permission is recommended.

## **7 Reasons for Decision**

7.1 The proposals are considered acceptable in terms of the proposed use, their scale, design and siting, their potential impact on residential and visual amenity, and are in accordance with Policies 2, 3, 5, 10, 15 and DM1 of the adopted South Lanarkshire Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

**David Booth**

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

Date: 3 October 2022

### **Previous references**

- ◆ HM/03/0808

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 07.01.2022
- ▶ Newspaper Advert, Hamilton Advertiser, dated 20.01.2022
- ▶ Consultations

Roads Development Management Team

17.02.2022

29.06.2022

Environmental Services

07.01.2022

► Representations	Dated:
Mrs Jean McGilligan, 21 Argyle Drive, Hamilton, ML3 9EB	09.01.2022
Lesley Steele/Morrison, Received Via Email	13.01.2022
M Braidwood, 11 Argyle Drive, Hamilton, South Lanarkshire, ML3 9EB	20.01.2022
Mrs Christine Boyd, 18 Argyle Drive, Burnbank, Hamilton, ML3 9EB	20.01.2022
Mr Thomas Gallagher, 18 Argyle Drive, Hamilton, ML3 9EB	20.01.2022
Mrs Jean McGilligan, 21 Argyle Drive, Hamilton, ML3 9EB	26.01.2022
Karen Duddy, Received Via Email	28.01.2022
Mr Gordon Todd, 19 Argyle Drive, Burnbank, ML3 9EB	16.01.2022
Mr Gerard Rooney, 61 Leys Park, Hamilton, ML3 9EQ	08.04.2022
Ms Michelle Neil, 16 Marswood Green, Hamilton, ML3 9EE	09.04.2022
Mr Paul Maguire, 50 Leys Park, Hamilton, ML3 9EQ	11.04.2022
Mr Bernie Anderson, 52 Argyle Drive, Hamilton,	14.04.2022
Mrs Jean McGilligan, 21 Argyle Drive, Hamilton, ML3 9EB	23.03.2022
Ann Hanlan, 4 Marrswood Green, Hamilton	08.04.2022
Sandra Mullen, 36 Argyle Drive, Hamilton, South Lanarkshire, ML3 9EB	06.05.2022
Jean McGilligan, 21 Argyle Drive, Hamilton, South Lanarkshire, ML3 9EB	06.05.2022
Miss Lauren Allan, 50 Leys Park, Hamilton, ML3 9EQ	11.04.2022
Mr William Clark, 7 Marrswood Green, Burnbank, Hamilton, ML3 9ED	08.04.2022
Mrs Jean McGilligan, 21, Argyle drive, Hamilton, ML3 9EB	03.08.2022
Mrs Jean McGilligan, 21 Argyle Drive, Hamilton, ML3 9EB	26.04.2022
Mrs Lorraine Dickie, 9 Marrswood Green, Burnbank, Hamilton, ML3 9ED	03.04.2022
Miss Natalie Kiely, 28 Argyle Drive, Hamilton, ML3 9EB	06.04.2022
Miss Natalie Kiely, 28 Argyle Drive, Hamilton, ML3 9EB	07.04.2022

Mrs Jean McGilligan, 21 Argyle Drive, Hamilton, ML3 9EB 26.05.2022

Mrs Jean McGilligan, 21 Argyle Drive, Hamilton, ML3 9EB 22.08.2022

**Contact for further information**

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

Stuart Ramsay, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 07551 840 251

Email: [stuart.ramsay@southlanarkshire.gov.uk](mailto:stuart.ramsay@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/21/2167

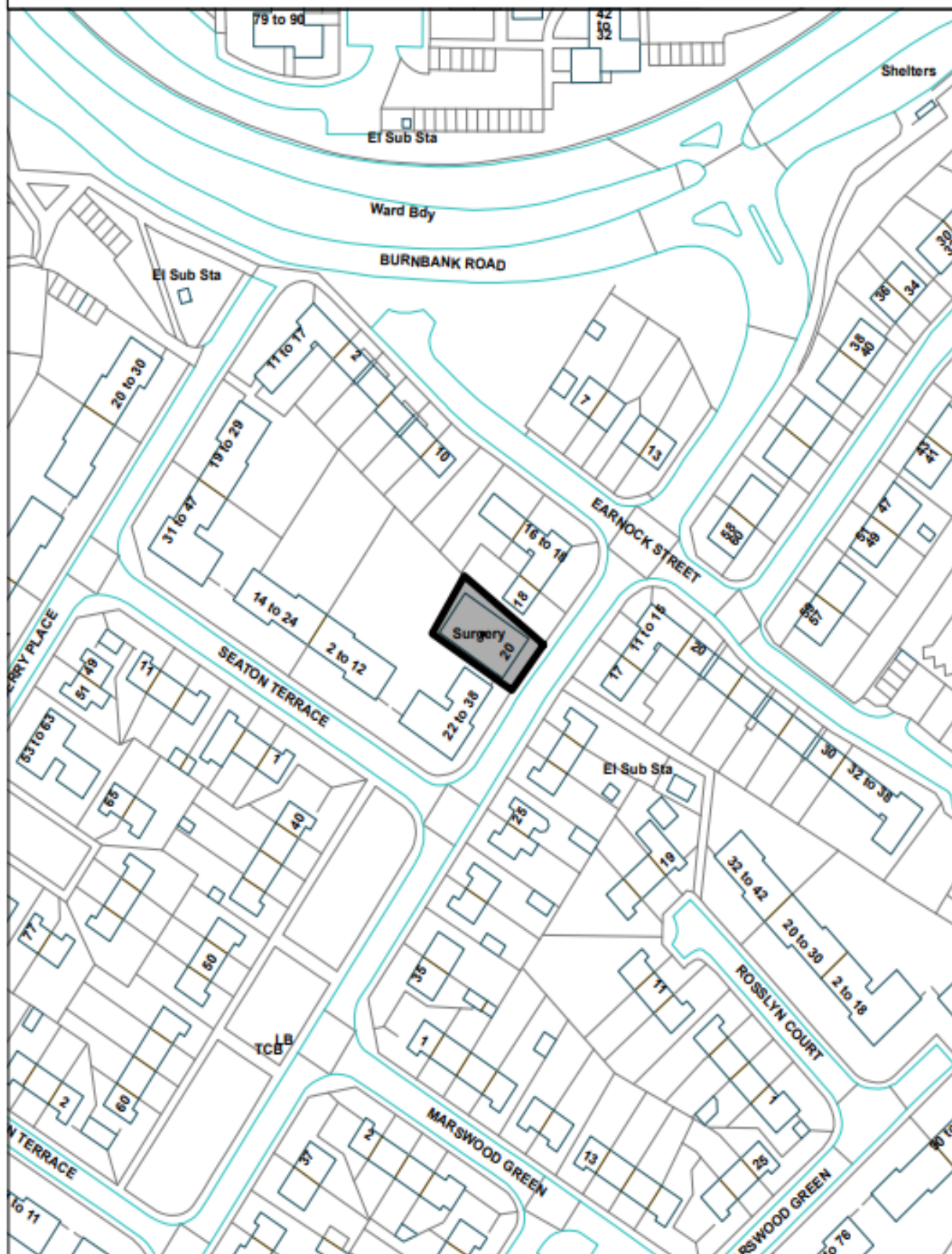
**Conditions and reasons**

01. Prior to the retail unit hereby approved being brought into use, the pedestrian safety barrier indicated on plan G(00) 003 Rev C shall be reinstated to the front of the premises onto Argyle Drive, and shall thereafter be retained in perpetuity, all to the satisfaction of the Council as Planning and Roads Authority.

Reason: In the interests of pedestrian and road safety.

P/21/2167

Cruse House, 20 Argyle Drive, Hamilton



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Scale:  
1:1,250  
Date:  
15/09/2022



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

# Report

4

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/0521
Planning proposal:	Erection of three car garage and store with vehicular access from Moss Road

## 1 Summary application information

Application type:	Householder
Applicant:	Alan and Margaret Blackwood Frame
Location:	9 Newton Road Strathaven ML10 6BQ

## 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 conditions attached.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: Jack Blackwood
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2**  
Policy 2 – Climate Change  
Policy 3 – General Urban Areas/Settlements  
Policy 5 – Development Management and Placemaking  
Policy DM2 - House Extensions and Alterations

### ◆ Representation(s):

▶	13	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Arboricultural Services

Scottish Water

Environmental Services

## Planning Application Report

### 1 Application Site

- 1.1 The application site consists of a rear garden at 9 Newton Road, Strathaven. The site partly incorporates a grassed area adjacent to Moss Road to the south and covers an area of approximately 540sqm. The existing house at 9 Newton Road is situated to the north of the house plot and the rear garden slopes down to a stream in the middle of garden, referred to as the Goods Burn. The associated garden rises again to the rear (south) towards Moss Road. The area in question was purchased from the Council for use as garden ground. The applicant proposes to take access from Moss Road to the garage and provide the necessary turning area. A mature tree sits on the outside of the site to the east. The existing plot is similar to those adjacent in that the house faces onto Newton Road and the garden backs on to Moss Road. An existing access sits adjacent to the site and serves the property at 24 Moss Road.

### 2 Proposal(s)

- 2.1 The applicants propose the erection of a split level, two storey garage within the area previously acquired by the applicant to utilise as garden ground. The garage will cover an area of 60sqm and will be a height of 3.74m when viewed from the north, east and west and 2.92m when viewed from the south. Approximately 1.3m of the garage will be underground. The proposed garage will be accessed via its own separate access from Moss Road to the south-west. The lower ground floor will be for the parking of the applicant's vehicles and the upper storey will be for storage.

### 3 Background

#### 3.1 Local Plan Status

- 3.1.1 In terms of the South Lanarkshire Local Development Plan 2 (adopted 2021), the site is located within a general urban area, and is therefore subject to an assessment against the following policies:-

- ◆ Policy 2 Climate Change
- ◆ Policy 3 General Urban Areas and Settlements
- ◆ Policy 5 Development Management and Placemaking
- ◆ Policy DM2 House Extensions and Alterations

#### 3.2 Relevant Government Advice/Policy

- 3.2.1 None relevant.

#### 3.3 Planning Background

- 3.3.1 EK/04/0390 - Change of use from open space to garden ground and erection of 2 storey extension and detached triple garage - granted October 2004. Consent never implemented.

P/21/1543 - External alterations to dwellinghouse including the infill of the existing pend to form additional habitable space, the removal of the existing front door and steps and the erection of a single storey rear extension. Currently under consideration.

### 4 Consultation(s)

- 4.1 **Roads and Transportation Services** – no issues with the proposal subject to the provision of a satisfactory visibility splay.

**Response:** Noted. The provision of an appropriate visibility splay has been conditioned.

4.2 **Environmental Services** – no objections.

**Response:** Noted

4.3 **Scottish Water** – no objections, however, the applicant should contact Scottish Water prior to development commencing. The applicant has been made aware of this.

**Response:** Noted.

4.4 **Arboricultural Services** – advise that the adjacent tree must be protected during construction.

**Response:** Noted. A condition requiring this will be attached to any consent.

## **5 Representation(s)**

5.1 Statutory neighbour notification was undertaken following which, 13 letters of representation have been received. The points raised are summarised as follows:

a) **The proposal is a means to establish the site for the erection of a dwelling.**

**Response:** Each application is determined on its own merits. The policies for a proposed dwellinghouse are different to those in relation to the erection of a building ancillary to the enjoyment of a dwellinghouse.

b) **When the land was sold for the purposes of additional garden ground, it stipulated that it could not be sold for the purposes of erecting structures. The applicant does not own the relevant land.**

**Response:** These are legal matters and not material planning considerations. An applicant does not require to own the land they are proposing to develop but requires the permission of the owner to commence work. Notwithstanding this, the applicant has confirmed that they own the relevant land.

c) **There is a protected tree outwith the site which may be subject to damage through construction of the proposed garage.**

**Response:** Noted. A condition has been attached requiring root protection of the relevant tree.

d) **The works to form the site could cause subsidence and the site will require substantial regrading**

**Response:** A condition has been attached requiring the submission of details of the regrading works to be submitted and approved prior to work commencing.

e) **The proposed garage is not in keeping with the locality. A three-storey garage is inappropriate.**

**Response:** The proposed garage will be in proportion with the rear garden which covers an area of 500sqm beyond the application site. The applicants propose to finish the garage in timber and in this regard, would not be of an appearance uncommon in the area. The garage is not three storey but is split level with a lower ground and a ground level.

f) **The previous application approved on the site expired in 2009 and should not be a material consideration in the determination of this application.**

**Response:** Noted. Each application is determined on its own merits.

- (g) **Two main sewers run through the plot. Scottish Water should be consulted.**

**Response:** Scottish Water were consulted and have confirmed that they have no objections. The applicant has been advised to contact Scottish Water prior to any work commencing.

- (h) **There is no lower basement plan shown on the drawings.**

**Response:** These details have been submitted and are available for inspection on the portal.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks planning permission for the erection of a three-car garage and store with vehicular access from Moss Road at 9 Newton Road, Strathaven. The proposed development requires to be assessed against the provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021). In this instance Policies 3, 5 and DM2 of the development plan and the associated guidance are applicable.
- 6.2 Policy 3 – General Urban Area/Settlements of the adopted plan supports the principle of residential developments in residential designated areas such as the area within which the application site is located. The proposal seeks to ensure that proposed developments do not adversely affect the surrounding area in terms of issues such as layout, scale, massing and amenity. With regard to the specific design and layout of the site, Policy 5 – Development Management and Placemaking requires all proposals to take account of and be integrated with the local context and built form. The policy states that development proposals should have no significant adverse impacts on the local community in terms of issues such as noise, smell, disturbance and traffic or public safety issues.
- 6.3 Policy DM2 generally reflects the content of Policies 3 and 5 of the adopted plan and states that proposed developments are required to relate satisfactorily to nearby development in terms of scale, massing and materials. Additionally, the policy requires that development proposals do not adversely affect neighbours by overshadowing or overlooking their property.
- 6.4 The application is for the erection of a three-car garage and store with vehicular access which will be taken from Moss Road to the south-west. Due to the geography of Newton Road and the associated settlement pattern, parking is limited to the front for a number of properties – including the application site. The applicant is therefore proposing to provide parking to the rear of the property by taking access from Moss Road. In addition, they are proposing the erection of a two-storey garage with parking on the lower floor together with associated driveway adjacent. Planning permission was previously granted in 2004 for a change of use of garden ground, a rear extension and a triple garage, however, this consent was never implemented and has since expired.
- 6.5 In terms of design, the proposed garage will be constructed from metal containers and will be clad in timber. Whilst this type of design is not common in residential areas, it is contemporary, and the timber finish is sympathetic to the existing landscaping in both the application site and the properties adjacent. In addition, the flat roof of the garage and timber finish will reduce its visual impact. Previously a garage/shed was situated in the rear garden at right angles to the proposed garage, however, this has

since been removed. Under the proposal, the applicant will access the garden from the rear off Moss Road and the access road will open out into a turning area to allow access and egress into the garage. On the upper floor, storage is proposed.

- 6.6 Whilst there are few buildings in the gardens to the rear of the properties on Newton Road, a domestic garage is not an uncommon form of development in a residential area. It would be unreasonable to expect that the proposal would result in a loss of privacy to adjacent properties at the site given that it is a domestic garage. Whilst the garden is sloping and the structure will require an element of under build, the rear garden covers a substantial area and will be situated in excess of 23 metres from the nearest property. In addition, it will sit below the plot to the south at 24 Moss Road.
- 6.7 Adjacent to the site is a mature beech tree which is covered by a Tree Preservation Order (TPO). The tree sits outwith the site and does provide amenity to the locality. A condition has been attached to ensure that the access road is constructed appropriately to avoid damaging the tree or its roots.
- 6.8 As a result of the statutory neighbour notification process, thirteen letters of objection were received in relation to this application. The contents of these representations are addressed in section five above.
- 6.9 In summary, following a full and detailed assessment of the proposed development, it is considered that it would have no significant adverse impact upon residential or visual amenity and that it is in accordance with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (adopted 2021). As such, the granting of planning permission is recommended.

## **7 Reasons for Decision**

- 7.1 The proposal complies with policies 2, 3, 5 and DM2 of the adopted South Lanarkshire Local Development Plan 2 and will have no detrimental impact on character or amenity.

**David Booth**

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

Date: 29 September 2022

### **Previous references**

- ◆ None

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 29 March 2021
- ▶ Consultations

Roads Development Management Team 13.05.2021

Scottish Water 24.09.2021

Arboricultural Services 13.10.2021

Environmental Services 10.06.2021

- ▶ Representations

Dated:

Keith and Ann Dalzell Dalkin, 15 Newton Road, Strathaven, South Lanarkshire, ML10 6BQ	26.04.2021
Mr William Smith, 24 Moss Road, Strathaven, South Lanarkshire, ML10 6BY	19.05.2021
Colin Frew, Via Email	17.05.2021
Louise Frew, Via Email	17.05.2021
John Todd, 8 Newton Road, Strathaven, ML10 6BQ	17.05.2021
Dr Robert MacNair, Glenbrook House, 22a Lesmahagow Road, Strathaven, ML10 6DA	01.05.2021
Mr John Patrick, 10 Newton Road, Strathaven, ML10 6BQ	01.05.2021
Colin Frew, Via Email	12.05.2021
John Todd, Via Email	12.05.2021
Louise Frew, Via Email	12.05.2021
Mrs Doreen Frew, 15 Lesmahagow Road, Strathaven, ML10 6BG	05.05.2021
Mrs Janet Morton, 18 Lesmahagow Road, Strathaven, ML10 6BG	04.05.2021
Mr Keith Dalkin, 15 Newton Road, Strathaven, ML10 6BQ	11.05.2022

### **Contact for further information**

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

Iain Morton, Team Leader, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
Phone: 07551 842 788  
Email: [iain.morton@southlanarkshire.gov.uk](mailto:iain.morton@southlanarkshire.gov.uk)

### Conditions and reasons

01. That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

02. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval, 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., including, where appropriate, the planting of fruit/apple trees;
  - (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.

Reason: To ensure the appropriate provision of landscaping within the site.

03. That the landscaping scheme required by condition 2 above 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.

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

04. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That the use of the garage hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garage.

Reason: To safeguard the residential amenity of the area.

06. That unless otherwise agreed, prior to the commencement of the development hereby approved (including any demolition and all preparatory work), a scheme for the protection of the existing tree to the east of the site shall be submitted to and approved in writing by the Council as Planning Authority. In accordance with BS 5837:2012, the

scheme shall include a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Council as Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Veteran and ancient tree protection and management.

The development shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

07. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

08. That before the development hereby approved is completed or brought into use, a visibility splay of 2 metres by 25 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.

Reason: In the interests of traffic and public safety.

09. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), the change of use of the garage (hereby approved) to living accommodation shall be subject to a further planning application to the Council as Planning Authority.

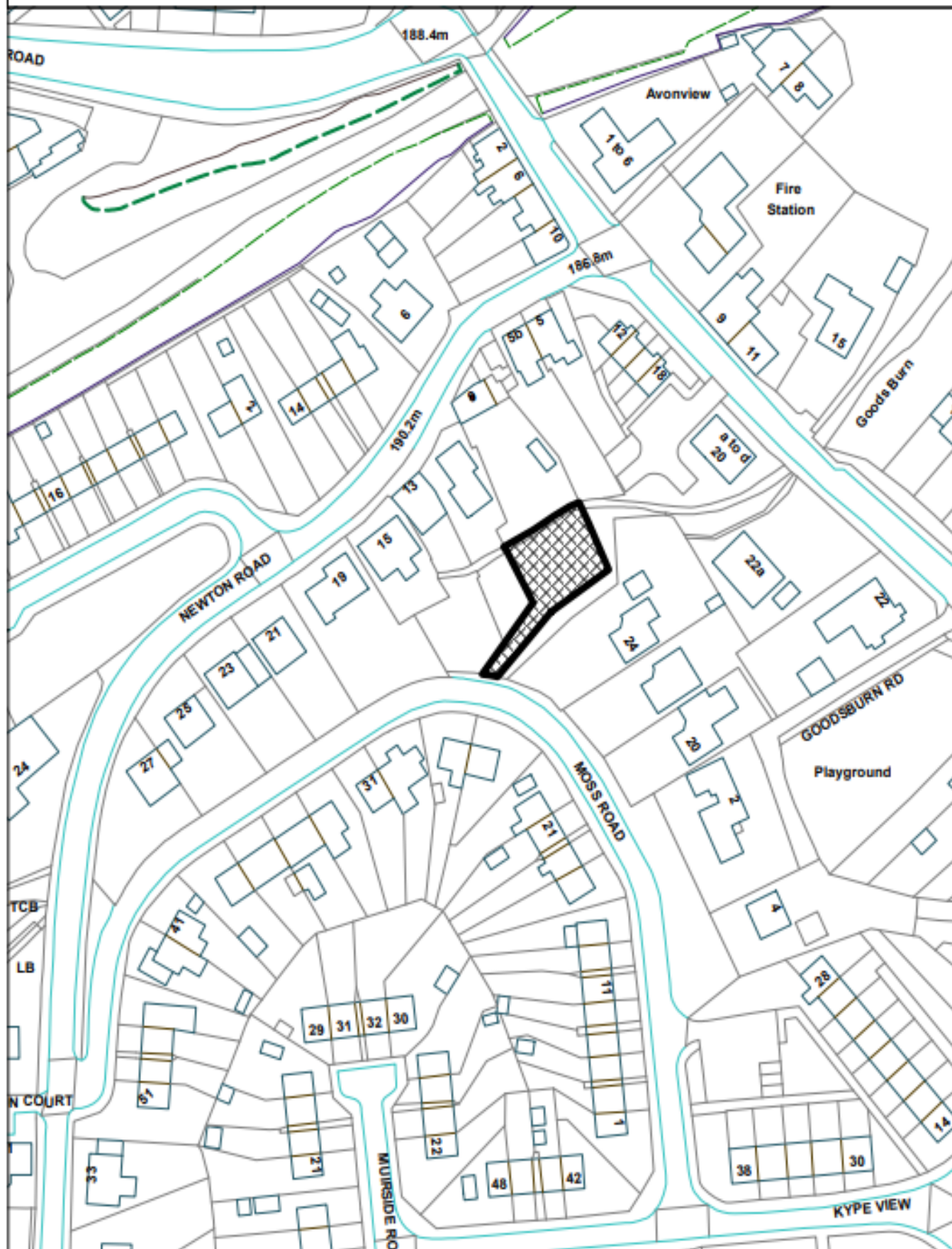
Reason: In order to retain effective planning control.

10. That prior to development commencing, the applicant shall submit a method statement in relation to the proposed regrading of the land and no works shall commence until this statement has been approved in writing by the Council as Planning Authority.

Reason: In order to retain effective planning control.

P/21/0521

9 Newton Road, Strathaven



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Scale:  
1:1,250  
Date:  
16/09/2022



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



# Report

5

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0471
Planning proposal:	Erection of domestic wind turbine

## 1 Summary application information

Application type:	Householder
Applicant:	Mr Balhar Singh Sander
Location:	1 Fernhill Grange Bothwell G71 8SH

## 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 conditions attached.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: Ian Denney
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2**  
Policy 2 - Climate Change  
Policy 3 - General Urban Areas  
Policy 5 - Development Management and Placemaking  
Policy 14 – Natural and Historic Environment  
Policy 18 – Renewable Energy  
Policy NHE6 – Conservation Areas  
Policy RE1 -Renewable Energy

◆ **Representation(s):**

▶	23	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Environmental Services

## Planning Application Report

### 1 Application Site

- 1.1 The application site is located at 1 Fernhill Grange and is roughly rectangular in shape, with a long, narrow driveway projecting to the south-west, connecting the site to Fernhill Grange. The site extends to approximately 1,680 square metres in total area. Although not located within the Conservation Area itself, the application site is bounded to its north and east by the Bothwell Conservation Area.
- 1.2 The site is located within an existing residential area and is bounded by 3 and 5 Fernhill Grange to the south, 5 Silverwells to the east, 15 to 19 Silverwells Crescent to the north, and the Silverwells Court flatted development to the west. These are all residential properties.
- 1.3 The topography of the site is largely flat although from Fernhill Grange, the driveway slopes gradually north before levelling out for most of the lower (south) half of the garden. The remainder of the garden, between the rear elevation of the dwelling and the boundary shared with 15 to 19 Silverwells Crescent, slopes sharply upwards from south to north.
- 1.4 The dwellinghouse is located approximately within the centre of the site, with the garden surrounding it. The site is bounded on all sides by a mixture of hedgerows and greenery that provide a substantial amount of screening for the property. Indeed, largely only the roofs of neighbouring properties are visible from within the site, apart from some windows on the Silverwells Court flatted development which are visible when looking towards the west.

### 2 Proposal(s)

- 2.1 The applicant seeks permission for the erection of a domestic wind turbine within the garden of 1 Fernhill Grange, Bothwell. The proposed turbine will be located in the south-east corner of the application site, adjacent to the boundary with 5 Fernhill Grange to the south, and an area of open/green space (*Rumbolds Acre*) adjacent to Silverwells to the east.
- 2.2 The mast of the proposed turbine will measure 6 metres in height, and the total height of the turbine to the tip of its blades will be 7.5 metres. The turbine will feature three blades.

### 3 Background

#### 3.1 Local Plan Status

- 3.1.1 In terms of the adopted South Lanarkshire Local Development Plan 2, the application site is covered by Policy 3 – General Urban Areas. This policy considers likely impacts upon amenity stemming from proposed developments. Generally, development detrimental to the amenity of residents and the wider community, or to the character of the surrounding area, is not permitted. Policy 5 – Development Management and Placemaking – is also applicable. This policy aims to consider the principles of sustainable development, by ensuring that proposals are well designed and integrate well with the local area, avoiding any significant adverse impact upon the local community and environment.
- 3.1.2 Although not located within the Bothwell Conservation Area, the application site is located adjacent to it and therefore it remains a material consideration. Policy 14 - Natural and Historic Environment – and Policy NHE6 – Conservation Areas – are therefore also applicable to this application. Collectively, these policies seek to protect

important natural and historic sites from adverse impacts from development. Development affecting a Conservation Area should preserve or enhance the unique character of that Conservation Area and the siting/scale of any development should be appropriate to the Conservation Area also.

- 3.1.3 Policy 2 – Climate Change – is also applicable to the application, and states that new development proposals should utilise renewable energy sources where possible. This policy reflects the need to support developments that will help meet the Scottish Government's target of having 50% of Scotland's energy consumption coming from renewable sources by 2030 (Scottish Government's Energy Strategy, 2017). In this respect, Policy 18 – Renewable Energy – and Policy RE1 – Renewable Energy – are both also applicable and collectively seek to support applications for renewable energy developments, subject to their assessment against the principles of Scottish Planning Policy (SPP). South Lanarkshire Council also has guidance on such developments included within the Renewable Energy Supporting Planning Guidance, which is a material consideration.

### **3.2 Relevant Government Advice/Policy**

- 3.2.1 The Scottish Government aims to encourage sustainable development and the use of renewable energy sources is key to that aim. Scottish Planning Policy supports the development of renewable energy and states that Planning Authorities should support the development of a diverse range of renewable energy technologies. Development Plans should support the wider application of medium and smaller scale renewable technologies such as decentralised energy supply systems, community, and household projects. Development Plans should also encourage micro generation projects including those associated with or attached to existing buildings.
- 3.2.2 Further advice from the Scottish Government is provided by Planning Advice Note 45 – Renewable Energy Technologies with additional information provided within PAN45 Annex – planning for micro renewables. The Annex to PAN45 states that the Government is committed to increasing the amount of renewable energy generated and used in Scotland. Increased use of renewable energy, including micro-renewables, can make an important contribution to efforts to reduce carbon emissions in support of climate change and renewable energy targets. The Annex provides further support for the use of micro-renewables and provides several examples of the kinds which can be used. The examples which are provided at a domestic level are wind, solar thermal, photovoltaic, heat pumps and biomass technologies.
- 3.2.3 In relation to domestic wind turbines, the Annex to PAN45 states that they have been used for several years to provide electricity in both domestic and commercial locations. The power generated and associated carbon emission reductions per turbine are relatively small, but cumulative benefits could be significant. The use of domestic wind turbines is to be encouraged by the Scottish Government given that Scotland has the best wind resource in Europe. In relation to siting and design, the visual impact of the micro wind turbine depends on how they are seen both in terms of the image they convey and their siting and composition. Micro-wind turbines can be seen as symbols of positive action to address climate change and promote sustainability. The erection of a turbine must be undertaken in a manner that keeps the environmental impact to a minimum whilst still ensuring they provide sufficient power. Sensitive siting and design in both urban and rural areas can reduce visual intrusion and play a part in making these installations an accepted feature.
- 3.2.4 The siting and design of micro-wind systems should aim to minimise the contrast with the surroundings. This can be achieved by using simple shapes with clean lines, developing a balanced composition in proportion to the surrounding environment; and

using regularity, order, and symmetry wherever possible. In relation to historic environments, the Annex states that there are opportunities for wind turbines in conservation areas or within the curtilage of listed buildings. Care should be taken to ensure that the turbine respects the site and area.

- 3.2.5 The impact on amenity, as stated in the Annex, should be considered when siting a turbine. In terms of noise from micro-wind turbines, it will generally be of an acceptable level, with newer turbines having greatly reduced noise levels due to improved blade design and reduced mechanical noise. In terms of shadow flicker, this is unlikely to occur due to the small scale of a domestic wind turbine.

### **3.3 Planning Background**

- 3.3.1 A previous application for the erection of a wind turbine at 1 Fernhill Grange was submitted in 2009 (Reference HM/09/0589) and was approved by the Hamilton Area Committee, subject to several conditions. Should consent be granted, many of these same conditions would be imposed on the consent.
- 3.3.2 The current application is identical to that approved in 2009, both in terms of the positioning of the turbine and its height. The 2009 application received a total of 11 objections, compared to the 23 objections submitted for the current application.
- 3.3.3 A prior application for the erection of a wind turbine within the site (HM/09/0384) was withdrawn by the applicant. This turbine was proposed for a different location within the site, to the rear of the dwellinghouse.
- 3.3.4 There have been no significant changes to policy within the last 13 years that would justify the reversal of the previous decision to approve the application. Indeed, given the Local Development Plan 2's focus on sustainability and climate change, there is arguably more precedent for such an application now than when it was first proposed and approved in 2009.

## **4 Consultation(s)**

### **4.1 Consult – Environmental Services**

**Response:** Offered no objections to the proposal, subject to the attachment of two conditions and two advisory notes. The conditions relate to limiting noise generation and minimising the potential for shadow flicker respectively. Both conditions require the submission of further information to the Planning Authority for their consideration.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and an advert for non-notification of neighbours was displayed/published in the Hamilton Advertiser. In response, 23 letters of objection were received from 23 neighbouring proprietors. The grounds of the objections are summarised as follows:-

- a) **The size of the proposal will negatively impact upon views from surrounding/nearby residential properties.**

**Response:** Residents are not afforded the right to any view and as such, any impact upon/loss of a view is not a material planning consideration and is not a sufficient ground to warrant the refusal of an application.

- b) **The proposed wind turbine will have an unacceptable impact in terms of noise, with noise levels likely exceeding that acceptable within a residential area during both the day and night.**

**Response:** The Council's Environmental Services department were consulted on the application in this regard and offered no adverse comments. However, they advised that should consent be granted, a condition should be imposed ensuring that noise generated by the proposal does not exceed acceptable levels within a residential area. The condition would further require that information confirming the compliance with the noise control levels be submitted to the Council for consideration/approval.

- c) **The proposal will negatively impact upon house prices/the value of adjacent and nearby properties.**

**Response:** Impact upon property values/house prices is not a material planning consideration and as such, does not constitute sufficient grounds to warrant a refusal of the application.

- d) **How will the proposal benefit the applicant and what will happen in the future when the applicant no longer owns/resides at the dwellinghouse?**

**Response:** There is no requirement for the proposal to benefit anyone other than the applicant. It will be the responsibility of the applicant and of any future owner of the site to maintain the proposed wind turbine to a satisfactory degree, or to remove it at their own discretion.

- e) **What benefit will the proposal bring to the neighbouring properties and to the local area as a whole?**

**Response:** There is no requirement for a domestic wind turbine such as the one proposed to provide any benefit to the neighbouring properties or to the local area. The application is only assessed to ensure no significant adverse impacts result from the proposal, and to ensure that the proposal preserves the character and amenity of the urban/natural/historic environment.

- f) **A nearby area of land (*Rumbolds Acre*) is joint owned by numerous nearby residents, many of whom were not notified as part of the Neighbour Notification process.**

**Response:** The Neighbour Notification process ensures that all properties within 20 metres of the boundary of the application site are issued letters informing them of the proposal. If a property/area of land does not have an address, or the owners of the property/land are not known/cannot be identified, an advert for the Non-Notification of Neighbours will also be published in the local newspaper.

An advert for the Non-Notification of Neighbours in relation to the proposal was published in the Hamilton Advertiser on 28 April 2022. As such, the Council has taken the appropriate action to ensure all relevant stakeholders have been notified of the proposal and allowed time to make comments/submit objections.

- g) **The proposal may impact upon the feasibility/possibility of future developments or proposals upon the land at *Rumbolds Acre*.**

**Response:** The application must be assessed on its own merits within the existing context and not against potential impacts in terms of restricting future proposals on nearby sites.

- h) **I was not notified of the proposal despite my property being within the Conservation Area and within 25 metres of the proposal site.**

**Response:** The Neighbour Notification process, as undertaken by the Council, issues letters to all properties within 20 metres of the boundary of the application site. If a property is more than 20 metres from the application site boundary, no notification letter would have been issued.

- i) **The application does not include details of the proposed design, materials, or general appearance of the wind turbine.**

**Response:** Should consent be granted a standard condition will be attached ensuring that, before any development commences, details and samples of all colours to be used as external finishes on the turbine and mast shall be submitted to and approved by the Council as Planning Authority.

- j) **No assessment has been made/submitted alongside the application with regards to the potential impact of shadow flicker upon neighbouring properties.**

**Response:** Whilst the above is noted, the Council's Environmental Services department were consulted on the application in this regard. Whilst they have offered no objections to the application, they have advised a condition be attached ensuring an assessment of the impact of shadow flicker on properties in the vicinity of the site is undertaken by the applicant and submitted to the Council for approval, prior to the proposal being brought into use.

- k) **The siting of the turbine so close to the boundary may result in its blades intruding upon/overhanging the boundary into the Conservation Area, depending on the orientation of the turbine, as determined by wind direction.**

**Response:** The site of the proposed turbine is such that, regardless of its orientation, at no point would its blades overhang the boundary of the application site or cross over into the Conservation Area.

- l) **The proposal will have a strong adverse impact upon the character of the Bothwell Conservation Area by way of its appearance/prominence.**

**Response:** Whilst the application site and the location of the proposal are not within the Conservation Area, it is noted that the proposal will be located adjacent to and will be visible from the Conservation Area. However, it is considered that due to the positioning of the turbine within the site, the level of screening provided by surrounding trees and hedgerows, and the height of the turbine relative to the height of the dwellinghouse within the application site, the proposal will have a minimal impact upon the distinct character of the Conservation Area. The turbine will not be located so prominently as to have any significant adverse impact on the character or appearance of the Conservation Area.

- m) **The proposal will negatively impact upon wildlife and biodiversity within the area; therefore a survey should be completed and the proposal should be located away from hedgerows/trees.**

**Response:** Whilst the potential for adverse impact upon wildlife stemming from wind turbines is noted, a domestic turbine of this scale does not present an unacceptable level of threat to any such wildlife or biodiversity.

Indeed, as the proposal relates to an established developed area, the proposed turbine would likely have no greater degree of impact upon wildlife in the area than other aspects of developed areas, such as traffic, traffic noise and associated exhaust fumes.

- n) **The proposal will impact upon burrowing animals because of the generation, storage and transportation of electricity stemming from the proposal.**  
**Response:** Similar to point m) above, a domestic turbine of this scale is unlikely to present an unacceptable level of threat to any such burrowing animals. Given that the application site is within an established residential area, it is fair to assume that the erection of houses and their associated foundations within the vicinity would likely have had some degree of impact upon any burrowing animals within the area.
- Given the developed nature of the area, it is not considered that this reason for objection would hold sufficient justification to prevent any other development, of any type, within the locale.
- o) **The proposal may impact upon/cause disruption to TV, radio and internet signals for surrounding properties.**  
**Response:** It is considered that the siting and scale of the turbine, given that it will be screened by large trees and will be lower in height than the existing dwellinghouse on site, will minimise any potential disruption to telecommunication signals or similar, within the immediate area. The proposal will be situated a sufficient distance away from all the neighbouring dwellings to minimise any such adverse impacts.
- p) **The proposal will have significant adverse impact upon the physical and mental health of nearby residents.**  
**Response:** It is considered that the impact of a domestic turbine compared to a large-scale wind farm turbine is significantly different. The noise output from a domestic turbine will be significantly less intrusive and its impact will be reduced proportionally. Furthermore, it is considered that there is sufficient distance from the turbine to the nearest dwellings to not have a significant or unacceptable noise impact.
- q) **The proposal will disrupt the local skyline due to its prominent location within the settlement.**  
**Response:** Given the proposed turbine is lower in height than the existing dwellinghouse within the application site, it will not appear prominently within the skyline and therefore there will be no adverse impacts in terms of visual prominence.
- r) **Permitted Development Rights only permit such a development if it is located 100m or more away from any neighbouring dwelling, and the proposed turbine is situated much closer than this.**  
**Response:** Whilst the above is true, Permitted Development refers to development that is exempt from requiring planning permission. The above distance is not applicable in this instance as the proposal seeks planning permission and is not being erected under Permitted Development legislation.
- s) **All residents living within proximity of the application site should have been issued notification from the Council.**  
**Response:** As previously stated, all neighbours living within 20 metres of the boundary of the application site were issued a Neighbour Notification letter by the Council. Furthermore, an advert for the Non-Notification of Neighbours was published in the Hamilton Advertiser on 28 April 2022.

Appropriate procedures were undertaken by the Council to ensure all relevant neighbours and stakeholders were notified/made aware of the proposal and that an advert was placed in the local press.

- t) **No technical data about the proposed wind turbine has been submitted/is available on the Portal.**

**Response:** Whilst the above is noted, the Council's Environmental Services were consulted on the application to provide comments in terms of noise, shadow flicker, etc. They required no further information/technical data to provide a response in this regard and therefore such information was not considered necessary in the determination/assessment of the application.

- u) **The proposal is in too close proximity to neighbouring dwellings.**

**Response:** There is no current minimum distance between residential properties and wind turbines specified within Scottish Government guidance. It is considered that the location of the turbine within the site is appropriate to ensure it is a sufficient distance from the surrounding neighbouring properties.

- v) **The proposal will be an eyesore due to minimal screening from trees, etc.**

**Response:** It is considered that there is sufficient screening from trees/hedges afforded to the application site, and that the height of the proposed turbine is minimal, thereby limiting any potential for it being an eyesore within the local area.

- w) **There are alternative methods of electricity generation better suited to a domestic setting, such as solar panels and heat exchanges.**

**Response:** Whilst the above is noted, it is the role of the Planning Authority to assess the application as presented and not to advise/speculate on whether alternative proposals would be more appropriate.

- x) **The height and width of the proposed turbine are surely too large to truly be considered domestic.**

**Response:** The term "domestic" in this instance largely refers to the fact that the turbine would generate electricity solely for the dwellinghouse within the application site, and not on a larger scale. Regardless, the size of the turbine is considered appropriate within a domestic setting, given that it measures 7.5 metres high, and this is lower than the height of the existing dwellinghouse within the site.

- y) **The timing of the submission and the associated Neighbour Notification was over a holiday period, giving neighbours little or no time to respond which may have been purposeful/deliberate on behalf of the applicant to avoid reaction/objections from neighbours.**

**Response:** Given that the application was received and validated on 25 March 2022, it is considered that the application has been under the consideration of the Council for a sufficient time to allow all interested parties to make comments or submit objections. All relevant neighbours were notified, and further notification was made via an advert published in the Hamilton Advertiser in relation to the proposal.

- z) **Local residents pay high Council Tax and as such should be entitled to have a say in what development occurs within the neighbourhood.**

**Response:** All residents across South Lanarkshire Council, and Scotland overall, are entitled to the same level of representation in relation to developments occurring within their local area regardless of their Council Tax band. The appropriate notification and advertisement processes have been undertaken by the Council to ensure all relevant stakeholders have been made aware of the proposal and given the opportunity to make comments and/or objections to it.

- aa) **All properties within 100 metres of the proposal should have the right to be notified of the proposal by law.**

**Response:** Planning legislation within Scotland requires that all properties within 20 metres of the application boundary be notified. There is no law stipulating that all properties within 100 metres of the site should be notified.

- bb) **The application, if approved, could set a precedent for similar proposals within the area.**

**Response:** It is a well-established principle that each planning application must be assessed on its own merits, taking account of the provisions of the Development Plan and all other material considerations. Indeed, in this regard applications will only be approved where they comply with Local Plan policy and do not have an adverse impact upon the amenity of the area.

- cc) **The proposal is not an appropriate form of development within an established residential area.**

**Response:** Whilst it is accepted that currently such a form of development is not common within developed or residential areas, consent has previously been approved for a turbine at this location. It is considered that the proposed wind turbine is of such a size and positioning to minimise its impact on the wider residential area, and that the application site benefits from a garden of sufficient size and boundary screening to accommodate the proposal.

Within South Lanarkshire, a notable example of a similar form of development was the erection of two wind turbines (slightly larger than the proposed) within the grounds of Blacklaw Primary School, East Kilbride. This application (EK/08/0154) was approved by the Planning Committee in 2009. It is noted that both turbines have since been removed.

- dd) **There is a danger of ice forming on the blades of the turbine during winter then falling and causing damage or injury.**

**Response:** It is considered that due to both the height and the siting of the wind turbine, away from any public footways and not within the immediate vicinity of any neighbouring dwellinghouses, that it sufficiently minimises any risks of such danger. Indeed, the danger of such damage or injuries is likely no greater than that of ice forming on and falling from the roof/soffits of a dwelling.

- ee) **The proposal will result in irritation/annoyance of Council staff by way of the number of complaints the proposal will generate.**

**Response:** The above does not constitute a material planning consideration and is not sufficient grounds to warrant a refusal of the application. It is the role of the Local Authority to receive and handle any complaints received, regardless of volume.

- ff) **Lack of maintenance of the proposed wind turbine may result in parts falling from the turbine and damaging nearby properties – no details of risk mitigation to prevent this have been submitted as part of the application.**  
**Response:** If approved, it is the role of the applicant to ensure proper installation and maintenance of the wind turbine to a satisfactory degree. Any issue or concerns in this regard should be referred to the Health and Safety Executive in the first instance.
- gg) **The appearance of the turbine is more akin to an industrial area than a residential area of a historic village.**  
**Response:** The appearance of the turbine is standard of most wind turbines, albeit on a smaller scale. Whilst it is noted that such a development is not common within a residential area such as the application site, it is considered that sufficient measures have been taken (by way of the size and positioning of the turbine) to limit its visual impact upon the immediate surrounding area and Bothwell as a whole.
- hh) **Solar panels would surely be a more effective means of electricity generation within such a location?**  
**Response:** As previously stated, whilst the above is noted, it is the role of the Planning Authority to assess the application as presented and not to advise/speculate on whether alternative proposals would be more appropriate. The determination of this application would not prevent the applicant from considering installing solar panels either now or at some point in the future.
- ii) **The proposal has not been assessed in terms of the relevant policies of South Lanarkshire Council's Local Development Plan 2.**  
**Response:** All planning applications submitted to South Lanarkshire Council are assessed against the relevant policies of the Local Development Plan 2. Details of which policies this application has been assessed against can be found in Section 3 of this report, while an assessment of the application against these policies can be found in Section 6.
- jj) **The application does not include details of the exact location of the turbine or its location relative to nearby trees.**  
**Response:** The *Block Plan and Section* drawing submitted in support of the application indicate both the location of the proposed turbine within the application site, and its relation to both nearby trees and the adjacent dwellinghouse on site. Photos taken during a site visit on 21 April 2022 further established the location of the proposed turbine in relation to the trees and other greenery within and around the site.
- kk) **The proposal is not a static structure and, because of its moving blades, will have a much higher visual impact than many other forms of static development.**  
**Response:** The kinetic nature of the structure is noted and the potential for greater visual impact has been considered during the assessment of the application.
- ll) **The low aspect and height of the turbine, whilst being camouflaged by the trees, will result in a high visual impact but a low level of electricity generation, and this is in contradiction of the Annex to PAN45**

**Response:** The low aspect and height of the turbine will serve to lower the visual impact of the proposal and reduce any adverse impact upon neighbouring properties. Should this lower aspect/positioning result in a low level of electricity generation, it is not of concern for the consideration of the planning application.

**mm) The Committee Report for the previous wind turbine application at this site referred heavily to the Annex to PAN45 but does not indicate that the drive to use renewables should override the usual planning processes.**

**Response:** The desire/drive to use renewables should not override the usual planning processes. In this instance, an application has been submitted for consideration in the normal manner, allowing an assessment of the proposal to be made and a report to be submitted to the Planning Committee.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

6.1 The application relates to the erection of a 7.5m high domestic wind turbine situated on a free-standing mast within the garden ground of an existing dwelling at 1 Fernhill Grange, Bothwell. The main determining issues in this instance are compliance with Local Plan policy and the visual and amenity impact on the surrounding area.

6.2 The turbine is proposed to be located within the southeast corner of 1 Fernhill Grange, situated adjacent to Rumbolds Acre, an area of open space provided for the residents of Silverwells. The nearest residential property to the turbine, other than the dwelling on site, is 5 Fernhill Grange which is situated 20m away. Along the boundary of the site there is a high level of screening, especially along the eastern boundary with Rumbolds Acre which is prominently made up of fir trees. The area surrounding the site is residential in character, with the properties to the north and east being within the Bothwell Conservation Area. The turbine itself and the application site is outwith the Conservation Area but will be visible from it.

6.3 In terms of Local Development Plan policy, the application site falls within the General Urban Area under Policy 3, and is adjacent to the Bothwell Conservation Area, covered by Policies 14 and NHE6. Each of these policies is focused on preserving residential and visual amenity, preserving the distinct local character of the area in general terms resists development which is detrimental to this. Policy 5 – Development Management and Placemaking provides further criteria which are required to be complied with. Development is required to take account of local context and built form and should be compatible with adjacent buildings and the surrounding streetscape. Policies 14 and NHE6 provide a framework to protect and enhance the character and appearance of the Conservation Area and oppose development which will have an adverse impact.

6.4 Taking account of the above policies, it is considered that the proposed wind turbine is acceptable. The turbine will not have a material or adverse impact upon the existing levels of residential amenity. Visually it is not considered to be intrusive and will not represent an over dominant feature within the local environment. The turbine is to have a maximum height of 7.5m to the tip of the blade which is approximately 1.9m lower than the highest point of the existing dwelling on site. Furthermore, the turbine will be well screened from most viewpoints due to the existing fir trees on site. Both factors combined reduce its visual dominance. The wind turbine itself is of a domestic scale and is unlikely to be any more visually intrusive than other development which already exists in the area.

- 6.5 In terms of Government guidance and policy, which has been summarised in section 3.2 of this report, strong support is provided for the development of micro renewables. Due to the wind resource which Scotland has, the development of domestic wind turbines is encouraged. It is considered by the Government that they do not represent an intrusive feature within the built form when sited appropriately and are necessary in reducing carbon output/footprints.
- 6.6 In conclusion, it is considered that the proposed wind turbine is acceptable in relation to the relevant Local Plan policies. The turbine is unlikely to have an adverse impact upon the existing levels of residential amenity. Visually the turbine will not be an overly dominant feature within the area due to the existing built form and the level of natural screening. The turbine itself will be 1.9m lower in height than the existing dwelling on site, and as such remains a subsidiary structure to the house. In terms of noise, it is considered that the turbine will be unlikely to have any significant adverse impact upon amenity. If noise nuisance does occur, Environmental Services can take appropriate action to address the same. In addition, consent has previously been granted for the same domestic turbine at this location and there would be no justification to now recommend refusal of the proposal.
- 6.7 Overall and having due regard to the Development Plan and all other material planning considerations, the recommendation is to approve this application as it complies with Local Plan policy, government guidance and will not have an adverse impact upon amenity.
- 7 Reasons for Decision**
- 7.1 The proposal will have no significant adverse impact on amenity, and it complies with the relevant policies of the adopted Local Development Plan 2 (Policies 2, 3, 5, 14, 18, NHE6 and RE1). There are no other material considerations that would justify refusing planning permission.

**David Booth**  
**Executive Director (Community and Enterprise Resources)**

Date: 29 September 2022

**Previous references**

- ◆ HM/09/0589 – Erection of wind turbine within garden ground of dwelling, application approved by Hamilton Area Committee – 9 June 2010
- ◆ HM/09/0384 – Erection of wind turbine within rear garden of dwellinghouse, application withdrawn
- ◆ EK/08/0154 – Installation of two 6 kw wind turbines on 15 metre poles (Blacklaw Primary School, East Kilbride), application approved by Planning Committee – 28 April 2009

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ South Lanarkshire Council Supporting Planning Guidance – Renewable Energy
- ▶ Scottish Planning Policy
- ▶ PAN 45 and PAN 45 Annex
- ▶ Neighbour notification letter dated 01.04.2022
- ▶ Non-notification of neighbours (Hamilton Advertiser) published 28.04.2022

► Consultations

Environmental Services 15.08.2022

► Representations	Dated:
Mr David Marshall, 8 Silverwells, Bothwell, Glasgow, G718AZ	11.04.2022
Mrs Anne Maclean, Lyndhurst, 4 Silverwells, Bothwell, G718AZ	21.04.2022
Neil And Georgina Cameron, 14 Old Mill Road, Bothwell, Glasgow, South Lanarkshire, G71 8AY	06.05.2022
Mr David Calder, Received Via Email	27.04.2022
Laura J Murphy, By Email	14.04.2022
Mr Kevin Moore, 9 Old Mill Road, Glasgow, G718AY	21.04.2022
Mrs Anne Crawford, 7 Fernhill Grange, Bothwell, G71 8SH	22.04.2022
John Brogan, 12 Old Mill Road, Bothwell, G71 8AY	22.04.2022
Mrs Alison Robertson, 10 Old Mill Road, Bothwell, G71 8AY	22.04.2022
Dr Laura J Murphy (on behalf of owners of Rumbolds Acre), 6 Silverwells, Bothwell	25.04.2022
Mrs Margaret Butterly, 6A Silverwells, Bothwell, G71 8AZ	17.04.2022
Raymond Murphy, 6 Silverwells, Bothwell, G71 8AZ	21.04.2022
Mrs Anne & David Ellis, 3 Old Mill Road, Bothwell, Glasgow, G71 8AY	18.04.2022
Mr David Maxwell, 12 Old Mill Road, Bothwell, Glasgow, G71 8AY	21.04.2022
Dr Donald Maclean, 4 Silverwells, Bothwell, Glasgow, G71 8AZ	21.04.2022
Mr Frederick Denton, 14b, Fernhill Grange, Bothwell, G718SH	18.04.2022
Miss Elizabeth Creeley, 2 Silverwells Court, Bothwell G71 8LT	30.04.2022
Mr David Barclay, 4 Fernhill Grange, Bothwell, Glasgow, G71 8SH	19.04.2022
David Kennedy, 5 Fernhill Grange, Bothwell, Glasgow, South Lanarkshire, G71 8SH	22.04.2022

Mrs Janice Walker, 15 Silverwells Crescent, Bothwell, G71 8DR 22.04.2022

Bill Copeland, 6 Silverwells Court, Bothwell, Glasgow, South Lanarkshire, G71 8LT 19.05.2022

Mr Stephen Russell, 1 Silverwells Court, Bothwell, G71 8LT 22.04.2022

Mr Adrian Coia, 3 Fernhill Grange, Bothwell, Glasgow, South Lanarkshire, G71 8SH 20.04.2022

**Contact for further information**

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

David Grant, Graduate Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA

Phone: 07551 841 174

Email: david.grant@southlanarkshire.gov.uk

### **Conditions and reasons**

01. In accordance with ETSU- R- 97 (Simplified Method) the noise from the wind turbine must not exceed an LA90,10min of 35dB at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 10 metres per second at 10m height as measured within the site. Further information confirming the compliance with the requirement shall be submitted to the Planning Authority for their consideration.

A full ETSU-R-97 assessment will be required where cumulative emissions are present and result in an LA90,10min of more than 35dB.

Reason: In the interest of amenity and to limit adverse impact by way of noise within the local area.

02. The proposed layout of the scheme may give rise to potential shadow flicker within sensitive properties. Prior to the proposed development being brought into use, the applicant shall undertake an assessment of the impact of shadow flicker on properties in the vicinity of the site and shall submit the assessment to the Council, as Planning Authority for approval. Where the assessment identifies a property as being affected by shadow flicker then the assessment shall include measures to mitigate this. Cognisance shall be taken of the Department of Energy and Climate Change document 'Update of UK Shadow Flicker Evidence Base' in undertaking the assessment.

Reason: In the interest of amenity and to limit any potential adverse impact stemming from shadow flicker resulting from the development.

03. In the event that turbine becomes obsolete or redundant it must be removed, and the site reinstated to the satisfaction of the Planning Authority within 2 months.

Reason: In the interests of residential and visual amenity.

04. That, for the avoidance of doubt, the mast and turbine hereby approved when measured from ground level to the tip of the blade shall not exceed 7.5 metres.

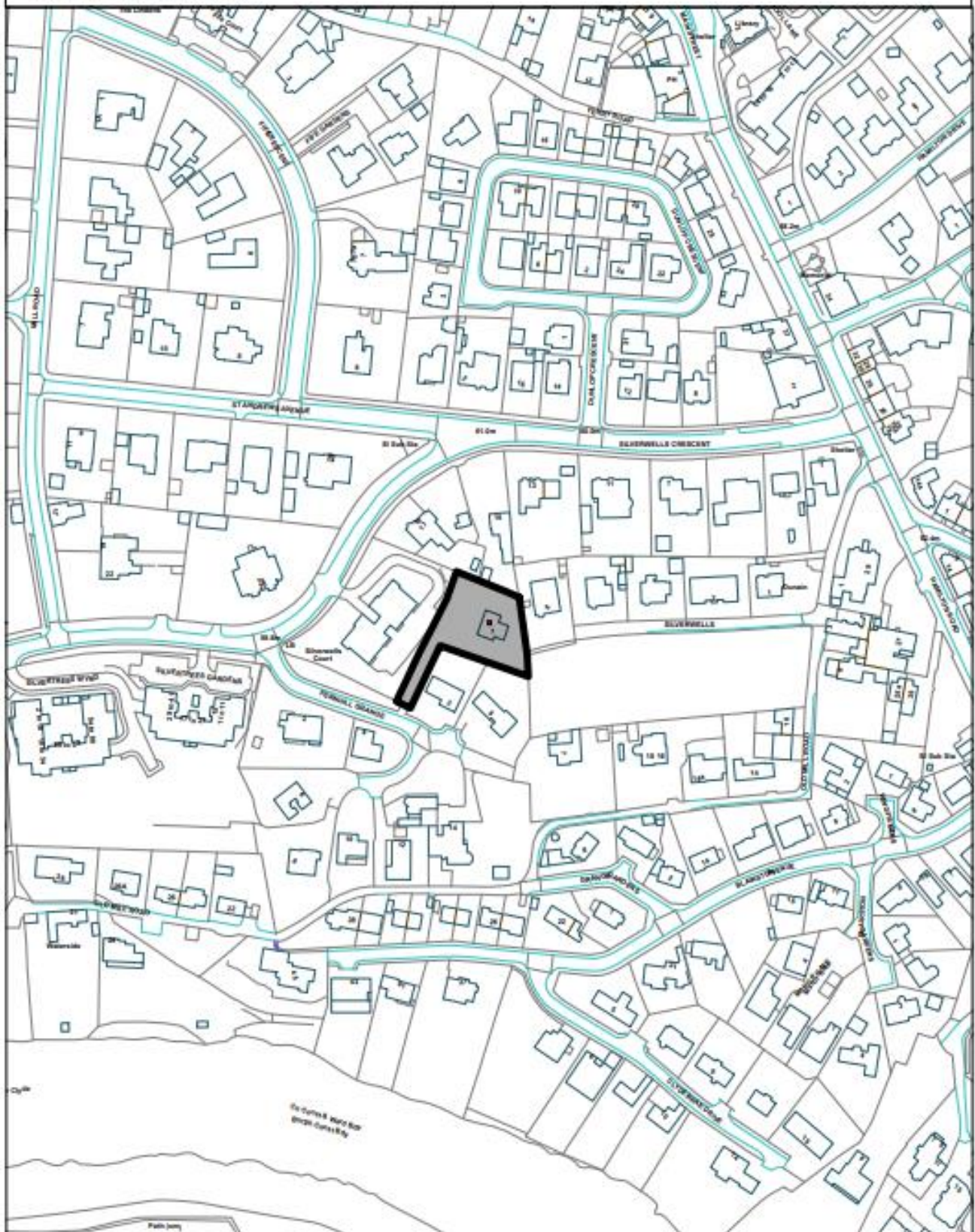
Reason: To retain effective planning control and to minimise any adverse impact upon neighbouring residential properties.

05. That before any development commences on site details and samples of all colours to be used as external finishes on the turbine and mast shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

P/22/0471

1 Fernhill Grange, Bothwell



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15/09/2022



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



# Report

6

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/2093
Planning proposal:	Erection of 37 dwellinghouses and 16 flats with associated roads, landscaping and infrastructure (Approval of matters specified in conditions imposed on consent HM/10/0052)

## 1 Summary application information

Application type:	Approval of matters specified in conditions
Applicant:	Taylor Wimpey West Scotland
Location:	Land to the north of Meikle Earnock Road Hamilton South Lanarkshire

## 2 Recommendation(s)

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

- (1) Grant Matters Specified in Conditions - 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) This development is located within the Hamilton Community Growth Area and will be covered by the Planning Obligation which was agreed as part of the planning permission in principle application (HM/10/0052) for the site. The purpose of the Planning Obligation is to ensure the submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area, namely Roads Infrastructure, Education Provision, Community Facilities and Affordable Housing.

### 3 Other information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted April 2021)**
  - Policy 1 - Spatial Strategy
  - Policy 2 - Climate Change
  - Policy 5 - Development Management and Placemaking
  - Policy 11 - Housing
  - Policy 15 - Travel and Transport
  - Policy DM1 - New Development Design
  - Policy SDCC4 - Sustainable Transport

#### **Residential Design Guide**

#### ◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

#### ◆ **Consultation(s):**

Scottish Water

Community and Enterprise Resources - Play Provision Community Contributions

West of Scotland Archaeology Service

Roads Development Management Team

Roads Flood Risk Management

Environmental Services

Housing Planning Consultations

Countryside and Greenspace

## **Planning Application Report**

### **1 Application Site**

- 1.1 The planning application site extends to approximately 1.9ha and comprises an area of vacant grassland. The site is located to the north of Meikle Earnock Road, to the west of Hamilton, and is identified as being part of the Hamilton Community Growth Area (CGA) within the adopted South Lanarkshire Local Development Plan 2.
- 1.2 The site is enclosed to the north, east and west by vacant grassland and to the south by Meikle Earnock Road. The site is enclosed by vacant land which forms part of the Hamilton Community Growth Area and will also be the subject of future residential development. Construction work has commenced at the Hamilton Community Growth Area although development is far from being completed.

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

- 2.1 The applicant seeks approval for the Matters Specified in Conditions (MSC) application which seeks to address the terms of the conditions attached to the Planning Permission in Principle application (HM/10/0052) relative to the development of the Hamilton Community Growth Area (HCGA) and relates solely to the site identified above.
- 2.2 The proposal relates to the erection of 37 dwellinghouses and 16 flats with associated roads, landscaping and infrastructure at land to the north of Meikle Earnock Road. The proposal relates to the provision of a range of accommodation for the social rented sector and includes a mix of two, three and four bedroom dwellings in the form of terraces, semi-detached and detached properties. These dwellings are two storeys in height. In addition, the development includes one and two bedroom cottage flats, which are two storeys in height. Externally the properties are proposed to be finished in a combination of render, stone, facing brick and glazing panels. Parking would be provided for each property.
- 2.3 The development includes the formation of a new vehicular and pedestrian access to the development from Meikle Earnock Road and other pedestrian and vehicle links into the wider community growth area.
- 2.4 A number of documents were submitted in support of the application, namely an Archaeological Evaluation and a Habitat and Protected Species Survey.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 and its impact on residential amenity, traffic safety and infrastructure issues.
- 3.1.2 The planning application site is designated as being part of a Community Growth Area for Hamilton and as forming part of the Council's housing land supply. Residential uses are supported within such sites, subject to compliance with normal development management criteria. The site is affected by Policy 1 'Spatial Strategy,' Policy 2 'Climate Change,' Policy 5 'Development Management and Place Making,' Policy 11 'Housing,' Policy 15 'Travel and Transport,' Policy DM1 'New Development Design' and Policy SDCC4 'Sustainable Transport' of the adopted Local Development Plan.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 In terms of residential development, Scottish Planning Policy requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also

required to promote the efficient use of land by, where possible, directing development towards sites within existing settlements in order to make effective use of established infrastructure and service capacity.

- 3.2.2 Designing Streets 'A Policy Statement for Scotland' was introduced in March 2010 and establishes the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, 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.

### **3.3 Planning Background**

- 3.3.1 An application for the 'Development of Community Growth Area, Comprising Housing, Neighbourhood Centre, Community Facilities, Access Roads, Open Space and Landscaping (Planning in Principle application: HM/10/0052)' was granted consent on 11 May 2017.

## **4 Consultation(s)**

- 4.1 **Scottish Water** - have offered no objection to the proposal.  
**Response:** Noted.
- 4.2 **Community and Enterprise Resources - Play Provision Community Contributions** – no objection as any contributions would be addressed through the existing planning obligation covering the community growth area.  
**Response:** Noted.
- 4.3 **West of Scotland Archaeology Service** - have offered no objection to the proposal.  
**Response:** Noted.
- 4.4 **Roads Development Management Team** – had initially advised that the developer would require to identify the position of the electric vehicle charging points within the development layout, particularly in relation to the courtyard parking arrangements. These details have now been submitted and they have advised that they have no objection to the development, subject to the imposition of conditions. These conditions relate to the provision of wheel washing facilities, the submission of details of all the site staff and operatives parking requirements and that all HGV traffic associated with the construction of the development shall utilise the Muttonhole Road/Meikle Earnock Road route for access and egress of the site.  
**Response:** Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.
- 4.5 **Roads Flood Risk Management** - have advised that a flood risk assessment which covers the wider CGA site has been previously prepared and submitted. They have offered no objection to the proposal subject to the imposition of conditions relating to the submission of a post development overland flow path drawing and the completion of the appendices from the Council's developer design guidance.  
**Response:** Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.
- 4.6 **Environmental Services** - have advised that they have no objection to the development, subject to the imposition of advisory notes relating to construction noise and nuisance.

**Response:** Noted. It is advised that these requirements can be addressed through the use of advisory notes, where appropriate.

- 4.7 **Housing Planning Consultations** – the provision of social housing was addressed through the planning obligation which covers the community growth area.

**Response:** Noted.

- 4.8 **Countryside and Greenspace** - have advised that they have no objection to the development but noted that the remote path specifications should be the same as the adjacent developments.

**Response:** Noted. It is advised that these requirements can be addressed through the use of a condition, where appropriate.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press and subsequently no third-party representations have been received. Whilst this itself does not automatically mean that consent should be issued, it does suggest that those most likely to be affected by the proposal do not have any serious reservations regarding the development.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks approval for the matters specified in conditions application to address the terms of conditions attached to planning permission in principle application (HM/10/0052) relating to the development of the Hamilton Community Growth Area. The application relates to the erection of 37 dwellinghouses and 16 flats with associated roads, landscaping and infrastructure at land to the north of Meikle Earnock Road, Hamilton.
- 6.2 The determining issues in the consideration of this application are its compliance with national policy, local development plan policy and its impact on residential amenity, traffic safety, environmental matters and infrastructure issues.
- 6.3 With regards to Government guidance and advice, as detailed in section 3.2, Scottish Planning Policy highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted Local Development Plan as being suitable for residential development through its designation as a part of the Community Growth Area for Hamilton. The proposed use therefore raises no issues from a land use perspective and can be considered to accord with national planning policy.
- 6.4 In terms of Local Plan policy, the site is affected by Policies 1 and 2 of the adopted Local Development Plan. The application site is designated as being a Community Growth Area for Hamilton under the terms of Policy 1 of the adopted Local Development Plan. These policies promote sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. The proposal involves the development of an area of vacant land, at a sustainable location in Hamilton as part of the Community Growth Area. Therefore, it is considered that the proposal raises no issues within the context of Policies 1 and 2 of the adopted Local Development Plan.
- 6.5 In addition, the site is affected by Policy 11 of the adopted Local Development Plan and forms part of the Council's housing land supply. Subsequently, the principle of the site for residential use accords with the provisions of Policy 11 of the adopted Local Development Plan.

- 6.6 Policy 5 of the adopted Local Development Plan identifies that all development proposals will require to take account of and be integrated with the local context and built form. It is considered that the design, location and scale of the proposed development is acceptable and will not result in a significant material impact on the streetscape or any nearby properties. Therefore, the proposal raises no issues within the context of Policy 5 of the adopted Local Development Plan.
- 6.7 Policy DM1 of the adopted Local Development Plan relates to the design and layout of all new developments. Given the physical characteristics of the site, it is considered that the development will not result in a significant adverse impact on the neighbouring properties in terms of privacy, overlooking, overshadowing and the proposed dwellinghouses are of a similar scale and style to those being developed elsewhere within the Hamilton CGA. Subsequently, the proposed development accords with the provisions of Policy DM1 of the adopted Local Development Plan. In addition, it is considered that the proposed layout for the development generally accords with the standards set out in the Council's Residential Design Guide.
- 6.8 Policy 15 and Policy SDCC4 of the adopted Local Development Plan seek to ensure that the development considers and, where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. The site is accessible and the development would be integrated into transport walking networks. In addition, Roads and Transportation Services consider that the proposal is acceptable in terms of access, parking and road safety issues. Subsequently, it is considered that the proposal accords with the provisions of Policies 15 and SDCC4 of the adopted Local Development Plan.
- 6.9 In conclusion, the proposal relates to the creation of a high quality housing development on a vacant site which will provide affordable accommodation for the social rented sector. The design, layout and general impact of the development is considered to be acceptable and the proposals comply with the relevant policies contained in the adopted Local Development Plan. In view of the above, it is recommended that planning consent be granted subject to conditions.

## **7 Reasons for Decision**

- 7.1 The proposal will not significantly adversely impact on residential or visual amenity, environmental matters or infrastructure issues. The proposal raises no issues within the policy context of 1, 2, 5, 11, 15, DM1 and SDCC4 of the adopted Local Development Plan 2 and there are no other material considerations which would justify the refusal of planning permission.

**David Booth**

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

Date: 30 September 2022

## **Previous references**

- ◆ HM/10/0052 – Planning Committee – 28 March 2017

### List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Press Advert, Hamilton Advertiser, dated 10 February 2022
  
- ▶ Consultations
  - Scottish Water 09.02.2022
  - West of Scotland Archaeology Service 09.02.2022
  - Roads Development Management Team 14.04.2022  
22.09.2022
  - Roads Flood Risk Management 19.08.2022
  - Environmental Services 02.02.2022
  - Countryside and Greenspace 11.08.2022
  - Community and Enterprise Resources - Play Provision N/A
  - Community Contributions
  - Housing Planning Consultations N/A
  
- ▶ Representations
  - None

### Contact for further information

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

Gail Neely, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
Phone: 07551 841 002  
Email: [gail.neely@southlanarkshire.gov.uk](mailto:gail.neely@southlanarkshire.gov.uk)

**Conditions and reasons**

01. That, unless otherwise agreed with the Council as Planning Authority, the landscaping and open space schemes 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 the 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.

Reason: In the interests of amenity.

02. That prior to works commencing on site a management plan for the maintenance and management of the structural planting within the site shall be submitted to the Council as Planning Authority. Following written approval, the management plan shall be thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

03. That prior to the occupation of each dwellinghouse the approved fences and walls associated with each plot shall be erected and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

04. That, unless otherwise agreed in writing and prior to works commencing on site, the applicant shall submit details to demonstrate each dwelling has access to their own electric vehicle charging (EVC) point. Where parking is provided within a shared courtyard, details shall also include arrangements for siting of charging posts taking account of parking bays/boundary features/pedestrian movement along with maintenance arrangements all for the written approval of the Council as Roads Authority. Thereafter, the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications prior to that property which it serves being occupied.

Reason: To ensure the provision of appropriate facilities on site.

05. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

06. 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.

Reason: To ensure the provision of a satisfactory sewerage system.

07. That, unless otherwise agreed with the Council as Planning Authority, before the development hereby approved is completed or brought into use, the entire access road and footpath network, including un-adopted remote footpaths, serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority. Unless otherwise agreed with the Council as Planning and Roads Authority, all footpaths shall be 2.0 metres in width and be of a bound construction.

Reason: In the interest of public safety.

08. That prior to the commencement of any works associated with the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter. This document shall include details of access and a parking provision (including a parking plan) for staff and operatives, intended working hours, the management and storage of deliveries and the wheel washing facilities.

Reason: In order to retain effective planning control.

09. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved in writing by the Council as Planning Authority.

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

10. That further details of the remote footpath specification shall be submitted to and approved in writing by the Council as Planning Authority and these should accord with the developments adjacent to the site.

Reason: In order to retain effective planning control.

11. That no development shall commence until pre-construction protected species surveys are carried out within the development site and an appropriate surrounding buffer in accordance with the submitted Habitat and Protected Species Survey prepared by Envirocentre (dated August 2021). Where protected species are found to be present and could be impacted by the development, a species protection plan should be submitted to and approved in writing by the Council as Planning Authority.

Reason: In order to retain effective planning control.

12. That prior to any works commencing on site an adequate wheel washing facility must be fully operational and any vehicle transporting excavated material on or off the site shall be treated by means of the wheel washing provision. This facility shall be operation at all times during any earth moving operations and a 'clean zone' should be maintained between the end of the wheel wash facility and the public road to the satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

13. For the avoidance of doubt, all HGV traffic associated with the construction of the development shall utilise the Muttonhole Road/Meikle Earnock Road route for both access and egress to the satisfaction of the Council as Roads and Planning Authority.

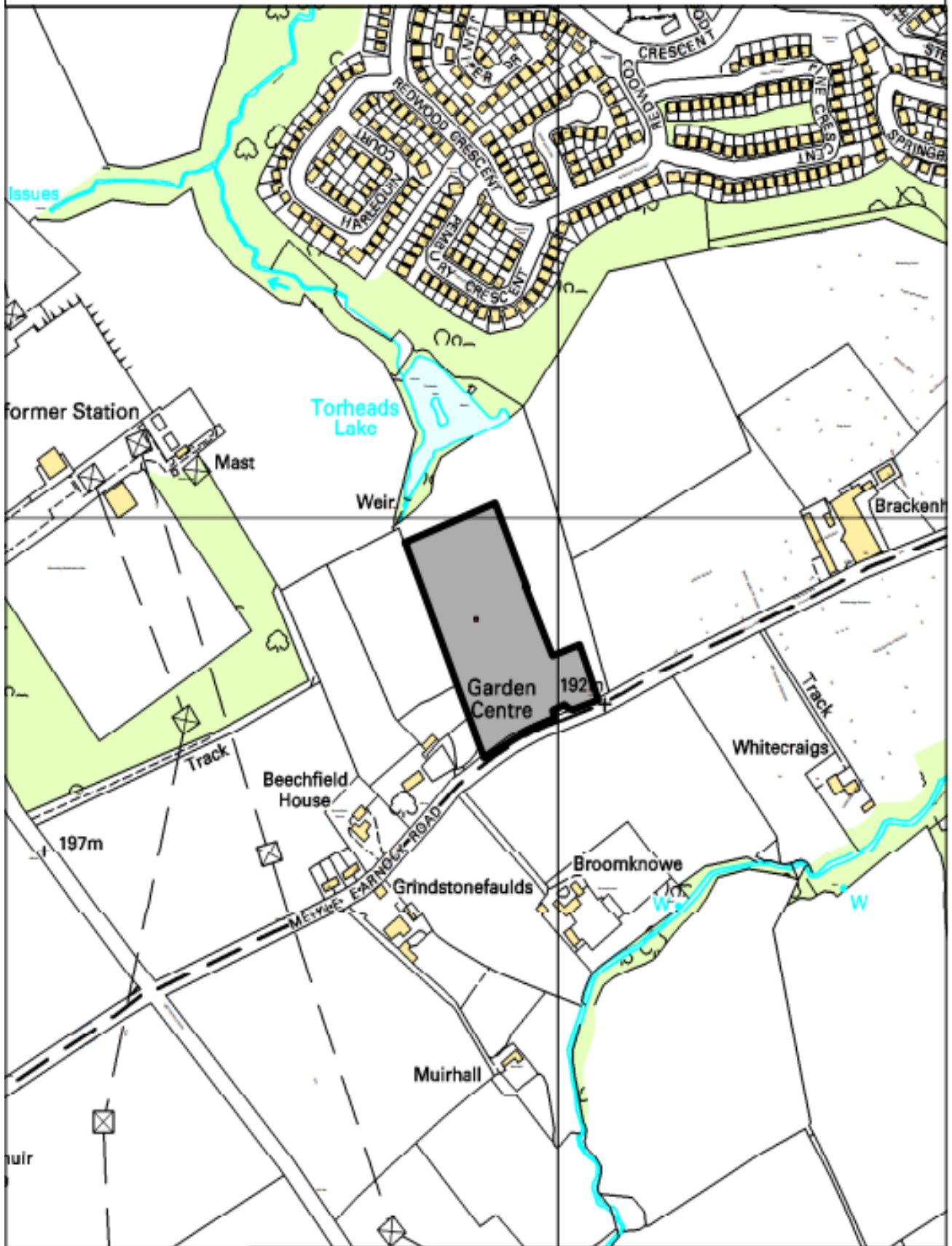
Reason: In order to retain effective planning control.

14. Prior to the occupation of any dwelling within the development, the associated parking spaces for each dwelling shall be formed in accordance with the approved plans and thereafter shall be available for use at all times.

Reason: In order to ensure adequate parking is provided within the development.

P/21/2093

Land to North of Meikle Earnock Road



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16/09/2022



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



# Report

7

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/1811
Planning proposal:	Residential development (153 units) with associated roundabout, roads, landscaping and SUDS (relating to consent HM/10/0052)

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	CALA Homes and Barratt Homes
Location:	Land West of Strathaven Road Hamilton

## 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 conditions attached.

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards other costs associated with the Hamilton Community Growth Area, namely Roads Infrastructure, Education Provision, Community Facilities and Affordable Housing

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

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

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

### 3 Other information

- ◆ Applicant's Agent: Andrew Woodrow
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): Policy 1 - Spatial Strategy  
Policy 2 - Climate change  
Policy 5 - Development Management and Placemaking  
Policy 11 - Housing  
Policy 15 - Travel and Transport  
Policy DM1 - New Development Design  
Policy SDCC4 - Sustainable Transport

#### Residential Design Guide

#### ◆ Representation(s):

- |   |   |                   |
|---|---|-------------------|
| ▶ | 0 | Objection Letters |
| ▶ | 0 | Support Letters   |
| ▶ | 0 | Comment Letters   |

#### ◆ Consultation(s):

Roads Development Management Team  
Roads Flood Risk Management  
Environmental Services  
Countryside and Greenspace  
Community and Enterprise Resources - Play Provision Community Contributions  
Scottish Water  
West of Scotland Archaeology Service  
Strathclyde Partnership for Transport (SPT)  
SP Energy Network  
The Coal Authority Planning and Local Authority Liaison  
Housing Planning Consultations  
SEPA Flooding

## **Planning Application Report**

### **1 Application Site**

- 1.1 The planning application site extends to approximately 10.46 ha. The site relates to former agricultural land and contains the residential property Chapelfield House and an agricultural building. In addition, there are existing trees within the northern boundary of the site.
- 1.2 The site is situated adjacent to the south west of Hamilton, directly adjacent to Strathaven Road, and is identified as being part of the Hamilton Community Growth Area (CGA) within the adopted South Lanarkshire Local Development Plan 2. The site is enclosed to the north by vacant land which forms part of the Hamilton Community Growth Area and to the east by existing residential properties. In addition, the site is enclosed to the south by Strathaven Road and to the west by agricultural land. Construction work has commenced at the Hamilton Community Growth Area although the overall development is far from being completed.

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

- 2.1 The applicant seeks detailed planning consent for 'residential development (153 units) with associated roundabout, roads, landscaping and SUDS (relating to consent HM/10/0052) at land to the west of Strathaven Road, Hamilton.
- 2.2 The proposal relates to the erection of 153 dwellings which includes a range of semi-detached and detached house types which will provide a mix of three, four and five bedroom accommodation. The proposed dwellings are two storeys in height and several of the dwelling types have integrated garages and some have associated detached garages. Each property would benefit from dedicated parking. The dwellings are two storeys in height and externally the dwellings are proposed to be finished in a combination of render, stone walling, glazing panels and concrete roof tiles. In addition, some of the dwellings are proposed to have photovoltaic panels integrated within the roof structure.
- 2.3 The development also includes the formation of a four arm roundabout from Strathaven Road which links to a primary spine road, an established key route through the Hamilton Community Growth Area. In addition, the proposal includes a SUDS area to the north east of the site. Along the western boundary of the site a new Greenbelt boundary will be formed.
- 2.4 A number of documents were submitted in support of the application, namely a Planning Statement, Tree Survey, Noise Assessment, Ground Investigation Report, Flood Risk Assessment, Transport Statement and a Drainage Strategy Report.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 and its impact on residential amenity, traffic safety and infrastructure issues.
- 3.1.2 The planning application site is designated as being part of a Community Growth Area for Hamilton and as forming part of the Council's housing land supply. Residential uses are supported within such sites, subject to compliance with normal development management criteria. The site is affected by Policy 1 'Spatial Strategy,' Policy 2 'Climate Change,' Policy 5 'Development Management and Place Making,' Policy 11 'Housing,' Policy 15 'Travel and Transport,' Policy DM1 'New Development Design' and Policy SDCC4 'Sustainable Transport' of the adopted Local Development Plan.

### **3.2 Relevant Government Advice/Policy**

- 3.2.1 In terms of residential development, Scottish Planning Policy requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by, where possible, directing development towards sites within existing settlements in order to make effective use of established infrastructure and service capacity.
- 3.2.2 Designing Streets 'A Policy Statement for Scotland' was introduced in March 2010 and establishes the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, 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.

### **3.3 Planning Background**

- 3.3.1 An application for the 'Development of Community Growth Area, Comprising Housing, Neighbourhood Centre, Community Facilities, Access Roads, Open Space and Landscaping (Planning in Principle application: HM/10/0052)' was granted consent on 11 May 2017.
- 3.3.2 A Prior Notification has been submitted to the Planning Service for the 'Demolition of Buildings (Chapelfield House)' (P/22/1200) for this planning application site.

## **4 Consultation(s)**

- 4.1 **Roads Development Management Team** - have advised that they have no objection to the development, subject to the imposition of conditions. These conditions relate to the design of the roundabout, visibility splays, the submission of a Bus Service Strategy, parking and the submission of a Construction Traffic Management Plan.  
**Response:** Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.
- 4.2 **Roads Flood Risk Management** - no response to date although they have previously advised that they have no objection in principle to development within the community growth area subject to appropriate conditions.  
**Response:** Noted.
- 4.3 **Environmental Services** - had raised concerns in relation to the potential internal noise levels within some of the dwellings and the proposed noise mitigation at the site. They subsequently requested that further information be submitted by the agent. Environmental Services has reviewed the updated information and have advised that it is considered acceptable, subject to the imposition of a condition relating to noise at the site. In addition, they have advised that they have no objection to the development, subject to the imposition of conditions relating to the submission of a piling method statement, the submission of an air quality impact assessment and advisory notes relating to dust, nuisance and pest control.  
**Response:** Noted. It is advised that these requirements can be addressed through the use of conditions and advisory notes, where appropriate.
- 4.4 **Countryside and Greenspace** – have advised that they have no objection to the development, subject to the imposition of conditions relating to the incorporation of right of way SH25/, aspirational core path HM/5633/1 and the extension of the constructed path directly adjacent to the eastern site boundary. In addition, they have

advised that the new path to be formed adjacent to the SUDS area shall be designed for shared use to allow for cycling.

**Response:** Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.

- 4.5 **Community and Enterprise Resources - Play Provision Community Contributions** – as this site is not currently subject to a planning obligation, contributions should be required as part of a planning obligation on the same terms as the overall community growth area.

**Response:** Noted.

- 4.6 **Scottish Water** - have offered no objection to the proposal.

**Response:** Noted.

- 4.7 **West of Scotland Archaeology Service** - have advised that they have no objection to the proposal, subject to the imposition of a condition relating to the implementation of a programme of archaeological works at the site.

**Response:** Noted. It is advised that these requirements can be addressed through the use of a planning condition, where appropriate.

- 4.8 **SPT** - no response to date.

**Response:** Noted.

- 4.9 **SP Energy Network** - have offered no objection to the proposal.

**Response:** Noted.

- 4.10 **The Coal Authority** - have offered no objection to the proposal.

**Response:** Noted.

- 4.11 **Housing Planning Consultations** - no response to date. The issue of social housing provision within the community growth area (CGA) has previously been dealt with through a planning obligation covering the CGA. This development would be required to enter into and conclude a planning obligation on similar terms.

**Response:** Noted.

- 4.12 **SEPA Flooding** – initially requested that a Flood Risk Assessment (FRA) was submitted in relation to the application. The agent submitted the requested FRA, however, following a review of this document they objected to the proposal on the basis that the proposed development is likely to place buildings and people at flood risk contrary to Scottish Planning Policy. The agent provided a response to the issues raised in the form of a technical memo and SEPA subsequently removed their objection to the proposal.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press and subsequently no third-party representations have been received. Whilst this itself does not automatically mean that consent should be issued, it does suggest that those most likely to be affected by the proposal do not have any serious reservations regarding the development.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning consent for residential development (153 units) with associated roundabout, roads, landscaping and SUDS (relating to consent HM/10/0052) at land to the west of Strathaven Road, Hamilton.

- 6.2 The determining issues in the consideration of this application are its compliance with national policy, local development plan policy and its impact on residential amenity, traffic safety, environmental matters and infrastructure issues.
- 6.3 With regards to Government guidance and advice, as detailed in section 3.2, Scottish Planning Policy highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted Local Development Plan as being suitable for residential development through its designation as part of the Community Growth Area for Hamilton. The proposed use therefore raises no issues from a land use perspective and can be considered to accord with national planning policy.
- 6.4 In terms of Local Plan policy, the site is affected by Policies 1 and 2 of the adopted Local Development Plan. The application site is designated as being a Community Growth Area for Hamilton under the terms of Policy 1 of the adopted Local Development Plan. These policies promote sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. The proposal involves the development of an area of vacant land, at a sustainable location in Hamilton as part of the Community Growth Area. Therefore, it is considered that the proposal raises no issues within the context of Policies 1 and 2 of the adopted Local Development Plan.
- 6.5 In addition, the site is affected by Policy 11 of the adopted Local Development Plan and forms part of the Council's housing land supply. Subsequently, the principle of the site for residential use accords with the provisions of Policy 11 of the adopted Local Development Plan.
- 6.6 Policy 5 of the adopted Local Development Plan identifies that all development proposals will require to take account of and be integrated with the local context and built form. It is considered that the design, location and scale of the proposed development is acceptable and will not result in a significant material impact on the streetscape or any nearby properties. Therefore, the proposal raises no issues within the context of Policy 5 of the adopted Local Development Plan.
- 6.7 Policy DM1 of the adopted Local Development Plan relates to the design and layout of all new developments. Given the physical characteristics of the site, it is considered that the development will not result in a significant adverse impact on the neighbouring properties in terms of privacy, overlooking, overshadowing and the proposed dwellinghouses are of a similar scale and style to those being developed elsewhere within the Hamilton CGA. Subsequently, the proposed development accords with the provisions of Policy DM1 of the adopted Local Development Plan. In addition, it is considered that the proposed layout for the development generally accords with the standards set out in the Council's Residential Design Guide.
- 6.8 Policy 15 and Policy SDCC4 of the adopted Local Development Plan seek to ensure that development considers and, where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. The site is accessible and the development would be integrated into transport walking networks. Conditions can be attached to any consent to ensure that the path layout incorporates the existing right of way and aspiration core path to the north of the site. In addition, Roads and Transportation Services consider that the proposal is acceptable in terms of access, parking and road safety issues. Subsequently, it is considered that the proposal accords with the provisions of Policies 15 and SDCC4 of the adopted Local

Development Plan. Whilst there will be a degree of disruption during construction, conditions are proposed which include measures such as the provision and agreement of a Traffic Management Plan. The purpose is to minimise disruption as much as possible during the construction phase of the development. Whilst work has been ongoing with the Hamilton Community Growth Area for a number of years, it is important that any disruption is minimised and Ward Councillors and the relevant Community Council recently met with Council Officers. It is anticipated that further meetings will be arranged and monitoring undertaken in order to ensure that the development is being undertaken in accordance with the agreed details.

- 6.9 In conclusion, the proposal relates to the creation of a high quality housing development on a vacant site and the design, layout and general impact of the development is considered to be acceptable and the proposals comply with the relevant policies contained in the adopted Local Development Plan. In view of the above, it is recommended that planning consent be granted subject to conditions. However, the issue of consent should be withheld until the conclusion of the associated planning obligation under Section 75 of the Planning Act, or other appropriate legal agreement.

## **7 Reasons for Decision**

- 7.1 The proposal will not significantly adversely impact on residential or visual amenity, environmental matters or infrastructure issues. The proposal raises no issues within the policy context of 1, 2, 5, 11, 15, DM1 and SDCC4 of the adopted Local Development Plan 2 and there are no other material considerations which would justify the refusal of planning permission.

**David Booth**

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

Date: 30 September 2022

### **Previous references**

- ◆ HM/10/0052 – Planning Committee – 28 March 2017
- ◆ P/22/1200

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter, dated 29 October 2021
- ▶ Press Advert, Hamilton Advertiser, dated 11 November 2021
- ▶ Initial Update Surveys, dated August 2021, prepared by Heritage Environmental Limited
- ▶ Planning Statement, dated October 2021, prepared by Barton Wilmore
- ▶ Tree Survey and Arboriculture Constraints Report, dated 28 October 2021, prepared by Alan Motion Tree Consulting Ltd
- ▶ Environmental Noise Assessment for Proposed Residential Development, dated June 2022, prepared by The Airshed
- ▶ Ground Investigation Report, dated February 2022, prepared by Johnson, Poole and Bloomer Ltd
- ▶ Flood Risk Assessment, dated February 2022, prepared by Kay Consulting Limited
- ▶ Transport Statement, dated December 2021, prepared by Dougall Baillie Associates
- ▶ Drainage Strategy Report, dated October, 2021, prepared by Dougall Baillie Associates

► Consultations

Roads Development Management Team	30.09.2022
Roads Flood Risk Management	N/A
Environmental Services	12.08.2022
Countryside and Greenspace	04.11.2021
Community and Enterprise Resources - Play Provision Community Contributions	N/A
Scottish Water	04.11.2021
West of Scotland Archaeology Service	19.11.2021
Strathclyde Partnership for Transport (SPT)	N/A
SP Energy Network	02.11.2021
The Coal Authority Planning and Local Authority Liaison	14.12.2021
Housing Planning Consultations	N/A
SEPA Flooding	19.07.2022 02.03.2022

► Representations

None

**Contact for further information**

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

Gail Neely, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
Phone: 07551 841 002  
Email: [gail.neely@southlanarkshire.gov.uk](mailto:gail.neely@southlanarkshire.gov.uk)

**Conditions and reasons**

01. That, unless otherwise agreed with the Council as Planning Authority, the landscaping and open space schemes 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 the 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.

Reason: In the interests of amenity.

02. That prior to works commencing on site a management plan for the maintenance and management of the structural planting within the site shall be submitted to the Council as Planning Authority. Following written approval, the management plan shall be thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

03. That prior to the occupation of each dwellinghouse the approved fences and walls associated with each plot shall be erected and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

04. That, unless otherwise agreed in writing and prior to works commencing on site, the applicant shall submit details to demonstrate each dwelling has access to their own electric vehicle charging (EVC) point. Thereafter, the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications prior to that property which it serves being occupied.

Reason: To ensure the provision of appropriate facilities on site.

05. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

06. 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.

Reason: To ensure the provision of a satisfactory sewerage system.

07. That, unless otherwise agreed with the Council as Planning Authority, before the development hereby approved is completed or brought into use, the entire access road and footpath network, including un-adopted remote footpaths, serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority. Unless otherwise agreed with the Council as Planning and Roads Authority, all footpaths shall be 2.0 metres in width and be of a bound construction.

Reason: In the interest of public safety.

08. That prior to the commencement of any works associated with the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter. This plan should include details of access and parking provision for staff and visitors, intended working hours, the management and storage of deliveries and further information regarding the provision of wheel washing facilities to prevent mud being carried on to the adopted road. For the avoidance of doubt, all vehicular access to/from the development should be via Strathaven Road.

Reason: In order to retain effective planning control.

09. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved in writing by the Council as Planning Authority.

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

10. That the internal noise levels at any location within the new dwellings with windows open (or under exceptional circumstances closed) shall not exceed-
- a) An LAeq,16hr of 40dB daytime (07:00-23:00) and an LAeq,8hr of 30dB night-time (23:00-07:00).
  - b) The internal LAmax shall not exceed 45dB night-time (23:00-07:00)
  - c) The external levels shall not exceed an LAeq,16hr of 55dB daytime in any rear garden areas, when measured free-field.

Reason: In order to retain effective planning control.

11. That no piling works shall be carried out on the site until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1992 'Evaluation of human exposure to vibration in buildings. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This

statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

Reason: These details have not been submitted or approved.

12. That an air quality impact assessment shall be submitted to and approved in writing by the Council as Planning Authority. This document shall satisfy the Planning Authority that the Local Air Quality Management Objectives for the pollutants specified in the Air Quality Regulations, made under Part IV of the Environment Act 1995, will not be exceeded at any of the proposed dwellings due to the impacts of the proposed development and, or the potential increase in traffic associated with the development. The survey and report should use a method based on the principles set out in the Environmental Protection UK document Development Control: Planning for Air Quality (2010 Update) and Scottish Government publication 'Local Air Quality Management Technical Guidance LAQM.TG(09)' or a method that has been agreed with the Planning Authority.

Reason: In order to retain effective planning control.

13. (a) That remediation of the site shall be carried out in accordance with an 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.

Reason: To ensure the appropriate remediation of the site.

14. That before any development commences 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.

Reason: These details have not been submitted or approved.

15. That no development shall take place within the application site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: These details have not been submitted or approved.

16. That no development shall commence until pre-construction protected species surveys are carried out within the development site and an appropriate surrounding buffer in accordance with the submitted Initial Update Surveys, prepared by Heritage Environmental Limited (dated August 2021). Where protected species are found to be present and could be impacted by the development, a species protection plan should be submitted to and approved in writing by the Council as Planning Authority.

Reason: In order to retain effective planning control.

17. That right of way SH25/ and aspirational core path HM/5633/1 shall be incorporated into the layout and shall include a constructed path which extends directly adjacent to the eastern site boundary and if access control is required this shall be in the form of a self closing gate. In addition, the new path to be formed adjacent to the SUDS area shall be a shared use to allow for cycling. Details of the extended path network shall be submitted to, approved in writing and subsequently implemented to the satisfaction of the Council as Planning Authority.

Reason: To protect the existing right of way and extend the path network.

18. That all works at the site shall be undertaken in accordance with the findings of the Tree Survey and Arboriculture Constraints Report, prepared by Alan Motion Tree Consulting Ltd (dated 28 October 2021), to the satisfaction of the Council as Planning Authority.

Reason: To protect established species.

19. That the proposed roundabout within the site shall be designed in accordance with the DMRB (CD 116) and a Stage 2 Road Safety Audit shall be undertaken and submitted to and approved in writing by the Council prior to commencement of this aspect of the works on site. Following completion of these works, a Stage 3 Road Safety Audit shall be undertaken, submitted to and approved in writing by the Council as Planning and Roads Authority.

Reason: These details have not been submitted or approved.

20. That prior to the commencement of works on site, a phasing plan shall be submitted to, approved in writing and subsequently implemented to the satisfaction of the Council as Planning and Roads Authority.

Reason: These details have not been submitted or approved.

21. That a Bus Service Strategy, which shall include the full length of the spine road and consider the bus stops and future bus stops on Meikle Earnock Road, shall be submitted to, approved in writing by the Council and shall be fully implemented, prior to the occupation of any dwellinghouse within the adjacent residential development.

Reason: These details have not been submitted or approved.

22. That unless otherwise agreed in writing with the Planning Authority, all construction vehicles associated with the development hereby approved shall access the site from the spine road only.

Reason: In order to retain effective planning control.

23. For the avoidance of doubt, there shall be no retaining walls/structures which will impact on the adoptable roads.

Reason: In order to retain effective planning control.

24. That all pedestrian and cyclepaths should be designed to national cycle route standards to the satisfaction of the Council as Planning and Roads Authority.

Reason: In order to retain effective planning control.

25. That each dwelling should have a minimum number of vehicle parking spaces as follows:

1 bedroom – 1 space

2/3 bedrooms – 2 spaces

4 or more bedrooms – 3 spaces

Each of these spaces being in units of 6m x 3m and garages having less than the required internal dimensions of 7m x 3m would not qualify as a formal parking space.

Reason: To ensure adequate parking provision on the site.

26. That no dwellinghouse shall be occupied until the parking spaces associated with the dwellinghouse shall be constructed in accordance with the approved plans to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure adequate parking provision on the site.

27. For the avoidance of doubt, no driveways or off-street parking bays should have a gradient steeper than 10%.

Reason: In order to retain effective planning control.

28. That before any dwellinghouse within the development hereby approved is completed or brought into use, the first two metres (minimum) of the associated driveway shall be surfaced, trapped, and sealed to prevent any deleterious material or water from leaving the driveway to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety and to prevent deleterious material entering the roads.

29. That before the development hereby approved is completed or brought into use, at all road junctions with the spine road, a visibility splay of 4.5metres by 90 metres measured from the road channel shall be provided on both sides of the junction and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas. Thereafter nothing exceeding 0.9 metres in height shall be planted, placed, or erected within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety.

30. That before the development hereby approved is completed or brought into use, at all road junctions within the housing areas a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the

junction and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas. Thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety.

31. That before the development hereby approved is completed or brought into use, at all driveway accesses a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height shall be removed from the sight line areas. Thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety.

32. That prior to any works commencing on site an adequate wheel washing facility must be fully operational and any vehicle transporting excavated material on or off the site shall be treated by means of the wheel washing provision. This facility shall be operation at all times during any earth moving operations and a 'clean zone' should be maintained between the end of the wheel wash facility and the public road to the satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

33. That the two structures associated with the crossing of the unnamed watercourse, on the northern boundary, will both be subject to the full Technical Approval process for a 'Category 1' structure to the satisfaction of the Council as Roads and Planning Authority.

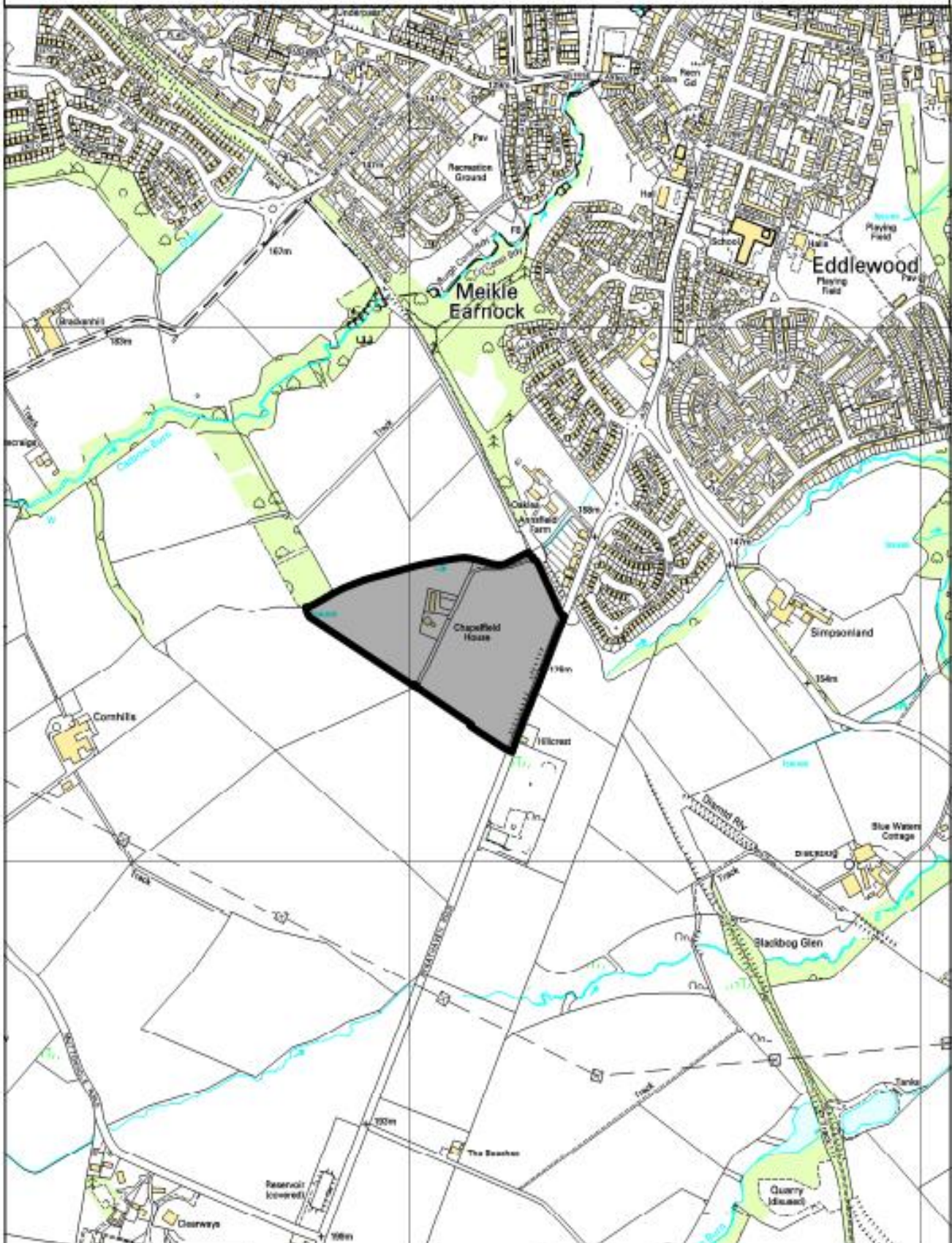
Reason: In order to retain effective planning control.

34. That prior to commencement of works on site relating to any topsoil stripping, ground investigation or earthworks, the applicant shall undertake an invasive weed survey to identify nuisance weeds such as Horsetail. The weed survey and a proposed remediation strategy shall be submitted to and approved in writing by the Council as Roads and Planning Authority and all works shall be progressed in accordance with the agreed remediation strategy.

Reason: That no invasive weeds or nuisance weeds are permitted below or within influencing distance of the public road as deemed appropriate by the Council.

P/21/1811

Land to the West of Strathaven Road, Hamilton



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Scale:  
1:10,000  
Date:  
15/09/2022



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



# Report

8

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/1812
Planning proposal:	Residential development (628 units) with associated roads, landscaping and SUDS (Approval of matters specified in conditions imposed on consent HM/10/0052; namely Conditions 2, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20 and 22)

## 1 Summary application information

Application type: Approval of matters specified in conditions

Applicant: Cala Homes and Barratt Homes  
Location: Land to the West of Strathaven Road  
Hamilton

## 2 Recommendation(s)

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

- (1) Grant Matters Specified in Conditions - 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) This development is located within the Hamilton Community Growth Area and will be covered by the Planning Obligation which was agreed as part of the planning permission in principle application (HM/10/0052) for the site. The purpose of the Planning Obligation is to ensure the submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area, namely Roads Infrastructure, Education Provision, Community Facilities and Affordable Housing.

## 3 Other information

- ◆ Applicant's Agent: Andrew Woodrow
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): Policy 1 - Spatial Strategy  
Policy 2 - Climate Change

Policy 5 - Development Management and Placemaking  
 Policy 11 - Housing  
 Policy 15 - Travel and Transport  
 Policy DM1 - New Development Design  
 Policy SDCC4 - Sustainable Transport

## Residential Design Guide

### ◆ Representation(s):

▶	16	Objection Letters
▶	2	Support Letters
▶	1	Comment Letter

### ◆ Consultation(s):

SEPA Flooding

Roads Flood Risk Management

Countryside and Greenspace

Community and Enterprise Resources - Play Provision Community Contributions

West of Scotland Archaeology Service

SPT

SP Energy Network

Nature.Scot

The Coal Authority Planning and Local Authority Liaison

Housing Planning Consultations

Roads Development Management Team

Environmental Services

Scottish Water

## **Planning Application Report**

### **1 Application Site**

- 1.1 The planning application site is located within the Hamilton Community Growth Area (HCGA) and consists of former agricultural land. The site is irregular in shape and extends to approximately 44 hectares. The site is undulating and rises from the south west corner to the north east section of the site.
- 1.2 The site is situated adjacent to the south west of Hamilton, in close proximity to Strathaven Road, and is identified as being part of the Hamilton Community Growth Area (HCGA) within the adopted South Lanarkshire Local Development Plan 2. The site is bounded by land which forms part of the Hamilton Community Growth Area and to the east by existing residential properties. To the south of the site is Strathaven Road and to the west there is further agricultural land. Construction work has commenced at the Hamilton Community Growth Area although the overall development is far from being completed.

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

- 2.1 The applicant seeks approval for the Matters Specified in Conditions (MSC) application which seeks to address the terms of the conditions attached to the Planning Permission in Principle application (HM/10/0052) relative to the development of the Hamilton Community Growth Area (HCGA) and relates solely to the site identified above. The proposal seeks consent for 628 residential units, with associated roads, landscaping and SUDS at land to the west of Strathaven Road, Hamilton.
- 2.2 The proposal relates to the erection of 628 dwellings and includes 49 affordable units. The house types include a range of cottage flats, terraces, semi-detached and detached house types which will provide a mix of three, four and five bedroom accommodation. The proposed dwellings are two storeys in height and several of the dwelling types have integrated garages and some have associated detached garages. Each property would benefit from dedicated parking. The dwellings are two storeys in height and externally the dwellings are proposed to be finished in a combination of render, stone walling, glazing panels and concrete roof tiles. In addition, some of the dwellings are proposed to have photovoltaic panels integrated within the roof structure.
- 2.3 The development also includes the formation of a crossing over the Cadzow Burn which will allow Strathaven Road and Meikle Earnock Road to be linked and which is a key component of the whole HCGA. There will also be landscaped areas throughout the development. In addition, the proposal includes a SUDS area to the north east of the site. Along the western boundary of the site a new Greenbelt boundary will be formed.
- 2.4 A number of documents were submitted in support of the application, namely a Planning Statement, Tree Survey, Noise Assessment, Ground Investigation Report, Flood Risk Assessment, Transport Statement and a Drainage Strategy Report.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 and its impact on residential amenity, traffic safety and infrastructure issues.

- 3.1.2 The planning application site is designated as being part of a Community Growth Area for Hamilton and as forming part of the Council's housing land supply. Residential uses are supported within such sites, subject to compliance with normal development management criteria. The site is affected by Policy 1 'Spatial Strategy,' Policy 2 'Climate Change,' Policy 5 'Development Management and Place Making,' Policy 11 'Housing,' Policy 15 'Travel and Transport,' Policy DM1 'New Development Design' and Policy SDCC4 'Sustainable Transport' of the adopted Local Development Plan.

### **3.2 Relevant Government Advice/Policy**

- 3.2.1 In terms of residential development, Scottish Planning Policy requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by, where possible, directing development towards sites within existing settlements in order to make effective use of established infrastructure and service capacity.
- 3.2.2 Designing Streets 'A Policy Statement for Scotland' was introduced in March 2010 and establishes the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, 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.

### **3.3 Planning Background**

- 3.3.1 An application for the 'Development of Community Growth Area, Comprising Housing, Neighbourhood Centre, Community Facilities, Access Roads, Open Space and Landscaping (Planning in Principle application: HM/10/0052)' was granted consent on 11 May 2017.
- 3.3.2 A planning application for 'Drainage engineering works associated with Hamilton Community Growth Area development' (P/22/0941) has been submitted and is being assessed by the Planning Authority.

## **4 Consultation(s)**

- 4.1 **Roads Development Management Team** - have advised that they have no objection to the development, subject to the imposition of conditions. These conditions relate to phasing (including any crossing over the Cadzow Burn), the provision of a bus service strategy, access, parking and the submission of a Construction Traffic Management Plan.

In addition, they have advised that the delivery of the spine road would enable an alternative route for drivers travelling towards Strathaven Road. As such, it would be proposed to include a condition to request a phasing plan which would seek to ensure the spine road is connected to Meikle Earnock Road at an early stage in the construction programme whilst acknowledging the commercial aspects of overall development. The applicants have confirmed it would be their intention to deliver the culvert over the Cadzow Burn at an early stage. It would also be a condition that construction traffic for P/21/1811 and P/21/1812 would only be permitted to take access from Strathaven Road; with the exception of the construction traffic required to deliver the culvert over the Cadzow Burn which would be taken from Meikle Earnock Road. This would reduce the potential volume of construction traffic on Meikle Earnock Road.

**Response:** Noted. It is advised that these requirements can be addressed through the use of planning conditions, where appropriate.

- 4.2 **Roads Flood Risk Management** - no response to date although they have previously advised that they have no objection in principle to development within the community growth area subject to appropriate conditions.

**Response:** Noted.

- 4.3 **Environmental Services** - had raised concerns in relation to the potential internal noise levels within some of the dwellings and the proposed noise mitigation at the site. They subsequently requested that further information be submitted by the agent. Environmental Services has reviewed the updated information and have advised that it is considered acceptable, subject to the imposition of a condition relating to noise at the site. In addition, they have advised that they have no objection to the development, subject to the imposition of conditions relating to the submission of a piling method statement, the submission of an air quality impact assessment and advisory notes relating to dust, nuisance and pest control.

**Response:** Noted. It is advised that these requirements can be addressed through the use of conditions and advisory notes, where appropriate.

- 4.4 **Countryside and Greenspace** – no response to date.

**Response:** Noted.

- 4.5 **Community and Enterprise Resources - Play Provision Community Contributions** – this site is subject to a planning obligation which covers the majority of the HCGA and the level of contributions required has previously been agreed. The development will be required to comply with the terms of the existing planning obligation.

**Response:** Noted.

- 4.6 **SPT** - no response to date.

**Response:** Noted.

- 4.7 **SP Energy Network** - have offered no objection to the proposal.

**Response:** Noted.

- 4.8 **NatureScot** - no response to date.

**Response:** Noted.

- 4.9 **The Coal Authority** - have offered no objection to the proposal.

**Response:** Noted.

- 4.10 **Housing Planning Consultations** - this site is subject to a planning obligation which covers the majority of the HCGA and the affordable housing provision has previously been agreed. The development will be required to comply with the terms of the existing planning obligation.

**Response:** Noted.

- 4.11 **Scottish Water** - have offered no objection to the proposal.

**Response:** Noted.

- 4.12 **West of Scotland Archaeology Service** - have advised that they have no objection to the proposal, subject to the imposition of a condition relating to the implementation of a programme of archaeological works at the site.

**Response:** Noted. It is advised that these requirements can be addressed through the use of a planning condition, where appropriate.

- 4.13 **SEPA Flooding** – initially requested that a Flood Risk Assessment (FRA) was submitted in relation to the application. The agent submitted the requested FRA, however, following a review of this document they objected to the proposal on the basis that the proposed development is likely to place buildings and people at flood risk contrary to Scottish Planning Policy. The agent provided a response to the issues raised in the form of a technical memo and SEPA subsequently removed their objection to the proposal.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press. Following this publicity, 16 letters of representation were received, 2 letters of support and 1 letter of comment. The grounds of objection can be summarised as follows:-

- a) **Concern that there is yet more housing proposed without appropriate transport, medical facilities or schools provision.**

**Response:** The proposed development is designated as part of the Hamilton Community Growth Area and the provision of new dwellings associated with transport links, education and other services have been key elements of this large scale Local Development Plan allocation. In particular, through the determination of the previous 'Planning Permission in Principle' application (HM/10/0052), for the overall Hamilton CGA, any impact on existing facilities was assessed and an appropriate level of developer contributions set which will be delivered through a legal agreement.

- b) **Concern that the proposal will have an adverse impact on the green space areas and will result in the loss of Greenbelt.**

**Response:** The site lies within an area designated as a Community Growth Area within the adopted Local Development Plan and is not Greenbelt land. The release of this undeveloped land for housing has been fully assessed during the Local Development Plan process.

- c) **The development will result in noise pollution.**

**Response:** It is generally accepted that any construction works will result in a short term disruption and will result in an increase in noise levels in the area. Notwithstanding this issue, Environmental Services have been consulted in relation to the proposal and it is intended to attach appropriately worded conditions, or informative, to address such concerns. Furthermore, any issues in terms of noise can also be pursued, where appropriate, through Environmental Services.

- d) **An existing road had previously collapsed and there is concern over the increase in traffic in the area.**

**Response:** The site forms part of the proposed Hamilton Community Growth Area which is identified for residential purposes within the adopted Local Development Plan. The application site also lies within the previous application for 'Planning Permission in Principle' (HM/10/0052) which aims to assist in the delivery of the Community Growth Area and was the subject of extensive assessment. In terms of the impact on the roads infrastructure, a number of improvements were identified which will be delivered, at appropriate times, throughout the delivery of the overall Hamilton CGA

proposal. In terms of the current application, it is noted that Roads and Transportation Services have offered no objections in terms of these concerns.

- e) **Flooding and drainage is an issue at the site and the current drainage system cannot sustain the proposed amount of houses without upgrading and replacing the system.**

**Response:** A Flood Risk Assessment was submitted and assessed as part of the planning submission and is considered acceptable. In addition, a planning application for 'Drainage engineering works associated with Hamilton Community Growth Area development' (P/22/0941) has been submitted and is being assessed by the Planning Authority.

- f) **Concern regarding the impact on wildlife at the site.**

**Response:** An Initial Update Survey, prepared by Heritage Environmental Limited, was part of the supporting documents submitted relating to the application. This document reviews the potential impact that the proposal has in relation to established wildlife at the site and identifies provided avoidance and mitigation measures.

- g) **We feel that community engagement has been non-existent and the community feel like they should have been able to have their say.**

**Response:** Noted.

- h) **It is not clear where the funding relating to these sites has been used.**

**Response:** Noted.

- i) **The builders have not been adhering to the conditions set by South Lanarkshire Council and the public need clarification that monitoring is being undertaken.**

**Response:** The Planning Service review and discharge the appropriate information relating to planning conditions. In addition, any issues relating to the conditions not being correctly adhered to by developers should be directed to the Councils Planning Enforcement Team.

- j) **There is confusion regarding the originally submitted Transport Assessment from 2009 and the closure of some roads to private vehicles and we would like to arrange a meeting regarding this matter.**

**Response:** An updated Transport Statement, dated December 2021, has been submitted in support of the planning application which provides further details in relation to transport issues associated with this site.

- k) **Concern regarding pollution at the site.**

**Response:** Environmental Services has been consulted in relation to this matter and they have advised that the agent should submit an air quality impact assessment for review and it is considered that an appropriate condition relating to this matter could be attached to any consent granted.

- l) **The proposed path networks have been poorly linked to the streets.**

**Response:** Roads and Transportation Services have been consulted in relation to the proposed development and they have not raised any issues in this regard.

- m) **More provision should be made for future expansion to the south.**

**Response:** This is a matter for the local development plan process.

- n) **A wider range of house styles should be incorporated.**

**Response:** It is considered that across the Hamilton Community Growth Areas a wide range of housing types will be provided.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

6.1 The applicant seeks detailed planning consent for residential development (628 units) with associated roads, landscaping and SUDS (relating to consent HM/10/0052) at land to the west of Strathaven Road, Hamilton.

6.2 The determining issues in the consideration of this application are its compliance with national policy, local development plan policy and its impact on residential amenity, traffic safety, environmental matters and infrastructure issues.

6.3 With regards to Government guidance and advice, as detailed in section 3.2, Scottish Planning Policy highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted Local Development Plan as being suitable for residential development through its designation as part of the Community Growth Area for Hamilton. The proposed use therefore raises no issues from a land use perspective and can be considered to accord with national planning policy.

6.4 In terms of Local Plan policy, the site is affected by Policies 1 and 2 of the adopted Local Development Plan. The application site is designated as being a Community Growth Area for Hamilton under the terms of Policy 1 of the adopted Local Development Plan. These policies promote sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. The proposal involves the development of an area of vacant land, at a sustainable location in Hamilton as part of the Community Growth Area. Therefore, it is considered that the proposal raises no issues within the context of Policies 1 and 2 of the adopted Local Development Plan.

6.5 In addition, the site is affected by Policy 11 of the adopted Local Development Plan and forms part of the Council's housing land supply. Subsequently, the principle of the site for residential use accords with the provisions of Policy 11 of the adopted Local Development Plan.

6.6 Policy 5 of the adopted Local Development Plan identifies that all development proposals will require to take account of and be integrated with the local context and built form. It is considered that the design, location and scale of the proposed development is acceptable and will not result in a significant material impact on the streetscape or any nearby properties. Therefore, the proposal raises no issues within the context of Policy 5 of the adopted Local Development Plan.

6.7 Policy DM1 of the adopted Local Development Plan relates to the design and layout of all new developments. Given the physical characteristics of the site, it is considered that the development will not result in a significant adverse impact on the nearby properties in terms of privacy, overlooking, overshadowing and the proposed dwellinghouses are of a similar scale and style to those being developed elsewhere within the HCGA. Subsequently, the proposed development accords with the

provisions of Policy DM1 of the adopted Local Development Plan. In addition, it is considered that the proposed layout for the development generally accords with the standards set out in the Council's Residential Design Guide.

6.8 Policy 15 and Policy SDCC4 of the adopted Local Development Plan seek to ensure that development considers and, where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. The site is accessible and the development would be integrated into transport walking networks. Through the provision of a crossing over the Cadzow Burn, the two portions of the HCGA can be linked and the through road will provide direct vehicular access between Strathaven Road and Meikle Earnock Road. Conditions can be attached to any consent to ensure that the path layout incorporates the existing right of way and aspiration core path to the north of the site. In addition, Roads and Transportation Services consider that the proposal is acceptable in terms of access, parking and road safety issues. Subsequently, it is considered that the proposal accords with the provisions of Policies 15 and SDCC4 of the adopted Local Development Plan. Whilst there will be a degree of disruption during construction, conditions are proposed which include measures such as the provision and agreement of a Traffic Management Plan. The purpose is to minimise disruption as much as possible during the construction phase of the development. Whilst work has been ongoing with the Hamilton Community Growth Area for a number of years, it is important that any disruption is minimised and local ward Councillors and the relevant Community Council recently met with Council Officers. It is anticipated that further meetings will be arranged and monitoring undertaken in order to ensure that the development is being undertaken in accordance with the agreed details.

6.9 In conclusion, the proposal relates to the creation of a high quality housing development on a vacant site and the design, layout and general impact of the development is considered to be acceptable and the proposals comply with the relevant policies contained in the adopted Local Development Plan. In view of the above, it is recommended that planning consent be granted subject to conditions. The development will be subject to the terms of the associated planning obligation under Section 75 of the Planning Act covering the HCGA, or other appropriate legal agreement.

## **7 Reasons for Decision**

7.1 The proposal will not significantly adversely impact on residential or visual amenity, environmental matters or infrastructure issues. The proposal raises no issues within the policy context of 1, 2, 5, 11, 15, DM1 and SDCC4 of the adopted Local Development Plan 2 and there are no other material considerations which would justify the refusal of planning permission.

**David Booth**

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

Date: 3 October 2022

## **Previous references**

♦ HM/10/0052 – Planning Committee – 28 March 2017

## List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter, dated 29 October 2021 and 26 January 2022
  
- ▶ Consultations

SEPA Flooding	02.03.2022 20.07.2022
Roads Flood Risk Management	N/A
Countryside and Greenspace	N/A
Community and Enterprise Resources - Play Provision Community Contributions	N/A
West of Scotland Archaeology Service	19.11.2021
SPT	N/A
SP Energy Network	02.11.2021
Nature.Scot	N/A
Housing Planning Consultations	N/A
Scottish Water	22.11.2021
Roads Development Management Team	30.09.2022
Environmental Services	16.08.2022
The Coal Authority Planning and Local Authority Liaison	13.12.2021

▶ Representations	Dated:
Miss Sarah Lean, 27 Whitecraigs Crescent, Hamilton, ML3 8SN	25.02.2022
Mr George Bebbington, 75 Corsehill Crescent, Hamilton, ML3 8FD	24.02.2022
Mrs Carla McGuinness, 22 Redwood Crescent, Hamilton, ML3 8SZ	24.02.2022
Mr Arthur Hailstones, 31 Macdairmid Drive, Hamilton, ML3 8AZ	22.02.2022
Mrs Carrie Cullen, 12a Russell Street, Hamilton, ML3 0QP	22.02.2022
Mr Gary Tierney, 46 Nevis Ave, Hamilton, ML3 8UA	22.03.2022
Mrs Vicki Hailstones, 31, Macdermid Drive, Hamilton, ML3 8AZ	22.02.2022

Mrs Ann Marie Nichol, 6 MacDairmid Drive, Hamilton, ML3 8AZ	24.02.2022
Miss SHARON MONTAGUE, 85B MEIKLE EARNOCK ROAD, HAMILTON, ML38AG	22.02.2022
Miss Mackenzie Finlay, 162 Wellhall Road, Hamilton, ML3 9XW	22.02.2022
Miss Lesley Auld, 150 West Wellhall Wynd, Hamilton, ML3 9GA	22.02.2022
Miss Amy Rowsell, 85, Meikle Earnock Road, Hamilton, ML3 8AG	27.02.2022
Mr Darren Russell, 71 Corsehill Crescent, Hamilton, ML3 8FD	22.02.2022
Mrs Emma McCallum, Cadzow View, 12 Harrowslaw Drive, Hamilton, ML3 8SL	23.02.2022
Ms Leigh Ann Thompson, 225 Meikle Earnock Road, Hamilton, ML3 8RZ	28.02.2022
Mrs Ellison Dunn, 85A MEIKLE EARNOCK ROAD, HAMILTON, ML3 8AG	22.02.2022
Miss Tracy Mullen, 37 Linden Lea, Hamilton, ML3 9AG	22.02.2022
Mr John McPartlin, 20 Scotia Gardens, Hamilton, ML3 8XA	22.02.2022
Mrs Karen O'Reilly, 54 Corsehill Crescent, Hamilton, ML3 8FE	24.02.2022

### **Contact for further information**

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

Gail Neely, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
Phone: 07551841002  
Email: [gail.neely@southlanarkshire.gov.uk](mailto:gail.neely@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That, unless otherwise agreed with the Council as Planning Authority, the landscaping and open space schemes 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 the 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.

Reason: In the interests of amenity.

02. That prior to works commencing on site a management plan for the maintenance and management of the structural planting within the site shall be submitted to the Council as Planning Authority. Following written approval, the management plan shall be thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

03. That prior to the occupation of each dwellinghouse the approved fences and walls associated with each plot shall be erected and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

04. That, unless otherwise agreed in writing and prior to works commencing on site, the applicant shall submit details to demonstrate each dwelling has access to their own electric vehicle charging (EVC) point. Thereafter, the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications prior to that property which it serves being occupied.

Reason: To ensure the provision of appropriate facilities on site.

05. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

06. 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.

Reason: To ensure the provision of a satisfactory sewerage system.

07. That, unless otherwise agreed with the Council as Planning Authority, before the development hereby approved is completed or brought into use, the entire access road and footpath network, including un-adopted remote footpaths, serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority. Unless otherwise agreed with the Council as Planning and Roads Authority, all footpaths shall be 2.0 metres in width and be of a bound construction.

Reason: In the interest of public safety.

08. That prior to the commencement of any works associated with the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter. This plan should include details of access and parking provision for staff and visitors, intended working hours, the management and storage of deliveries and further information regarding the provision of wheel washing facilities to prevent mud being carried on to the adopted road. For the avoidance of doubt, all vehicular access to and from the development should be via Strathaven Road with the exception of any such vehicles involved in the construction of the Cadzow Burn crossing, which should utilise the Muttonhole Road/Meikle Earnock Road route, if necessary.

Reason: In order to retain effective planning control.

09. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved in writing by the Council as Planning Authority.

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

10. That the internal noise levels at any location within the new dwellings with windows open (or under exceptional circumstances closed) shall not exceed-
- a) An LAeq,16hr of 40dB daytime (07:00-23:00) and an LAeq,8hr of 30dB night-time (23:00-07:00).
  - b) The internal L<sub>Amax</sub> shall not exceed 45dB night-time (23:00-07:00)
  - c) The external levels shall not exceed an LAeq,16hr of 55dB daytime in any rear garden areas, when measured free-field.

Reason: In order to retain effective planning control.

11. That no piling works shall be carried out on the site until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 1992

'Evaluation of human exposure to vibration in buildings.' It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.

Reason: These details have not been submitted or approved.

12. That an air quality impact assessment shall be submitted to and approved in writing by the Council as Planning Authority. This document shall satisfy the Planning Authority that the Local Air Quality Management Objectives for the pollutants specified in the Air Quality Regulations, made under Part IV of the Environment Act 1995, will not be exceeded at any of the proposed dwellings due to the impacts of the proposed development and, or the potential increase in traffic associated with the development. The survey and report should use a method based on the principles set out in the Environmental Protection UK document Development Control: Planning for Air Quality (2010 Update) and Scottish Government publication 'Local Air Quality Management Technical Guidance LAQM.TG(09)' or a method that has been agreed with the Planning Authority.

Reason: In order to retain effective planning control.

13. (a) That remediation of the site shall be carried out in accordance with an 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.

Reason: To ensure the appropriate remediation of the site.

14. That before any development commences 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.

Reason: These details have not been submitted or approved.

15. That no development shall take place within the application site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources

within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: These details have not been submitted or approved.

16. That no development shall commence until pre-construction protected species surveys are carried out within the development site and an appropriate surrounding buffer in accordance with the submitted Initial Update Surveys, prepared by Heritage Environmental Limited (dated August 2021). Where protected species are found to be present and could be impacted by the development, a species protection plan should be submitted to and approved in writing by the Council as Planning Authority.

Reason: In order to retain effective planning control.

17. That all works at the site shall be undertaken in accordance with the findings of the Tree Survey and Arboriculture Constraints Report, prepared by Alan Motion Tree Consulting Ltd (dated 28 October 2021), to the satisfaction of the Council as Planning Authority.

Reason: To protect established species.

18. That, unless otherwise agreed with the Council as Planning and Roads Authority, before the development hereby approved is completed or brought into use, parking shall be provided to the following standards and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Parking Standards

All units up to 3 bedrooms - 2 spaces

All units of 4 or more bedrooms - 3 spaces

Under National Roads Development Guide, a single garage can be counted towards a parking space providing the minimum internal dimensions are equal to or greater than 7.0m x 3.0m.

All parking bays serving terraced properties should be at right angles to the road and be 6.0m in length. All parking courtyards shall have a central aisle width of 6.0m with parking bays of 2.5m x 5.0m.

Reason: In order to retain effective planning control.

19. That no development shall commence until details of the phasing of the development particularly in relation to the crossing across the Cadzow Burn shall be submitted to and approved in writing by the Council for approval. Following approval, the development shall be implemented in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: In order to ensure a properly programmed development.

20. That a Bus Service Strategy, which shall include the full length of the spine road and considers the bus stops and future bus stops on Meikle Earnock Road, shall be submitted to, approved in writing by the Council. The Bus Service Strategy shall be fully implemented, prior to the completion of the development.

Reason: These details have not been submitted or approved.

21. That unless otherwise agreed in writing with the Planning Authority, all construction vehicles associated with the development hereby approved shall access the site from the spine road only.

Reason: In order to retain effective planning control.

22. For the avoidance of doubt, there shall be no retaining walls/structures which will impact on the adoptable roads.

Reason: In order to retain effective planning control.

23. That all pedestrian and cyclepaths shall be designed to national cycle route standards to the satisfaction of the Council as Planning and Roads Authority.

Reason: In order to retain effective planning control.

24. That no dwellinghouse shall be occupied until the parking spaces associated with the dwellinghouse shall be constructed in accordance with the approved plans to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure adequate parking provision on the site.

25. For the avoidance of doubt, no driveways or off-street parking bays should have a gradient steeper than 10%.

Reason: In order to retain effective planning control.

26. That before any dwellinghouse within the development hereby approved is completed or brought into use, the first two metres (minimum) of the associated driveway shall be surfaced, trapped, and sealed to prevent any deleterious material or water from leaving the driveway to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety and to prevent deleterious material entering the roads.

27. That before the development hereby approved is completed or brought into use, at all road junctions with the spine road, a visibility splay of 4.5 metres by 90 metres measured from the road channel shall be provided on both sides of the junction and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas. Thereafter nothing exceeding 0.9 metres in height shall be planted, placed, or erected within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety.

28. That before the development hereby approved is completed or brought into use, at all road junctions within the housing areas a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the junction and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas. Thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety.

29. That before the development hereby approved is completed or brought into use, at all driveway accesses a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height shall be removed from the sight line areas. Thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic safety.

30. That prior to any works commencing on site an adequate wheel washing facility must be fully operational and any vehicle transporting excavated material on or off the site shall be treated by means of the wheel washing provision. This facility shall be operation at all times during any earth moving operations and a 'clean zone' should be maintained between the end of the wheel wash facility and the public road to the satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

31. The structure associated with the Cadzow Burn watercourse crossing will be subject to the full Technical Approval process for a 'Category 1' structure to the satisfaction of the Council as Roads and Planning Authority.

Reason: In order to retain effective planning control.

32. Further information relating to a review of the pedestrian and cycle linkages to the black path shall be undertaken and submitted to the Council as Planning and Roads Authority.

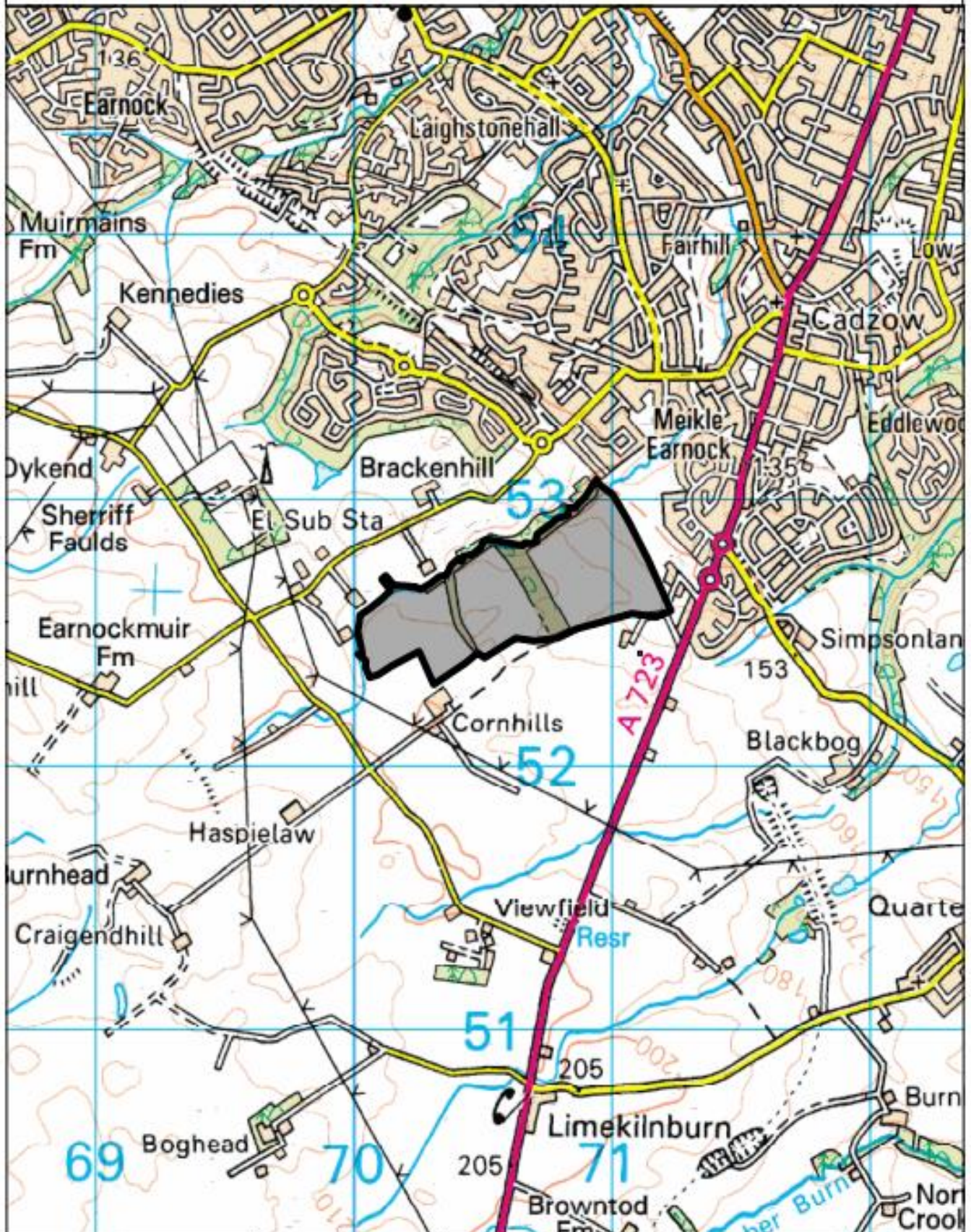
Reason: To ensure that walking and cycling facilities are maximised for the residents within the development.

33. That prior to commencement of works on site relating to any topsoil stripping, ground investigation or earthworks, the applicant shall undertake an invasive weed survey to identify nuisance weeds such as Horsetail. The weed survey and a proposed remediation strategy shall be submitted to and approved in writing by the Council as Roads and Planning Authority and all works shall be progressed in accordance with the agreed remediation strategy.

Reason: That no invasive weeds or nuisance weeds are permitted below or within influencing distance of the public road as deemed appropriate by the Council.

P/21/1812

Land to the West of Strathaven Road, Hamilton



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28/09/2022



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development

# Report

9

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/1582
Planning proposal:	Substitution of flats (approved under CR/16/0138) with dwellings; amendment to Plot 24 (approved under P/20/1729) to provide 14 no. semi-detached and terraced dwellings; alteration to cycle track alignment and proposed culvert of section of existing burn to replace footbridge (amendment to CR/16/0138 and P/20/1729)

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Dundas Estates & Development Co Ltd
Location:	Land 145M Southwest of 7 Dechmont Cottages Gilbertfield Road Cambuslang South Lanarkshire

## 2 Recommendation

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

- (1) Grant Detailed Planning Permission – Based on Conditions Listed.

### 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 Planning Obligation in respect of a financial contribution for the improvement/upgrading of education provision in the area has been concluded between the applicant and the Council.

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

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

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

### 3 Other information

- ◆ Applicant's Agent: Debbie Reeves
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): Policy 1: Spatial Strategy  
Policy 2: Climate Change  
SDDC2: Flood Risk  
SDDC3: Sustainable Drainage Systems  
SDCC4: Sustainable Transport  
Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
DM1: New Development Design  
DM15: Water Supply  
DM16: Foul Drainage and Sewerage  
Policy 11: Housing Land  
Policy 12: Affordable Housing and Housing Choice  
Policy 13: Green Network and Greenspace  
Policy 14: Natural and Historic Environment  
NHE16: Landscape  
Policy 15: Travel and Transport  
Policy 16: Water Environment and Flooding

#### ◆ Representation(s):

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

#### ◆ Consultation(s):

Roads and Transportation Services (Development Management Team)  
Environmental Services  
Roads Flood Risk Management  
  
Roads and Transportation Services (Structures)  
Education Resources School Modernisation Team  
  
Community and Enterprise Resources - Play Provision  
Community Contributions  
  
Housing Services  
  
Scottish Gas Network  
  
Health and Safety Executive  
  
SEPA

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located within the Cambuslang/Rutherglen settlement boundary and is positioned between Gilbertfield Road and Lightburn Road, towards the southeast of Cambuslang, south of Hamilton Road A724. It comprises former agricultural land, immediately adjacent to a gas pumping station to the southwest. The site is gently sloping and measures approximately 0.8ha. A burn runs in a south westerly direction to the south of the site and a footpath known as Shepherd's Lane runs along the western boundary. Two gas pipelines run along the southeast of the burn.
- 1.2 The site forms part of a wider residential development site developed by Dundas Estates. This application site is known as Phase 2B. There is an extensive planning history pertaining to this site as noted further below. As such, the site currently comprises a construction site, with the surrounding areas proposed or under construction for associated phases. Phase 2A is to the northwest, and Phases 2C and 2D to the southeast. The site overlaps with Phase 2C where the open space is provided and a cycleway crossing is proposed.

### **2 Proposals**

- 2.1 The wider site benefits from permission for a large-scale housing development comprising 128 dwellinghouses across 4 phases, with Phase 2A under construction. The application site subject of this application, known as Phase 2B, benefits from planning permission under reference CR/16/0138 for a residential development comprising 9 flats and 4 cottage flats, and is now proposed to include 1 unit from Phase 2A - totalling 14 units. This application seeks to substitute house types and amend the layout and infrastructure provision to include footpaths, cycleways and a bridging culvert, removing a previously proposed footbridge which crosses the existing burn due to constraints relating to the gas pipeline infrastructure in proximity to the burn and proposed crossing. The bridging culvert with cycle path is intended to connect Phases 2A/B with Phases 2C/D and wider cycle networks.
- 2.2 The proposed house substitutions would provide for a mix of 14 semi-detached and terraced units, resulting in a change from flatted units to dwellinghouses. One additional unit, Plot 24, is to be incorporated into Phase 2B from Phase 2A and is also to be substituted in terms of house design. Plot 24 was recently granted a previous change under planning reference P/20/1729, meaning that while 14 units are proposed under this application, as Plot 24 is rearranged to form part of Phase 2B, there are no changes to the housing numbers within Phases 2A and 2B, only style, size, design and layout is being considered.
- 2.3 Phase 2B is located centrally within the wider development site, west of the SuDS area, east of the existing gas pumping station and north of the burn and proposed open space area. The houses would be formed of two blocks of 4 terraced units (Plots 47-50 and 51-54 respectively) laid out in a row positioned facing east, with 2 semi-detached units (Plots 55 and 24) completing the row further north. Parking to serve the terrace units would be to the front immediately off the access road, with the semi-detached units benefitting from individual driveways. Across the internal access road would be 4 units (Plots 43-46) comprising 2 x 2 semi-detached units in a mirrored L-shaped layout - these units would be bound to the rear by the new proposed foot/cycleway, with a connection running into the site between the two blocks and leading over the culvert to the southeast. This arrangement sees the re-siting of the units along the western boundary adjacent to the gas pumping station where parking was originally proposed, and reconfiguration of the internal road layout. Trees are to

be retained to the rear of the western units, Plots 24 and 47-55. Boundary treatments would comprise a mix of hedging, 1.8m high stone screen walls, low walls with railings, and timber fencing between houses, and post and wire fencing to open areas. Tree planting is proposed within the open space areas. The housing mix is proposed as follows:-

- ◆ 2x Brodie 2 Storey 3-bed semi-detached
- ◆ 2x Douglas 2 Storey 3-bed semi-detached
- ◆ 2x Gilroy 2 Storey 3-bed end terrace
- ◆ 4x Elliot 2.5 Storey 3-bed mid terrace
- ◆ 2x Elliot 2.5 Storey 3-bed end terrace
- ◆ 2x Pentland 2 Storey 3-bed semi-detached

Finishing materials are to include concrete roof tiles, render walls, upvc windows and doors, and coloured fascia detailing. 2 Parking spaces are to be provided in-curtilage for semi-detached units, and 2 spaces are proposed for the terraced units within 2 parking courts to the front.

- 2.4 For clarification, the red line site boundary for this proposed application differs from the smaller red line boundary approved under C/16/0138. It is enlarged to the south and southeast slightly to take in the new culvert and includes a cycle path to the northeast. Notwithstanding, it is incorporated within the wider red line covered by planning application P/20/1729 which sought an amendment to Phase 2A. The general roads layout, open space, and cycle links remain as approved under P/20/1729, with only realigned routes and amended house types and siting proposed, deeming this an amendment application. The SuDS scheme has been slightly repositioned within the same location as that previously approved. Therefore, the main considerations are the revised housing layouts and design, the new culvert proposal, and technical matters associated with these amendments.
- 2.5 The general layout would remain consistent with the earlier approvals and incorporate servicing within the adjacent phases, featuring access to be taken from Gilbertfield Road running northeast then southeast through Phase 2A to serve this phase; open space is to be provided to the south and a SuDS area to the east. Footways and cycle paths are continued to be proposed throughout the development site, with connections to the reconfigured Phase 2C layout proposed and Lightburn Road to the north; and a culvert is proposed to be aligned over the burn to the south to replace the earlier bridge proposal, with the cycle path extending over the new culvert leading to the adjacent development to the south east. A new footpath is proposed to connect with Phase 1 on Gilbertfield Road, and a new aligned footway is proposed on the opposite side of Lightburn Road. The proposal would connect to the public drainage and water supply networks.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of local plan policy, the site is located within the Cambuslang/Rutherglen settlement boundary in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). The application site and associated proposal is affected by Policy 1: Spatial Strategy, Policy 2: Climate Change, Policy 3: General Urban Areas and Settlements, Policy 5: Development Management and Placemaking, Policy 11: Housing, Policy 12: Affordable Housing, Policy 13: Green Network and Greenspace, Policy 14: Natural and Historic Environment, Policy 15: Travel and Transport, and Policy 16: Water Environment and Flooding as well as associated detailed development management and sustainable development policies. The content and aims of these policies are discussed in section 6 of this report.

### 3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 which confirms the requirement for the Council to maintain a five-year supply of effective housing land and also provides policy guidance relating to the provision of affordable housing. Planning authorities are required to promote the efficient use of land by directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and services. SPP also introduces a presumption in favour of development that contributes to sustainable development.

### 3.3 Planning Background

- 3.3.1 There is an extensive planning background to this site and associated phases. This application forms part of a suite of applications seeking to update house types and slightly amend housing numbers to that previously approved. The relevant reference numbers and breakdowns are included in the table below:-

Phase	Original Reference and Housing Numbers	Current Reference and Housing Numbers
2A	CR/15/0046 - 42 units, granted 7 December 2020.  P/20/1729 - amendment to previously approval including substitution of house types, alteration of road alignment, amendment to SuDS, addition of sub-station and new foot and cycle paths, granted 1 April 2021.	P/20/1729 - 41 units, amendment to CR/15/0046 seeking substitution of house types, granted 1 April 2021.  No further changes proposed to this phase of development.
2B	CR/16/0138 - 13 units comprising 9 flats and 4 cottage flats, granted 7 December 2020.  P/20/1729 - 1 unit included in Phase 2A now as amended covered by Phase 2B, granted 1 April 2021.	P/21/1582 - current pending application comprising 14 units (amendment to earlier approval).
2C	CR/17/0039 - 26 units, granted 7 December 2020.	P/21/1962 - current pending application comprising 26 units (amendment to earlier approval).
2D	CR/17/0076 - 47 units, granted 7 December 2020.	P/21/2031 - current pending application comprising 53 units (amendment to earlier approval).

- 3.3.2 The total housing numbers has increased from 128 units across the four sites, to 134 units, with the additional 6 units contained in Phase 2D. The layout across all sites has been amended to include a culvert to replace the original proposed footbridge.
- 3.3.4 All applications remain extant, establishing the principle of development. Any works which have commenced on site form part of these earlier approvals.

- 3.3.5 The previous applications were covered by a S69 upfront payment for contributions towards affordable housing, education, and community.

#### **4 Consultations**

##### **4.1 Roads and Transportation Services (Development Management Team)**

**Response:** raise no objections to the above proposals subject to the inclusion of the conditions previously added to CR/16/0138 and a separate condition pertaining to the proposed culvert.

##### **4.2 Environmental Services**

**Response:** raise no objections to the proposal subject to conditions relating to noise impact and acoustic fencing being attached to any permission granted.

##### **4.3 Roads Flood Risk Management**

**Response:** have no objection to the proposed development. This service notes that the self-certification in regard to the sustainable drainage system for each phase of development, will be captured as part of the Roads Construction Consent process which is underway for each of these developments.

##### **4.4 Roads and Transportation Services (Structures)**

**Response:** The Structures Team note that the proposals include for the provision of an adoptable culvert to accommodate an unnamed watercourse. The proposed adoptable culvert will be subject to the full Technical Approval process as detailed in the Design Manual for Roads and Bridges. South Lanarkshire Council will be the Approving Authority. In terms of the Technical Approval process the proposed culvert is a Category 1 structure. The process includes for the submission and subsequent approval by the Approving Authority of an Approval in Principle (AIP) submission. The AIP submitted in support of the proposals was accepted and approved on behalf of the Approval Authority on 12 September 2022.

##### **4.5 Community and Enterprise Resources - Play Provision Community Contributions**

**Response:** No response has been provided to date. Any contributions will be sought by way of upfront payment before a decision is issued should permission be granted.

##### **4.6 Education Resources School Modernisation Team**

**Response:** This service seeks a per unit contribution for any additional units. Over three applications a total of 6 additional units are proposed, resulting in an additional contribution requirement which will be secured by an upfront payment prior to any permission granted being issued.

##### **4.7 Housing Services**

**Response:** Has confirmed that there would be no additional affordable housing provision due to the small increase in numbers across all 3 pending applications.

##### **4.8 Scottish Gas Networks (SGN)**

**Response:** Withdraw any objection to the planning application on the condition that SGN are consulted on all works within 35 metres of its high-pressure gas pipelines (Major Accident Hazard Pipelines), with the aim of ensuring the pipeline and the integrity of the servitude or easement area are not compromised.

##### **4.9 Health and Safety Executive (HSE)**

**Response:** Comment that based on the information provided for the planning application, the revised "Does Not Advise Against" recommendation generated is

appropriate as HSE would not advise against a sensitivity level 2 development in the middle consultation zone.

4.10 **SEPA**

**Response:** Confirms that the culvert is minimal and does not constitute realignment therefore no authorisation is required from SEPA for the works. The developer is however reminded of their responsibilities to seek separate permissions out with the planning remit.

**5 Representations**

- 5.1 Statutory neighbour notification and advertisement was undertaken in respect of this application and no letters of representation have been received as a result of this publicity.

**6 Assessment and Conclusions**

- 6.1 Full planning permission is sought for the erection of 14 dwellinghouses, proposed as substituted house plots on an earlier approval, as well as a revised layout including a proposed culvert and foot and cycle paths at land 145m southwest of 7 Dechmont Cottages, Gilbertfield Road, Cambuslang. The main issues to be addressed in the determination of this application includes the acceptability in principle of the development, the layout, siting and design of the proposed scheme, and an assessment of technical matters. The policies contained within the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any material planning considerations.
- 6.2 In terms of a spatial strategy, Policy 1 of the SLLDP2 directs larger developments to sustainable urban locations, and together with Policy 11 seeks to ensure that there is an effective and mixed housing land supply. Policy 3 states that residential developments within urban areas and settlements, including Cambuslang/Rutherglen for which this site is situated within, will generally be acceptable, and Policy 5 sets out design criteria required to deliver successful places as discussed further below.
- 6.3 As outlined above, the site benefits from extant consent under previous applications for residential development, and this application seeks only a change in layout, siting and design as well as house type and mix. Therefore, the principle of development has been established in line with sustainable development requirements for residential proposals outlined in the above policies. Although the earlier consent was granted under a previous Local Development Plan, the site continues to be allocated for housing land under the current SLLDP2 within the settlement maps, and therefore the principle of residential development at this location is acceptable.
- 6.4 In terms of housing numbers, permission was granted at this site for 13 units comprising 9 flatted units laid out in a 3 storey L-shaped block and 4 cottage flat units. Under a separate amendment application, a single unit at Plot 24 was substituted, and this proposal seeks to amend this house type further, incorporating it into Phase 2B. This application differs as although maintaining 14 units in total, these would be of semi-detached and terraced form. They would be sited at the same general location but repositioned within the phased area and be of a lower scale and different house type.
- 6.5 Policy 11 states that developers must provide a range of house size and types to meet local needs and market demands. It is considered in this case that while the loss of flats is regrettable as they contributed to a wider mix, consideration has been given to the type of housing at this site, and on balance the mix remains acceptable. The Council's Housing Service raise no comments in relation to this.

- 6.6 In terms of affordable housing, as the numbers are the same as previously approved, and below 20 units for this particular phase, there will be no requirement for additional contributions required in this instance in compliance with Policy 12. As noted above, across the three pending applications a total of 6 additional units are proposed. The Council's Affordable Housing Service has confirmed that no additional contributions are required in this regard due to the small increase in numbers. Overall, the effective land supply, the substituted house types, layout and housing mix is considered to be in accordance with Policy 1, 3, 5 and 11 of the South Lanarkshire LDP 2. This is one phase of a wider development and is considered to fit successfully in the wider scheme both in terms of placemaking and housing supply.
- 6.7 Turning to layout, siting and design, together Policies 3, 5 and DM1 set out criteria which must be met to ensure that the proposal contributes, in a positive manner, to the quality of the surrounding built and natural environment, its character and appearance. This includes that the development is appropriate in its siting, layout and density, and responds to this in terms of design and scale. Patterns of development and surrounding amenity should be respected. In particular, Policy DM1 seeks to promote quality and sustainability and ensure that all new developments meet the six qualities of a successful place, including being distinctive whilst respecting the local identity and creating a sense of place; being safe and pleasant; welcoming; adaptable; efficient and well connected.
- 6.8 Overall, the development in this phase is relatively small scale, and can be adequately accommodated within the site area and level changes. The proposed rearrangement would see the semi-detached and terraced units follow a similar pattern of development as earlier phases, extending the linear pattern southwards along the western edge, with active frontages facing onto internal roads and a buffer around the pumping station offering screening and amenity. As outlined in the supporting Design Statement prepared by the developer, the house types are sought to respond to market conditions offering a suitable mix of houses which are visually appealing. The size and massing are considered acceptable as the rows are broken down into smaller blocks, so as not to be over dominant or visually obtrusive. The L-shaped blocks adjacent offer a distinctive layout, which would be appropriately less dense towards the SuDs and open space areas. The whole proposed phase offers a gateway to the proposed culvert, cycle crossing and open space, adequately serviced by parking and suitable access - contributing to connectivity and responding to the natural environment of the site. The finishing materials provide a mix which breaks up the front elevations of the proposed properties together with projections and dormer windows which further reduces the massing and offers visual interest. Hard and soft landscaping also creates a welcoming, safe and pleasant appearance and responds to the site context in terms of existing trees, topography and providing a buffer around the gas pipelines and watercourse. Overall, the proposal is considered to be appropriately designed and scaled in accordance with the aforementioned policies.
- 6.9 The house types and layout have been considered to avoid any negative amenity impacts, with suitable fencing providing privacy to rear gardens, and adequate separation to avoid direct overlooking, and no significant rear projections to avoid overshadowing. There is considerable distance from existing surrounding properties to mitigate against any negative effects arising from this development. While an inevitable degree of change will result in the landscape setting from this development, it is not considered to be overly obtrusive and offers sufficient open space to lessen any impact, ensuring that the landscape character is not significantly adversely affected in accordance with Policy NHE16. Conditions will be attached to any permission granted seeking full landscaping details including retained and proposed planting. This should support biodiversity enhancements also. In summary, the

proposal is acceptable in terms of layout, siting and design, with no significant negative impact on surrounding amenity, generally satisfying the criteria set out in DM1.

- 6.10 In terms of technical matters, a new culvert is proposed to replace a footbridge which formed part of the earlier approved applications. The developer has advised this is sought for reasons to avoid impact on the gas pipeline infrastructure. SGN have responded with no objection to the proposals in proximity of the pipelines and following consultation, HSE does not advise against the granting of permission. Together Roads Development, Flooding and Structures have reviewed the proposal and are satisfied that the culvert can be suitably installed with no significant impact on servicing, flooding or access and connectivity in accordance with SDDC2, subject to technical design. Policy 16 sets out that engineering works which have an unacceptable impact will not be supported. The culvert proposal has undergone significant review with consultees confirming no objections following submission of detailed design proposals, agreements in principle and will form part of the conditions of any permission granted. Correspondence from SEPA confirms that the culvert is minimal and does not constitute realignment therefore no authorisation is required from SEPA for the works. In regard to the water environment, as the proposal would connect to the public water supply and drainage network it is considered acceptable in line with DM15 and DM16, with conditions attached where relevant. SDCC3 supports SuDS developments which are integral to the overall design. In this case, the SuDS scheme follows that previously approved in terms of its location within the site, albeit it is slightly repositioned. It connects to the open space, offering appropriate landscaping and a softer edge to the development, so as not to negatively affect the setting of the area.
- 6.11 Together the SuDS arrangement and open space area provides ample and useable open space within the development site in addition to private amenity garden ground. This creates recreational opportunities and promotes walking and cycling in accordance with policies listed above and contributes to sustainability and the visual quality of the site. The siting of the open space also allows for appropriate separation between Dechmont Cottages further northeast. Together with proposed landscape buffers, the open space layout and distribution is in compliance with SLLDP2 policies.
- 6.12 The site is designated as a green network. Policy 13 seeks to protect existing resources from loss or fragmentation due to development, but also recognises there are opportunities to extend and enhance the network and provide new links, which is the case in this proposal as new footways and cycle routes are proposed, together with the open space provision and buffer zone around the pipelines and watercourse. This allows for blue-green networks and contributes towards successful placemaking in the overall development scheme. Open space is proposed to the south and this would not result in a negative effect on the biodiversity of the site, with no protected species or significant additional loss of trees. Connectivity through active travel methods is proposed and therefore overall, the principle of development within the green network is accepted as per Policy 1 criteria 10 and Policy 13 as the green network is enhanced through new proposed connections, amenity and landscaping proposals as part of this established allocated housing development site.
- 6.13 Through such new proposed connections active travel is promoted in line with Policy 15 as existing routes are safeguarded and enhanced. In terms of access, this would remain to be obtained from Gilbertfield Road. Internal road layouts are suitable, with adequate provision for parking. Footway and cycleway connections have been realigned to fit with the proposed culvert and this is considered to offer adequate connectivity and promote active travel, leading to a successful, well-connected place. Footpaths out with the site boundary will be subject of further details to be submitted

as part of conditions and will result in improved accessibility and connectivity throughout and surrounding the site. With regard to road safety, Policy 15 requires all new development proposals to consider the resulting impacts of traffic growth. The site has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions being reattached from the previous approval, and in relation to the culvert design. The proposal can therefore be considered acceptable in transportation terms.

- 6.14 Overall, in line with the aims of Policy 2, the development is sustainably located as an allocated housing site with acceptable SuDS provision, avoids flood risk and promotes active travel, supports the green network and provides EV charging all contributing to sustainable development to reduce climate change in line with SDCC2, SDCC3 and SDCC4.
- 6.15 In conclusion, the site benefits from extant planning permission for an established housing site, meaning that many considerations are carried forward from these earlier approvals. The main issues of the reconfigured layout and housing types are deemed acceptable as a suitable mix is provided and is appropriately designed. The site can adequately accommodate the revised layout, with ample open space and it can be suitably accessed and serviced. The proposal has been subject to detailed consultation, in particular to the culvert proposal, and all technical matters have been addressed, and there are no material planning reasons which would warrant a refusal in this instance. Additional educational contributions will be sought, and no further contributions are required in this particular phase of development, as the uplift in units is small scale. Therefore, the proposal complies with all relevant policies contained within the South Lanarkshire Local Development Plan 2, and the application is recommended for approval, subject to conditions. For the avoidance of doubt, relevant conditions from the previous consent will be re-attached to any permission granted.

## **7 Reasons for Decision**

- 7.1 The development would continue to deliver the allocated housing site and offer an updated housing mix. The proposal is appropriately designed and would have no adverse impacts on the surrounding landscape or character and amenity of the area. All technical matters have been addressed, and the proposal satisfies all relevant policies contained within the South Lanarkshire Local Development Plan 2.

**David Booth**

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

Date: 30 September 2022

### **Previous references**

- ◆ CR/15/0046
- ◆ CR/16/0138
- ◆ CR/17/0039
- ◆ CR/17/0076
- ◆ P/20/1729

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 8 September 2021

► Consultations		
Roads and Transportation Services (Development Management Team)		24.08.2022
Environmental Services		12.10.2021
Roads Flood Risk Management		09.09.2022
Roads and Transportation Services (Structures)		13.09.2022
Education Resources School Modernisation Team		19.07.2022
Housing Services		12.09.2022
Scottish Gas Network		02.09.2022
Health and Safety Executive		14.09.2022
SEPA		27.08.2021
Community and Enterprise Resources - Play Provision		
Community Contributions		

### **Contact for further information**

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

Jane Weir, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
 Phone: 07795 455 502  
 Email: [jane.weir@southlanarkshire.gov.uk](mailto:jane.weir@southlanarkshire.gov.uk)

### Conditions and reasons

1. No dwellinghouse hereby approved shall be occupied unless a Residential Travel Plan has been submitted to and approved in writing by the planning authority in consultation with the Roads Service. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. No dwellinghouse shall be occupied unless the measures set out in its approved Travel Plan have been issued to all homeowners.

Reason: In the interests of sustainable travel.

2. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area[s] have been submitted to and approved in writing by the planning authority. The area[s] shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No dwellinghouse shall be occupied unless the refuse bin uplift store area[s] have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area[s] shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

3. Notwithstanding the development hereby approved, no construction activities connected with the culvert and associated earthworks shall commence until full details of the culvert design has been submitted and approved by South Lanarkshire Council as Roads Authority and the Planning Service. The detailed design shall include ground investigation specific to the structure and also a full earthworks Specification all complying with the Design Manual for Roads and Bridges and the Manual of Contract Documents for Highway Works.

The design and layout of all new infrastructure and improvements shall be in accordance with the Design Manual for Roads and Bridges and SCOTS design guidance unless otherwise agreed by the Council as Planning and Roads Authority.

Reason: In the interests of public safety.

4. Prior to the commencement of development, a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, shall be submitted for the written approval of the Planning Service in consultation with the Roads Service for approval for all infrastructure to be constructed and adopted, or altered, on the public road.

Reason: In the interests of public safety.

5. No dwellinghouse hereby approved shall be occupied unless its driveway, parking and turning area has been provided and fully paved in accordance with details to be submitted to and approved in writing by the Planning Authority. The maximum gradient of each driveway shall not exceed 10% gradient and each driveway shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. The first 2m of a driveway, behind the heel of the footway

shall be hard surfaced. All driveways shall be designed with car parking for each vehicle to a minimum of 3m x 6m, with provision to meet Council car parking standards. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of each driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

6. For the avoidance of doubt, the first 12.5m of any road within the site shall not exceed a gradient of 2% and no driveway or access will be permitted within 15m of the junction off Gilbertfield Road. The junction improvement at Gilbertfield Road/Flemington Road (by the implementation of the 3metre wide footway/cycleway) shall have minimum radii of 10.5 metres.

Reason: In the interests of traffic and pedestrian safety

7. Prior to commencement of development, a Traffic Management Plan (TMP), including details of the traffic routes of construction vehicles, site compound, show where all vehicles and deliveries will be located, on-site parking and wheel washing facilities shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. The TMP should restrict all site work (incl. vehicle movements) from operating within the school opening and closing times, unless otherwise agreed. No work shall commence until the TMP has been approved in writing by the Council as Planning Authority. Thereafter, the works shall be carried out in full accordance with the agreed details.

Reason: In the interests of road and public safety.

8. Prior to the commencement of development, and notwithstanding Conditions 9-14 inclusive, a drawing showing the internal footways, cycleways and additional footway/cycleway connections, together with appropriate drainage installation shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the cycleway and footway shall thereafter be permanently retained as such. For the avoidance of doubt, internal footways should be 2m wide.

Reason: To ensure safe access for pedestrians to the existing footpath network and the satisfactory provision of a cycle route.

9. Prior to the commencement of development, full details of a surfaced cycleway/footway connection between Hamilton Road and the internal development site roads shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the cycleway and footway shall thereafter be permanently retained as such.

The cycle path also acts as a maintenance route for vehicles to access the substation and should therefore be a minimum of 3.7m in width and constructed to the same standard as standard carriageway.

Reason: To ensure safe access for pedestrians to the existing footpath network and the satisfactory provision of a cycle route.

10. Prior to the commencement of development, full details of a footway along Gilbertfield Road to connect to phase 2 shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. For the avoidance of doubt, the footway shall be 2m wide and surfaced to adoptable standards. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the footway shall thereafter be permanently retained as such.

Reason: Reason: In the interests of pedestrian safety and to extend the local footway/cycle route network.

11. Prior to the occupancy of the first dwellinghouse hereby approved, a 3m wide footway/cycleway from Flemington Road into the site, with a 2m wide footway connecting to the existing footway on Gilbertfield Road (approximately 20m east of Claudius Crescent) shall be constructed. Works to include design and provision of a positive drainage system including a new drain through the Phase 2 development shall be submitted for the written approval of the Planning Service in consultation with the Roads Service prior to commencement of development. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the footway shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian safety, to extend the local footway/cycle route network and to alleviate the potential for on-site and off-site flooding.

12. Prior to commencement of development, full details of the formation of the site access road and extension of the footway link along Gilbertfield Road shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the works shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian safety, to extend the local footway/cycle route network and in the interests of road safety.

13. Notwithstanding the development hereby approved prior to commencement of development full details of a footway link along Lightburn Road shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. For the avoidance of doubt, unless otherwise agreed, the footway shall be a 2m wide lit footway link constructed on Lightburn Road to connect with the existing footway on Lightburn Road, at the western boundary of the site. Thereafter, footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of sustainable travel, pedestrian and road public safety.

14. Notwithstanding the requirements of Condition 13 above, an appropriate footway network that will connect the new development with the existing footway on Lightburn Road and Hamilton Road, to enable the retention of the mature hedgerow, shall be implemented. Full details of the footway design shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of sustainable travel, pedestrian and road public safety.

15. Notwithstanding the terms of Conditions 8-13 inclusive, a positive drainage system shall be required to be installed along these sections of carriageway on which the footways are constructed. Prior to the commencement of development full drainage details shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: To encourage natural drainage and to avoid the potential for localised flooding.

16. For the avoidance of doubt, prior to the occupation of any dwelling house hereby approved, the developer shall fund the upgrading of the street lighting along the frontage of Gilbertfield Road and shall construct a continuous 2m wide footway link on the previously reserved strip of land along the same Gilbertfield Road frontage of the site from the existing Phase 1 development to the Phase 2 access road, all to the satisfaction of the Council as Planning Authority.

Reason: In the interest of public safety.

17. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

18. Wastewater from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority. No works in connection with the development hereby approved shall commence unless written confirmation from Scottish Water stating that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards has been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

19. No works in connection with the development hereby approved shall commence unless full details of the surface water drainage arrangements (including provision of an updated flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Updated Appendices 1,2,3,4 & 5). A drawing showing the proposed SuDS scheme must be provided and the proposed SuDS scheme shall be located out with the 1 in 200 year plus 30% culvert blockage level of 58.10m AOD, in agreement and to the satisfaction of the Council as Planning Authority in discussion with SEPA. Thereafter, the surface water drainage arrangements shall be implemented in full accordance with the agreed details and the development shall not be occupied until the surface drainage works have been

completed in accordance with the agreed details. Once provided, the works shall thereafter be permanently retained as such.

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

20. Prior to the commencement of development, full details of a contemporary trash/security screen at the culvert inlet on Hamilton Road shall be submitted for the written approval of the Planning Service. For the avoidance of doubt, this shall include details of an inspection and maintenance regime in respect of the Hamilton Road culvert and screen. Thereafter, the works shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such, and the culvert and screen shall be inspected and maintained in accordance with the approved management schedule to the satisfaction of the Council as Planning Authority.

Reason: To minimise any flood risk in the area.

21. Notwithstanding the development hereby approved, prior to the development being brought into use, the approved scheme for the mitigation of noise shown in the approved Noise Impact Assessment shall be implemented in full, and where appropriate, shall be maintained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting the residential amenities of the new development.

22. Notwithstanding the details hereby approved, acoustic fencing will be required to the satisfaction of Environmental Services. Prior to the commencement of development, full details shall be submitted for the written approval by the Planning Service. For the avoidance of doubt the fencing shall ensure that between the house of 0800 and 200 the measured noise level emitted from the Engineering works (LAeq 1hour) shall not exceed the pre-existing background noise level (LA90 (15 mins) by more than 4dB (A) when measured in accordance with BS4142:2014 at buildings where people are likely to be affected. Between the houses of 2000 and 0800 the noise emitted from the premises (LAeq (15 mins)) shall not exceed the pre-existing background noise level (LA90 (15 mins) by more than 4dB (A) when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Reason: In the interests of protecting the residential amenities of the new development.

23. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- a) A tree survey in accordance with BS 5837:2012.
  - b) Existing landscape features and vegetation to be retained.
  - c) Protection measures for the landscape features to be retained.
  - d) Existing and proposed finished levels.
  - e) The location of new trees, shrubs, hedges, grassed areas and water features, including enhanced planting for the hedgerow.

- f) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- g) Details of any top-soiling or other treatment to the ground.
- h) Sections and other necessary details of any mounding, earthworks and hard landscaping.
- i) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment.
- j) An indication of existing trees, shrubs and hedges to be removed.
- k) A programme for the implementation, completion and subsequent management of the proposed landscaping, including any phasing.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local

24. Prior to the commencement of development, full details of the design and location of all boundary treatments, including walls, fences and any retaining walls, enclosures, screening and paving and hard surfacing materials to be erected or installed on the site shall be submitted for the written approval of the Planning Service. Thereafter, the boundary treatments shall be erected in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, all landscaping works shall thereafter be permanently retained.

Reason: In the interests of visual amenity.

25. 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.

Reason: In order to retain effective planning control in the interests of the visual amenities of the area, to protect open space.

26. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To safeguard and allow any archaeological remains which may exist on the site to be satisfactorily recorded.

27. For the avoidance of doubt, no work or crossings of the high-pressure gas apparatus shall be carried out on site unless detailed consultation has taken place with Scottish Gas Networks. SGN must be consulted on all works within 35 metres of the high-pressure gas pipelines (Major Accident Hazard Pipelines), with the aim of ensuring the pipeline and the integrity of the servitude or easement area are not compromised. Thereafter, works shall be carried out in accordance with the agreed position of Scottish Gas Networks in consultation with the Planning Authority.

Reason: In the interests of public safety.

28. For the avoidance of doubt, no mechanical excavations shall take place above or within 0.5m of the low-pressure gas system, within 0.5m of the medium pressure gas system or within 3m of the intermediate pressure gas system, and that confirmation of the position of the gas mains shall be undertaken by using hand dug trial holes.

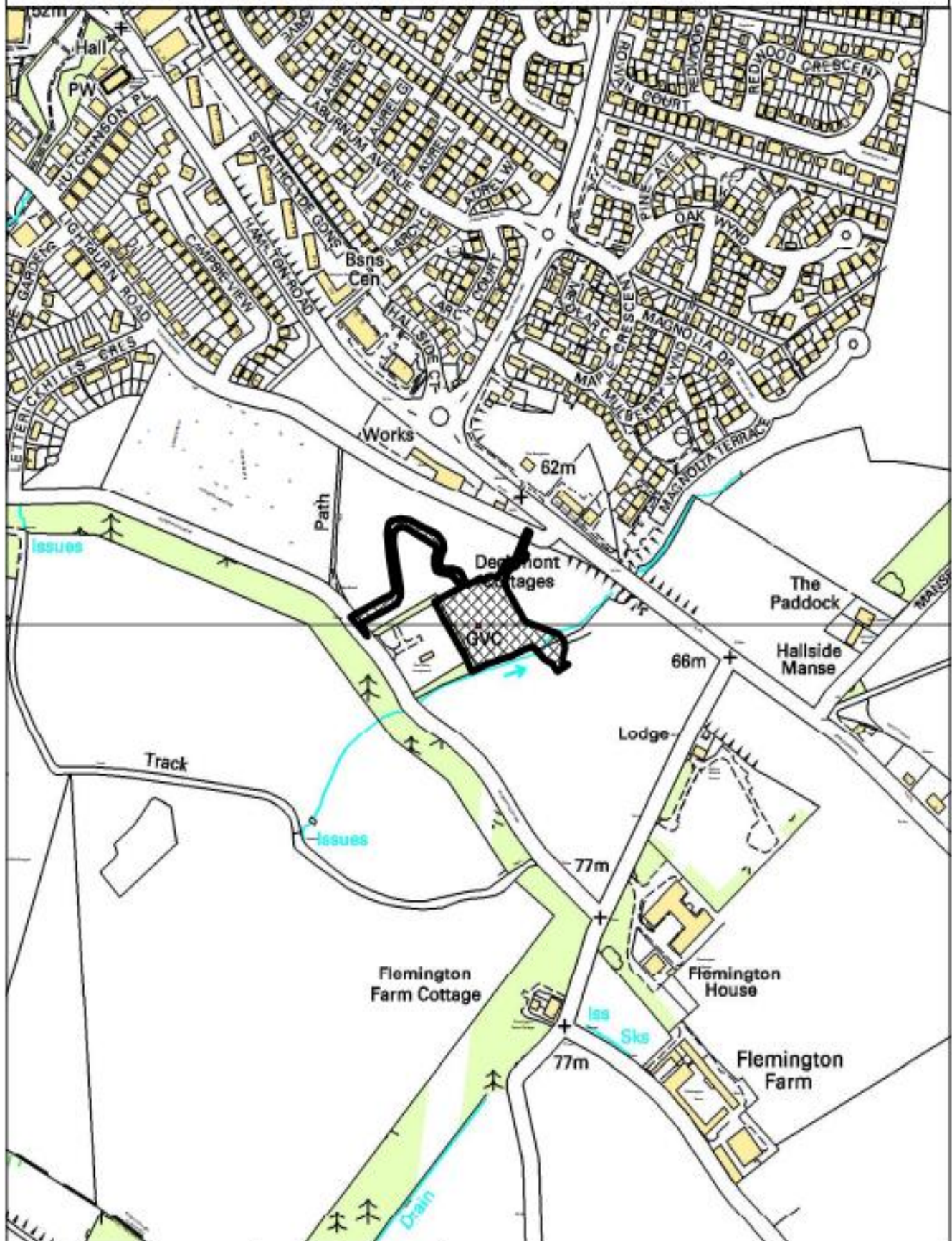
Reason: In the interests of public safety.

29. 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.

Reason: In the interests of amenity.

P/21/1582

Land 145M Southwest of 7 Dechmont Cottages, Gilbertfield Road



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Scale:  
1:5,000  
Date:  
16/09/2022



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



# Report

10

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/1962
Planning proposal:	Substitution of house types, amendment to SUDS proposals, addition of sub-station, addition of gas governor and alteration of cycle path alignment (Amendment to CR/17/0039)

## 1 Summary application information

Application type:	Further application
Applicant:	Dundas Estates & Development Co Ltd
Location:	Land 180M Northwest of Dalton School Lodge Gilbertfield Road Cambuslang South Lanarkshire

## 2 Recommendation

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

- (1) Grant Detailed Planning Permission– Based on Conditions Listed.

### 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 Planning Obligation in respect of a financial contribution for the improvement/upgrading of education provision in the area has been concluded between the applicant and the Council.

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

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

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

### 3 Other information

- ◆ Applicant's Agent: Debbie Reeves
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): Policy 1: Spatial Strategy  
Policy 2: Climate Change  
SDDC2: Flood Risk  
SDDC3: Sustainable Drainage Systems  
SDCC4: Sustainable Transport  
Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
DM1: New Development Design  
DM15: Water Supply  
DM16: Foul Drainage and Sewerage  
Policy 11: Housing Land  
Policy 12: Affordable Housing and Housing Choice  
Policy 13: Green Network and Greenspace  
Policy 14: Natural and Historic Environment  
NHE16: Landscape  
Policy 15: Travel and Transport  
Policy 16: Water Environment and Flooding

#### ◆ Representation(s):

- |   |   |                   |
|---|---|-------------------|
| ▶ | 0 | Objection Letters |
| ▶ | 0 | Support Letters   |
| ▶ | 0 | Comment Letters   |

#### ◆ Consultation(s):

Roads and Transportation Services (Development Management Team)  
Environmental Services  
  
Roads Flood Risk Management  
Roads and Transportation Services (Structures)  
Community and Enterprise Resources - Play Provision  
Community Contributions  
Education Resources School Modernisation Team  
Housing Services  
Scottish Gas Networks (SGN)  
Health and Safety Executive (HSE)  
West of Scotland Archaeology Service (WOSAS)  
SEPA

## Planning Application Report

### 1 Application Site

- 1.1 The application site is located within the Cambuslang/Rutherglen settlement boundary and is positioned between Gilbertfield Road and Lightburn Road, towards the southeast of Cambuslang, south of Hamilton Road A724, and west of Flemington Road to the east. It comprises former agricultural land and is south and east of a gas pumping station. The site is gently sloping and measures approximately 2.8ha in total, with the proposed housing development area for this phase some 1.3ha. A burn runs along the northwest through the site, south of the SuDS area. Two gas pipelines run though the site adjacent to the burn. Dalton School Lodge lies approximately 180m southeast of the site.
- 1.2 The site forms part of a wider residential development site developed by Dundas Estates. This site is known as Phase 2C. There is an extensive planning history pertaining to this site as noted further below. As such, the site currently comprises a construction site, with the surrounding areas proposed or under construction for associated phases. Phases 2A and 2B are located to the northwest, and Phase 2D to the southeast. The site overlaps with Phase 2B where the open space and SuDS scheme is provided and cycleway crossing is proposed.

### 2 Proposal(s)

- 2.1 The wider site benefits from permission for a large-scale housing development comprising 128 dwellinghouses across 4 phases, with Phase 2A under construction. The application site subject of this application, known as Phase 2C, benefits from planning permission under reference CR/17/0039 for a residential development comprising 26 dwellinghouses. This application seeks to substitute house types and amend the layout and infrastructure provision to include footpaths, cycleways and a bridging culvert, removing a previously proposed footbridge which crosses the existing burn due to constraints relating to the gas pipeline infrastructure in proximity to the burn and proposed crossing. The bridging culvert with cycle path is intended to connect Phases 2A/B with Phases 2C/D and wider cycle networks. The proposal also seeks an amendment to the SuDS proposals, and the addition of a sub-station and gas governor.
- 2.2 Phase 2C is located on the southern side of the burn and is south of the SuDS area and gas pumping station. 26 Units are proposed within this phase, south of the open space area and pipeline buffer zone. Access would be obtained from the southwest end of Gilbertfield Road, approximately 210m south of the Phase 2A entrance. Plots 56, 57, 133, and 134 will front onto the internal access road at the entrance junction, before a square-shaped shared space area leads north and then runs south west to serve Plots 58-61 and east to serve Plots 62-70 laid out in a linear pattern running parallel to the burn on a north-east/south-west axis, before returning south to serve Plots 71-74 situated perpendicular to the linear row facing south west, at the east of the Phase. Plots 106, 107, 108, 115 and 116 form a group at the other side of the proposed shared space entrance where the road connects into Phase 2D further south.
- 2.3 Generally the houses are in the same position, only slightly altered within the plots. The house type mix is to include the following detached properties:-
- ◆ 1x Harper- 3-bed
  - ◆ 1x Carnegie- 3-bed
  - ◆ 1x Dewar- 3-bed
  - ◆ 2x Stuart- 3-bed

- ◆ 1x Matheson- 4-bed
- ◆ 1x Middleton- 4-bed
- ◆ 2x Wallace- 4-bed
- ◆ 3x Kendrick- 4-bed
- ◆ 2x Lewis- 4-bed
- ◆ 5x Gillespie- 4-bed
- ◆ 3x McArthur- 5-bed
- ◆ 4x Maitland- 5-bed

All units are to be detached, 2-storey, with some featuring integral or detached garages. Finishing materials are to include concrete roof tiles, render walls, upvc windows and doors, and coloured fascia detailing. Parking spaces are to be provided in-curtilage for each proposed unit. Boundary treatments would comprise a mix of hedging, 1.8m high stone screen walls, low walls with railings, and timber fencing between houses, and post and wire fencing to open areas. The only change sees a pair of semi-detached units at the site entrance form detached units reconfigured within the original layout.

- 2.4 The proposed cycle/footpath link would run along the edge of the proposed internal access road, generally running east to west. This would connect Gilbertfield Road in the southwest to Hamilton Road in the northeast, and it would also head north through the site over the proposed culvert crossing into Phase 2B, and further northeast towards Hamilton Road. There is a bus stop on Hamilton Road.
- 2.5 For clarification, the red line site boundary for this proposed application matches the red line boundary approved under C/17/0039. It now contains the proposed new culvert and gas station and includes the realigned cycle path. The general roads layout, open space, and cycle links remain as approved under CR/17/0039, with only realigned routes and amended house types and siting proposed, deeming this an amendment application. The SuDS scheme has been slightly repositioned within the same location as that previously approved. Therefore, the main considerations are the revised housing layouts and design, the new culvert proposal, and technical matters associated with these amendments.
- 2.6 The general layout would remain consistent with the earlier approvals and incorporate servicing within the adjacent phases. As mentioned, open space is to be provided to the north and a SuDS area to the northeast. Footways and cycle paths are continued to be proposed throughout the development site, with connections to the reconfigured Phase 2B layout proposed; and a culvert is proposed to be aligned over the burn to replace the earlier bridge proposal, with the cycle path extending over the new culvert leading to the adjacent development to the north. A new footpath is proposed to connect with Phase 1 on Gilbertfield Road. The proposal would connect to the public drainage and water supply networks. The SuDS scheme is to be slightly repositioned, but at the same site. A new sub-station and gas infrastructure is proposed at the northern corner of this site, adjacent to where the cycle path connects to Lightburn Road, in Phase 2B. Landscaping is proposed around these structures, and planting is proposed throughout the SuDS area and open space area, as well as along the north running access road, with feature planting around the shared space area at the entrance.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of local plan policy, the site is located within the Cambuslang/Rutherglen settlement boundary in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). The application site and associated proposal is affected by Policy 1:

Spatial Strategy, Policy 2: Climate Change, Policy 3: General Urban Areas and Settlements, Policy 5: Development Management and Placemaking, Policy 11: Housing, Policy 12: Affordable Housing, Policy 13: Green Network and Greenspace, Policy 14: Natural and Historic Environment, Policy 15: Travel and Transport, and Policy 16: Water Environment and Flooding as well as associated detailed development management and sustainable development policies. The content and aims of these policies is discussed in section 6 of this report.

### 3.2 Relevant Government Advice/Policy

3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 which confirms the requirement for the Council to maintain a five-year supply of effective housing land and also provides policy guidance relating to the provision of affordable housing. Planning authorities are required to promote the efficient use of land by directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and services. SPP also introduces a presumption in favour of development that contributes to sustainable development.

### 3.3 Planning Background

3.3.1 There is an extensive planning background to this site and associated phases. This application forms part of a suite of applications seeking to update house types and slightly amend housing numbers to that previously approved. The relevant reference numbers and breakdowns are included in the table below:-

Phase	Original Reference and Housing Numbers	Current Reference and Housing Numbers
2A	CR/15/0046 - 42 units, granted 7 December 2020.  P/20/1729 - amendment to previous approval including substitution of house types, alteration of road alignment, amendment to SuDS, addition of sub-station and new foot and cycle paths, granted 1 April 2021.	P/20/1729 - 41 units, amendment to CR/15/0046 seeking substitution of house types, granted 1 April 2021.  No further changes proposed to this phase of development.
2B	CR/16/0138 - 13 units comprising 9 flats and 4 cottage flats, granted 7 December 2020.  P/20/1729 - 1 unit included in Phase 2A now as amended covered by Phase 2B, granted 1 April 2021.	P/21/1582 - current pending application comprising 14 units (amendment to earlier approval).
2C	CR/17/0039 - 26 units, granted 7 December 2020.	P/21/1962 - current pending application comprising 26 units (amendment to earlier approval).
2D	CR/17/0076 - 47 units, granted 7 December 2020.	P/21/2031 - current pending application comprising 53 units (amendment to earlier approval).

- 3.3.2 The total housing numbers have increased from 128 units across the four sites, to 134 units, with the additional 6 units contained in Phase 2D. The layout across all sites has been amended to include a culvert to replace the original proposed footbridge.
- 3.3.3 All applications remain extant, establishing the principle of development. Any works which have commenced on site form part of these earlier approvals.
- 3.3.4 The previous applications were covered by a S69 upfront payment for contributions towards affordable housing, education, and community.

#### **4 Consultations**

##### **4.1 Roads and Transportation Services (Development Management Team)**

**Response:** raise no objections to the above proposals subject to the inclusion of the conditions previously added to CR/17/0039 and a separate condition pertaining to the proposed culvert.

##### **4.2 Environmental Services**

**Response:** raise no objections to the proposal subject to conditions relating to noise, waste control, and dust mitigation being attached to any permission granted. In terms of noise, one requested condition relates to internal noise levels with windows open and construction noise.

##### **4.3 Roads Flood Risk Management**

**Response:** have no objection to the proposed development. This service notes that the self-certification in regard to the sustainable drainage system for each phase of development, will be captured as part of the Roads Construction Consent process which is underway for each of these developments.

##### **4.4 Roads and Transportation Services (Structures)**

**Response:** The Structures Team note that the proposals include for the provision of an adoptable culvert to accommodate an unnamed watercourse. The proposed adoptable culvert will be subject to the full Technical Approval process as detailed in the Design Manual for Roads and Bridges. South Lanarkshire Council will be the Approving Authority. In terms of the Technical Approval process, the proposed culvert is a Category 1 structure. The process includes for the submission and subsequent approval by the Approving Authority of an Approval in Principle (AIP) submission. The AIP submitted in support of the proposals was accepted and approved on behalf of the Approval Authority on 12 September 2022.

##### **4.5 Community and Enterprise Resources - Play Provision Community Contributions**

**Response:** No response has been provided to date. Any contributions will be sought by way of upfront payment before a decision is issued should permission be granted.

##### **4.6 Education Resources School Modernisation Team**

**Response:** This service seeks a per unit contribution for any additional units. Over three applications a total of 6 additional units are proposed, resulting in an additional contribution requirement which will be secured by an upfront payment prior to any permission granted being issued.

##### **4.7 Housing Services**

**Response:** Has confirmed that there would be no additional affordable housing provision due to the small increase in numbers across all 3 pending applications.

4.8 **Scottish Gas Networks (SGN)**

**Response:** Withdraw any objection to the planning application on the condition that SGN is consulted on all works within 35 metres of its high-pressure gas pipelines (Major Accident Hazard Pipelines), with the aim of ensuring the pipeline and the integrity of the servitude or easement area are not compromised.

4.9 **Health and Safety Executive (HSE)**

**Response:** Comment that based on the information provided for the planning application, the revised “Does Not Advise Against” recommendation generated is appropriate as HSE would not advise against a sensitivity level 2 development in the middle consultation zone.

4.10 **West of Scotland Archaeology Service (WOSAS)**

**Response:** Note the proximity of archaeological features and request a condition seeking the implementation of a programme of archaeological works and written scheme of investigation be attached to any permission granted. This would allow the Council to ensure that the correct level of mitigation fieldwork is undertaken and reported on.

4.11 **SEPA**

**Response:** Note that they raised no objection to the original application CR/17/0039, and therefore did not require a formal consultation in this case as the application seeks only an amendment.

**5 Representation(s)**

5.1 Statutory neighbour notification and advertisement was undertaken in respect of this application and no letters of representation have been received as a result of this publicity.

**6 Assessment and Conclusions**

6.1 Full planning permission is sought for the erection of 26 dwellinghouses, proposed as substituted house plots on an earlier approval, as well as a revised layout including a proposed culvert and foot and cycle paths and gas station at land 180m northwest of Dalton School Lodge, Gilbertfield Road, Cambuslang. The main issues to be addressed in the determination of this application include the acceptability in principle of the development, the layout, siting and design of the proposed scheme, and an assessment of technical matters. The policies contained within the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any material planning considerations.

6.2 In terms of a spatial strategy, Policy 1 of the SLLDP2 directs larger developments to sustainable urban locations, and together with Policy 11 seeks to ensure that there is an effective and mixed housing land supply. Policy 3 states that residential developments within urban areas and settlements, including Cambuslang/Rutherglen for which this site is situated within, will generally be acceptable, and Policy 5 sets out design criteria required to deliver successful places as discussed further below.

6.3 As outlined above, the site benefits from extant consent under previous applications for residential development, and this application seeks only a change in layout, siting and design as well as house type and mix. Therefore, the principle of development has been established in line with sustainable development requirements for residential proposals outlined in the above policies. Although the earlier consent was granted under a previous Local Development Plan, the site continues to be allocated for housing land under the current SLLDP2 within the settlement maps, and therefore the principle of residential development at this location is acceptable.

- 6.4 In terms of housing numbers, permission was granted at this site for 26 units comprising 24 detached units and 2 semi-detached units laid out in the same arrangement. This application differs slightly as the 2 semi-detached units are proposed as detached units.
- 6.5 Policy 11 states that developers must provide a range of house size and types to meet local needs and market demands. It is considered that this minor change is acceptable and the Council's Housing service raised no comments in relation to this.
- 6.6 In terms of affordable housing, as the numbers are the same as previously approved, there will be no requirement for additional contributions required in this instance in compliance with Policy 12. As noted above, across the three pending applications a total of 6 additional units are proposed. The Council's Affordable Housing Service has confirmed that no additional contributions are required in this regard due to the small increase in numbers. Overall, the effective land supply, the substituted house types, layout and housing mix is considered to be in accordance with Policy 1, 3, 5 and 11 of the South Lanarkshire LDP2. This is one phase of a wider development and is considered to fit successfully in the wider scheme both in terms of placemaking and housing supply.
- 6.7 Turning to layout, siting and design, together Policies 3, 5 and DM1 set out criteria which must be met to ensure that the proposal contributes, in a positive manner, to the quality of the surrounding built and natural environment, its character and appearance. This includes that the development is appropriate in its siting, layout and density, and responds to this in terms of design and scale. Patterns of development and surrounding amenity should be respected. In particular, Policy DM1 seeks to promote quality and sustainability and ensure that all new developments meet the six qualities of a successful place, including being distinctive whilst respecting the local identity and creating a sense of place; being safe and pleasant; welcoming; adaptable; efficient and well connected.
- 6.8 Overall, the development in this phase follows the same pattern as previously approved, with only minor realignments to path networks and SuDS schemes, and the inclusion of a substation and gas governor. The changes can be adequately accommodated within the site area and level changes. The proposed layout would continue to allow for a predominantly linear pattern of development, with houses fronting along the main access road, and formed around the entrance. The plots located along the internal road would benefit from views northwards over the open space which provides both natural surveillance and an appealing sense of place. In terms of house type designs, there is a varied mix responding to market demands. The properties are all detached, finished in appropriate materials with sufficient parking provision. Hard and soft landscaping also creates a welcoming, safe and pleasant appearance and responds to the site context in terms of existing trees, topography and providing a buffer around the gas pipelines and watercourse. Overall, the proposal is considered to be appropriately designed and scaled in accordance with the aforementioned policies.
- 6.9 The house types and layout have been considered to avoid any negative amenity impacts, with suitable fencing providing privacy to rear gardens, and adequate separation to avoid direct overlooking, and no significant rear projections to avoid overshadowing. There is considerable distance from existing surrounding properties to mitigate against any negative effects arising from this development. While an inevitable degree of change will result in the landscape setting from this development, it is not considered to be overly obtrusive and offers sufficient open space to lessen any impact, ensuring that the landscape character is not significantly adversely

affected in accordance with Policy NHE16. Conditions will be attached to any permission granted seeking full landscaping details including retained and proposed planting. This should support biodiversity enhancements also. In summary, the proposal is acceptable in terms of layout, siting and design, with no significant negative impact on surrounding amenity, generally satisfying the criteria set out in DM1.

- 6.10 In terms of technical matters, a new culvert is proposed to replace a footbridge which formed part of the earlier approved applications. The developer has advised this is sought for reasons to avoid impact on the gas pipeline infrastructure. SGN have responded with no objection to the proposals in proximity of the pipelines and following consultation, HSE does not advise against the granting of permission. Together Roads Development, Flooding and Structures have reviewed the proposal and are satisfied that the culvert can be suitably installed with no significant impact on servicing, flooding or access and connectivity in accordance with SDDC2, subject to technical design. Policy 16 sets out that engineering works which have an unacceptable impact will not be supported. The culvert proposal has undergone significant review with consultees confirming no objections following submission of detailed design proposals, agreements in principle and will form part of the conditions of any permission granted. The substations are small scale and do not affect the general placemaking of the site. Correspondence from SEPA confirms that the culvert is minimal and does not constitute realignment therefore no authorisation is required from SEPA for the works, and they have confirmed they did not require to be consulted. In regard to the water environment, as the proposal would connect to the public water supply and drainage network it is considered acceptable in line with DM15 and DM16, with conditions attached where relevant. SDDC3 supports SuDS developments which are integral to the overall design. In this case, the SuDS scheme follows that previously approved in terms of its location within the site, albeit it is slightly repositioned. It connects to the open space, offering appropriate landscaping and a softer edge to the development, so as not to negatively affect the setting of the area.
- 6.11 Together the SuDS arrangement and open space area provides ample and useable open space within the development site in addition to private amenity garden ground. This creates recreational opportunities and promotes walking and cycling in accordance with policies listed above and contributes to sustainability and the visual quality of the site. The siting of the open space also allows for appropriate separation between Dechmont Cottages further northeast. Together with proposed landscape buffers, the open space layout and distribution is in compliance with LDP policies.
- 6.12 The site is designated as a green network. Policy 13 seeks to protect existing resources from loss or fragmentation due to development, but also recognises there are opportunities to extend and enhance the network and provide new links, which is the case in this proposal as new footways and cycle routes are proposed, together with the open space provision and buffer zone around the pipelines and watercourse. This allows for blue-green networks and contributes towards successful placemaking in the overall development scheme. Open space is proposed to the south and this would not result in a negative effect on the biodiversity of the site, with no protected species or significant additional loss of trees. Connectivity through active travel methods is proposed and therefore overall, the principle of development within the green network is accepted as per Policy 1 criteria 10 and Policy 13 as the green network is enhanced through new proposed connections, amenity and landscaping proposals as part of this established allocated housing development site. An invasive species report was submitted with the application and concluded that no invasive species were found on the site as reported on.

- 6.13 Through such new proposed connections active travel is promoted in line with Policy 15 as existing routes are safeguarded and enhanced. In terms of access, this would remain to be obtained from Gilbertfield Road. Internal road layouts are suitable, with adequate provision for parking. Footway and cycleway connections have been realigned to fit with the proposed culvert and this is considered to offer adequate connectivity and promote active travel, leading to a successful, well-connected place. Footpaths out with the site boundary will be subject of further details to be submitted as part of conditions and will result in improved accessibility and connectivity throughout and surrounding the site. With regard to road safety, Policy 15 requires all new development proposals to consider the resulting impacts of traffic growth. The site has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions being reattached from the previous approval, and in relation to the culvert design. The proposal can therefore be considered acceptable in transportation terms.
- 6.14 Overall, in line with the aims of Policy 2, the development is sustainably located as an allocated housing site with acceptable SuDS provision, avoids flood risk and promotes active travel, supports the green network and provides EV charging all contributing to sustainable development to reduce climate change in line with SDCC2, SDCC3 and SDCC4.
- 6.15 In conclusion, the site benefits from extant planning permission for an established housing site, meaning that many considerations are carried forward from these earlier approvals. The main issues of the reconfigured layout and housing types are deemed acceptable as a suitable mix is provided and is appropriately designed. The site can adequately accommodate the revised layout, with ample open space and it can be suitably accessed and serviced. The proposal has been subject to detailed consultation, in particular to the culvert proposal, and all technical matters have been addressed, and there are no material planning reasons which would warrant a refusal in this instance. Additional educational contributions will be sought, and no further contributions are required in this particular phase of development, as the uplift in units is small scale. Therefore, the proposal complies with all relevant policies contained within the South Lanarkshire Local Development Plan 2, and the application is recommended for approval, subject to conditions. For the avoidance of doubt, relevant conditions from the previous consent will be re-attached to any permission granted.

## **7 Reasons for Decision**

- 7.1 The development would continue to deliver the allocated housing site and offer an updated housing mix. The proposal is appropriately designed and would have no adverse impacts on the surrounding landscape or character and amenity of the area. All technical matters have been addressed, and the proposal satisfies all relevant policies contained within the South Lanarkshire Local Development Plan 2.

**David Booth**

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

Date: 30 September 2022

### **Previous references**

- ◆ CR/15/0046
- ◆ CR/16/0138
- ◆ CR/17/0039
- ◆ CR/17/0076
- ◆ P/20/1729

### List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 17 November 2021
  
- ▶ Consultations

Roads and Transportation Services (Development Management Team)	24.08.2022
Environmental Services	29.03.2022
Roads Flood Risk Management	09.09.2022
Education Resources School Modernisation Team	19.07.2022
Housing Services	12.09.2022
Scottish Gas Network	02.09.2022
Health and Safety Executive	14.09.2022
Roads and Transportation Services (Structures)	13.09.2022
WOSAS	25.11.2021
SEPA	17.11.2021
Community and Enterprise Resources - Play Provision	
Community Contributions	

### Contact for further information

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

Jane Weir, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Phone: 07795 455 502  
Email: [jane.weir@southlanarkshire.gov.uk](mailto:jane.weir@southlanarkshire.gov.uk)

### Conditions and reasons

1. No dwellinghouse hereby approved shall be occupied unless a Residential Travel Plan has been submitted to and approved in writing by the planning authority in consultation with the Roads Service. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. No dwellinghouse shall be occupied unless the measures set out in its approved Travel Plan have been issued to all homeowners.

Reason: In the interests of sustainable travel.

2. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area[s] have been submitted to and approved in writing by the planning authority. The area[s] shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No dwellinghouse shall be occupied unless the refuse bin uplift store area[s] have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area[s] shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

3. Notwithstanding the development hereby approved, no construction activities connected with the culvert and associated earthworks shall commence until full details of the culvert design has been submitted and approved by South Lanarkshire Council as Roads Authority and the Planning Service. The detailed design shall include ground investigation specific to the structure and also a full earthworks Specification all complying with the Design Manual for Roads and Bridges and the Manual of Contract Documents for Highway Works.

The design and layout of all new infrastructure and improvements shall be in accordance with the Design Manual for Roads and Bridges and SCOTS design guidance unless otherwise agreed by the Council as Planning and Roads Authority.

Reason: In the interests of public safety.

4. Prior to the commencement of development, a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, shall be submitted for the written approval of the Planning Service in consultation with the Roads Service for approval for all infrastructure to be constructed and adopted, or altered, on the public road.

Reason: In the interests of public safety.

5. No dwellinghouse hereby approved shall be occupied unless its driveway, parking and turning area has been provided and fully paved in accordance with details to be submitted to and approved in writing by the Planning Authority. The maximum gradient of each driveway shall not exceed 10% gradient and each driveway shall be internally drained and formed in such a way to prevent any flow of surface water either

onto or from the public road. The first 2m of a driveway, behind the heel of the footway shall be hard surfaced. All driveways shall be designed with car parking for each vehicle to a minimum of 3m x 6m, with provision to meet Council car parking standards. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of each driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

6. For the avoidance of doubt, the first 12.5m of any road within the site shall not exceed a gradient of 2% and no driveway or access will be permitted within 15m of the junction off Gilbertfield Road. The junction improvement at Gilbertfield Road/Flemington Road (by the implementation of the 3metre wide footway/cycleway) shall have minimum radii of 10.5 metres.

Reason: In the interests of traffic and pedestrian safety

7. Prior to commencement of development, a Traffic Management Plan (TMP), including details of the traffic routes of construction vehicles, site compound, show where all vehicles and deliveries will be located, on-site parking and wheel washing facilities shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. The TMP should restrict all site work (incl. vehicle movements) from operating within the school opening and closing times, unless otherwise agreed. No work shall commence until the TMP has been approved in writing by the Council as Planning Authority. Thereafter, the works shall be carried out in full accordance with the agreed details.

Reason: In the interests of road and public safety.

8. Prior to the commencement of development, and notwithstanding Conditions 9-14 inclusive, a drawing showing the internal footways, cycleways and additional footway/cycleway connections, together with appropriate drainage installation shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the cycleway and footway shall thereafter be permanently retained as such. For the avoidance of doubt, internal footways should be 2m wide.

Reason: To ensure safe access for pedestrians to the existing footpath network and the satisfactory provision of a cycle route.

9. Prior to the commencement of development, full details of a surfaced cycleway/footway connection between Hamilton Road and the internal development site roads shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the cycleway and footway shall thereafter be permanently retained as such.

The cycle path also acts as a maintenance route for vehicles to access the substation and should therefore be a minimum of 3.7m in width and constructed to the same standard as standard carriageway.

Reason: To ensure safe access for pedestrians to the existing footpath network and the satisfactory provision of a cycle route.

10. Prior to the commencement of development, full details of a footway along Gilbertfield Road to connect to phase 2 shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. For the avoidance of doubt, the footway shall be 2m wide and surfaced to adoptable standards. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the footway shall thereafter be permanently retained as such.

Reason: Reason: In the interests of pedestrian safety and to extend the local footway/cycle route network.

11. Prior to the occupancy of the first dwellinghouse hereby approved, a 3m wide footway/cycleway from Flemington Road into the site, with a 2m wide footway connecting to the existing footway on Gilbertfield Road (approximately 20m east of Claudius Crescent) shall be constructed. Works to include design and provision of a positive drainage system including a new drain through the Phase 2 development shall be submitted for the written approval of the Planning Service in consultation with the Roads Service prior to commencement of development. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the footway shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian safety, to extend the local footway/cycle route network and to alleviate the potential for on-site and off-site flooding.

12. Prior to commencement of development, full details of the formation of the site access road and extension of the footway link along Gilbertfield Road shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the works shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian safety, to extend the local footway/cycle route network and in the interests of road safety.

13. Notwithstanding the development hereby approved prior to commencement of development full details of a footway link along Lightburn Road shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. For the avoidance of doubt, unless otherwise agreed, the footway shall be a 2m wide lit footway link constructed on Lightburn Road to connect with the existing footway on Lightburn Road, at the western boundary of the site. Thereafter, footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of sustainable travel, pedestrian and road public safety.

14. Notwithstanding the requirements of Condition 13 above, an appropriate footway network that will connect the new development with the existing footway on Lightburn Road and Hamilton Road, to enable the retention of the mature hedgerow, shall be implemented. Full details of the footway design shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter,

the footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of sustainable travel, pedestrian and road public safety.

15. Notwithstanding the terms of Conditions 8-13 inclusive, a positive drainage system shall be required to be installed along these sections of carriageway on which the footways are constructed. Prior to the commencement of development full drainage details shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: To encourage natural drainage and to avoid the potential for localised flooding.

16. For the avoidance of doubt, prior to the occupation of any dwelling house hereby approved, the developer shall fund the upgrading of the street lighting along the frontage of Gilbertfield Road and shall construct a continuous 2m wide footway link on the previously reserved strip of land along the same Gilbertfield Road frontage of the site from the existing Phase 1 development to the Phase 2 access road, all to the satisfaction of the Council as Planning Authority.

Reason: In the interest of public safety.

17. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

18. Wastewater from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority. No works in connection with the development hereby approved shall commence unless written confirmation from Scottish Water stating that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards has been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

19. No works in connection with the development hereby approved shall commence unless full details of the surface water drainage arrangements (including provision of an updated flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Updated Appendices 1,2,3,4 & 5). A drawing showing the proposed SuDS scheme must be provided and the proposed SuDS scheme shall be located out with the 1 in 200 year plus 30% culvert blockage

level of 58.10m AOD, in agreement and to the satisfaction of the Council as Planning Authority in discussion with SEPA. Thereafter, the surface water drainage arrangements shall be implemented in full accordance with the agreed details and the development shall not be occupied until the surface drainage works have been completed in accordance with the agreed details. Once provided, the works shall thereafter be permanently retained as such.

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

20. Prior to the commencement of development, full details of a contemporary trash/security screen at the culvert inlet on Hamilton Road shall be submitted for the written approval of the Planning Service. For the avoidance of doubt, this shall include details of an inspection and maintenance regime in respect of the Hamilton Road culvert and screen. Thereafter, the works shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such, and the culvert and screen shall be inspected and maintained in accordance with the approved management schedule to the satisfaction of the Council as Planning Authority.

Reason: To minimise any flood risk in the area.

21. Notwithstanding the development hereby approved, prior to the development being brought into use, the approved scheme for the mitigation of noise shown in the approved Noise Impact Assessment shall be implemented in full, and where appropriate, shall be maintained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting the residential amenities of the new development.

22. Notwithstanding the details hereby approved, acoustic fencing will be required to the satisfaction of Environmental Services. Prior to the commencement of development, full details shall be submitted for the written approval by the Planning Service. For the avoidance of doubt the fencing shall ensure that between the house of 0800 and 200 the measured noise level emitted from the Engineering works (LAeq 1hour) shall not exceed the pre-existing background noise level (LA90 (15 mins) by more than 4dB (A) when measured in accordance with BS4142:2014 at buildings where people are likely to be affected. Between the houses of 2000 and 0800 the noise emitted from the premises (LAeq (15 mins)) shall not exceed the pre-existing background noise level (LA90 (15 mins) by more than 4dB (A) when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Reason: In the interests of protecting the residential amenities of the new development.

23. Notwithstanding the development hereby approved, the internal noise levels shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows:-

The scheme shall ensure that:-

- a) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an  $L_{Aeq,16hr}$  of 40dB daytime (07:00 – 23:00)
- b) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an  $L_{Aeq,8hr}$  of 30dB night-time (23:00 – 07:00).
- c) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an  $L_{A,max}$  of 45dB night-time (23:00 – 07:00).
- d) The external levels shall not exceed an  $L_{Aeq,16hr}$  of 50dB daytime in any garden areas, when measured free-field

The Internal Noise Rating Values, within any residential property and resultant from the development, shall not exceed-

- ◆ NR25 between 23.00hrs and 08.00hrs
- ◆ NR35 between 08.00hrs and 23.00hrs

Reason: In the interests of protecting the residential amenities of the new development.

24. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- a) A tree survey in accordance with BS 5837:2012.
- b) Existing landscape features and vegetation to be retained.
- c) Protection measures for the landscape features to be retained.
- d) Existing and proposed finished levels.
- e) The location of new trees, shrubs, hedges, grassed areas and water features, including enhanced planting for the hedgerow.
- f) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- g) Details of any top-soiling or other treatment to the ground.
- h) Sections and other necessary details of any mounding, earthworks and hard landscaping.
- i) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment.
- j) An indication of existing trees, shrubs and hedges to be removed.
- k) A programme for the implementation, completion and subsequent management of the proposed landscaping, including any phasing.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local

25. Prior to the commencement of development, full details of the design and location of all boundary treatments, including walls, fences and any retaining walls, enclosures, screening and paving and hard surfacing materials to be erected or installed on the

site shall be submitted for the written approval of the Planning Service. Thereafter, the boundary treatments shall be erected in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, all landscaping works shall thereafter be permanently retained.

Reason: In the interests of visual amenity.

26. 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.

Reason: In order to retain effective planning control in the interests of the visual amenities of the area, to protect open space.

27. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To safeguard and allow any archaeological remains which may exist on the site to be satisfactorily recorded.

28. For the avoidance of doubt, no work or crossings of the high-pressure gas apparatus shall be carried out on site unless detailed consultation has taken place with Scottish Gas Networks. SGN must be consulted on all works within 35 metres of the high-pressure gas pipelines (Major Accident Hazard Pipelines), with the aim of ensuring the pipeline and the integrity of the servitude or easement area are not compromised. Thereafter, works shall be carried out in accordance with the agreed position of Scottish Gas Networks in consultation with the Planning Authority.

Reason: In the interests of public safety.

29. For the avoidance of doubt, no mechanical excavations shall take place above or within 0.5m of the low-pressure gas system, within 0.5m of the medium pressure gas system or within 3m of the intermediate pressure gas system, and that confirmation of the position of the gas mains shall be undertaken by using hand dug trial holes.

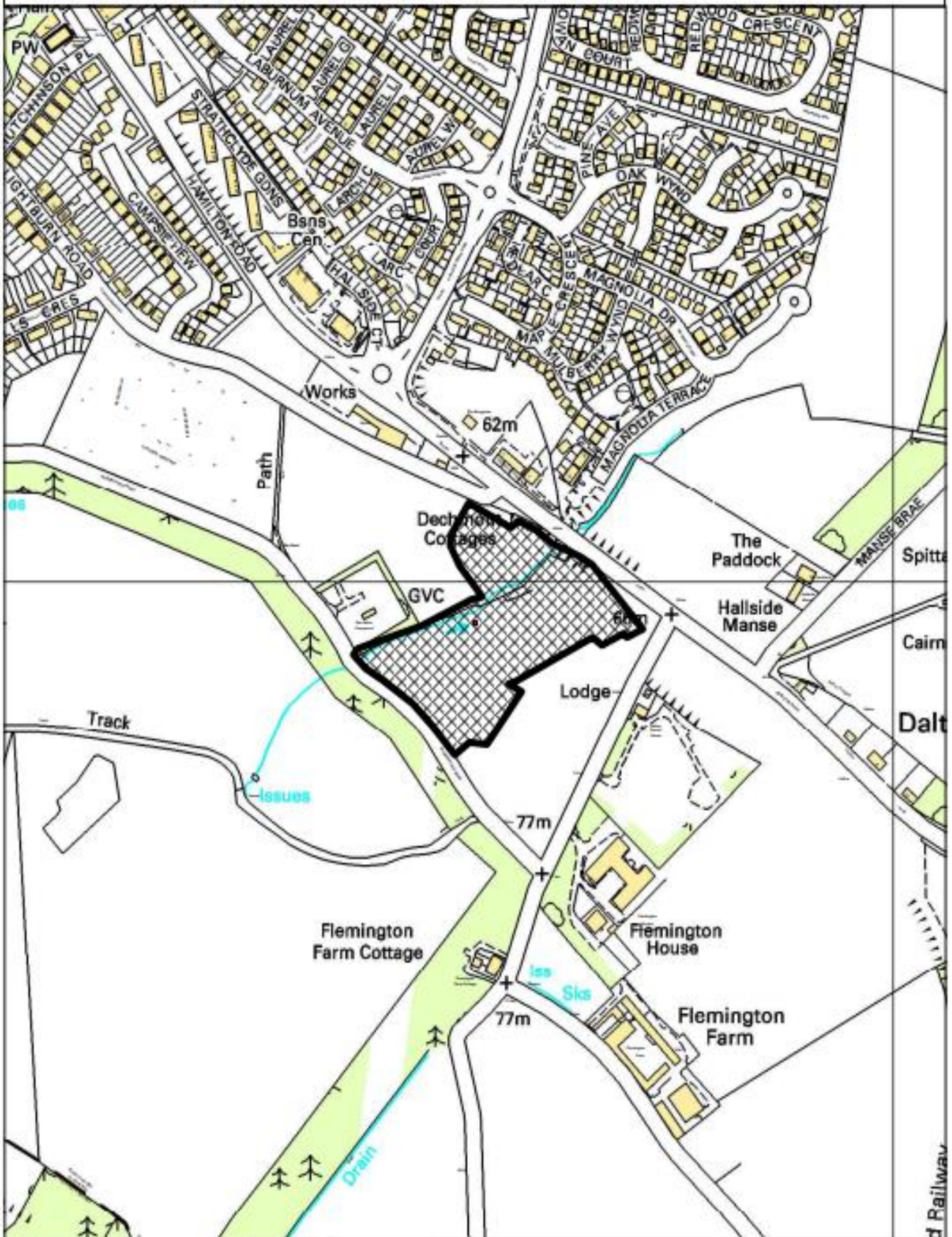
Reason: In the interests of public safety.

30. 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.

Reason: In the interests of amenity.

P/21/1962

Land 180M Northwest of Dalton School Lodge, Gilbertfield Road, Cambuslang



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Scale:  
1:5,000  
Date:  
16/09/2022



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



# Report

11

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/2031
Planning proposal:	Substitution of house types and additional 6 No. dwellinghouses, amendment to SUDS proposals, addition of sub-station, addition of gas governor and alteration of cycle path alignment (Amendment to CR/17/0076)

## 1 Summary application information

Application type:	Further application
Applicant:	Dundas Estates & Development Co Ltd
Location:	Phase 2D Land 180M Northwest of Dalton School Lodge Gilbertfield Road Cambuslang South Lanarkshire

## 2 Recommendation

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

- (1) Grant Detailed Planning Permission – Based on Conditions Listed.

### 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 Planning Obligation in respect of a financial contribution for the improvement/upgrading of education provision in the area has been concluded between the applicant and the Council.

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

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

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

### 3 Other information

- ◆ Applicant's Agent: Debbie Reeves
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): Policy 1: Spatial Strategy  
Policy 2: Climate Change  
SDDC2: Flood Risk  
SDDC3: Sustainable Drainage Systems  
SDCC4: Sustainable Transport  
Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
DM1: New Development Design  
DM15: Water Supply  
DM16: Foul Drainage and Sewerage  
Policy 11: Housing Land  
Policy 12: Affordable Housing and Housing Choice  
Policy 13: Green Network and Greenspace  
Policy 14: Natural and Historic Environment  
NHE16: Landscape  
Policy 15: Travel and Transport  
Policy 16: Water Environment and Flooding

#### ◆ Representations:

▶	2	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

#### ◆ Consultations:

Roads and Transportation Services (Development Management Team)  
Environmental Services  
Roads Flood Risk Management  
Roads and Transportation Services (Structures)  
Community and Enterprise Resources - Play Provision  
Community Contributions  
Education Resources School Modernisation Team  
Housing Services  
Scottish Gas Network  
Health and Safety Executive  
West of Scotland Archaeology Service

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located within the Cambuslang/Rutherglen settlement boundary and is positioned between Gilbertfield Road and Lightburn Road, towards the southeast of Cambuslang, south of Hamilton Road A724, and west of Flemington Road to the east. It comprises former agricultural land and is south and east of a gas pumping station. The site is gently sloping and measures approximately 2.6ha, with the proposed housing development area for this phase some 2.2ha. A burn runs along the northwest through the site. Two gas pipelines run through the site adjacent to the burn. Dalton School Lodge lies approximately 180m southeast of the site.
- 1.2 The site forms part of a wider residential development site developed by Dundas Estates. This site is known as Phase 2D. There is an extensive planning history pertaining to this site as noted further below. As such, the site currently comprises a construction site, with the surrounding areas proposed or under construction for associated phases. Phase 2C lies to the immediate north, sharing the same access, while Phases 2A and 2B are located to the northwest on the opposite side of the watercourse. The site overlaps with Phase 2B and Phase 2C where the SuDS scheme and surrounding open space is provided and cycleway is partially proposed.

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

- 2.1 The wider site benefits from permission for a large-scale housing development comprising 128 dwellinghouses across 4 phases, with Phase 2A under construction. The application site subject of this application, known as Phase 2D, benefits from planning permission under reference CR/17/0076 for a residential development comprising 47 dwellinghouses. This application seeks to substitute house types, resulting in an additional 6 units, increasing for 47 dwellinghouses previously approved, to 53. Furthermore, the proposal also seeks to amend the layout and infrastructure provision to realign footpaths and cycleways. The proposal also seeks an amendment to the SuDS proposals, and the addition of a sub-station and gas governor.
- 2.2 Phase 2D is located at the most south-eastern extent of the overall development site, bound by Flemington Road to the east. 53 units are proposed in this phase, taking access through Phase 2C to the north off Gilbertfield Road, heading south to serve Plots 117-132 laid out in a linear row north-south. The access road also runs southeast then northeast serving the remainder of the development, where the proposed housing is most dense. All proposed properties would front onto internal access roads, with rear gardens backing onto each other. A cul-de-sac is proposed to the eastern side serving Plots 85-94. Plots along the southern edge are to be served by small access lanes and shared drives. The access road at Plot 75 would continue north to loop round and connect to the access road which serves Phase 2C. A landscape buffer is proposed along the Flemington Road and Gilbertfield Road edge.
- 2.3 The proposed house substitutions would provide for a mix of 53 detached, semi-detached and terraced units, resulting in a change from predominantly detached units. Parking would largely be provided in curtilage, apart from where the terraced units are proposed at Plots 76-79, where parking is provided to the front. Boundary treatments would comprise a mix of hedging, 1.8m high stone screen walls, low walls with railings, and timber fencing between houses, and post and wire fencing to open areas. Tree planting is proposed within the open space areas. The housing mix is proposed as follows:-

- ◆ 1x Brodie 3-bed semi-detached
- ◆ 7x Gilroy 3-bed end terrace and semi-detached
- ◆ 2x Elliot 3-bed mid terrace
- ◆ 6x Pentland 3-bed semi-detached
- ◆ 3x Pentland 3-bed detached
- ◆ 5x Harper 3-bed detached
- ◆ 3x Carnegie 3-bed detached
- ◆ 3x Dewar 3-bed detached
- ◆ 1x Stuart 3-bed detached
- ◆ 4x Matheson 4-bed detached
- ◆ 2x Middleton 4-bed detached
- ◆ 1x Wallace 4-bed detached
- ◆ 2x Kendrick 4-bed detached
- ◆ 1x Lewis 4-bed detached
- ◆ 3x Gillespie Plus 4-bed detached
- ◆ 3x Dunbar 4-bed detached
- ◆ 2x McArthur 5-bed detached
- ◆ 4x Maitland 5-bed detached

Finishing materials are to include concrete roof tiles, render walls, upvc windows and doors, and coloured fascia detailing.

- 2.4 The proposed cycle/footway would follow the route proposed under Phase 2C (as detailed in planning application P/21/1962), with no connections through Phase 2D. The path would continue south outwith the site boundary along Gilbertfield Road.
- 2.5 For clarification, the red line site boundary for this proposed application matches the red line boundary approved under CR/17/0076. The wider site now contains the proposed new culvert and gas station and includes the realigned cycle path. The general roads layout, open space, and cycle links remain as approved under CR/17/0076, with only realigned routes and amended house types and siting proposed, deeming this an amendment application. The SuDS scheme has been slightly repositioned within the same location as that previously approved. Therefore, the main considerations are the revised housing layouts and design and technical matters associated with these amendments. The new culvert proposal is considered under associated applications P/21/1582 and P/21/1962.
- 2.6 The general layout would remain consistent with the earlier approvals and incorporate servicing within the adjacent phases. As mentioned, open space is to be provided to the north and a SuDS area to the northeast. Footways and cycle paths are continued to be proposed throughout the wider development sites, with connections to the reconfigured Phase 2B layout proposed through Phase 2C; and a culvert is proposed to be aligned over the burn to replace the earlier bridge proposal, with the cycle path extending over the new culvert leading to the adjacent development to the north. A new footpath is proposed along Gilbertfield Road heading south east. The proposal would connect to the public drainage and water supply networks. The SuDS scheme is to be slightly repositioned, but at the same site. A new sub-station and gas infrastructure is proposed at the northern corner of this site, adjacent to where the cycle path connects to Lightburn Road, in Phase 2B. Landscaping is proposed around these structures, and planting is proposed throughout the SuDS area and open space area, as well as along the north running access road, with feature planting around the shared space area at the entrance.

### **3 Background**

#### **3.1 Local Plan Status**

3.1.1 In terms of local plan policy, the site is located within the Cambuslang/Rutherglen settlement boundary in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). The application site and associated proposal is affected by Policy 1: Spatial Strategy, Policy 2: Climate Change, Policy 3: General Urban Areas and Settlements, Policy 5: Development Management and Placemaking, Policy 11: Housing, Policy 12: Affordable Housing, Policy 13: Green Network and Greenspace, Policy 14: Natural and Historic Environment, Policy 15: Travel and Transport, and Policy 16: Water Environment and Flooding as well as associated detailed development management and sustainable development policies. The content and aims of these policies are discussed in section 6 of this report.

#### **3.2 Relevant Government Advice/Policy**

3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 which confirms the requirement for the Council to maintain a five-year supply of effective housing land and also provides policy guidance relating to the provision of affordable housing. Planning authorities are required to promote the efficient use of land by directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and services. SPP also introduces a presumption in favour of development that contributes to sustainable development.

#### **3.3 Planning Background**

3.3.1 There is an extensive planning background to this site and associated phases. This application forms part of a suite of applications seeking to update house types and slightly amend housing numbers to that previously approved. The relevant reference numbers and breakdowns are included in the table below:-

Phase	Original Reference and Housing Numbers	Current Reference and Housing Numbers
2A	CR/15/0046 - 42 units, granted 7 December 2020.  P/20/1729 - amendment to previous approval including substitution of house types, alteration of road alignment, amendment to SuDS, addition of sub-station and new foot and cycle paths, granted 1 April 2021.	P/20/1729 - 41 units, amendment to CR/15/0046 seeking substitution of house types, granted 1 April 2021.  No further changes proposed to this phase of development.
2B	CR/16/0138 - 13 units comprising 9 flats and 4 cottage flats, granted 7 December 2020.  P/20/1729 - 1 unit included in Phase 2A now as amended covered by Phase 2B, granted 1 April 2021.	P/21/1582 - current pending application comprising 14 units (amendment to earlier approval).

2C	CR/17/0039 - 26 units, granted 7 December 2020.	P/21/1962 - current pending application comprising 26 units (amendment to earlier approval).
2D	CR/17/0076 - 47 units, granted 7 December 2020.	P/21/2031- current pending application comprising 53 units (amendment to earlier approval).

- 3.3.2 The total housing numbers have increased from 128 units across the four sites, to 134 units, with the additional 6 units contained in Phase 2D. The layout across all sites has been amended to include a culvert to replace the original proposed footbridge.
- 3.3.4 All applications remain extant, establishing the principle of development. Any works which have commenced on site form part of these earlier approvals.
- 3.3.5 The previous applications were covered by a S69 upfront payment for contributions towards affordable housing, education, and community.

#### **4 Consultations**

##### **4.1 Roads and Transportation Services (Development Management Team)**

**Response:** raise no objections to the above proposals subject to the inclusion of the conditions previously added to CR/16/0138 and a separate condition pertaining to the proposed culvert.

##### **4.2 Environmental Services**

**Response:** has no objections to the proposal

##### **4.3 Roads Flood Risk Management**

**Response:** have no objection to the proposed development. This service notes that the self-certification in regard to the sustainable drainage system for each phase of development, will be captured as part of the Roads Construction Consent process which is underway for each of these developments.

##### **4.4 Roads and Transportation Services (Structures)**

**Response:** The Structures Team note that the proposals include for the provision of an adoptable culvert to accommodate an unnamed watercourse. The proposed adoptable culvert will be subject to the full Technical Approval process as detailed in the Design Manual for Roads and Bridges. South Lanarkshire Council will be the Approving Authority. In terms of the Technical Approval process the proposed culvert is a Category 1 structure. The process includes for the submission and subsequent approval by the Approving Authority of an Approval in Principle (AIP) submission. The AIP submitted in support of the proposals was accepted and approved on behalf of the Approval Authority on 12 September 2022.

##### **4.5 Community and Enterprise Resources - Play Provision Community Contributions**

**Response:** No response has been provided to date. Any contributions will be sought by way of upfront payment before a decision is issued should permission be granted.

##### **4.6 Education Resources School Modernisation Team**

**Response:** This service seeks a per unit contribution for any additional units. Over three applications a total of 6 additional units are proposed, resulting in an additional

contribution requirement which will be secured by an upfront payment prior to any permission granted being issued.

4.7 **Housing Services**

**Response:** Has confirmed that there would be no additional affordable housing provision due to the small increase in numbers across all 3 pending applications.

4.8 **Scottish Gas Networks (SGN)**

**Response:** Withdraw any objection to the planning application on the condition that SGN is consulted on all works within 35 metres of its high-pressure gas pipelines (Major Accident Hazard Pipelines), with the aim of ensuring the pipeline and the integrity of the servitude or easement area are not compromised.

4.9 **Health and Safety Executive (HSE)**

**Response:** Comment that based on the information provided for the planning application, the revised “Does Not Advise Against” recommendation generated is appropriate as HSE would not advise against a sensitivity level 2 development in the middle consultation zone.

4.10 **Consult – West of Scotland Archaeology Service (WOSAS)**

**Response:** Note the proximity of archaeological features and request a condition seeking the implementation of a programme of archaeological works and written scheme of investigation be attached to any permission granted. This would allow the Council to ensure that the correct level of mitigation fieldwork is undertaken and reported on.

**5 Representation(s)**

5.1 Statutory neighbour notification was undertaken, and the proposal received 2 valid letters of objection. The grounds of the objections are summarised as follows:-

**a) Greenbelt erosion**

**Response:** The site is located out with the greenbelt designated area, which begins further south and east, with Flemington Road as the boundary. Therefore, the site is not considered to affect the qualities for which the greenbelt is protected. However, it is recognised that an inevitable degree of impact will result from this development, although this is considered acceptable given the housing land allocation and the satisfactory design and layout of the scheme. Appropriate buffers along the Flemington Road boundary will lessen any impact and landscaping will be sought by way of condition to support this further. The site is covered by a green network designation, as discussed further below.

**b) Road safety including pedestrian safety along Flemington Road, construction traffic and the development of walls up to the road edge and cycle path. Speed bumps and pavements are required.**

**Response:** The Council's Roads and Transportation Service have carefully considered the application and raise no significant road safety concerns to warrant refusal in this instance. The road network will be subject to separate Road Construction Consent processes and will be completed to a technical standard. Conditions relating to traffic management and cycleways/footways will be attached to any permission granted.

- c) **Drainage which may result in additional flooding in the surrounding area, especially on the main Hamilton Road. Flooding mitigation should be provided.**

**Response:** Conditions relating to drainage are to be attached to any permission granted to address this. The Council's Flooding Service raise no objections on flood risk terms.

- d) **Any reduction in SuDS will result in a loss of privacy and overlook number 7 Dechmont Cottages.**

**Response:** There is approximately 30m between Dechmont Cottages and the development site, separated by Hamilton Road and screened by hedging and proposed further landscaping. In addition, the SuDS area will be open landscaped, therefore, there would be no direct overlooking, and the layout is deemed acceptable.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 Full planning permission is sought for the erection of 53 dwellinghouses, proposed as substituted house plots on an earlier approval, as well as a revised layout including a proposed culvert and foot and cycle paths and gas station at land 180m northwest of Dalton School Lodge, Gilbertfield Road, Cambuslang. The main issues to be addressed in the determination of this application includes the acceptability in principle of the development, the layout, siting and design of the proposed scheme, and an assessment of technical matters. The policies contained within the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any material planning considerations.
- 6.2 In terms of a spatial strategy, Policy 1 of the SLLDP2 directs larger developments to sustainable urban locations, and together with Policy 11 seeks to ensure that there is an effective and mixed housing land supply. Policy 3 states that residential developments within urban areas and settlements, including Cambuslang/Rutherglen for which this site is situated within, will generally be acceptable, and Policy 5 sets out design criteria required to deliver successful places as discussed further below.
- 6.3 As outlined above, the site benefits from extant consent under previous applications for residential development, and this application seeks only a change in layout, siting and design as well as house type and mix. Therefore, the principle of development has been established in line with sustainable development requirements for residential proposals outlined in the above policies. Although the earlier consent was granted under a previous Local Development Plan, the site continues to be allocated for housing land under the current SLLDP2 within the settlement maps, and therefore the principle of residential development at this location is acceptable.
- 6.4 In terms of housing numbers, permission was granted for 47 houses, predominantly comprising detached units, with 10 semi-detached units. This revised scheme differs slightly under the current application as more semi-detached and terraced units are proposed, creating a further housing mix.
- 6.5 Policy 11 states that developers must provide a range of house size and types to meet local needs and market demands. It is considered in this case that the revised layout contributes to a wider mix, and while housing numbers have increased, this is only a small number of 6 additional units and consideration has been given to the type of

housing at this site, and on balance the mix remains acceptable. The Council's Housing service raise no comments in relation to this.

- 6.6 The additional 6 units is not considered to give rise to significant additional infrastructure requirements on this site and in the wider vicinity, and no additional contributions are required in respect of this, apart from in relation to Education which will be secured by way of a cash contribution per additional unit. The Council's Affordable Housing Service has confirmed that no additional contributions are required in this regard due to the small increase in numbers. Overall, the effective land supply, the substituted house types, layout and housing mix is considered to be in accordance with Policy 1, 3, 5 and 11 of the South Lanarkshire LDP2. This is one phase of a wider development and is considered to fit successfully in the wider scheme both in terms of placemaking and housing supply.
- 6.7 Turning to layout, siting and design, together Policies 3, 5 and DM1 set out criteria which must be met to ensure that the proposal contributes, in a positive manner, to the quality of the surrounding built and natural environment, its character and appearance. This includes that the development is appropriate in its siting, layout and density, and responds to this in terms of design and scale. Patterns of development and surrounding amenity should be respected. In particular, Policy DM1 seeks to promote quality and sustainability and ensure that all new developments meet the six qualities of a successful place, including being distinctive whilst respecting the local identity and creating a sense of place; being safe and pleasant; welcoming; adaptable; efficient and well connected.
- 6.8 Overall, the development in this phase generally follows the same pattern as previously approved, with only minor realignments to path networks and SuDS schemes, and the inclusion of a sub station and gas governor. The changes can be adequately accommodated within the site area and level changes. The proposed layout would continue to allow for a predominantly linear pattern of development, with houses fronting along the main access road, and small lanes and cul de sac areas proposed, offering a change to the uniform layout, creating a sense of place which responds to the dense area of development in this phase. In terms of house type designs, there is a varied mix responding to market demands. The properties comprise detached, semi-detached and terraced units, finished in appropriate materials with sufficient parking provision. Hard and soft landscaping also creates a welcoming, safe and pleasant appearance and responds to the site context in terms of existing trees, topography and providing a buffer around the site boundaries. Overall, the proposal is considered to be appropriately designed and scaled in accordance with the aforementioned policies.
- 6.9 The house types and layout have been considered to avoid any negative amenity impacts, with suitable fencing providing privacy to rear gardens, and adequate separation to avoid direct overlooking, and no significant rear projections to avoid overshadowing. There is considerable distance from existing surrounding properties to mitigate against any negative effects arising from this development. While an inevitable degree of change will result in the landscape setting from this development, it is not considered to be overly obtrusive and offers sufficient open space to lessen any impact, ensuring that the landscape character is not significantly adversely affected in accordance with Policy NHE16. Conditions will be attached to any permission granted seeking full landscaping details including retained and proposed planting. This should support biodiversity enhancements also. In summary, the proposal is acceptable in terms of layout, siting and design, with no significant negative impact on surrounding amenity, generally satisfying the criteria set out in DM1.

- 6.10 In terms of technical matters, a new culvert is proposed to replace a footbridge which formed part of the earlier approved applications in the adjacent phases. The developer has advised this is sought for reasons to avoid impact on the gas pipeline infrastructure. SGN have responded with no objection to the proposals in proximity of the pipelines and following consultation, HSE does not advise against the granting of permission. Together Roads Development, Flooding and Structures have reviewed the proposal and are satisfied that the culvert can be suitably installed with no significant impact on servicing, flooding or access and connectivity in accordance with SDDC2, subject to technical design. Policy 16 sets out that engineering works which have an unacceptable impact will not be supported. The culvert proposal has undergone significant review with consultees confirming no objections following submission of detailed design proposals, agreements in principle and will form part of the conditions of any permission granted. The substations are small scale and do not affect the general placemaking of the site. Correspondence from SEPA confirms that the culvert is minimal and does not constitute realignment therefore no authorisation is required from SEPA for the works, and they have confirmed they did not require to be consulted. In regard to the water environment, as the proposal would connect to the public water supply and drainage network it is considered acceptable in line with DM15 and DM16, with conditions attached where relevant. SDCC3 supports SuDS developments which are integral to the overall design. In this case, the SuDS scheme follows that previously approved in terms of its location within the site, albeit it is slightly repositioned. It connects to the open space, offering appropriate landscaping and a softer edge to the development, so as not to negatively affect the setting of the area.
- 6.11 Together the SuDS arrangement and open space area provides ample and useable open space within the development site in addition to private amenity garden ground. This creates recreational opportunities and promotes walking and cycling in accordance with policies listed above and contributes to sustainability and the visual quality of the site. The siting of the open space also allows for appropriate separation between Dechmont Cottages further northeast. Together with proposed landscape buffers, the open space layout and distribution is in compliance with LDP policies.
- 6.12 The site is designated as a green network. Policy 13 seeks to protect existing resources from loss or fragmentation due to development, but also recognises there are opportunities to extend and enhance the network and provide new links, which is the case in this proposal as new footways and cycle routes are proposed, together with the open space provision and buffer zone around the pipelines and watercourse. This allows for blue-green networks and contributes towards successful placemaking in the overall development scheme. Open space is proposed to the south and this would not result in a negative effect on the biodiversity of the site, with no protected species or significant additional loss of trees. Connectivity through active travel methods is proposed and therefore overall, the principle of development within the green network is accepted as per Policy 1 criteria 10 and Policy 13 as the green network is enhanced through new proposed connections, amenity and landscaping proposals as part of this established allocated housing development site. An invasive species report was submitted with the application and concluded that no invasive species were found on the site as reported on.
- 6.13 Through such new proposed connections active travel is promoted in line with Policy 15 as existing routes are safeguarded and enhanced. In terms of access, this would remain to be obtained from Gilbertfield Road. Internal road layouts are suitable, with adequate provision for parking. Footway and cycleway connections have been realigned to fit with the proposed culvert and this is considered to offer adequate connectivity and promote active travel, leading to a successful, well-connected place. Footpaths outwith the site boundary will be subject of further details to be submitted

as part of conditions and will result in improved accessibility and connectivity throughout and surrounding the site. With regard to road safety, Policy 15 requires all new development proposals to consider the resulting impacts of traffic growth. The site has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions being reattached from the previous approval, and in relation to the culvert design. The proposal can therefore be considered acceptable in transportation terms.

- 6.14 Overall, in line with the aims of Policy 2, the development is sustainably located as an allocated housing site with acceptable SuDS provision, avoids flood risk and promotes active travel, supports the green network and provides EV charging all contributing to sustainable development to reduce climate change in line with SDCC2, SDCC3 and SDCC4.
- 6.15 In conclusion, the site benefits from extant planning permission for an established housing site, meaning that many considerations are carried forward from these earlier approvals. The main issues of the reconfigured layout and housing types are deemed acceptable as a suitable mix is provided and is appropriately designed. The site can adequately accommodate the revised layout, with ample open space and it can be suitably accessed and serviced. The proposal has been subject to detailed consultation, in particular to the culvert proposal, and all technical matters have been addressed, and there are no material planning reasons which would warrant a refusal in this instance. Additional educational contributions will be sought, and no further contributions are required in this particular phase of development, as the uplift in units is small scale. Therefore, the proposal complies with all relevant policies contained within the South Lanarkshire Local Development Plan 2, and the application is recommended for approval, subject to conditions. For the avoidance of doubt, relevant conditions from the previous consent will be re-attached to any permission granted.

## **7 Reasons for Decision**

- 7.1 The development would continue to deliver the allocated housing site and offer an updated housing mix. The proposal is appropriately designed and would have no adverse impacts on the surrounding landscape or character and amenity of the area. All technical matters have been addressed, and the proposal satisfies all relevant policies contained within the South Lanarkshire Local Development Plan 2.

**David Booth**

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

Date: 30 September 2022

### **Previous references**

- ◆ CR/15/0046
- ◆ CR/16/0138
- ◆ CR/17/0039
- ◆ CR/17/0076
- ◆ P/20/1729

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 23 December 2021

► Consultations	
Roads and Transportation Services (Development Management Team)	24.08.2022
Environmental Services	31.01.2022
Roads Flood Risk Management	09.09.2022
Roads and Transportation Services (Structures)	13.09.2022
Housing Services	12.09.2022
West of Scotland Archaeology Service	07.01.2022
Education Resources School Modernisation Team	21.07.2022
Scottish Gas Network	02.09.2022
Health and Safety Executive	14.09.2022
Community and Enterprise Resources - Play Provision	
Community Contributions	

► Representations	Dated:
Mrs Angela McIntyre, 7 Dechmont Cottages, Cambuslang, Glasgow, G72 7XP	07.01.2022
Mr Edmund McKee, 1 Flemington Farm Cottages, Cambuslang, Glasgow, G72 8YE	15.01.2022

### **Contact for further information**

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

Jane Weir, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
 Phone: 07795 455 502  
 Email: jane.weir@southlanarkshire.gov.uk

### Conditions and reasons

1. No dwellinghouse hereby approved shall be occupied unless a Residential Travel Plan has been submitted to and approved in writing by the planning authority in consultation with the Roads Service. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. No dwellinghouse shall be occupied unless the measures set out in its approved Travel Plan have been issued to all homeowners.

Reason: In the interests of sustainable travel.

2. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area[s] have been submitted to and approved in writing by the planning authority. The area[s] shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No dwellinghouse shall be occupied unless the refuse bin uplift store area[s] have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area[s] shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

3. Notwithstanding the development hereby approved, no construction activities connected with the culvert and associated earthworks shall commence until full details of the culvert design has been submitted and approved by South Lanarkshire Council as Roads Authority and the Planning Service. The detailed design shall include ground investigation specific to the structure and also a full earthworks Specification all complying with the Design Manual for Roads and Bridges and the Manual of Contract Documents for Highway Works.

The design and layout of all new infrastructure and improvements shall be in accordance with the Design Manual for Roads and Bridges and SCOTS design guidance unless otherwise agreed by the Council as Planning and Roads Authority.

Reason: In the interests of public safety.

4. Prior to the commencement of development, a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, shall be submitted for the written approval of the Planning Service in consultation with the Roads Service for approval for all infrastructure to be constructed and adopted, or altered, on the public road.

Reason: In the interests of public safety.

5. No dwellinghouse hereby approved shall be occupied unless its driveway, parking and turning area has been provided and fully paved in accordance with details to be submitted to and approved in writing by the Planning Authority. The maximum gradient of each driveway shall not exceed 10% gradient and each driveway shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. The first 2m of a driveway, behind the heel of the footway

shall be hard surfaced. All driveways shall be designed with car parking for each vehicle to a minimum of 3m x 6m, with provision to meet Council car parking standards. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of each driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

6. For the avoidance of doubt, the first 12.5m of any road within the site shall not exceed a gradient of 2% and no driveway or access will be permitted within 15m of the junction off Gilbertfield Road. The junction improvement at Gilbertfield Road/Flemington Road (by the implementation of the 3metre wide footway/cycleway) shall have minimum radii of 10.5 metres.

Reason: In the interests of traffic and pedestrian safety

7. Prior to commencement of development, a Traffic Management Plan (TMP), including details of the traffic routes of construction vehicles, site compound, show where all vehicles and deliveries will be located, on-site parking and wheel washing facilities shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. The TMP should restrict all site work (incl. vehicle movements) from operating within the school opening and closing times, unless otherwise agreed. No work shall commence until the TMP has been approved in writing by the Council as Planning Authority. Thereafter, the works shall be carried out in full accordance with the agreed details.

Reason: In the interests of road and public safety.

8. Prior to the commencement of development, and notwithstanding Conditions 9-14 inclusive, a drawing showing the internal footways, cycleways and additional footway/cycleway connections, together with appropriate drainage installation shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the cycleway and footway shall thereafter be permanently retained as such. For the avoidance of doubt, internal footways should be 2m wide.

Reason: To ensure safe access for pedestrians to the existing footpath network and the satisfactory provision of a cycle route.

9. Prior to the commencement of development, full details of a surfaced cycleway/footway connection between Hamilton Road and the internal development site roads shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the cycleway and footway shall thereafter be permanently retained as such.

The cycle path also acts as a maintenance route for vehicles to access the substation and should therefore be a minimum of 3.7m in width and constructed to the same standard as standard carriageway.

Reason: To ensure safe access for pedestrians to the existing footpath network and the satisfactory provision of a cycle route.

10. Prior to the commencement of development, full details of a footway along Gilbertfield Road to connect to phase 2 shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. For the avoidance of doubt, the footway shall be 2m wide and surfaced to adoptable standards. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the footway shall thereafter be permanently retained as such.

Reason: Reason: In the interests of pedestrian safety and to extend the local footway/cycle route network.

11. Prior to the occupancy of the first dwellinghouse hereby approved, a 3m wide footway/cycleway from Flemington Road into the site, with a 2m wide footway connecting to the existing footway on Gilbertfield Road (approximately 20m east of Claudius Crescent) shall be constructed. Works to include design and provision of a positive drainage system including a new drain through the Phase 2 development shall be submitted for the written approval of the Planning Service in consultation with the Roads Service prior to commencement of development. Thereafter, the path shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the footway shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian safety, to extend the local footway/cycle route network and to alleviate the potential for on-site and off-site flooding.

12. Prior to commencement of development, full details of the formation of the site access road and extension of the footway link along Gilbertfield Road shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the works shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian safety, to extend the local footway/cycle route network and in the interests of road safety.

13. Notwithstanding the development hereby approved prior to commencement of development full details of a footway link along Lightburn Road shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. For the avoidance of doubt, unless otherwise agreed, the footway shall be a 2m wide lit footway link constructed on Lightburn Road to connect with the existing footway on Lightburn Road, at the western boundary of the site. Thereafter, footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of sustainable travel, pedestrian and road public safety.

14. Notwithstanding the requirements of Condition 13 above, an appropriate footway network that will connect the new development with the existing footway on Lightburn Road and Hamilton Road, to enable the retention of the mature hedgerow, shall be implemented. Full details of the footway design shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: In the interests of sustainable travel, pedestrian and road public safety.

15. Notwithstanding the terms of Conditions 8-13 inclusive, a positive drainage system shall be required to be installed along these sections of carriageway on which the footways are constructed. Prior to the commencement of development full drainage details shall be submitted for the written approval of the Planning Service in consultation with the Roads Service. Thereafter, the footway shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such.

Reason: To encourage natural drainage and to avoid the potential for localised flooding.

16. For the avoidance of doubt, prior to the occupation of any dwelling house hereby approved, the developer shall fund the upgrading of the street lighting along the frontage of Gilbertfield Road and shall construct a continuous 2m wide footway link on the previously reserved strip of land along the same Gilbertfield Road frontage of the site from the existing Phase 1 development to the Phase 2 access road, all to the satisfaction of the Council as Planning Authority.

Reason: In the interest of public safety.

17. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

18. Wastewater from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority. No works in connection with the development hereby approved shall commence unless written confirmation from Scottish Water stating that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards has been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

19. No works in connection with the development hereby approved shall commence unless full details of the surface water drainage arrangements (including provision of an updated flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Updated Appendices 1,2,3,4 & 5). A drawing showing the proposed SuDS scheme must be provided and the proposed SuDS scheme shall be located out with the 1 in 200 year plus 30% culvert blockage level of 58.10m AOD, in agreement and to the satisfaction of the Council as Planning Authority in discussion with SEPA. Thereafter, the surface water drainage arrangements shall be implemented in full accordance with the agreed details and the development shall not be occupied until the surface drainage works have been

completed in accordance with the agreed details. Once provided, the works shall thereafter be permanently retained as such.

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

20. Prior to the commencement of development, full details of a contemporary trash/security screen at the culvert inlet on Hamilton Road shall be submitted for the written approval of the Planning Service. For the avoidance of doubt, this shall include details of an inspection and maintenance regime in respect of the Hamilton Road culvert and screen. Thereafter, the works shall be implemented in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, the works shall thereafter be permanently retained as such, and the culvert and screen shall be inspected and maintained in accordance with the approved management schedule to the satisfaction of the Council as Planning Authority.

Reason: To minimise any flood risk in the area.

21. Notwithstanding the development hereby approved, prior to the development being brought into use, the approved scheme for the mitigation of noise shown in the approved Noise Impact Assessment shall be implemented in full, and where appropriate, shall be maintained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: In the interests of protecting the residential amenities of the new development.

22. Notwithstanding the details hereby approved, acoustic fencing will be required to the satisfaction of Environmental Services. Prior to the commencement of development, full details shall be submitted for the written approval by the Planning Service. For the avoidance of doubt the fencing shall ensure that between the house of 0800 and 200 the measured noise level emitted from the Engineering works (LAeq 1 hour) shall not exceed the pre-existing background noise level (LA90 (15 mins)) by more than 4dB (A) when measured in accordance with BS4142:2014 at buildings where people are likely to be affected. Between the houses of 2000 and 0800 the noise emitted from the premises (LAeq (15 mins)) shall not exceed the pre-existing background noise level (LA90 (15 mins)) by more than 4dB (A) when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Reason: In the interests of protecting the residential amenities of the new development.

23. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- a) A tree survey in accordance with BS 5837:2012.
  - b) Existing landscape features and vegetation to be retained.
  - c) Protection measures for the landscape features to be retained.
  - d) Existing and proposed finished levels.
  - e) The location of new trees, shrubs, hedges, grassed areas and water features, including enhanced planting for the hedgerow.

- f) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- g) Details of any top-soiling or other treatment to the ground.
- h) Sections and other necessary details of any mounding, earthworks and hard landscaping.
- i) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment.
- j) An indication of existing trees, shrubs and hedges to be removed.
- k) A programme for the implementation, completion and subsequent management of the proposed landscaping, including any phasing.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local

24. Prior to the commencement of development, full details of the design and location of all boundary treatments, including walls, fences and any retaining walls, enclosures, screening and paving and hard surfacing materials to be erected or installed on the site shall be submitted for the written approval of the Planning Service. Thereafter, the boundary treatments shall be erected in full accordance with the agreed details prior to the occupancy of the first approved dwellinghouses. Once provided, all landscaping works shall thereafter be permanently retained.

Reason: In the interests of visual amenity.

25. 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.

Reason: In order to retain effective planning control in the interests of the visual amenities of the area, to protect open space.

26. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To safeguard and allow any archaeological remains which may exist on the site to be satisfactorily recorded.

27. For the avoidance of doubt, no work or crossings of the high-pressure gas apparatus shall be carried out on site unless detailed consultation has taken place with Scottish Gas Networks. SGN must be consulted on all works within 35 metres of the high-pressure gas pipelines (Major Accident Hazard Pipelines), with the aim of ensuring the pipeline and the integrity of the servitude or easement area are not compromised. Thereafter, works shall be carried out in accordance with the agreed position of Scottish Gas Networks in consultation with the Planning Authority.

Reason: In the interests of public safety.

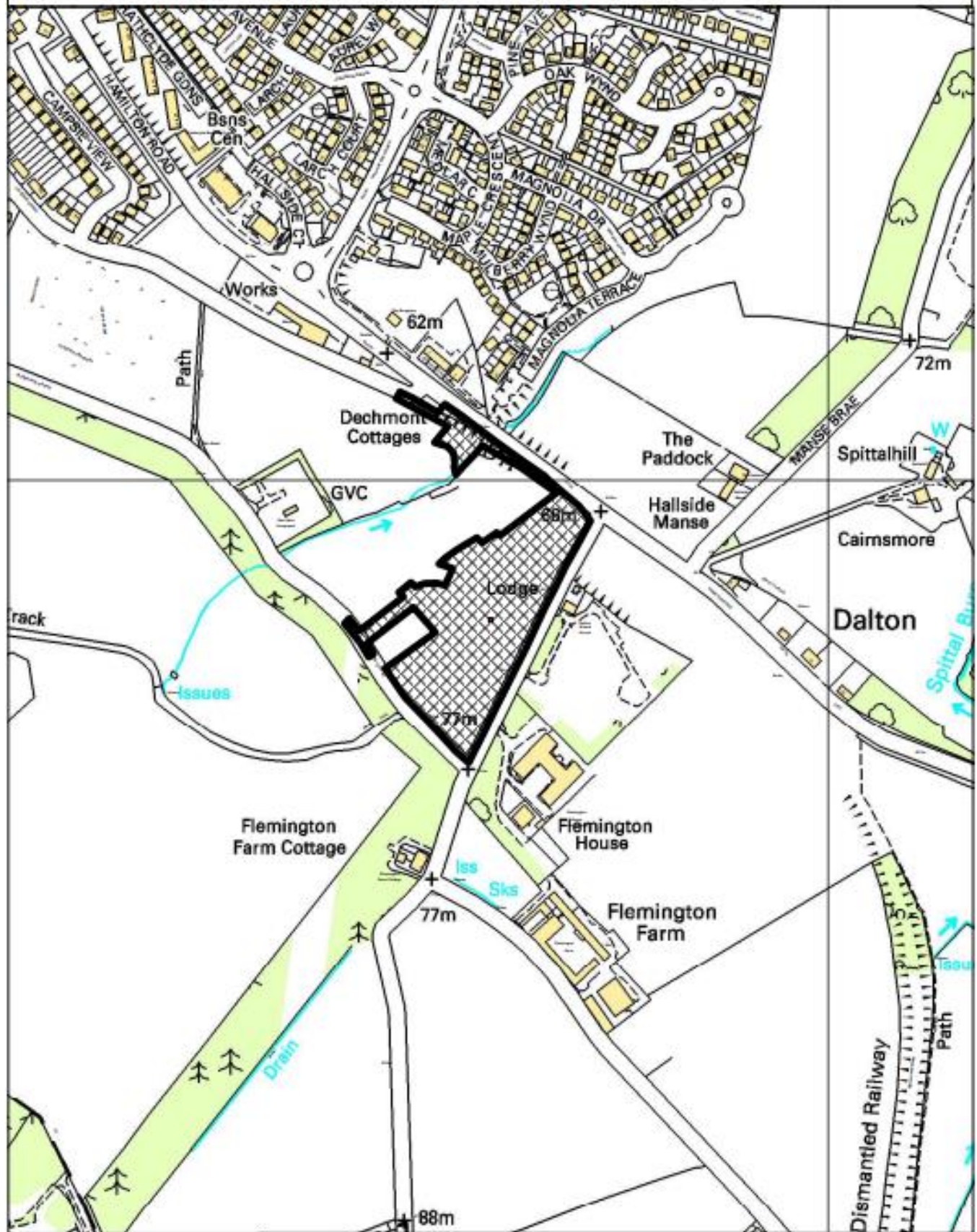
28. For the avoidance of doubt, no mechanical excavations shall take place above or within 0.5m of the low-pressure gas system, within 0.5m of the medium pressure gas system or within 3m of the intermediate pressure gas system, and that confirmation of the position of the gas mains shall be undertaken by using hand dug trial holes.

Reason: In the interests of public safety.

29. 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.

Reason: In the interests of amenity.

Phase 2D, Land 180M Northwest of Dalton School Lodge, Gilbertfield Road



**SOUTH  
LANARKSHIRE  
COUNCIL**

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

# Report

12

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0674
Planning proposal:	Installation of battery storage facility (S36 Scottish Government Consultation)

## 1 Summary application information

Application type:	Electricity notification S36 application
Applicant:	Alcemi Storage Developments 4 Limited
Location:	Land 700M North of Birkhill Mill Cairnhouses Road Douglas Lanark South Lanarkshire

## 2 Recommendation(s)

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

- (1) that the Scottish Government is informed that South Lanarkshire Council has no objection to the proposed installation of a battery storage facility under Section 36 of the Electricity Act 1989; and
- (2) that the Head of Planning and Regulatory Services be authorised to undertake any discussions and further agreements of conditions if required, with the Scottish Government.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: Jonathan Smith, RPS
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**  
Policy 1 Spatial Strategy  
Policy 2 Climate Change  
Policy 4 Green Belt and Rural Area  
Policy 5 Development Management and Placemaking  
Policy 14 Natural and Historic Environment  
Policy 15 Travel and Transport

Policy 16 Water Environment and Flooding  
Policy 18 Renewable Energy  
Policy RE1 Renewable Energy  
Policy DM1 New Development Design  
Policy SDCC2 Flood Risk  
Policy SDCC3 Sustainable Drainage Systems

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads Development Management Team

Roads Flood Risk Management

Countryside and Greenspace

West of Scotland Archaeology Service (WOSAS)

## Planning Application Report

### 1 Application Site

- 1.1 The application site is an area of approximately 16.4 hectares of land west of the M74 some 2.5km southeast of the settlement of Lesmahagow. It also lies 1.4km southeast of Coalburn Electricity Substation. The eastern boundary of the site comprises the M74, with the B7078 (Carlisle Road) forming the western boundary of the site. To the north of the site is open grassland with the nearest residential property some 160m further north of the boundary. The southern boundary comprises further open grassland and then an existing animal feed business.
- 1.2 The site is open agricultural land and is designated as Rural within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). To the immediate west of the site, across the B7078 is the Coalburn Moss Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

### 2 Proposal(s)

- 2.1 An application has been made to the Scottish Government under Section 36 of the Electricity Act 1989 for the installation of a battery storage facility which involves the creation of up to 5 platforms (each 5,610 metres sq) to house the batteries. Each platform would have a building to house the batteries which would be up to 15m in height. The proposals also include the following associated components:-
- ◆ The creation of a new access from the B7078
  - ◆ Security fencing and CCTV
  - ◆ heating, ventilation, and air conditioning (HVAC) equipment
  - ◆ fire suppression equipment
  - ◆ cooling plant - control and protection apparatus
  - ◆ switchgear apparatus
  - ◆ inverters or power conversion systems
  - ◆ transformers
  - ◆ metering equipment
  - ◆ associated transmission cabling
  - ◆ welfare facilities
- 2.2 The proposals are to allow for the storage of energy at times when generating stations are working at full capacity which can then be released when additional power is needed within the grid during peak times or when energy generation has dropped. As more energy sources are now renewable, such as wind and solar, balancing generation versus demand is a critical issue for grid stability. Battery storage allows energy to be stored during peak renewable generation periods and released when demand outstrips generation. In short, the proposed battery takes in generated electricity when there is a surplus and stores it until there is a demand for electricity which can be released to meet this demand. The proposed batteries would be fed from and transmit back to the adjacent substation via underground cabling.
- 2.3 It should be noted that the energy stored within the batteries will be from all available sources. However, renewable energy production has the most variable rates of output and therefore whilst the electricity transmitted to the batteries may not solely be renewable, it's storage and subsequent release when needed is considered to meet the need for grid stability due to the further reliance on renewable energy. It is therefore considered that in essence the battery storage can be classed as renewable electricity infrastructure given the increased need for grid stability as renewable energy generation increases. As more traditional energy sources such as coal and gas are

being decommissioned and renewable energy sources are replacing them, balancing generation versus demand is becoming more critical due to the more sporadic nature of renewable energy development. Grid stability is therefore essential as the transition to renewable energy continues and battery storage is therefore considered an essential part of this need for ongoing grid stability.

- 2.4 The proposed storage capacity of the batteries is up to 500MW and is therefore of a scale (over 50MW) that requires consent through the Electricity Act with the Scottish Government as the Consenting Authority. In this instance, the Council is therefore a Consultee to the application process and not the Consenting Authority.

### **3 Background**

#### **3.1 National Policy**

- 3.1.1 National Planning Framework 3 (NPF3) June 2014 sets out the long-term vision for the development of Scotland and is the spatial expression of the Scottish Government's Economic Strategy. It has a focus on supporting sustainable economic growth which respects the quality of the environment, place and life in Scotland and the transition to a low carbon economy. The framework sets out strategic outcomes aimed at supporting the vision – a successful, sustainable place, a low carbon place, a natural, resilient place and a connected place. NPF3 also notes in paragraph 3.8 "We want to meet at least 30% of overall energy demand from renewables by 2020".
- 3.1.2 Scottish Planning Policy (SPP) June 2014 aligns itself with NPF3 and one of its policy principles states that "this SPP introduces a presumption in favour of development that contributes to sustainable development". At paragraph 28, SPP states that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost." The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph 169).
- 3.1.3 As noted in 2.3 above, the proposals would aid grid stability as renewable energy generation increases. It is therefore considered that, subject to the detailed assessment against the Development Plan criteria as set out in Section 6 below, the principle of the development accords with National Policy.

#### **3.2 Development Plan Status**

- 3.2.1 The proposed development requires to be considered against the approved Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP). The GCVSDP is a high level, strategic document and it is considered that proposals of this scale would not have any strategic implications within the Strategic Development Plan Area. As such there is no detailed assessment of the proposals against this strategic Plan.
- 3.2.2 Following formal adoption on 9 April 2021, the proposals are required to be assessed against the South Lanarkshire Local Development Plan 2 (SLLDP2).

In this regard, the application site and associated proposal is affected by the following policies contained in SLLDP2:-

Volume 1

1. Policy 1 Spatial Strategy
2. Policy 2 Climate Change

3. Policy 4 Green Belt and Rural Area
4. Policy 14 Natural and Historic Environment
5. Policy 15 Travel and Transport
6. Policy 16 Water Environment and Flooding
7. Policy 18 Renewable Energy

#### Volume 2

1. Policy SDCC2 Flood Risk
2. Policy SDCC3 Sustainable Drainage Systems
3. Policy DM1 New Development Design
4. Policy RE1 Renewable Energy

### **3.3 Planning Background**

- 3.3.1 On 27 August 2020, the Scottish Government's Chief Planner issued a letter in relation to electricity storage and the consenting regime. In this letter the Chief Planner stated that the Scottish Government considers that a battery installation generates electricity and is therefore to be treated as a generating station.
- 3.3.2 In light of this statement and as noted in 2.4 above, the proposals fall within the scope of the Electricity Act 1989 and as such the Council is a consultee to the application rather than the Consenting Authority.
- 3.3.3 Whilst the application site is currently open farmland it and a wider area to the south has several extant planning permissions as set out below.
- 3.3.4 Outline planning consent (CL/02/0693) was granted in November 2003 for the development of the site for general industrial (Class 5) and storage/distribution purposes (Class 6). The animal feed business was the subject of a subsequent reserved matters approval and it has been implemented and is operational. A reserved matters application (CL/04/0873) was granted in 2005 for the remainder of the undeveloped land, and this consisted of the formation of accesses and structural landscaping. A further reserved matters application (CL/08/0022) was granted consent in February 2009 for the erection of 14 industrial units with ancillary office space (Class 5 general industry and Class 6 storage or distribution) with associated car parking and infrastructure. In November 2011 planning permission was granted for the erection of a bio-gas production facility on a large portion of the current application site. Whilst some preparation works on site have been carried out in relation to this permission they have not been deemed adequate in terms of securing the planning permission and these permissions have now lapsed.
- 3.3.5 Planning permission was granted in 2016 for two, 98.14 metre high wind turbines within the site (Ref: CL/16/0090) and this application was granted for a further 3 years in January 2020 (Ref: P/19/0363). The consent has not been implemented however it is still live.
- 3.3.6 In April 2020, Planning Committee granted planning permission in principle for the Erection of data centre (Class 4 Business) and associated 12MW Solar farm and 7.5MW gas turbine with light industrial (Class 5) area and associated infrastructure. In September 2021 a hydrogen facility was granted through a matter specified by condition application via this planning permission in principle. A new access off the B7078 for the Hydrogen facility was granted planning permission (P/21/0438) in August 2021. An application for matters specified by condition of the solar panel element of this planning permission in principle has been submitted (P/21/2200) and is currently pending consideration.

- 3.3.7 It should be noted that whilst the applications referenced in 3.3.6 above are extant, they have not yet been implemented on site.

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

- 4.1 **Roads Development Management** – have no objections to the proposals subject to conditions relating to the following:-

- ◆ Site access including design and drainage
- ◆ An Abnormal Load Route Assessment for delivery of the specialist components of the proposals
- ◆ A Traffic Management Plan for the construction period
- ◆ A Roads Dilapidation Survey prior to commencement

**Response:** Noted. Appropriate conditions form part of the recommended consultation response to the Scottish Government.

- 4.2 **Environmental Services** – no objections to the proposals subject to a condition setting noise limits on the proposals.

**Response:** Noted. An appropriate condition forms part of the recommended consultation response to the Scottish Government.

- 4.3 **Countryside and Greenspace** – no objections to the proposals.

**Response:** Noted.

- 4.4 **West of Scotland Archaeological Service (WoSAS)** – note that there has been previous archaeological investigations within the application site that did not uncover anything of archaeological interest and therefore do not recommend the need for further archaeological work.

**Response:** Noted.

- 4.5 The following consultees had no comments to make on the proposals:-

- ◆ Roads Flood Risk Management

#### **5 Representation(s)**

- 5.1 Statutory advertisement of the application was undertaken by the applicant in April 2022. No representations have been made to the Council following this advertisement.

#### **6 Assessment and Conclusions**

- 6.1 This application has been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 as it is development with a generating capacity of over 50MW. In this instance South Lanarkshire Council is a consultee to the application process and is not the Consenting Authority. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the application is made under the Electricity Act 1989 and not the Planning Act and therefore the Development Plan does not have the primacy it normally would for planning decisions, but it is still an important material consideration in this instance and informs the Council's consultation response.

- 6.2 The approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GCVSDP) and the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).

As noted in 3.2.1 above, it is considered that the GCVSDP is a strategic, high-level document and an application of this scale and nature does not raise any strategic implications. Therefore, no further assessment against this document is required.

- 6.3 SLLDP2 Policy 1 'Spatial Strategy' states that developments that accord with the policies and proposals of the development plan will be supported. The application site is on land designated as Rural within the SLLDP2, therefore Policy 4: Green Belt and Rural Area is of relevance. This policy states that the Rural Area functions primarily for agriculture and other uses appropriate to the countryside. Isolated and sporadic development will not be appropriate. Policy GBRA2 provides a list of uses that are suitable in the Rural Area including renewable energy proposals. In addition, the site is adjacent to an area that has extant planning permissions for similar development (as set out within 3.3 above) and is not therefore considered isolated. It is also within close proximity of Coalburn Substation and within an area that has several large scale wind farms within the locale which therefore allows the minimum amount of transmission infrastructure to be required to connect the battery proposals to the national grid. It is therefore considered that the proposals accord with the relevant criteria and provisions of SLLDP2 in this regard.
- 6.4 Policy 2 'Climate Change' of the SLLDP2 states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. As noted in 2.3 above, whilst the electricity transmitted for storage within the proposed batteries will have come from a mixture of renewable and non-renewable sources the purpose of the batteries is to ensure there is always grid stability. As renewable energy becomes more prevalent, grid stability becomes a significant issue due to the intermittent nature of renewable energy generation. As such it is considered that the batteries purpose is intrinsically linked to renewable energy generation and therefore can be viewed as renewable infrastructure to support increased renewable energy generation. Therefore, the proposals are considered to be in accordance with the aims of this Policy.
- 6.5 Policy 5 'Development Management and Placemaking' states that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community. This advice is supported within SLLDP2 Policy DM1 'New Development Design. Due to battery technology constantly evolving a finalised design for the proposals has not been set but the Environmental Impact Assessment Report (EIAR) has been drawn up based on the largest design parameters envisaged and therefore any subsequent changes would be scaled down and thus reduce the proposals impact. The design proposed is functional in form and involves the siting of up to 5 platforms (each 5,610 metres sq) to house the batteries. Each platform would have a building to house the batteries which would be up to 15m in height. It is considered that the scale of the proposals is similar to the hydrogen facility that has planning permission immediately adjacent to the site and the existing animal feed factory further south from the site. This results in the proposals being in keeping with the character of the immediate area and would not dominate the surrounding landscape. A functional battery building would not detract from the amenity of the area and would be read as essential electricity infrastructure similar to the Coalburn Substation to northwest of the site. Screen planting is also proposed to further soften the proposals visual impact. It is therefore considered that the design of the proposals would not be detrimental to the surrounding area and any visual impact is minimised by the site's location being clustered next to the substation.

- 6.6 In terms of the impact the proposals would have on the amenity of the area, including air quality, it is noted that the proposals would not emit any gases as part of the process and are in essence similar in nature to electricity substations. Environmental Services have reviewed the Noise Impact Assessment (NIA) submitted as part of the planning application and are satisfied with the conclusions of the NIA. The site is located in a rural area and there are no immediate neighbouring, residential properties. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.7 Policy 14: Natural and Historic Environment provides the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment. The site is not located in proximity to any listed building, Conservation Area or other historical asset that would be impacted upon by the proposals. Protected species surveys were undertaken and the results were included within the EIAR. No evidence of protected species was found within the site but it was noted that there was potential for some protected species to use habitat within the area surrounding the application site. The application site is within close proximity to the Coalburn Moss SAC and SSSI, which is designated for its active raised bogs and degraded raised bogs which are still capable of natural regeneration, however, there is separation by the B7078. It is considered that the proposals would not have any impact on this asset. In their response direct to the Scottish Government, NatureScot have no objections to the proposals subject to conditions ensuring the Coalburn Moss SAC water table is not affected by the proposals. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.8 SLLDP2 Policy 15 'Travel and Transport' requires that new development does not impact upon any existing walking or cycle route and promotes sustainable travel, where at all possible. In this instance there are no walking or cycling routes affected by the proposals. Due to the site's location within the countryside it is not accessible via public transport but as noted above, the location of the proposals adjacent to an existing substation minimise the electricity transmission infrastructure needed to connect to the grid which, given the low level of traffic to the site due to remote monitoring, is considered more sustainable than access to public transport in this instance. Roads (Development Management) have no objection to the proposals subject to the conditions outlined in 4.1 above.
- 6.9 SLLDP2 Policy 16 'Water Environment and Flooding' states that development proposals within areas of flood risk or that are detrimental to the water environment will not be supported. Policies SDCC2 Flood Risk and SDCC3 Sustainable Drainage Systems provide further detailed advice in support of Policy 16. The application site is not located within any area at risk from river, surface or coastal flooding. A Flood Risk Assessment (FRA) has been submitted as part of the EIA Report which notes that the site is not mapped as at a risk of flooding. Sustainable drainage is proposed for dealing with surface water and it is considered that this is acceptable subject to the design meeting the Council's drainage design criteria. It is also noted that SEPA, when responding directly to the Scottish Government, have no objections to the proposals. A Sustainable Drainage System is proposed for the site. It is therefore considered that the proposals accord with the relevant provisions of the development plan.
- 6.10 SLLDP2 Policy 18 'Renewable Energy' is an overarching renewable energy policy and, therefore, defers the detailed, development management consideration to the Assessment Checklist for Renewable Energy Proposals contained within SLLDP2 Volume 2. Volume 2 Policy RE1 Renewable Energy outlines the considerations, criteria and guidance that must be taken into account for all renewable energy proposals. These are the Assessment Checklist contained with Appendix 1 of SLLDP2, Volume 2, the Supporting Planning Guidance on Renewable Energy, the

South Lanarkshire Landscape Capacity for Wind Energy 2016 (as amended by the Tall Wind Turbines Guidance 2019) and other relevant SLLDP2 Policies. It is noted that the majority of this guidance relates to wind turbines and it is considered that the relevant, remaining development management criteria have already been assessed throughout the above policy criteria assessment.

- 6.11 In conclusion, it is considered that the proposed development complies with the adopted South Lanarkshire Local Development Plan 2 and, therefore, it is recommended that the Scottish Government be notified that the Council has no objections to the application subject to the conditions as set out within the paper apart.

## **7 Reasons for Decision**

- 7.1 The proposed development complies with Policies 1,2, 4, 5, 14, 15, 16, 18, SDCC2, SDCC3, RE1 and DM1 of the Adopted South Lanarkshire Local Development Plan 2 (2021).

**David Booth**

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

29 September 2022

### **Previous references**

- ◆ CL/02/0693
- ◆ CL/04/0873
- ◆ CL/08/0022
- ◆ CL/16/0090
- ◆ P/19/0363
- ◆ P/21/0320
- ◆ P/21/0438

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
  
- ▶ Consultations
  - Environmental Services 16.08.2022
  - Roads Development Management Team 24.08.2022
  - West Of Scotland Archaeology Service 13.06.2022
  - Countryside And Greenspace 14.06.2022

### **Contact for further information**

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

James Wright, Planning Officer, Council Offices, Floor 6, Almada Street, Hamilton, ML3 0AA

Phone: 07551 839 698

Email: [james.wright@southlanarkshire.gov.uk](mailto:james.wright@southlanarkshire.gov.uk)

### Conditions and reasons

01. That prior to works commencing on site the applicant shall submit, for written approval of South Lanarkshire Council, detailed proposals covering the site access onto the B7078 Carlisle Road including junction visibility splays, road markings and signage all designed in accordance with the Design Manual for Roads and Bridges. The design shall include crossing details over the existing National Cycle Network NCN74. The design shall be supported by a Stage 2 Road Safety Audit together with the Designer's Response. The applicant shall demonstrate that they have all rights to implement and maintain the visibility splay where it traverses third party land. That once approved in writing, the site access shall be constructed and thereafter maintained in accordance with the agreed plans and specification to the satisfaction of the South Lanarkshire Council. FOR THE AVOIDANCE OF DOUBT the access shall be constructed in such a way as to prevent any surface water or deleterious material from running onto or entering the B7078 Carlisle Road and be maintained as such for the lifetime of the development hereby approved.

Reason: In the interests of road safety

02. That prior to commencement of works on site the applicant shall submit, for the written approval of South Lanarkshire Council's Bridges & Structures Team Roads Authority, an Abnormal Load Route Assessment (ALRA) for delivery of specialist components which should detail any modifications to the Council's local road network associated with the ALRA.

Reason: In the interests of road safety

03. That no development shall commence until a construction phase Traffic Management Plan (TMP) has been submitted for the written approval of South Lanarkshire Council. The plan shall include details of the following and once approved all construction works shall be undertaken in accordance with the approved TMP:-
- a. The routing of all traffic associated with each phase of the development via Junction 11 of the M74 at Poniel.
  - b. Measures to ensure that the specified routes are adhered to by all operatives and suppliers, including monitoring procedures;
  - c. Details of all temporary construction direction signage;
  - d. Provisions for emergency vehicle access;
  - e. Wheel washing facilities to provide detritus being deposited on the public road;
  - f. Site staff car parking as no parking is permitted on the public road
  - g. Delivery and laydown space;
  - h. Identification of a nominated person to whom any road safety issues can be referred.

Reason: In the interests of road safety

04. That prior to works commencing on site the developer shall undertake a roads dilapidation survey in conjunction with South Lanarkshire Council Roads Area Office covering the B7078 Carlisle Road for 50metres either side of the proposed site access. Interim and final surveys shall be undertaken as directed by the Roads Area Office. Each inspection shall be recorded in a report to include photographs, plans and description of road condition, and be submitted for record purposes within timescales

determined by South Lanarkshire Council. The Applicant shall be responsible for repairing damage attributable to their operations and undertake all necessary repairs within timescales stipulated by South Lanarkshire Council.

Reason: In the interests of road safety

05. The following noise levels shall not be exceeded resultant from and specific to the development:-

Part 1

Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the premises (L<sub>Ar</sub>,1hr) shall not exceed the pre-existing background noise level (L<sub>A90</sub>,30 min) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 20:00 and 08:00 the noise rating level emitted from the premises (L<sub>Ar</sub>,15min) shall not exceed the pre-existing background noise level (L<sub>A90</sub>,30min) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Part 2

The internal noise levels within any residential property and resultant from the development shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-

- a) The internal levels with windows open do not exceed an L<sub>Aeq</sub>,16hr of 40dB daytime (07:00 - 23:00)
- b) The internal levels with windows open do not exceed an L<sub>Aeq</sub>,8hr of 30dB night-time (23:00 - 07:00).
- c) The internal levels with windows open do not exceed an L<sub>Amax</sub> of 45dB night-time (23:00 - 07:00).
- d) The external levels shall not exceed an L<sub>Aeq</sub>,16hr of 50dB daytime in any garden amenity areas, when measured free-field

Part 3

The Internal Noise Rating Values, within any residential property and resultant from the neighbourhood (industrial and commercial) and neighbour noise (installed services), shall not exceed-

- o NR25 between 23.00hrs and 08.00hrs
- o NR35 between 08.00hrs and 23.00hrs

Reason: In the interests of residential amenity

06. That before the development, hereby approved, is brought into use details of landscaping and screen planting, including ongoing maintenance, shall be submitted for the written approval of the Council, as Planning Authority. Once approved the landscaping and planting will be implemented as approved and maintained as such for the lifetime of the development hereby approved.

Reason: In the interest of visual amenity.

07. That all works on site should comply with appendices 1, 3 and 5 from the Council's drainage design guidance.

Reason: In the interests of drainage and flooding

P/22/0674

Land 700M North of Birkhill Mill, Cairnhouses Road, Douglas



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

# Report

13

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0699
Planning proposal:	Change of use of office accommodation in north stand to assisted accommodation

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	The Stadium Company Limited
Location:	New Douglas Park Cadzow Avenue Hamilton ML3 0FT

## 2 Recommendation(s)

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

(1) Grant detailed planning permission.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: John Glenroy
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**  
Policy 1 - Spatial Strategy  
Policy 2 - Climate Change  
Policy 3 - General Urban Areas and Settlements  
Policy 5 - Development Management and Placemaking  
Policy 15 - Travel and Transport

◆ **Representation(s):**

▶	4	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Care Inspectorate

Lanarkshire Health Board

Social Work Resources Registration and Inspection Unit

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to existing office space within the north stand of Hamilton Academical's football stadium at New Douglas Park to the north of Hamilton town centre. The application site is bounded to the north and west by car parking and Cadzow Avenue, to the south by the stadium's football pitch and to the east by land associated with the stadium and the adjacent Morrison's retail store and car park. Access to the site is via Cadzow Avenue.

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

- 2.1 The applicant seeks detailed planning permission for a change of use of existing office accommodation in the north stand of Hamilton Academical's football stadium to assisted living accommodation. The submitted supporting information entitled 'A Recovery and Wellbeing Village' outlines the overall vision for a Recovery and Wellbeing Village located within the stadium which would be anchored around a 20 bed rehabilitation and recovery centre in the north stand in addition to 20 supported transition flats in the stadium grounds. It is only the proposed 20 bed rehabilitation and recovery centre that relates to this planning application which would include 20 bedrooms with 10 additional rooms along with day rooms, therapy rooms, cinema rooms and toilets.
- 2.2 The supporting statement advises that the stadium has 23,600 square feet of space in the north stand which was previously rented for office space and has spare land in the stadium grounds. The space for developing the Recovery and Wellbeing Village is available within an existing wellbeing focused environment which would be staffed 24 hours a day, 365 days a year by registered experienced support and recovery workers. No changes are proposed to road layouts or car parking spaces as a result of this application. A summary of parking provision requirements relating to the proposed change of use has been submitted which seeks to demonstrate that the proposed change of use is less onerous than the previous use in terms of car parking requirements.

### **3. Background**

#### **3.1 Local Plan Background**

- 3.1.1 The application site is located within the General Urban Area in the adopted South Lanarkshire Local Development Plan 2. The relevant policies in terms of the assessment of this application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 3 - General Urban Areas and Settlements, Policy 5 - Development Management and Place Making and Policy 15 - Travel and Transport. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 None relevant in this instance.

#### **3.3 Planning Background**

- 3.3.1 There is no recent planning history relating to the application site.

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

- 4.1 **Care Inspectorate** - they were contacted many months ago by the applicant regarding this proposal to register a Housing Support/Care at Home service within this area. Due to the nature of the services proposed, they would not inspect any accommodation nor do they have accommodation standards or expectations for a Housing Support/Care at Home service.

**Response:-** Noted.

- 4.2 **Environmental Services** – have no objections to the application.

**Response:-** Noted.

- 4.3 **Roads Development Management Team** – have no objections to the application. The applicant submitted a parking statement for the development. With 20 bedrooms and 10 members of staff, a total of 17 parking spaces would be required (1 per staff member plus 1 per 3 bedrooms) this is compared to its previous use as a 1,370sqm office which would have required 46 spaces (1 per 30sqm). On this basis the proposals are less onerous in terms of parking requirements and are, therefore, acceptable.

**Response:-** Noted.

- 4.4 **Social Work Resources** – representatives from the Health and Social Care Partnership (HSCP) and Social Work Resources have met with the applicant to consider the proposal. There are no objections to the proposal which is broadly consistent with Scottish Government Policy and the objectives of both the Integrated Joint Board's Strategic Commissioning Plan and the Alcohol and Drugs Partnership Strategy. The applicant has advised that the service is intended to be predominately targeted at Lanarkshire residents. The applicant is at the early stages of developing the proposal to a stage where it can be operationalised and agrees the need to co-produce the delivery model with primary care services NHS Lanarkshire and HSCP clinical services, social work, and housing teams.

**Response:-** Noted.

- 4.5 **Lanarkshire Health Board** – as above, representatives from the Health and Social Care Partnership (HSCP) and Social Work Resources have met with the applicant to consider the proposal. There are no objections to the proposal which is broadly consistent with Scottish Government Policy and the objectives of both the Integrated Joint Board's Strategic Commissioning Plan and the Alcohol and Drugs Partnership Strategy. The applicant has advised that the service is intended to be predominately targeted at Lanarkshire residents. The applicant is at the early stages of developing the proposal to a stage where it can be operationalised and agrees the need to co-produce the delivery model with primary care services NHS Lanarkshire and HSCP clinical services, social work, and housing teams.

**Response:-** Noted.

## **5. Representation(s)**

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the heading Non-Notification of Neighbours in the Hamilton Advertiser. Four letters of objection were received in relation to the application. The grounds of objection are summarised as follows:-

- (a) **The nature of this proposed care facility raises concerns over security in the area, not simply on match days but at all times of the day and evening. While the need for such a facility exists, this is not the appropriate location. Hamilton Accies claim to be a family friendly club, however, this application shows little regard for a family's safety and security while attending the stadium for a match or otherwise, as it will be certain to draw attention from people who are suffering from addictions. Research proves that such areas suffer from higher rates of crime, this leads me to the belief that the residential areas in the immediate vicinity will also suffer from a rise in crime and anti-social behaviour.**

**Response:** These concerns do not constitute material planning considerations in the assessment of this planning application. As highlighted in Section 4 above, no adverse comments have been raised by any of the consultees in relation to the proposed use of the building and any increase in crime or anti-social behaviour in the area would be matters for Police Scotland to address.

- (b) **While no one will question the need for such a facility existing given the national statistics on drug, alcohol and suicide deaths in Scotland and particularly in the Lanarkshire area, it is my feeling that this location is not appropriate for this facility. The applicant has little regard for the safety of the community round the stadium that consists of a pre-5 nursery (within the same complex) primary and secondary school as well as local green space and public parks. Hamilton Academical has to be applauded for the work they do within the community, particularly with those who suffer from addictions. Their efforts and experience in helping this client group would be better spent working in partnership with others to campaign for more appropriate treatment and rehabilitation.**

**Response:** As above, these concerns do not constitute material planning considerations in the assessment of this planning application.

- (c) **Hamilton Academical are first and foremost a football club and I question the experience and skill set of the management to oversee and manage a facility of this nature. The conversion of a football stand into rooms does not outlay dignity to those going through the addiction journey and will create more problems than it will solve for the community, the client group and Hamilton Academical FC.**

**Response:** Again, these concerns do not constitute material planning considerations in the assessment of this planning application. As highlighted in Section 4 above, no adverse comments have been raised by any of the consultees in relation to the proposed use of the building.

5.2 These letters are available for inspection on the planning portal.

## **6. Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning permission for a change of use of existing office accommodation in the north stand, to assisted accommodation. The determining issues in consideration of this application are its compliance with local plan policy and its impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of local plan policy, the application site is located within the General Urban Area in the adopted South Lanarkshire Local Development Plan 2. The relevant policies in terms of the assessment of this application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 3 - General Urban Areas and Settlements, Policy 5 - Development Management and Place Making and Policy 15 - Travel and Transport.
- 6.3 Policies 1 and 2 encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. In line with these policies, the proposal involves a change of use of an existing facility which is located in a sustainable location within central Hamilton. The site benefits from opportunities for trips by public transport with bus routes in the surrounding area and Hamilton West train station, which is located within close proximity of the site. It is considered that the proposal conforms with Policies 1 and 2.

- 6.4 Policy 3 states that within the urban areas and settlements identified on the proposals map, residential developments on appropriate sites will generally be acceptable. Proposals for uses that are ancillary to residential areas will be assessed on their individual merits, with particular regard to their effect on the amenity and character of the area. The policy goes on to say that developments which would be detrimental to the amenity of residents and the wider community or to the character of the surrounding area will not be permitted. This particularly applies to 'bad neighbour' uses which can affect neighbours by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety. In this instance, the application site is located within the General Urban Area and the proposal is not considered to be detrimental to the amenity of nearby residents and the wider community. Therefore, it is considered that the proposal conforms with the terms of Policy 3.
- 6.5 Policies 5 and DM1 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. In this instance, the application only relates to a change of use from existing office accommodation within the stadium's North Stand. Whilst alterations are proposed for the interior of the building, no alterations are proposed for the exterior of the building. In this regard, it is considered that the proposal conforms with Policies 5 and DM1.
- 6.6 Policy 15 seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In relation to this policy, Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. It is, therefore, considered that the proposal complies with Policy 15.
- 6.7 In summary, statutory consultees have raised no concerns in relation to the proposal and the matters which have been raised in the representations submitted have been addressed in Section 5 above. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The concerns raised in the submitted representations do not constitute material planning considerations in the assessment of this planning application. It is considered that the application conforms with local plan policy and that the proposal raises no significant environmental or infrastructure issues. It is, therefore, recommended that the application for the change of use be granted.

## **7. Reasons for Decision**

- 7.1 The proposal raises no significant amenity, environmental or infrastructure issues and complies with Policies 1, 2, 3, 5 and 15 of the adopted South Lanarkshire Local Development Plan 2.

**David Booth**

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

Date: 29 September 2022

## **Previous references**

- ◆ None

### List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 16.05.2022
- ▶ Press Advertisement, Hamilton Advertiser 26.05.2022
  
- ▶ Consultations
  - Roads Development Management Team 06.09.2022
  - Environmental Services 13.07.2022
  - Care Inspectorate 23.05.2022
  - Lanarkshire Health Board 22.09.2022
  - Social Work Resources Registration and Inspection Unit 22.09.2022
  
- ▶ Representations
  - Mr Alan MacDonald, 2 Riverside Road, Larkhall, ML9 Dated: 18.05.2022
  - Mr Joseph McCabe, 10 Keswick Drive, Hamilton, ML3 7HN 18.05.2022
  - Mr Paul Murray, 32 Deveron Crescent, Hamilton, Hamilton, ML3 9PB 18.05.2022
  - Mr Peter McGhee, 6, Hunter Road, Whitehill, Hunter Road, Hamilton, ML3 0LH 31.05.2022

### Contact for further information

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

Jim Blake, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
Phone: 07551 840 831  
Email: [jim.blake@southlanarkshire.gov.uk](mailto:jim.blake@southlanarkshire.gov.uk)

Detailed planning application

Paper apart – Application number: P/22/0699

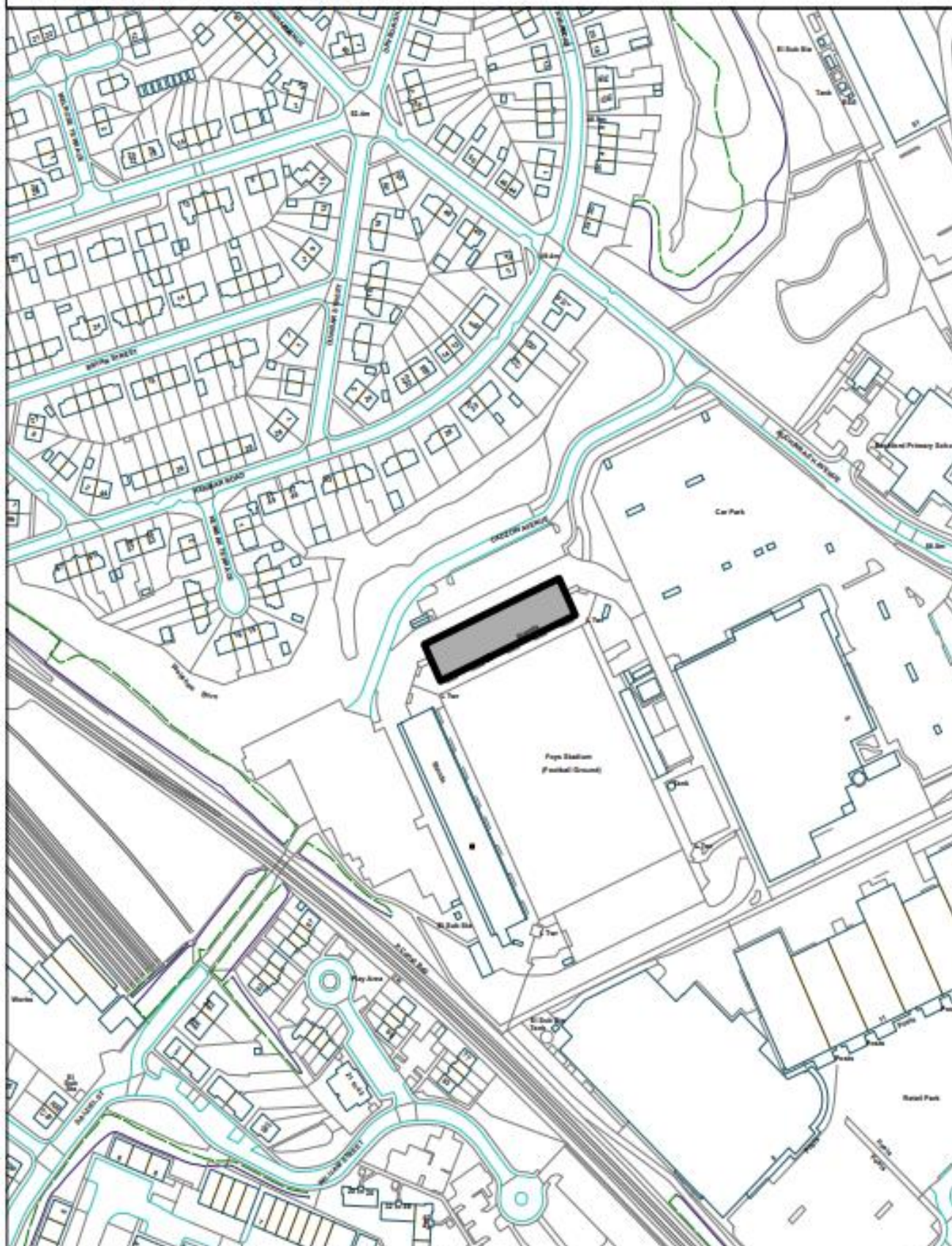
**Conditions and reasons**

01. No conditions to be attached.

Reason: Planning permission is granted unconditionally.

P/22/0699

New Douglas Park, Cadzow Avenue, Hamilton



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Date:  
15/09/2022



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



# Report

14

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0498
Planning proposal:	Demolition of existing garage and shed and erection of new shed and gym

## 1 Summary application information

Application type:	Householder
Applicant:	Mrs Kirsty Archer Ritchie
Location:	20 Stonehouse Road Sandford Strathaven ML10 6PD

## 2 Recommendation

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: Euan Anderson
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
Policy DM2 House Extensions and Alterations  
Policy NHE6 Conservation areas

### ◆ Representation(s):

▶	6	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

♦ **Consultation(s):**

None

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site consists of a modern one and a half storey building, located at 20 Stonehouse Road. It was originally constructed as a new build dwellinghouse in the late 1990s and is part of a small development which was approved under Planning Application EK/95/0201, and an amendment to the original consent was approved under Planning Application EK/98/021. The development was constructed using traditional materials and has a distinctive character to reflect the rural setting and the proximity to Sandford Conservation Area. Condition 6 of the original planning application EK/98/0201 removes all the householder permitted development rights, therefore, planning consent is required for all development proposals within the housing development.
- 1.2 Part of Stonehouse Road is located within Sandford Conservation Area and the application site is adjacent to the boundary of the Conservation Area. There is a mixture of house types along Stonehouse Road including single storey and one and a half storey cottages, and two storey dwellinghouses. The property is bound to the north by Stonehouse Road and by residential properties on all other sides.

### **2 Proposal**

- 2.1 The applicant seeks consent for the removal of the existing garden buildings and the erection of a new building containing a home gym and store at the rear of 20 Stonehouse Road in Sandford. The property is located within an established residential area.
- 2.2 When the application was originally submitted, the plans for the building had a mono pitched metal roof with cedar and render finishes to the walls and was constructed at an angle on the western elevation. The applicant had also noted in the plans that the existing leylandii hedge, which bounds the site to the south would be removed. The Planning Service expressed concerns relating to the design and materials in relation to the setting and the loss of the boundary hedge which would screen the proposal. Amended plans were subsequently submitted which includes a gable roof with slate effect tiles, rendered walls to match the colour of the existing house and the removal of the angle on the west elevation. The applicant also advised that the existing leylandii hedge would be retained. The applicant has also submitted a Tree Survey Report which contains detailed guidance on the tree protection requirements during construction.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of the South Lanarkshire Local Development Plan 2 (adopted 2021), the site is located within a general urban area, and is therefore subject to an assessment against the following policies:-

- ◆ Policy 3 General Urban Areas and Settlements
- ◆ Policy 5 Development Management and Placemaking
- ◆ Policy DM2 House Extensions and Alterations
- ◆ Policy NHE6 Conservation Areas

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Given the nature and scale of the proposal, there is no specific government guidance relevant to the determination of this application.

### **3.3 Planning Background**

- 3.3.1 As stated above, the property was constructed in the late 90's as part of a small rural development. The property has been extended on two previous occasions. Planning application EK/04/0355 for a one and a half storey side extension was approved on 1 September 2004 and planning application EK/14/0331 for the erection of a single storey rear extension and timber decking was approved on 18 December 2014.

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

- 4.1 Given the scale and nature of the development, no consultations were required for the proposal.

### **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken, and six letters of objection were submitted in response to the neighbour notification process. Five of the objections were submitted by the occupants of the property to the rear of the site and one was submitted by the occupant to the west of the site. The grounds of objection and matters raised are summarised below:-

- a) That the plans submitted do not show the neighbouring property and are inaccurate.**

**Response:** The agent submitted updated plans which included the property to the rear of the application site.

- b) That the plans are also inaccurate as the parking area does not include the parking spaces and this needs to be accurate to show the available parking for a 4/5-bedroom house.**

**Response:** The amended plans show the two parking spaces at the rear of the property within the application site boundary. The proposal does not impact on the existing parking at the site and the proposal does not form the type of additional accommodation which would require additional parking spaces.

- c) That the structure is excessive in size in relation to the existing property, will impact on the available light to the neighbouring property and the removal of the trees will impact visual amenity.**

**Response:** The existing rear garden measures approximately 212 square metres and the footprint to the existing property measures 145 square metres. The footprint of the proposed building measures 60.3 square metres and would be 4.5 metres in height at the highest point from ground level. While the proposal is considered to be a relatively large structure, an adequate amount of garden ground would remain available for amenity purposes and is not considered excessive in relation to the existing property or rear garden. In the original submission, the plans stated that the existing leylandii hedge would be removed. The Planning Service recognises that the hedge has amenity value in screening the rear garden and proposed building at the site and the applicants have agreed to retaining the hedge. The revised plans show that the proposed building would be located 1.5 metres from the rear boundary to allow for the retention of the hedge. Although a leylandii hedge is not normally considered appropriate for retention or protection, it is recognised that at this location, the hedge has significant amenity value in context with the proposal. Therefore, condition one of the decision notice ensures that the trees at the site cannot be the lopped, topped, pollarded, or felled without consent from Council. The ridge of the gable roof would now be 3.75 metres from the rear boundary and predominantly screened by the existing hedge which measures approximately 3.8 metres in height. In addition, the materials for the roof would be a slate effect tile rather than metal in the original submission, which reflects the character of surrounding development.

- d) **That the proposed render finish on the southern elevation of the proposed building is not in keeping with the surrounding development.**

**Response:** The Planning Service also had concerns relating to the design and materials in the original plans submitted. The original housing development was carefully designed to reflect the rural character of the setting and the proximity to Sandford Conservation Area. The amended plans are considered to address these concerns in relation to the design and materials. The amended design, with the gable roof finished with slate effect tiles and the rendered walls to match the colour of the existing property, are considered to reflect the character and materials of the surrounding development.

- e) **That the structure would have a negative impact on the value of neighbouring properties.**

**Response:** The value of properties is not a material planning consideration.

- f) **That the building should not be used for a garden room or granny flat.**

**Response:** The use of the building as a garden room would be permitted as this would be an acceptable use ancillary to the residential dwelling. However, the use as a separate residential annexe would not be permitted. Condition 3 of the decision notice prohibits the use as a separate residential annexe and any commercial activity in, or from the building.

- g) **That the removal of the 12 trees at the site will have an environmental impact.**

**Response:** As stated previously in part c) of this section, the leylandii trees will be retained as it is recognised that the hedge has significant value at this location in terms of amenity value and sustainability.

- h) **That the access route is not suitable for the delivery of building materials.**

**Response:** There is a road with a turning area to the rear of the site. The applicant would be responsible for ensuring that the delivery vehicles for materials can access the site and be aware of any legal restrictions relating to access on the private road. If any obstruction occurs, this is a Police matter, and this service should be contacted

- i) **The drawings state they are not to scale therefore do not indicate the impact on the back garden of a house that has already been extended.**

**Response:** The standard point relating to scale is normally an advisory reference for the builders/contractors for the works. The plans submitted have a scale and measurements on the drawings which details the dimensions and proportions of the proposal. As stated in section c) above, the proposal is not considered to be excessive for the site or in context with the existing dwelling.

- j) **That the new plans submitted containing the name of the property is in the wrong location.**

**Response:** The location of the name of the property at the rear on the Ordinance Survey base map does not affect the assessment of the proposal as the location of the property is shown in context with the proposed development.

- k) **That the plans do not clearly demonstrate the impact of the proposed structure on the neighbouring property and will dwarf the neighbouring property.**

**Response:** The building in the original submission and the removal of the boundary hedge was considered to have a detrimental impact on the visual amenity of the neighbouring property. The amended proposal includes a pitched roof and the retention of the hedge which together will reduce the visual impact in comparison to the original submission. The ridge height of the building would be

4.5 metres at the highest point and the existing hedge measures 3.8 metres. The amended roof type and distance from the boundary of the ridge level will also reduce the visual impact of the proposal. The proposal is therefore not considered to dwarf the neighbouring property as it will be predominantly screened by the boundary hedge and the single storey ridge line would be below that of the neighbouring property.

**l) That the noise from the equipment in the gym would have an impact on noise levels to the neighbouring property.**

**Response:** The proposed gym is for personal use and the equipment would be of a domestic scale which is unlikely to have a significant impact on noise levels from the building. An advisory note relating to any nuisance would be attached to the decision notice, however, should issues arise in relation to noise levels, Environmental Services should be contacted on 0303 123 1015.

**m) That the proposed development will exacerbate the impression of higher density building which is immediately adjacent to the boundary of the conservation area where the buildings are low-density with large gardens.**

**Response:** The application site is located adjacent to the boundary of Sandford Conservation Area within a development which was carefully designed to reflect the rural character of the setting. Supporting guidance in the carrying out of development at a dwellinghouse, relating to ancillary detached buildings states that a usable amount of garden ground should remain undeveloped to allow for drying clothes, bin storage and general amenity. Permitted Development Rights allow for 50% of the garden to be developed without requiring planning consent. In this case, while over 50% of the garden remains undeveloped, the development height exceeds the permitted height of 4 meters by 0.5 metres. In addition, Permitted Development Rights were removed for all development in the original consent for the development, therefore planning consent is required in all cases. It is considered that a usable amount of garden ground remains for the purposes specified above and that the proposal complies with this guidance. As such, the proposal is not considered to result in over-development of the site.

**n) That the proposal will impact on the viability of the neighbouring beech tree which enhances the local setting and conservation area and would have a negative impact on nature conservation. That the tree should be inspected by an arboreal consultant in accordance with BS5837.2012.**

**Response:** The site is located adjacent to the boundary of Sandford Conservation Area and the tree referred to above is located within the Conservation Area. Although the tree is in the rear garden of the neighbouring property and not clearly visible in the streetscape, it is considered to make a positive contribution to the Conservation Area setting. In the original plans submitted, the building was set at an angle adjacent to the western boundary which would have been positioned over the root system of the tree. The amended proposal squares the building off which leaves a space nearest the tree to minimise potential damage to the root system. The applicant was also asked to provide a Tree Survey Report which assesses the impact on the trees at the site and the required tree protection at the site. As part of this assessment, trial pits were dug to assess the root spread at the site. The report also set out the position of tree protection barriers which would be required during the construction of the proposal. The report advised that there would be minimal loss of important rooting volume and that the proposal would have minimal effect on the survivability of the tree. Given that the beech tree and the leylandii at the site contribute to the setting and assist in screening the proposed building, the protection of these trees is considered necessary during construction of the building. The Tree Survey Report commissioned by the applicant contains detailed

guidance on how these works should be carried out. The applicant has advised that some pruning work would be required from within the site to facilitate the construction of the proposal. Details of the tree works at the site will be submitted to the Council for assessment prior to the commencement of works. Condition two of the decision notice requires the submission of a scheme of protection for the trees in accordance with BS 5837:2012 and that the development will be implemented in strict accordance with the approved details.

- o) That the revised drawings are still inaccurate in showing the location of the neighbouring property and that a site visit would confirm this.**

**Response:** The location of the neighbouring property is shown in the revised plans. The positioning of the name of the property does not affect the assessment of the proposal and a detailed site visit and survey was completed on 19 May 2022.

- p) That measurements of the revised plans are not correct.**

**Response:** The amended plans did not contain the correct measurement of the length of the structure. An amended plan has been submitted which shows the measurement amended from 13.4 metres to 11.2 metres.

- q) That there has been a substantial revision, are details of the discussions with the Planning Officer relating to the amendments of the proposal available and that neighbours were not notified of the amendments.**

**Response:** The Planning Officer contacted the agents for the applicant on 26 May 2022 advising that the Planning Service had concerns relating to the design and visual impact of the proposal. That the existing housing development was of a distinctive character and that the removal of hedge to the rear of the proposal should be reconsidered. Further neighbour notification was not considered as the proposal was a reduction in scale and was not considered to have an additional impact on neighbouring amenity.

- r) That the structure is of commercial dimensions and a precedent will be set in the conservation village of Sandford.**

**Response:** Condition number 3 of the planning decision notice prohibits commercial activity in or from the building. The application site is not located within Sandford Conservation Area, however, given the close proximity to the Conservation Area and the distinctive design of the existing modern development, the amended design and materials are considered to better reflect the surroundings. Each planning application is considered on its own merits and assessed in terms of the development plan policies and the individual setting.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

6.1 The applicant seeks consent for the removal of the existing garden buildings at the rear of the property and the erection of a new building containing a home gym and store in the rear garden of the property. The proposed development requires to be assessed against the provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021). In this instance Policies 3, 5, DM2 and NHE6 of the development plan and the associated guidance are applicable.

6.2 Policy 3 – General Urban Area/Settlements of the adopted plan supports the principle of residential developments in residential designated areas such as the area within which the application site is located and seeks to ensure that proposed developments do not adversely affect the surrounding area in terms of issues such as layout, scale, massing, and amenity. With regard to the specific design and layout of the site, Policy

5 – Development Management and Placemaking requires all proposals to take account of and be integrated with the local context and built form, should be appropriately designed, and scaled, with no adverse amenity impacts. The policy states that development proposals should have no significant adverse impacts on the local community in terms of issues such as noise, smell, disturbance and traffic or public safety issues.

- 6.3 Policy DM2 generally reflects the content of Policies 3 and 5 of the adopted plan and states that proposed developments are required to relate satisfactorily to nearby development in terms of scale, massing, and materials. Additionally, the policy requires that development proposals do not adversely affect neighbours by overshadowing or overlooking their property.
- 6.4 In terms of Policy NHE6 – Conservation Areas, although the property is not within Sandford Conservation Area, the site is located directly opposite the conservation area, therefore it is considered appropriate to assess the proposal in terms of the impact on the Conservation Area and its setting. Policy NHE6 states that trees which are considered by the Council to have amenity value and contribute to the character and appearance of the Conservation Area shall be preserved.
- 6.5 When the application was originally submitted, the design and materials of the building were not considered to reflect the character of the surrounding development. The site is located within a small development which was approved in planning application EK/95/0201 and the further amendment application EK/98/021. The approval detailed the very specific use of materials and removed the Householder Permitted Development Rights to enable the Planning Authority to assess all development proposals within the site in order to ensure that all development proposals were appropriately designed and scaled, reflecting the character of the area. The mono-pitched roof, angular design and modern cladding were not considered compatible with the design and finishing materials of the surrounding development. The plans also noted that the existing leylandii hedge would be removed and showed the angular section of the building to the west was in close proximity to a mature beech tree within the adjacent Conservation Area. Although the site is not within Sandford Conservation Area, it is directly opposite the boundary and the original consent for the development contained specific criteria relating to design and finishing materials. It is therefore considered that careful consideration is required to the design and proposed materials to ensure the proposed development reflects the character and surroundings of this particular setting.
- 6.6 After discussions with the Planning Service, and the consideration of representations, the applicant submitted a revised proposal. The amended design of the building has a pitched roof and is set further off the rear boundary to ensure that the leylandii hedge is retained and impact on the neighbour is mitigated. The angular section to the western boundary has been removed to allow for a greater distance from the root network of the beech tree within the Conservation Area in accordance with Policy NHE6 – Conservation Areas. The applicant has also submitted a Tree Survey Report which has set out the tree protection area which would minimise the impact on the trees at the site. In addition, the finishing materials have been amended and include a slate effect tile on the roof and the walls would be rendered and painted in a colour to match the existing dwellinghouse at the site. This is considered a more traditional palette of materials appropriate for this location.
- 6.7 The proposal is not considered to significantly impact the neighbouring properties in terms of overshadowing or loss of light given its orientation, scale, and location from other properties. In addition, the existing boundary hedge to the rear is of a similar

height to the proposal and closer to the property to the rear. The overall massing is not considered to be overbearing due to the separation and hedge. In terms of car parking, the proposal would not impact on the available parking at the site. Conditions have been added to the decision notice which prohibit the felling of the trees at the site and to protect the leylandii and beech tree during the construction of the proposal. A condition has also been included which prohibits commercial activity from the building and the use as a separate residential annex. It is therefore considered that the amended proposal complies with the relevant adopted policies outlined above, and carefully considers the surrounding setting and previous design principles of the development.

- 6.8 As a result of the statutory neighbour notification process, six letters of objection and one letter of comment were received in relation to this application. The contents of these representations are addressed in section two above.
- 6.9 In summary, following a full and detailed assessment of the proposed development, it is considered that it would have no significant adverse impact upon residential or visual amenity, or the character of the adjacent Conservation Area, and that it is in accordance with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (2021). As such, the granting of planning permission is recommended.

## **7 Reasons for Decision**

- 7.1 The proposal is considered acceptable in terms of the proposed use, scale, design and siting, the potential impact on residential and visual amenity, and is in accordance with Policies 3, 5, DM2 and NHE6 of the adopted South Lanarkshire Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

**David Booth**

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

Date: 29 September 2022

### **Previous references**

- ◆ EK/95/0201
- ◆ EK/98/021
- ◆ EK/04/0355
- ◆ EK/14/0311

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated
  
- ▶ Representations  
Mrs Sandra Ogg, Culag House, Stonehouse Road, Sandford, ML10 6PD  
Dated: 29.04.2022  
  
Dr Michael Park, 18 Stonehouse Road, Sandford, Strathaven, ML10 6PD  
28.04.2022

Mr Alister Ogg, Culag House, Stonehouse Road, Sandford, ML10 6PD	29.04.2022
Sandra Ogg, By Email	21.04.2022
Mr Alister Ogg, Culag House, Stonehouse Road, Sandford, Strathaven, ML10 6PD	04.07.2022
Sandra Ogg, 31 Carron Place, East Kilbride, G75 0YL	05.07.2022

**Contact for further information**

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

Evelyn-Ann Wilson, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton,  
ML3 0AA

Phone: 07551 842 952

Email: [evelyn-ann.wilson@southlanarkshire.gov.uk](mailto:evelyn-ann.wilson@southlanarkshire.gov.uk)

### Conditions and reasons

01. Notwithstanding the development hereby approved, no trees within the application site shall be lopped, topped, pollarded, or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees and other landscape features within the site.

02. Prior to the commencement of the development hereby approved (including any demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Council as Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Veteran and ancient tree protection and management.

The development shall thereafter be implemented in strict accordance with the approved details.

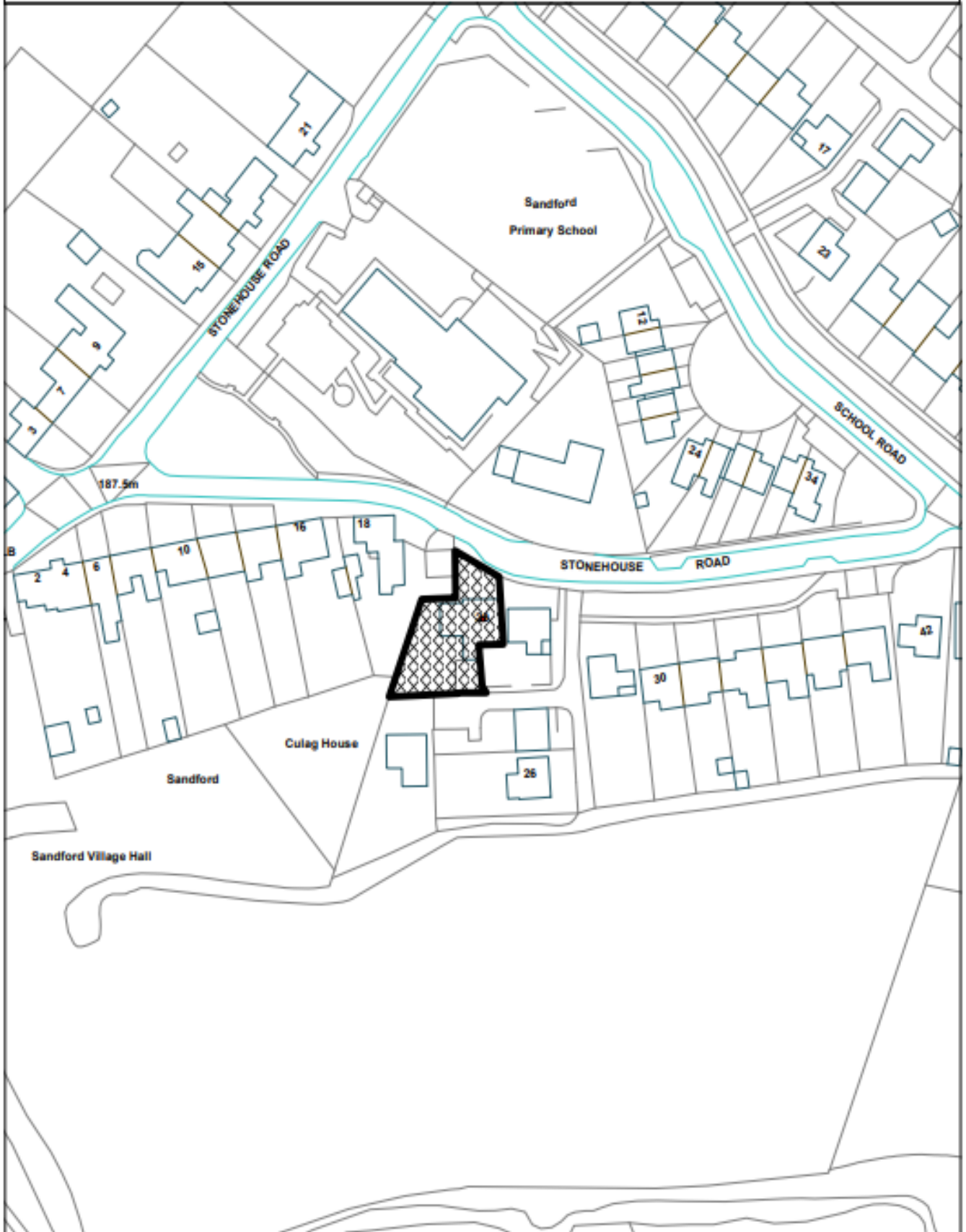
Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

03. The outbuilding hereby approved shall be used for domestic use only for the purposes incidental to the enjoyment of the dwellinghouse at 20 Stonehouse Road, Sandford, Strathaven, ML10 6PD, and shall be used for no other purpose without the express grant of planning permission from the planning authority. For the avoidance of doubt, no commercial activity shall be carried out in or from the building hereby approved, and the use as separate residential accommodation is prohibited.

Reason: To safeguard the residential amenity of the area and to enable the planning authority to consider the implications of any subsequent change of use on the amenities of the area.

P/22/0498

20 Stonehouse Road, Sandford



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Date:  
16/09/2022



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



# Report

15

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0779
Planning proposal:	Amendment to planning permission P/20/1667 to remove Madrid House Type, remix plots and addition of garden rooms to 20 plots

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Robertson Living
Location:	Land 90M ESE of 24 Simpson Drive Strutherhill Larkhall South Lanarkshire

## 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 conditions attached.

### 2.2 Other actions/notes

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

## 3 Other information

- ♦ Applicant's Agent: N/A
- ♦ Council Area/Ward: 20 Larkhall
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**  
Policy 1 - Spatial Strategy  
Policy 2 - Climate Change  
Policy 5 - Development Management and Place Making  
Policy 7 - Community Infrastructure Assessment  
Policy 11 - Housing Land  
Policy 13 - Green Network and Greenspace  
Policy 14 - Natural and Historic Environment  
Policy 15 - Travel and Transport  
Policy 16 - Water Environment and Flooding  
Policy DM1 - New Development Design

Policy DM15 - Water Supply  
Policy SDCC2 - Flood Risk  
Policy SDCC3 - Sustainable Drainage Systems

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to an area of land located at the edge of the Strutherhill Industrial Estate off Carlisle Road, to the south of Larkhall town centre. The site is mainly vacant with construction works underway for a residential development approved under planning application P/20/1667. The site was previously occupied by the former DAKS Simpson warehouse and is irregular in shape and mostly flat. The site is bounded to the north and east by open grassland, to the south by industrial buildings and to the west by a mixture of housing, including recently constructed dwellings within the former DAKS Simpson site, a sewage works and Strutherhill.

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

- 2.1 The applicant seeks consent for an amendment to planning permission P/20/1667 to remove the Madrid House Type, remix plots and add garden rooms to 20 plots. The overall residential development previously approved under the above application comprises a total of 128 dwellings. The current proposal is for the same number of dwellings but with a change from a mix of 106 detached and 22 semi-detached three and four bedroom dwellings to a mix of 102 detached and 26 semi-detached three and four bedroom dwellings. A total of 64 plots are being altered under the current planning application.
- 2.2 The proposed houses would be two storeys in height and would be finished with concrete roof tiles, rendered walls and UPVC windows and doors. Car parking within the development would be located on driveways located to the front and side of the dwellings with 2 parking spaces incorporated for the three bedroom dwellings and 3 parking spaces for those dwellings with four bedrooms. The overall layout for the development incorporates two main areas of amenity open space within the eastern and western areas of the site including a SUDS Basin. A four metre high acoustic barrier comprising of an earth bund and a timber fence above is proposed along the main section of the southern boundary of the site facing onto Borland Drive and the adjacent industrial estate.
- 2.3 The proposed amendments amount to more than what would be classed as a non-material variation. In line with the guidance contained within the Council's Planning Application Decision Making Process, the application requires to be referred to the Planning Committee for a decision as more than 49 residential units are affected by the proposed alterations.

### **3 Background**

#### **3.1 Local Plan Background**

- 3.1.1 The application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The site is also covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2 in addition to the Residential Design Guide (2011). The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 6 of this report.

### **3.2 Relevant Government Advice / Policy**

3.2.1 In terms of residential development, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

3.2.2 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 in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.

### **3.3 Planning Background**

3.3.1 Planning permission was granted to Robertson Living for the erection of 128 dwellinghouses with associated roads, landscaping, SUDS and noise attenuation bund (Approval of matters specified in conditions, consent HM/17/0167) on 16 June 2021 (P/20/1667).

3.3.2 Planning Permission in Principle was granted to Patersons of Greenoakhill Ltd on 4 July 2019 for residential development with landscaping and associated works within the former DAKS Simpson site (HM/17/0167). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate community facilities either on site or off and the provision of affordable housing on site or by way of a commuted sum.

3.3.3 Planning Permission in Principle was granted to Patersons Property Investment Partnership LLP on 6 May 2015 for a proposed residential and commercial development within the application site (HM/13/0269). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and / or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum.

## **4 Consultation(s)**

4.1 **Roads Development Management Team** – have no objections to the application.  
**Response:** Noted.

## **5 Representation(s)**

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the heading Non-Notification of Neighbours in the Hamilton Advertiser. No letters of representation have been received in relation to the application.

## **6 Assessment and Conclusions**

- 6.1 The application is for an amendment to planning permission P/20/1667 to remove the Madrid House Type, remix plots and add garden rooms to 20 plots. The application is an amendment to a previously approved proposal under application P/20/1667 and whilst the proposed amendments are more than what would be classed as non-material variations, they are nevertheless relatively minor in nature. As discussed, in line with the guidance contained within the Council's Planning Application Decision Making Process the application requires to be referred to the Planning Committee for a decision as more than 49 residential units are affected by the proposed alterations. The determining issues in consideration of this application are its compliance with national and local plan policy and the proposal's impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of national planning policy, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity. Designing Streets – A Policy Statement for Scotland supports Designing Places and encourages a move away from a standardised engineering approach to streets and promotes quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.
- 6.3 In general land use and policy terms the principle of residential development at this location has previously been assessed and approved under the application for planning permission in principle (HM/17/0167) in addition to the matters specified in conditions which were approved under planning application P/20/1667. The proposal involves the re-use of a previously developed site which would have a positive impact on the built and natural environment. The proposal also promotes development in a sustainable location which would be accessible by public transport, with bus routes located on the adjacent Strutherhill and in terms of permeability the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.4 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The site is also covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2 in addition to the Residential Design Guide (2011).
- 6.5 The application site is designated for residential use under the terms of Policy 11. As discussed above, the site also benefits from the planning permission in principle granted for residential development under application HM/17/0167 and the matters specified in conditions which were approved under planning application P/20/1667.

On this basis, the proposal raises no policy issues and, therefore, conforms with Policy 11.

- 6.6 Policies 1 and 2 encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. In line with these policies, the proposal involves the redevelopment of a previously developed site which is located in a sustainable location within Larkhall and where the principle of residential use is considered to be acceptable. The site benefits from opportunities for trips by public transport, with bus routes located on the adjacent Strutherhill and the development would be well integrated into existing walking and cycling networks. The site is also located within an acceptable distance to commercial services such as retail, leisure, schools, health care etc. The proposed development offers an opportunity to enhance the built environment in the immediate area and it is considered that the redevelopment of the site would result in an attractive and vibrant addition to neighbouring development. Furthermore, the houses within the development have been designed to the latest technical standards in terms of insulation, air tightness and energy ratings. It is, therefore, considered that the proposal meets the terms of Policies 1 and 2.
- 6.7 In terms of the detailed design of the development, Policies 5 and DM1 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. The application site is also covered by the Green Network under Policy 13 which aims to safeguard the local green network identified on the proposals map and identify opportunities for its enhancement and/or extension. Policy 15 seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport.
- 6.8 In relation to the above policies it is considered that the amended layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to window to window distances, garden depths, amenity open space and car parking. The proposed two storey houses are of modern design with a suitably high standard of external finishing materials and it is considered that the development will be in keeping with the existing residential development in the surrounding area. Areas of landscaping are proposed throughout the development and the landscaping scheme submitted with the application is considered to be acceptable and should ensure enhanced opportunities for biodiversity and leisure within the site and the surrounding area. The proposed amendments to the layout have been assessed by the Council's Roads and Transportation Service who are satisfied that the layout is acceptable and that the proposal raises no access, parking or road safety issues. In view of the above, it is considered that the proposal would relate satisfactorily to adjacent residential development in terms of its scale, design and materials and that the character and amenity of the area would not be impaired by reason of traffic generation, parking or visual intrusion. The proposal is, therefore, considered to be in accordance with the terms of Policies 5, DM1, 13 and 15.
- 6.9 With regard to Policy 7, the Section 75 Obligation associated with the previously approved planning permission in principle (HM/17/0167) requires the applicant to pay financial contributions at appropriate stages of the development towards the provision of additional nursery, primary and secondary education accommodation as appropriate and the provision of community facilities. The required contributions would

be made in line with the terms of the above Obligation, therefore, the proposal meets the terms of Policy 7.

- 6.10 The previously approved layout was assessed by the relevant consultees in terms of Policies 16, DM15, SDCC2 and SDCC3. With regard to flooding and surface water drainage, no adverse comments were raised by Roads and Transportation Services subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification documents. Scottish Water also confirmed that they had no objections to that application and any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of the above policies.
- 6.11 In summary, it is considered that the application conforms with national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. It is therefore recommended that the application be granted subject to the conditions listed.

## **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 1, 2, 5, 7, 11, 13, 14, 15, 16, DM1, DM15, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2 (2021).

**David Booth**

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

Date: 29 September 2022

### **Previous References**

- ◆ P/20/1667
- ◆ HM/17/0167
- ◆ HM/17/0484
- ◆ HM/13/0269

### **List of Background Papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 16 June 2022
- ▶ Press Advertisement, Hamilton Advertiser 30.06.2022

- ▶ Consultations
  - Roads Development Management Team 02.09.2022
- ▶ Representations
  - None

**Contact for further information**

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

Jim Blake, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA

Phone: 07551 840 831

Email: [jim.blake@southlanarkshire.gov.uk](mailto:jim.blake@southlanarkshire.gov.uk)

**Conditions and reasons**

01. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. 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 1, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. That notwithstanding the terms of Condition 1 above, before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That unless otherwise agreed, before development starts, full details of the design and location of any fence enclosing the proposed SUDS Facility shall be submitted to and approved by the Council as Planning Authority. Thereafter, the fence shall be erected and maintained to the Council's satisfaction.

Reason: In order to retain effective planning control.

06. 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.

Reason: To ensure the provision of a satisfactory sewerage system.

07. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

08. That details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

Reason: In the interests of amenity and in order to retain effective planning control.

09. That unless otherwise agreed, all open pipes shall be closed-up at the end of each working day and trenches shall be covered or a ramp provided to permit animals that fall in a means of exit and to prevent animals becoming trapped. Chemicals and materials shall be stored securely to the satisfaction of the Council.

Reason: In order to retain effective planning control.

10. That unless otherwise agreed in writing, site clearance works shall be undertaken outside the bird nesting season March to August.

Reason: In order to retain effective planning control.

11. That the mitigation measures included in the submitted Noise Impact Assessment (Technical Report No. R-8664-LH2-RGM) dated 15 February 2021 shall be implemented prior to the development being brought into use and shall be maintained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: To minimise noise disturbance.

12. (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.

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

13. That prior to any development taking place on site, a scheme of intrusive site investigation works shall be submitted to and approved by the Council as Planning Authority. The submission shall include a report of findings arising from the intrusive site investigations, including the results of any gas monitoring, and a scheme of remedial works for the Council's approval in consultation with The Coal Authority.

Reason: To ensure the safety and stability of the proposed development.

14. In the event that the site investigations required under Condition 13 above confirm the need for remedial works the required remedial works shall be undertaken prior to any dwellings being occupied to the Council's satisfaction.

Reason: To ensure the safety and stability of the proposed development.

15. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

16. That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

17. 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.

Reason: In the interests of traffic and public safety.

18. That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access to the dwellings.

19. That before any work commences on site, full details of the proposed pedestrian/cycle connection into the Donaldson Road public park, including method of implementation, shall be submitted to and approved by the Council as Planning Authority. Thereafter, the approved works shall be implemented to the Council's satisfaction.

Reason: These details have not been submitted or approved.

20. That the first 2 metres (minimum) length of the parking bays and the private accesses shall be surfaced across their full width to the satisfaction of the Council as Planning and Roads Authority. No surface water shall egress from the parking bays, or from the private accesses, out onto the adoptable road.

Reason: To prevent deleterious material being carried onto the highway.

21. That pedestrian/vehicle intervisibility splays of 2.4m x 2.4m, measured from the heel of the footway/grass verge, shall be provided at all driveways. Nothing higher than 0.9m shall be established within these splays.

Reason: In the interests of public safety.

22. That before any work commences on site, a Traffic Management Plan (TMP) shall be submitted to and approved by the Council as Planning and Roads Authority. Once approved the TMP shall be implemented on site and monitored to the Council's satisfaction. The TMP shall include wheel washing facilities and on-site parking facilities for staff and visitors.

Reason: These details have not been submitted or approved.

23. That prior to the occupation of the 1st dwellinghouse details of a welcome pack shall be submitted to and approved by the Council as Planning and Roads Authority to encourage sustainable travel to and from the development and thereafter shall be distributed to all future house purchasers/residents.

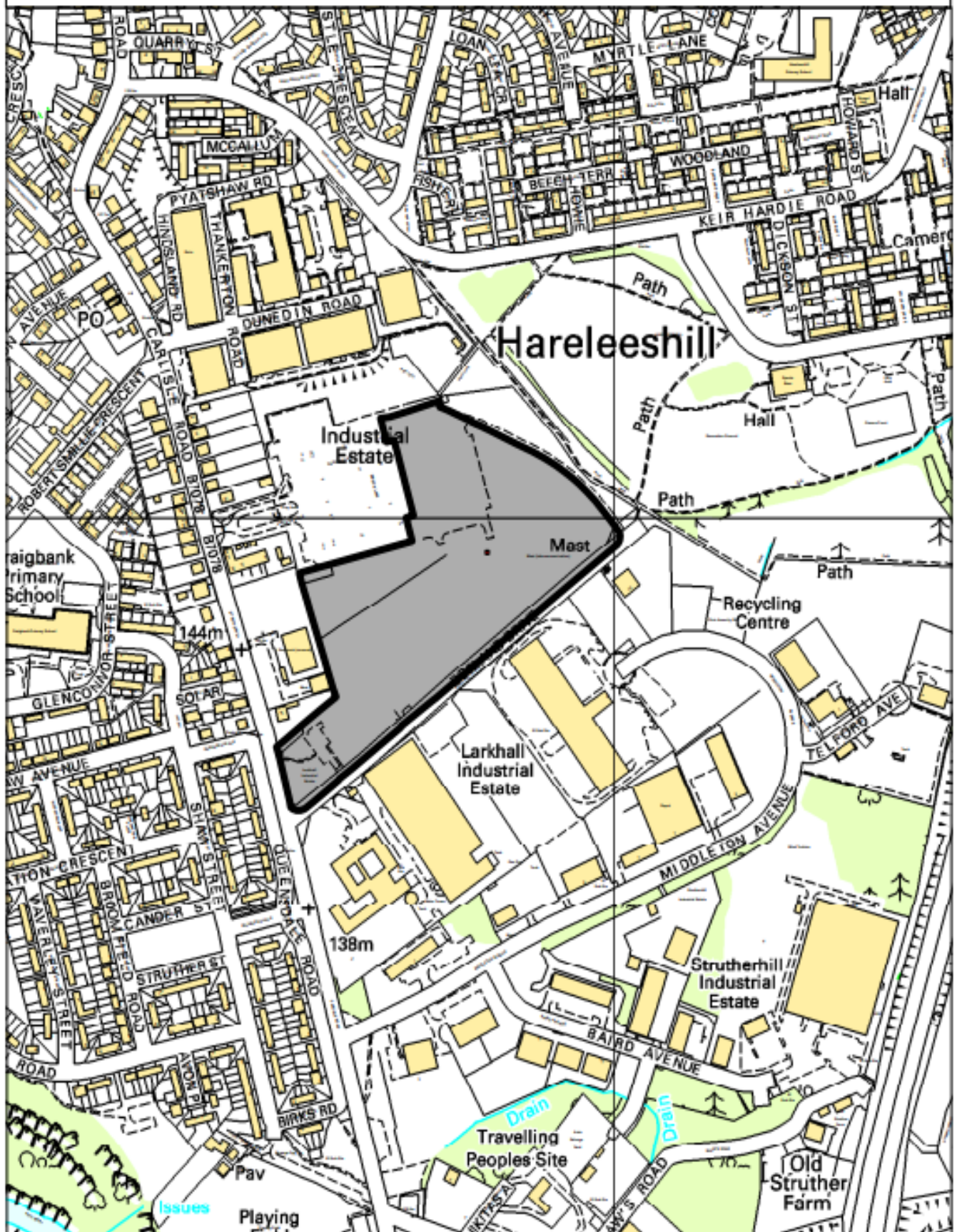
Reason: To encourage sustainable travel to and from the development.

24. That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Planning and Roads Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

P/22/0779

Land 90M ESE of 24 Simpson Drive, Strutherhill, Larkhall



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15/09/2022



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



# Report

16

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0923
Planning proposal:	Erection of 19 dwellings with infrastructure, open space, road improvements and associated works

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Carmichael Homes Jackton Limited
Location:	Land 35M North of Trunlehill Newlands Road East Kilbride South Lanarkshire

## 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 conditions attached.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: Daniel Harrington
- ◆ Council Area/Ward: 06 East Kilbride South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**  
Policy 2 - Climate Change  
Policy 3 - General Urban Areas  
Policy 5 - Development Management and Placemaking  
Policy 11 - Housing  
Policy 14 - Natural and Historic Environment  
Policy DM1 - New Development Design  
Policy NHE14 - Tree Preservation Orders  
  
**South Lanarkshire Council Residential Design Guide**

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads and Transportation Services (Development Management)

Environmental Services

Roads and Transportation Services (Flood Risk Management)

Scottish Water

SP Energy Network

Estates Services

## Planning Application Report

### 1 Application Site

- 1.1 The proposed development site is located near the southern edge of East Kilbride and covers an area of approximately 0.95 hectares. The site, which includes a gradual upward slope from south-west to north-east, comprises the site of the former residential dwellinghouse at Trunlehill, which has previously been demolished, and its surrounding grounds. The site is bounded to the north, south and east by open space areas which form part of the East Kilbride Green Network and to the west by Newlands Road, with a residential development site forming part of the East Kilbride Community Growth Area located opposite. Vehicular access to the site is taken from Newlands Road.

### 2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of a residential development of 19 dwellinghouses comprising 18 semi-detached dwellinghouses and one detached dwellinghouse. Access improvements, footpath provision and landscaping of the site are all proposed to be undertaken as part of the development works. In addition, the vehicular and pedestrian access to the site from Newlands Road is proposed to be relocated from the south-west of the site to the north-west. The proposed dwellinghouses have been designed in a townhouse style to account for the existing slope and the general preference to retain substantial greenspace areas within the site at this location.

### 3 Background

#### 3.1 Local Plan Status

- 3.1.1 The South Lanarkshire Local Development Plan 2 (adopted 2021) identifies the site as being within the designated settlement of East Kilbride where Policy 3 – General Urban Areas is applicable. As the site is designated in the plan as a proposed housing site Policy 11 – Housing is also considered to be of relevance, as are the following policies:-

- Policy 2 - Climate Change
- Policy 5 - Development Management and Placemaking
- Policy 14 - Natural and Historic Environment
- Policy DM1 - New Development Design
- Policy NHE14 - Tree Preservation Orders

In addition, the proposal also requires to be considered against the provisions of the Council's Residential Design Guide. The proposed development is considered against these policies in Section 6 below.

#### 3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP introduces a presumption in favour of development that contributes to sustainable development. Furthermore, SPP states that the planning system should enable provision of a range of attractive, well-designed, high-quality housing that contributes to the creation of successful and sustainable places.

### **3.3 Planning Background**

- 3.3.1 Planning permission was previously granted for the formation of 12 house plots within the site in July 2015 (Planning Ref: EK/14/0347). Subsequent to this detailed planning permission was sought for the erection of 12 detached dwellinghouses in 2018 (Planning Ref: P/18/1792) and for the erection of 18 detached dwellings in 2021 (Planning Ref: P/21/2146). However, both of these applications were withdrawn by the respective applicants before a decision was taken by the Council with regard to the proposals.

## **4 Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management):** Further to discussions with the applicants and amendments to the proposed internal road layout Roads and Transportation Services have offered no objections to the proposed development subject to conditions relating to road improvements, access and parking provision associated with the proposed works.

**Response:** Noted. The requested conditions would be attached to any consent issued.

- 4.2 **Environmental Services:** Offered no objections to the proposed development subject to a condition relating to dust management within the site.

**Response:** Noted. The requested conditions would be attached to any consent issued.

- 4.3 **Roads and Transportation Services (Flood Risk Management):** Offered no objections to the proposed development subject to conditions relating to flood risk management works associated with the proposed development.

**Response:** Noted. The requested conditions would be attached to any consent issued.

- 4.4 **Estates Services:** Offered no objections to the proposed development.

**Response:** Noted.

- 4.5 **Scottish Water:** Offered no objections to the proposed development.

**Response:** Noted.

- 4.6 **SP Energy Networks:** Have not responded to date.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken, and the proposal was advertised in the local press for neighbour notification purposes. However, no letters of representation were received in respect of the proposed development.

## **6 Assessment and Conclusions**

- 6.1 Detailed planning permission is sought for the erection of a residential development of 19 dwellinghouses comprising 18 semi-detached dwellinghouses and one detached dwellinghouse on land associated with the former residential property at Trunlehill, Newlands Road, East Kilbride. Access improvements on Newlands Road, footpath provision and landscaping of the site is proposed to be undertaken as part of the development. In addition, the vehicular and pedestrian access to the site from Newlands Road is proposed to be relocated from the south-west of the site to the north-west.

- 6.2 The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on surrounding amenity. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan against which the proposal requires to be assessed is the South Lanarkshire Local Development Plan 2 (adopted 2021).
- 6.3 The Local Development Plan identifies the site, in land use terms, as proposed housing land (Policy 11 – Housing) within the settlement of East Kilbride (Policy 3 – General Urban Areas). It is therefore noted that the principle of housing development on this site is supported by Policies 3 and 11 of the adopted Local Development Plan.
- 6.4 In terms of the detail of the proposal, Policy 5 - Development Management and Placemaking of the adopted plan states that all planning applications should take fully into account the local context and built form while Policy 2 - Climate Change seeks to ensure that proposed developments, where possible, seek to minimise and mitigate against the effects of climate change. Furthermore, Policies 14 - Natural and Historic Environment and NHE14 – Tree Preservation Orders seek to ensure that any proposal should not result in any significant adverse environmental or amenity impact, including the consideration of protected trees. These policies are further reinforced by the provisions of Policy DM1 - New Development Design, while further guidance on design matters is contained in the Council's Residential Development Guide (2011).
- 6.5 With regard to the development of this site, it is noted the applicants submitted a previous application for the erection of 18 detached dwellings on the site in 2021 (Planning Ref: P/21/2146). Concerns were raised by the Planning Service at that time with regard to the extent of the footprint of the development within the site and the consideration of the existing slope of the site as part of the development brought forward. It was not considered that the development proposed at that time was suited to the site in question, particularly given the constraints posed by the levels within the site. As such, the applicants chose to withdraw the application from further consideration.
- 6.6 Subsequent to this, further discussions were undertaken between the applicants and the Planning Service to seek an improved submission in respect of the site. As a result of these discussions the current, revised scheme has been brought forward for consideration. It is noted that, although the number of dwellings now proposed has increased from 18 to 19, the overall footprint of the development has been significantly reduced and the proposed houses have been designed in a manner that takes account of the levels within the site. The proposed development is now considered to be appropriate in terms of design and style to the site and also allows for the provision of substantial landscaping at the site boundaries and in particular, adjacent to Newlands Road, ensuring that there would be no adverse impact on residential properties to the west of Newlands Road or on the wider local area. While the surrounding area predominantly comprises two storey dwellings it is noted that, as part of the design of the development to accommodate the existing slope within the site, some three storey elevations would be formed in this instance. However, it is considered that, given the level changes that exist within the site, the proposed housetypes are appropriate and would allow the site to be developed without requiring significant regrading works to be undertaken to accommodate the development.
- 6.7 In terms of access and road safety considerations it is noted that the applicants propose to undertake road improvement works on Newlands Road in addition to the extension of the existing footpath on Newlands Road south to the development site.

Off-street car parking is also proposed to be put in place to serve each of the dwellinghouses within the proposed development. Further to discussions and minor revisions to the original proposals to ensure compliance with relevant Council standards the Council's Roads and Transportation Services have confirmed their satisfaction with the access provisions associated with the proposed development subject to conditions that would be attached to any consent issued. Similarly, the Council's Environmental Services have confirmed that they have no objection to the proposed development subject to a condition relating to dust management on site, which would also be attached to any consent granted.

- 6.8 With regard to the consideration of climate change issues, it is noted that the site is located within a designated residential area, in relatively close proximity to local services, with pedestrian facilities proposed to be put in place to minimise car use where possible. In addition, a condition would be attached to any consent issued requiring appropriate provision to be made for electric vehicle charging points within the site. As such, it is considered that this site represents a sustainable location that can be developed in a manner that makes a positive contribution in terms of climate change considerations.
- 6.9 In terms of amenity and open space provisions it is noted that the significantly reduced footprint of the development, relative to the proposals previously brought forward for consideration, allows for the provision of ample landscaped and open space areas within the site. A tree survey which has been submitted in support of the application reflects the consideration previously given to trees on site as part of the previous grant of consent for the residential development of the site in 2015. In this regard it has been confirmed that it remains the case that many of the existing trees within the site are in poor condition and unfortunately require to be removed. However, similarly to the previous consent granted in respect of this site in 2015, a tree belt along the southern boundary of the site is considered to remain in good condition and can also provide a natural boundary between the application site and the adjacent Green Network open space area at this location. As such, the development has been designed to allow the retention of these trees and any consent issued would be appropriately conditioned to ensure that the trees in question would be retained as part of the proposed development of the wider site.
- 6.10 In terms of the consideration of ecological matters an ecology survey has been undertaken which has confirmed that, subject to adherence to the recommendations of the associated report, there would be no unacceptable impact on protected species or other biodiversity considerations resulting from the proposed development. Any consent issued would be conditioned to ensure that the requirements of the report are fully adhered to as part of the development of the site. Given all of the above and following a detailed assessment of the proposals submitted, the view is taken that the proposals represent an appropriate development of the site, would not have any significant amenity impact and fully comply with the development management considerations set out in Policies 2, 5, 14, NHE14 and DM1 as well as in the Council's Residential Design Guide.
- 6.11 Taking all of the above into account, it is considered that the detailed proposals brought forward represent a high-quality residential development that would suitably integrate with the existing built and natural environment at this location, would support appropriate and sustainable connectivity to public facilities and would not result in any significant adverse amenity, environmental or other impacts. It is therefore concluded that the proposed development fully complies with the relevant provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021), with specific regard to the provisions of Policies 2, 3, 5, 11, 14, NHE14 and DM1 and with the Council's

Residential Design Guide. It is therefore recommended that planning permission is granted for the proposed development, subject to the attached conditions.

## **7 Reasons for Decision**

- 7.1 The proposals would have no significant adverse impact on amenity, public safety or the local environment and comply with the provisions of Policies 2, 3, 5, 11, 14, DM1 and NHE14 of the South Lanarkshire Local Development Plan 2 (adopted 2021) and with the Council's Residential Design Guide.

**David Booth**

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

Date: 30 September 2022

### **Previous references**

- ◆ Planning application EK/14/0347
- ◆ Planning application P/18/1792
- ◆ Planning application P/21/2146

### **List of background papers**

▶ Application form	
▶ Application plans	
▶ South Lanarkshire Local Development Plan 2 (adopted 2021)	
▶ Neighbour notification letter dated 14 July 2022	
▶ Consultations	
Roads Development Management Team	16.09.2022
Environmental Services	23.08.2022
Roads Flood Risk Management	24.08.2022
Scottish Water	18.07.2022
Estates Services - Housing and Technical Resources	19.07.2022

### **Contact for further information**

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 07551 843 111

Email: [declan.king@southlanarkshire.gov.uk](mailto:declan.king@southlanarkshire.gov.uk)

**Conditions and reasons**

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. 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 2 shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval, 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., including, where appropriate, the planting of fruit/apple trees;
  - (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.

Reason: To ensure the appropriate provision of landscaping within the site.

05. 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.

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

06. That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, other than those shown on the drawings hereby approved as being removed, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

07. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

08. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

09. That no development shall commence until drainage and flood risk details to include signed appendices A, B, C, D and E are submitted to and approved in writing by the Planning Authority. The development shall not be occupied until the surface drainage works and any required flood mitigation works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

10. That the recommendations of the tree survey undertaken in respect of the site by Tyler Grange and dated March 2021 shall be adhered to at all times on site, unless otherwise agreed in writing with the Council as Planning Authority through the submission of appropriate justification.

Reason: To ensure the protection of all trees that are proposed to be retained within the site.

11. That the recommendations of the ecological survey undertaken in respect of the site by Tyler Grange and dated December 2021, including the undertaking of a further detailed protected species survey prior to the commencement of works on site, shall be adhered to at all times, unless otherwise agreed in writing with the Council as Planning Authority through the submission of appropriate justification.

Reason: To ensure the appropriate protection of ecological interests within the site.

12. That, 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.

Reason: In the interests of environmental amenity.

13. That, prior to the commencement of works on site, a passing place shall be provided on Newlands Road between the proposed access to the development and the 5.5m wide section of carriageway at the Bellway Homes development. Additionally, prior to the commencement of works on site, these upgrading works shall also incorporate the provision of a 2m wide footway that connects to the existing footway network along with pedestrian crossing points, drainage & street lighting, all to the satisfaction of the Council as Roads and Planning Authority unless otherwise agreed.

Reason: To ensure that the site can be appropriately accessed from the public road and footpath network.

14. That the maximum gradient, rising or falling, on the final approach of any minor road at a junction shall be limited to 2% for a minimum distance of at least 12m from the major road.

Reason: In the interest of road safety.

15. At the junction of the access to the site with Newlands Road vehicular visibility splays of 2.4m x 43m shall be provided before any dwellinghouse within the development hereby approved is completed or brought into use. Within these splays nothing over 900mm in height, i.e. trees, shrubs walls etc. is permitted. No driveways shall be located within this area.

Reason: In the interest of road safety.

16. At all driveway accesses a vehicular visibility splay of 2m x 20m shall be provided, (only if traffic calming features are provided, otherwise the visibility will be 2m x 35m). A pedestrian visibility splay of 2.4m x 2.4m, (measured from the heel kerb of the footway) shall be provided. These visibility splays shall be put in place before the dwellinghouse is occupied and within these splays nothing over 900mm in height, i.e. trees, shrubs walls etc. is permitted.

Reason: In the interest of road safety.

17. That the parking provision for a 1-bedroom property shall be 1 space, for a 2/3-bedroom property 2 spaces and for a property with 4 bedrooms or more 3 spaces are required. The driveway dimensions shall be detailed as per the National Roads Development Guide, 3m x 12m for double length, 6m x 6m for double width, and for three spaces a combination of these. These dimensions exclude pedestrian access. To allow a garage to count as a space it will have to meet the minimum dimensions as per the National Roads Development Guide, an internal minimum size of 3m x 7m. The locations and dimensions of these spaces shall be submitted on a plan to and approved by the Council as Planning and Roads Authority prior to the commencement of any works on site and shall be put in place in respect of each dwellinghouse before that dwellinghouse is completed or brought into use.

Reason: In the interest of road safety.

18. That the first two metres of each driveway shall be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the driveway and entering the carriageway, before the dwellinghouse to which the driveway relates is completed or brought into use.

Reason: In the interest of road safety.

19. That, prior to commencement of works on site, a plan shall be submitted to and approved by the Council as Roads and Planning Authority showing the details of all driveway gradients associated with the development hereby approved. No driveway shall have a gradient greater than 10% and the development shall thereafter be carried out in accordance with the approved details, with the driveway for each dwellinghouse completed to the satisfaction of the Council prior to the completion or occupation of the associated dwellinghouse.

Reason: In the interest of road safety.

20. That no part of the proposed adoptable carriageway or footway / service strip shall be in retention, be either a slope with a gradient greater than 1 in 2 or a structure. Additional information regarding the retaining wall shall be submitted to and approved by the Council as Roads and Planning Authority prior to the commencement of any works on site. This information shall satisfactorily demonstrate that the retaining wall has no influence on the proposed adopted road, including the footway / service strip. Information regarding future maintenance of the retaining wall shall also be submitted to and approved by the Council as Roads and Planning Authority. The approved works shall thereafter be put in place on site to the satisfaction of the Council as Roads and Planning Authority prior to the completion or occupation of any dwellinghouse within the development, unless otherwise agreed in writing with the Council.

Reason: In the interest of road safety.

21. That, prior to works commencing on site, a dilapidation survey of Newlands Road shall be undertaken by the developers with an Officer of the Council's Roads Service. Thereafter, any remedial works required by the Roads Service at the completion of the development shall be repaired at the applicants expense.

Reason: In the interest of road safety.

22. That, prior to the commencement of any works on site, the following details shall be submitted to and approved by the Council as Roads and Planning Authority, including the provision of plans as appropriate:

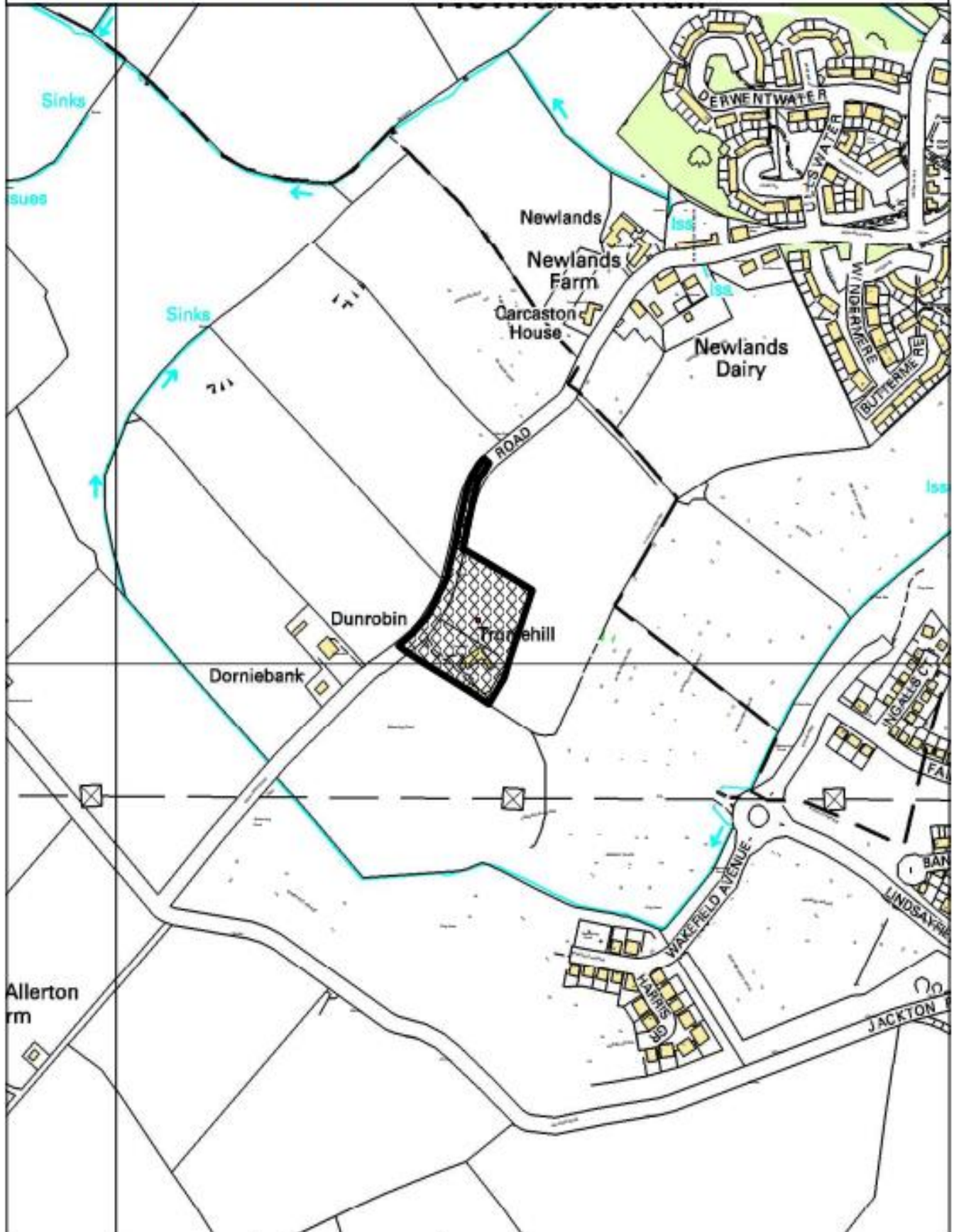
- The provision of a suitable site drainage system to prevent surface water flowing onto the public road;
- The provision of appropriate cleaning systems within the site to ensure that mud and debris is not deposited on the public road;
- The provision of wheel wash facilities associated with the construction work hereby approved;
- The provision of a turning area to allow all vehicles to access and exist the site in forward gears;
- The provision of vehicle parking on site to accommodate all site staff/operatives.

Thereafter, the approved works shall be put in place on site prior to the commencement of the development and maintained to the satisfaction of the Council throughout the construction phase.

Reason: In the interest of road safety.

P/22/0923

Land 35M North of Trunlehill, Newlands Road, East Kilbride



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

# Report

17

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/22/0927
Planning proposal:	Erection of 12 flats with associated vehicular access, parking and landscaping

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Procast Group
Location:	Low Waters Miners Welfare and Social Club 4 Alness Street Hamilton ML3 6RU

## 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 conditions attached.

### 2.2 Other actions/notes

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

## 3 Other information

- ◆ Applicant's Agent: Framed Estates
- ◆ Council Area/Ward: 19 Hamilton South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
  - Policy 1 - Spatial Strategy
  - Policy 2 – Climate Change
  - Policy 5 - Development Management and Place Making
  - Policy 7 - Community Infrastructure Assessment
  - Policy 11 - Housing
  - Policy 15 - Travel and Transport
  - Policy 16 - Water Environment and Flooding
  - Policy DM1 - New Development Design
  - Policy SDCC2 - Flood Risk
  - Policy SDCC3 - Sustainable Drainage Systems
  - Policy SDCC4 - Sustainable Transport

Policy DM15 - Water Supply  
Policy NHE18 - Walking, Cycling and Riding  
Routes  
Policy NHE20 - Biodiversity

◆ **Representation(s):**

▶	1	Objection Letter
▶	0	Support Letters
▶	1	Comment Letter

◆ **Consultation(s):**

Community and Enterprise Resources - Play Provision Community  
Contributions

Roads Development Management Team

Environmental Services

Scottish Water

SportScotland

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to an area of land located on Alness Street on the southern side of Hamilton. The site has been in use as a bowling green associated with the adjoining Low Waters Miners Welfare and Social Club for the best part of 100 years. The site extends to approximately 0.25 hectares. The site is essentially square shaped and mainly flat with relatively level access to the adjoining properties and roads. The site is bounded on two sides by existing roads, Alness Street and Eliot Crescent, with adjacent residential properties located to the north, south and west, and the Low Waters Miners Welfare and Social Club located directly adjacent to the east.

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

- 2.1 This is a detailed planning application for the erection of 12 flats with associated vehicular access, parking and landscaping. The proposal comprises two blocks of six cottage flats arranged over two floors, half of which would be wheelchair accessible. All of the flats are two-bedroom dwellings. The proposed blocks are of contemporary design incorporating traditional ridged roofs finished in grey concrete roof tiles with solar panels. The exterior walls would be finished in a mix of buff facing brick and grey zinc style cladding. Throughout the development bay windows would be highlighted in cladding. The proposal has been designed to reflect the established scale and massing of buildings surrounding the site, most of which are two storey flatted blocks with dual pitched and often hipped roofs. The two blocks would enclose an area of private communal amenity space creating a three-sided perimeter block. The blocks would be fronted by a number of parking spaces (27 in total) directly accessed via Alness St. The mirrored blocks would allow the development to address the two street frontages.
- 2.2 The submitted supporting information advises that the Low Waters Miners Welfare and Social Club disposed of the bowling green in 2021 when the club and green were repossessed, all associated outbuildings relating to the bowling club were removed from the site in March 2022.

### **3 Background**

#### **3.1 Local Plan Background**

- 3.1.1 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2. The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 6 of this report.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 In terms of residential development, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

### 3.3 Planning Background

3.3.1 There is no recent planning history in this instance.

## 4 Consultation(s)

4.1 **SportScotland** – have no objections to the application. Bowls Scotland have advised that, despite best efforts, the club will be closing with the adjacent building having been sold to developers 2 years ago. In 2021, Low Waters Miners Welfare Bowling Club had 18 male and 8 female members. It has been advised that there are several other clubs nearby which would have capacity for new members. Given this, SportScotland's view is that for bowling greens, there is a clear excess of provision in the area, and that the loss of the site can be justified in terms of its use as an outdoor sports facility for bowls. The proposal would satisfy Scottish Planning Policy and would comply with Policy 13 in relation to the loss of outdoor sports facilities. This response relates to the use of the area as an outdoor sports facility, in this case a bowling green. Their remit does not extend to its wider greenspace value, which is for the Council as planning authority to assess.

**Response:-** Noted. However, it should also be noted in relation to Policy 13 - Green Network and Greenspace of the adopted Local Development Plan that the application site is not covered by the Green Network, therefore, this policy is not relevant in this instance.

4.2 **Environmental Services** – have no objections to the application.

**Response:-** Noted.

4.3 **Roads Development Management Team** – have no objections to the application.

**Response:** Noted.

4.4 **Scottish Water** – have no objections to the application and have advised that there is currently sufficient capacity to service the proposed development at the CAMPS Water Treatment Works and the Hamilton Waste Water Treatment Works.

**Response:-** Noted.

4.5 **Community and Enterprise Resources - Play Provision Contributions** – no contribution required for an affordable housing development.

**Response:-** Noted.

## 5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and two letters of representation have been received in relation to the application. The matters raised in the representations are summarised as follows:-

(a) **I feel we will lose the little green space we have and don't feel every space needs to be built upon especially the amount of flats that they want to squeeze in. The height of the elevation will undoubtedly affect our daylight and cause shadowing and will devalue our property with 12 flats opposite. I don't always feel just because a company wants to build residential dwellings that it is beneficial to the community and hope the committee will concur as there are offices/gym/bar and a community hall which I believe the Scouts now own, making the area too congested.**

**Response:** The application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2 and SportScotland have raised no adverse comments in relation to the loss of the former bowling green.

It is considered that the buildings have been designed and positioned within the site appropriately to ensure that it should have no significant adverse impact on any existing dwellings in terms of overshadowing or loss of daylight. Loss of value is not a material planning consideration.

- (b) **In the new development there are 4 main entrances on Eliot Crescent with no parking directly outside these entrances. I am aware that parking has been provided via Alness Street, but I am concerned that the residents of the 4 flats with entrances on Eliot Crescent will park outside their doors. The road on Eliot Crescent is narrow, if cars were parked on the road emergency vehicles and the refuse collection lorry would have difficulty passing by. I have difficulty accessing my driveway on the currently rare occasions should a car be parked opposite. I envisage this would be an everyday occurrence with 4 entrances opposite my driveway. I note that one electric car charger has been allocated for 12 flats. This is not going to be sufficient for potentially 24 cars (2 cars per flat) when all cars will be electric. It would be more cost effective to provide a greater number of charging points at this early design stage than to install further chargers in the future.**

**Response:** Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. In relation to electric vehicle charging facilities, this can be addressed through an appropriately worded condition.

- (c) **I note that the development is to be clad in zinc. There are no buildings in the area clad in zinc. The development would be more in keeping with the surrounding properties if it was completely rough cast to match all the existing buildings.**

**Response:** Whilst the proposed buildings are contemporary in their design and finish materials it is considered that they are appropriate for their location and that they will not be out of keeping with the existing development in the surrounding area.

- (d) **I am disappointed to note that all the mature hedges on Alness Street and Eliot Crescent will be destroyed. These hedges are probably as old as the bowling green and provide nesting sites for birds and homes for a large variety of insects. Could some of the hedges be saved?**

**Response:** The hedge bounding the site is to be removed to facilitate the development. However, the hedge is not protected by any tree preservation order and any planning consent granted would be conditioned to ensure the submission of an appropriate landscaping scheme for the Council's satisfaction.

- (e) **Please note that as of 15 July 2022 I have not received a neighbourhood notice. I was made aware of the development by someone else seeing, by chance, an article online.**

**Response:** Due to a technical error the property referred to above at 45 Eliot Crescent was not neighbour notified when the application was registered. However, this matter has been rectified with the property being formally neighbour notified on 6 September 2022.

5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning permission for the erection of 12 flats with associated vehicular access, parking and landscaping. The determining issues in consideration of this application are its compliance with national and local plan policy and its impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of national planning policy, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.
- 6.3 In general land use and policy terms the principle of residential development at this location is considered to be acceptable as the application site is designated for residential use in the adopted South Lanarkshire Local Development Plan 2. The proposal involves the re-use of a former bowling green which raised no adverse comments from SportScotland in relation to the loss of outdoor sports facilities and who have also advised that the proposal would satisfy the terms of SPP. The proposal promotes development in a sustainable location which would be accessible by public transport, with bus routes located on the nearby Low Waters Road and in terms of permeability, the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.4 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2.
- 6.5 The application site is designated as a proposed housing site under the terms of Policy 11, therefore, the principle of the proposal is acceptable. As the proposal raises no policy issues the application conforms with the terms of Policy 11.
- 6.6 Policies 1 and 2 encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. In line with these policies, the proposal involves the development of a previously used site which is located in a sustainable location within Hamilton and where the principle of residential use is considered to be acceptable. The site benefits from opportunities for trips by public transport with bus routes located on the nearby Low Waters Road and the development would be well integrated into existing walking and cycling networks. The site is also located within an acceptable distance to commercial services such as retail, leisure, schools, health care etc. It is considered that the development of the site would result in an attractive and vibrant addition to neighbouring development. Furthermore, the proposed dwellings would be designed to the latest technical standards in terms of insulation, air tightness and energy ratings. It is, therefore, considered that the proposal meets the terms of the above policies.

- 6.7 In terms of the detailed design of the development, Policies 5 and DM1 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. In this instance, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide particularly in relation to window to window distances, amenity open space and car parking. The proposed two storey flatted dwellings are of modern design with a suitably high standard of external finishing materials and it is considered that the development will not be out of keeping with the existing residential development in the surrounding area. It is considered that the buildings have been designed and positioned within the site sufficiently to ensure that they should have no significant adverse impact on any adjacent existing dwellings in terms of loss of light and overshadowing and likewise, in terms of overlooking and loss of privacy. It is also considered that sufficient levels of amenity space and car parking are being provided for the dwellings. Overall, the site is very flat with relatively level access to the adjoining properties and roads and the flat topography of the site facilitates the proposed ridge heights to match those of the existing buildings in the surrounding local context. The proposed access arrangements have been assessed and are considered to be acceptable by the Council's Roads and Transportation Service. In view of the above, it is considered that the proposed development would relate satisfactorily to adjacent residential development in terms of its scale, design and materials and that the character and amenity of the area would not be impaired by reason of traffic generation, parking or visual intrusion. The proposal is, therefore, considered to be in accordance with the terms of Policies 5 and DM1.
- 6.8 With regard to Policy 7, the applicant has advised that the development is intended to be constructed for affordable housing. Consequently, no contributions are required and it is, therefore, considered that the proposal meets the terms of the above policy.
- 6.9 Policy 15 seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In this regard, the site is accessible by public transport with bus routes located on the nearby Low Waters Road. In terms of permeability, the development would be well integrated into existing walking and cycling networks. Furthermore, Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. It is, therefore, considered that the proposal complies with Policy 15.
- 6.10 The proposal has been assessed by the relevant consultees in terms of Policies 16, DM15, SDCC2 and SDCC3. With regard to flooding and surface water drainage, no adverse comments were raised by Roads and Transportation Services subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification documents. Scottish Water have also confirmed that they have no objections to the application and any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of the above policies.
- 6.11 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. It is therefore recommended that the application be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal raises no amenity, environmental or infrastructure issues and complies with Policies 1, 2, 5, 7, 11, 15, 16, DM1, SDCC2, SDCC3, SDCC4 and DM15 of the adopted South Lanarkshire Local Development Plan 2.

**David Booth**

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

Date: 30 September 2022

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letters dated 4 July 2022 and 6 September 2022
  
- ▶ Consultations
  - Community and Enterprise Resources - Play Provision
  - Community Contributions
  - Roads Development Management Team 27.07.2022
  - Environmental Services 07.07.2022
  - Scottish Water 06.07.2022
  - SportScotland 15.07.2022
  
- ▶ Representations Dated:
  - Grace Clarke, By Email 14.07.2022
  - Mrs Fiona Moran, 45 Eliot Crescent, Hamilton, ML3 6SP 15.07.2022

### **Contact for further information**

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

Jim Blake, Planning Officer, Floor 6, Council Offices, Almada Street, Hamilton, ML3 0AA  
Phone: 07551 840 831  
Email: [jim.blake@southlanarkshire.gov.uk](mailto:jim.blake@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. 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 2, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That no dwelling 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.

Reason: To ensure the provision of a satisfactory sewerage system.

05. 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

06. That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

07. That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Planning and Roads Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

08. That prior to any works commencing on site, full details of electric vehicle charging (EVC) facilities within the site shall be submitted to and approved by the Council as Planning and Roads Authority. Once approved the agreed EVC provision shall be installed, commissioned, and maintained in accordance with the approved plans and specifications prior to that dwelling which it serves being occupied.

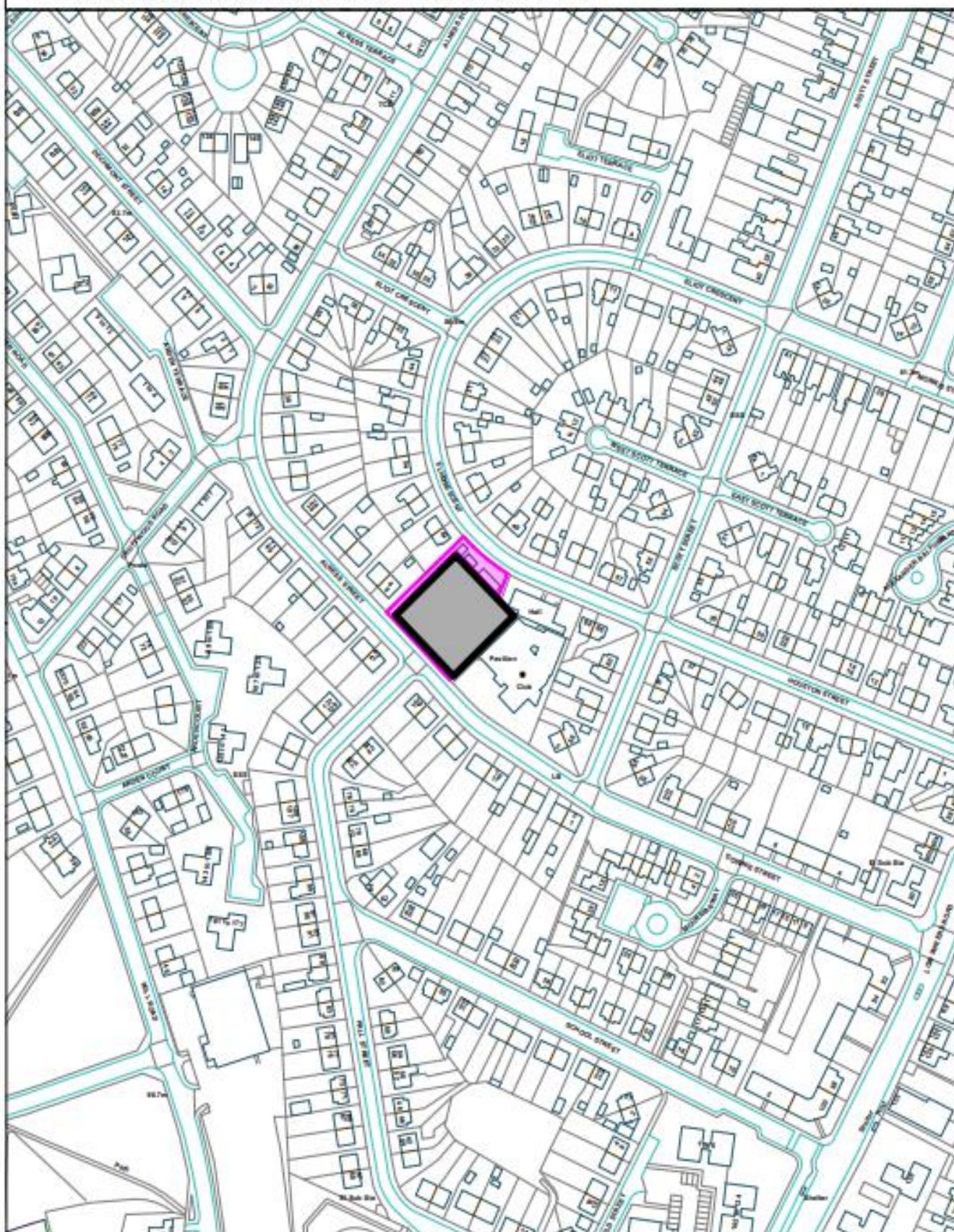
Reason: These details have not been submitted or approved.

09. That prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

10. For the avoidance of doubt, the development hereby approved shall consist of social housing only, operated by a Registered Social Landlord unless otherwise agreed in writing with the Planning Authority.

Reason: In order to retain effective planning control.





# Report

18

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject	<b>South Lanarkshire Local Development Plan 2 Supporting Planning Guidance: ♦ Community Infrastructure Assessment</b>
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## 1. Purpose of Report

1.1 The purpose of the report is to:-

- ♦ inform the Committee of the consultation carried out on the draft Supporting Planning Guidance (SPG) on Community Infrastructure Assessment related to the South Lanarkshire Local Development Plan 2 (SLLDP2)
- ♦ seek Committee approval for the proposed SPG, as set out in the Appendix, and thereafter for it to be adopted as the Council's agreed planning position

## 2. Recommendation(s)

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

- (1) that the Supporting Planning Guidance for Community Infrastructure Assessment, as set out in the appendix to the report, be approved; and
- (2) that the Head of Planning and Regulatory Services be authorised to undertake the appropriate procedures and to make drafting and technical changes to the Supporting Planning Guidance prior to its publication for consultation.

## 3. Background

3.1 The Planning Committee on 1 December 2020 agreed to carry out the necessary steps to adopt the proposed South Lanarkshire Local Development Plan 2 (SLLDP2). The Plan was submitted to Scottish Ministers in February 2021 for them to advise of the Council's intention to adopt the Plan and notice was received in March that adoption could proceed. The SLLDP2 was subsequently adopted in April 2021.

3.2 Members may also recall that when the proposed SLLDP2 was approved it was highlighted that, in order to respond to the need for development plans to be concise and focused, further detailed information, advice and guidance would be contained in Supporting Planning Guidance. Circular 6/2013 – Development Planning states that planning authorities may issue non-statutory planning guidance without having to comply with the procedures involved in the production of statutory Supplementary Guidance (SG). Non-statutory planning guidance may be used to provide detail on a range of subject areas. This form of guidance does not form part of the Development Plan but adoption of it by the Council gives it a formal status, meaning that it will be a material consideration in decision making on planning applications.

3.3 The purpose of the Supporting Planning Guidance is to support the policy approach already contained within the adopted SLLDP2 by providing more detailed guidance and advice. The SPG expands on the policy direction set out in SLLDP2 and translates

this into detailed guidance. The purpose of each SPG is solely to reinforce and support the terms of the policies already contained in the adopted SLLDP2. The SPG does not alter either the aims or purposes of the policies.

- 3.4 On 15 February 2022, the Planning Committee approved draft SPG on seeking developer contributions from developers in new developments and, thereafter, to carry out consultation on the document. The draft document was informed by a review of the extant Supplementary Guidance on this subject and research carried out on the approach used by other planning authorities. This is described in more detail in section 5 below.

#### **4. Legislative and Policy Context**

- 4.1 Community Infrastructure Assessment is the process whereby the Council can seek financial contributions from developers where development proposals require capital or other works to enable the development to proceed by mitigating the impact on essential infrastructure. This may involve:-

- ◆ The direct provision of works or facilities by developers
- ◆ A financial contribution to fund off site provision
- ◆ A combination of these

Developer contributions are not like other funds which are available for local communities to bid for. They have to be sought in line with government policy and must directly relate to the impact the development would have on an area. It is also not appropriate for developers to be asked to pay to address existing shortfalls in the provision of Council facilities or services nor address defects such as structural repairs to existing buildings which are not linked to the development. Policy 7 – Community Infrastructure Assessment in SLLDP2 sets the high level policy context on this issue. It limits the areas in which contributions may be sought to the following:-

- ◆ Affordable Housing
- ◆ Roads and Transportation
- ◆ Education provision
- ◆ Recreation
- ◆ Council-owned community facilities

- 4.2 The legislative basis for seeking developer contributions is found at section 75 of the Town and Country Planning (Scotland) Act 1997. This allows the Council to enter into a planning obligation to restrict or regulate the development or use of land including a requirement to make payments where appropriate. The obligation is registered in the Land Register of Scotland which means it is enforceable by the planning authority against the owner of the land and successors in title.

- 4.3 More detailed guidance is set out in Circular 3/2012 - Planning Obligations and Good Neighbour Agreements. The Circular sets out 5 tests that planning obligations are required to meet to be lawful. They should:-

- ◆ be necessary to make the proposed development acceptable in planning terms
- ◆ serve a planning purpose
- ◆ relate to the proposed development either as a direct consequence of the development including the cumulative impact of development in the area
- ◆ fairly and reasonably relate in scale and kind to the proposed development
- ◆ be reasonable in all other respects

- 4.4 It goes on further that consideration should be given to the economic viability of proposals when deciding the form and scale of contributions as an obligation may have a financial impact for developers and make proposals uneconomic. Cash flow can also be affected in cases where substantial sums of money have to be paid either before the development gets under way or at an early stage in construction. This can be addressed by agreeing phased payments. The Council asks for the developer to undertake a financial viability assessment for the development taking account of the level of contributions being asked for. This allows a reasonable and proportionate approach to the level of contributions expected and the timing of the works being carried out/making of payments. The aim is to strike a balance between setting contributions levels so that they address any direct impact of the development and ensuring the proposal remains viable. Once submitted, the viability assessment is reviewed by an independent assessor. This will include reference to build costs and other abnormal costs (for example the remediation of contaminated land).

## **5. Supplementary Planning Guidance – Community Infrastructure Assessment**

- 5.1 The draft document approved by Committee in February 2022 included the following changes to the previous guidance on this matter.

### **5.2 Reducing threshold for seeking contributions**

Contributions are currently sought from housing developments comprising 20 units or more. A review of this figure has been undertaken in recognition that smaller developments can have an impact on existing infrastructure and service provision. This included looking at the approach of other Planning Authorities which found that South Lanarkshire Council is the only one with a figure of 20 units set across all categories. In contrast, several predominantly rural authorities seek contributions from single house developments while the most common threshold is set at 4 units or more. Only two Planning Authorities set a minimum figure of 10 units.

Overall, it was considered that reducing the figure to 5 units is appropriate as this would reflect more accurately the effect new development has on services, in particular, the cumulative impact of a number of small developments. In contrast, a threshold of less than 5 units would result in a considerable administrative burden while resulting in low value contributions that would not bring significant community benefit. Setting the figure at 5 units was therefore the recommended approach in the draft guidance. The proposed changes would result in an increase in the number of cases requiring developer contributions (approximately 15 per annum on average based on applications over the last 3 years) which is considered to be manageable and proportionate. Since the draft version was approved, approval has been given by the Community and Enterprise Resources Committee to create a post for an officer to be specifically aimed at dealing with contributions. A secondary issue is the impact of lowering the threshold on Small and Medium Enterprises. Small housebuilders are local businesses and, from an economic development viewpoint, there is a desire to help small businesses retain and safeguard jobs as we emerge from the impact of the pandemic. In addition, it was proposed that contributions will not be sought from Registered Social Landlords (for example Housing Associations) from their affordable housing schemes.

The one exception to the above relates to contributions for affordable housing from private housebuilders. The high-level Policy 12 – Affordable Housing in SLLDP2 states that affordable housing provision will only be sought for developments of 20 or more units. This sets the context on this issue and under current legislation the figure could only be changed if the entire Local Development Plan were reviewed. It is, therefore, intended that the 20 unit threshold will remain in this respect. Nevertheless,

this matter will be reviewed when work starts on the preparation of the next Local Development Plan.

### 5.3 Education contributions

In assessing the need for additional educational accommodation, an annual assessment is carried out by Education Resources for both denominational and non-denominational establishments. This considers the capacity at each of the secondary schools and the associated feeder primary schools. The housing land supply figures for each educational catchment area (referred to as learning communities in South Lanarkshire) are fed into the capacity assessment. This gives an indication of any shortfall in school places for each primary and secondary school within the Council area as a result of the new development and the level of contribution required per dwelling constructed in that learning community together with the level of any required contribution to nursery provision. Several changes were promoted by Education Resources to better reflect the school population.

### 5.4 Active travel

At present contributions towards the impact of development on the road network apply to items such as roundabouts and traffic signals. However, the revised SPG proposes extending this to cover measures to promote active travel. Applications requiring a Transport Assessment or Transport Statement are now required to be accompanied by an active travel plan to show the proposal promotes opportunities for travel by sustainable travel modes. Direct reference should be made to the Council's own Active Travel Study for the relevant settlement to help identify measures to incorporate active travel schemes to serve new development. A number of additions and improvements to the existing cycling network are included in each. In addition, the South Lanarkshire Cycling Strategy identifies proposed strategic routes across the area.

Emerging national planning policy sees the creation and maintenance of 20 Minute Neighbourhoods as a means of achieving compact and connected neighbourhoods to ensure people meet the majority of their daily needs within a reasonable walk, wheel or cycle of their home. New housing developments will be required to encourage people to live more locally and contribute to the creation of sustainable travel options and safe living environments. As a result, developers will be required to consider how these aspirations can be met. Layouts for new developments will be required to show how safe active travel connections to the neighbouring area can be achieved. In addition, applicants will need to demonstrate how their schemes will contribute to sustainable travel by either creating new or enhancing existing active travel networks (taking into account the Council's existing priorities) or providing associated facilities to facilitate active travel such as the implementation of 20mph speed limits and gateways to settlements or neighbourhood areas and the provision of cycle shelters or bicycle charging points.

### 5.5 Libraries/community facilities

The proposed SPG includes a new detailed methodology for identifying the need for, and a methodology for calculating, contributions to address the impact of new development on existing community assets such as libraries and community facilities. The general approach when assessing the impact of a proposal on community facilities will be to continue to improve and expand existing facilities to meet the new demand generated by new developments before considering the creation of new facilities or assets, but with consideration being given to the need to ensure that facilities are accessible to the community.

The need for a contribution for additional building capacity will be established by comparing the current capacity of the library and population it serves against the number of people likely to be generated by the new development. Where new development places demand on the facility above its physical capacity, a new building or an extension to an existing facility may be required. A similar calculation can be made in relation to library stock.

It should be noted that existing guidance on the provision of play and recreation facilities in a new development and the need to make a contribution to provide new, or upgrade existing, local facilities (as set out in the Residential Design Guide) remains unchanged at present. However, it is intended this will be the subject of review when the Residential Design Guide is refreshed, and work starts on the now statutory Open Space Strategy. The value of the financial contribution towards the provision of, or the upgrading of, existing facilities in lieu of on-site provision will range from £1,500 upwards per dwelling for the time being.

## **6. Current Position**

- 6.1 Following the carrying out of a 6 week public consultation on the draft guidance, a total of 6 letters of representation were received, none of which were submitted by the major housebuilders. Responses from SEPA, Scottish Water, Historic Environment Scotland and Blantyre Community Council offered no objections/support for the approach set out in the document.

Representations from Burnside Community Council requested that they be notified of any major changes that might affect local infrastructure. In response, community councils currently receive a copy of the weekly list of planning applications and can ask to be formally consulted on applications in their area. In addition, they are a statutory consultee for applications that would have a significant impact on the amenity of their area.

Quothquan and Thankerton Community Council raised a number of legitimate issues in relation to the provision of services in the rural area in general that are beyond the scope of the planning system. In relation to the use of developer contributions to remedy existing provision, the ability of the Council to seek payments is very much governed by legislation and Scottish Government planning policy. Contributions can only be sought where a proposed development would have an impact on the capacity of existing facilities including schools, halls and libraries. They cannot be asked for in order to address existing deficiencies in capacity or deal with structural defects for example. Methodologies for assessing capacity issues have been developed. The reduction of the threshold for seeking contributions from developers from 20 units to 5 should result in small schemes mainly prevalent in the rural area being asked to make contributions.

- 6.2 A number of minor updates have been made to the proposed document to provide clarification or include definitions of certain matters. The minor changes carried out to the document has enabled the document to be improved in terms of its readability and clarity. Overall, however, the general principles of the guidance remain unchanged from the original draft (and as described in section 5 above). It is therefore recommended that the Supporting Planning Guidance, attached as an appendix to the report, be approved and, thereafter, be published on the Council's website. If approved, the SPG will be a material consideration for any planning applications.

## **7. Employee Implications**

- 7.1 The preparation of the Supporting Planning Guidance has been carried out using existing staff resources within Planning and Regulatory Services.

## **8 Financial Implications**

- 8.1 The financial resources required to deliver the Local Development Plan including any associated SPGs is based upon current budget levels available to Planning and Regulatory Services. Changes in these resources may impact on the programmes presented.

## **9. Climate Change, Sustainability and Environmental Implications**

- 9.1. A Strategic Environmental Assessment (SEA) of Local Development Plan 2, including the Plan's spatial strategy, policies and potential development sites, was carried out as required by the Environment Assessment (Scotland) Act 2005. The comprehensive and robust SEA helped to ensure that SLLDP2 fulfils its purpose of providing a clear framework to direct development in an environmentally sustainable way, ensuring any wider environmental issues were considered as far as reasonably possible. The SEA helped to improve the linkage between the local environment, sustainable lifestyles and the potential for promoting sustainable economic development across communities.
- 9.2 A SEA Screening Report for the SPG was prepared and submitted to the statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency) for their consideration. All three agencies have advised that further SEA work is not required as the SPG is unlikely to have significant environmental effects other than those already identified, assessed and reported within the SEA of SLLDP2.

## **10. Other Implications**

- 10.1 The SLLDP2 was adopted in April 2021. However, it is necessary to provide detailed guidance to support the adopted planning policies. There would be a reputational risk if this was not undertaken. The SPG proposed is aimed at providing clarity and transparency on seeking developer contributions. in South Lanarkshire.

## **11. Equality Impact Assessment and Consultation Arrangements**

- 11.1 An Equalities Impact Assessment (combining Child Rights and Wellbeing Impact Assessment) is not required.

**David Booth**

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

20 September 2022

### **Link(s) to Council Values/Priorities/Outcomes**

#### **Values**

- ◆ Focused on people and their needs
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving
- ◆ Fair, open and sustainable

#### **Priorities**

- ◆ We will work towards a sustainable future in sustainable places

#### **Outcomes**

- ◆ Good quality, suitable and sustainable places to live
- ◆ Caring, connected, sustainable communities

**Previous References**

- ◆ Report to Planning Committee 15 February 2022

**List of Background Papers**

- ◆ Planning (Scotland) Act 2019
- ◆ Circular 6/2013 – Development Planning
- ◆ Circular 3/2012 - Planning Obligations and Good Neighbour Agreements
- ◆ South Lanarkshire Local Development Plan 2 adopted April 2021

**Contact for Further Information**

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

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## 1.0 Introduction

## Appendix 1

Supplementary Guidance (SG) on a range of matters was prepared under the provisions of Section 22 of the Planning etc. (Scotland) Act 2006 and formed part of the South Lanarkshire Local Development Plan that was adopted by the Council in 2015. Following the adoption of South Lanarkshire Local Development Plan 2 in 2021 the statutory status of existing Supplementary Guidance as part of the development plan fell. As a result the Council has started a process of reviewing the existing SG. Nevertheless they will continue to be used in the decision making process for planning applications as they remain the Council's agreed position until they are replaced.

Section 9 of the Planning (Scotland) Act 2019 has removed the ability of Planning Authorities to prepare new Supplementary Guidance. Circular 6/2013 – Development Planning states that planning authorities may issue non-statutory planning guidance to provide detail on a range of subject areas. This form of guidance does not form part of the development plan. However, adoption by the Council gives it formal status, meaning that it will be a material consideration in decision making. Planning guidance can be updated as required and without the need for approval by Scottish Ministers.

The Council has prepared draft Supporting Planning Guidance (SPG) to provide information and assistance to developers regarding Community Infrastructure Assessment in relation to seeking developer contributions. The guidance supports the policies in South Lanarkshire Local Development Plan 2, in particular Policy 7 – Community Infrastructure Assessment, and will be a material consideration in the determination of planning applications. This SPG is intended to provide guidance at an early stage on the nature and scale of contributions that may be sought in order that these can be taken into account and factored into a developer's financial appraisal. Throughout assessment of these needs it will be the Council's aim to strike a balance between setting contributions at a level that addresses the projected impact and ensuring that the development remains viable.

The approved SG on Affordable Housing is also of relevance and should be read in association with this SPG.

This Supporting Planning Guidance was approved by South Lanarkshire Council at its meeting on 13 October 2022.

### Supporting assessments

A series of assessments informed the preparation of the SPG. The technical studies are noted below.

### Strategic Environmental Assessment

In accordance with the Environmental Assessment (Scotland) Act, 2005, the Council prepared and submitted a strategic environmental assessment (SEA) screening report to the statutory consultation authorities, summarising its view that this SPG is unlikely to have significant environmental effects. The consultation authorities agreed with the Council's view and the Council made a formal determination that a SEA is not required for this SPG. The Council reached this view because it sits under the hierarchy of the Glasgow and the Clyde Valley Strategic Development Plan and the South Lanarkshire Local Development Plan 2, both of which have undergone SEA. The SG does not seek to change or amend policies in these plans, including Policy 7 Community Infrastructure Assessment.

### Habitats Regulations Appraisal

A Habitats Regulations Appraisal (HRA) screening exercise for this SPG will be undertaken in compliance with the EC Habitats Directive (Council Directive 92/43/EEC), and the Conservation (Natural Habitats, &c.) Regulations 1994 as amended. This will be included in the HRA Record for the SLLDP. Any changes required as a result of the HRA shall be incorporated in the finalised supplementary guidance.

### Equalities Impact Assessment

An Equalities Impact Assessment of the South Lanarkshire LDP2 community infrastructure assessment policy was carried out and it was concluded that there are no adverse impacts on any of the communities covered by equalities legislation or on community relations.

The above technical studies can be viewed on the Council's website and are available on request from the Council.

**NB** The SPG makes various references to policy and guidance from the Scottish Government and other statutory agencies. As this may change during the lifetime of the SPG, developers are advised that they must comply with the version that is current at the time of their application.

## 2.0 Context

The legislative basis for seeking developer contributions is found at section 75 of the Town and Country Planning (Scotland) Act 1997. This allows planning authorities to enter into a planning obligation to restrict or regulate the development or use of land including a requirement to make payments where appropriate. The obligation is registered in the Land Register of Scotland which means it is enforceable by the planning authority against the owner of the land and successors in title.

Developer contributions are not like other funds which are available for local communities to bid for. They have to be sought in line with the tests described below and must directly relate to the impact the development will have on an area. In addition, developers will not be asked to pay to address existing shortfalls in the provision of Council facilities or services nor address defects such as structural repairs to existing buildings which are not linked to the development.

More detailed guidance is set out in Circular 3/2012 - Planning Obligations and Good Neighbour Agreements. A revised version was published in November 2020. It advises that the planning system guides the future use of land and in considering planning applications, authorities must consider each application on its merits based on the development plan and any other material considerations. Planning obligations can be useful to overcome obstacles which may otherwise prevent the grant of planning permission by mitigating negative impacts a development may have on land use, the environment or infrastructure.

It goes on to state consideration should be given to the economic viability of proposals when deciding the form and scale of contributions as a planning obligation may have a financial impact for developers and make proposals uneconomic. Cash flow can also be affected in cases where substantial sums of money have to be paid either before the development gets under way or at an early stage in construction. This can be addressed by agreeing phased payments.

The Circular sets out 5 tests that planning obligations must meet to be lawful. All of the tests should be met for the obligation to be appropriate. They should

- ◆ Be necessary to make the proposed development acceptable in planning terms
- ◆ Serve a planning purpose
- ◆ Relate to the proposed development either as a direct consequence of the development including the cumulative impact of development in the area
- ◆ Fairly and reasonably relate in scale and kind to the proposed development
- ◆ Be reasonable in all other respects

A draft National Planning Framework 4 (NPF4) was published by the Scottish Government for consultation in November 2021. In relation to planning obligations it states that a review of developer contributions will be carried out to evaluate the effectiveness of existing mechanisms to inform potential new approaches, in particular taking into account the powers to introduce an infrastructure levy in the Planning (Scotland) Act 2019.

### **Local development plan policy**

Policy 7 of the South Lanarkshire Local Development Plan 2 relates to community infrastructure assessments and states that these are required to recognise the impact a development may have on a specific area, for example on the road and footpath network, education provision, recreational and community facilities.

*Where development proposals would require capital or other works or facilities to enable the development to proceed, financial contributions towards their implementation will be required. Where justified in accordance with the provisions of Circular3/2012: Planning Obligations and Good Neighbour Agreements, contributions will be sought in relation to affordable housing; roads and transportation; education provision; recreation; and council-owned community facilities. Supporting Planning Guidance will be prepared and consulted on, including in relation to the contributions sought. These contributions will be appropriately assessed, and developers will be required to ensure transparency in the financial viability of a development. In each case contributions must:-*

- i. serve a planning purpose*
- ii. be necessary to make the proposed development acceptable in planning terms*
- iii. be directly related to the proposed development*
- iv. be fairly and reasonably related in scale and kind to the proposed development and*
- v. be reasonable in all other aspects.*

*The Council will either seek the direct provision of such works or facilities by developers, or, in appropriate cases, a financial contribution from the developer to fund off-site provision either by third parties or by the Council itself. Where contributions are required these should be secured through planning condition or a legal agreement before permission is issued. Lump sum payments for capital works will normally be made when the work is carried out but consideration will be given to the use of endowments, phased payments, or other mechanisms, provided clear timeframes are agreed.*

*Development proposals must also accord with other relevant policies and proposals in the development plan. Refer to Appendix 1 for relevant Volume 2 policies and additional guidance.*

In addition, Policy 12 – Affordable Housing in SLLDP2 is relevant

*The Council will expect developers to contribute to meeting affordable housing needs across South Lanarkshire by providing, on sites of 20 units or more, up to 25% of the site's capacity as serviced land for the provision of affordable housing. In addition, other solutions will be considered if these prove to be the most appropriate for the site.*

*If on-site provision is not a viable option the Council will consider off-site provision in the same Housing Market Area. In these areas the Council expect developers to make a contribution to fund social rented affordable housing on alternative locations within the same Housing Market Area.*

*The provision of a commuted sum will only be acceptable if on or off-site provision cannot be provided in the locale or there are no funding commitments from the Scottish Government.*

*Development proposals must also accord with other relevant policies and proposals in the development plan. Refer to Appendix 1 for relevant Volume 2 policies and additional guidance.*

### 3.0 Requirements for community infrastructure assessment

Community infrastructure assessment (CIA) is a process carried out by the Council to identify and address the impact a new development may have on a specific area. The purpose of this SPG is to expand on Policy 7 - Community infrastructure assessment and Policy 12 – Affordable Housing in SLLDP2 and set out the Council's procedure for assessing, determining and collecting any financial contributions arising from the CIA.

#### Which development proposals will be subject to a Community Infrastructure assessment?

Policy 7 of SLLDP2 limits the areas in which contributions may be sought to the following;

- ◆ Affordable Housing
- ◆ Roads and Transportation (this will include the public road network as well as walking and cycling routes)
- ◆ Education provision (including primary/secondary schools and nursery provision)
- ◆ Recreation/open space/play areas
- ◆ Council-owned community facilities (including libraries and public halls)

The Council will carry out a community infrastructure assessment for all new housing proposals involving **5 or more units** where it is identified that the development will have an impact on the local infrastructure such as roads, footpath networks, education, community facilities and open space/play provision. It will also include an assessment of the affordable housing contribution from new residential developments of **20 units or more**.

The Guidance sets out the procedure which shall be followed for assessing contributions. This assessment could also apply to other types of development such as industrial, retail or leisure.

Developer contributions will be calculated on the basis of whole sites. Applications for parts of sites will pay a proportion of the total site contribution requirement.

NB The submission of planning applications for small developments comprising 4 units or less where they are clearly part of a phased development of a larger site or landholding in order to avoid making contributions will not be acceptable.

## What types of development don't require contributions to be made?

A number of exceptions to the policy are set out below.

- ◆ The conversion or renovation of a listed building or one that makes a significant contribution to the character of a conservation area
- ◆ Special needs housing including sheltered and amenity housing
- ◆ Affordable housing developed by, or on behalf of, the Council or by a Registered Social Landlord

## How will the community infrastructure assessment be carried out?

The community infrastructure assessment will be carried out alongside the assessment of the planning application. When an application is submitted which is considered to have an impact on local infrastructure, to a degree that requires it to be addressed, the relevant Council Service(s) will be asked to identify the works to address the impact and the potential level of contributions required to carry them out. The affordable housing contribution will also be identified.

Pre-application discussions are highly recommended as early engagement with the planning service can establish if an assessment is needed. Agreement with the planning service on the scope and content of supporting information to inform the CIA will also prevent delays in the consideration of the planning application as well as unnecessary work being carried out.

Policy 7 in SLLDP2 recognises that economic circumstances and funding constraints can affect the viability of a proposal. In such cases the Council will ask for the developer to undertake a **financial viability assessment** for the development taking account of the level of contributions being asked for. This allows a reasonable and proportionate approach to the level of contributions expected and the timing of the works being carried out/phasing of payments. The aim is to strike a balance between setting contributions levels so that they address any direct impact of the development and ensuring the proposal remains viable. Circular 3/2012 includes a 'scale and kind test' in recognition that entering into an obligation can have financial consequences for developers and may make proposals uneconomic.

This will require developers to be transparent in these discussions and provide the information needed to assess the impact of contributions on viability. This will include

- ◆ Detailed build costs
- ◆ Market evidence
- ◆ Valuation reports to support the land values
- ◆ A project programme and phasing plan
- ◆ Indicative offers for affordable units (if applicable)
- ◆ A viability appraisal

## 4.0 Community infrastructure assessment process

The diagram in Appendix 1 illustrates the process for assessing the levels of contribution required as part of a community infrastructure assessment, together with their delivery. The procedure includes an opportunity for the consideration of the overall level of contributions being sought compared to the development and land costs in order that the viability of the development can be assessed.

### Affordable housing

A contribution towards affordable housing is required for all residential developments of **twenty or more dwellings** on a site. Policy 12 of SLLDP2 requires the developer to accommodate **up to 25%** of the total number of units for the provision of affordable housing. This can be through delivery on-site involving either the identification and transfer of serviced land for the Council to build out or a turnkey arrangement where the developer builds the units and transfers them to the Council to manage. Alternatively, the developer may deliver the required number of units at another location off-site or make a financial contribution to delivery elsewhere within the relevant Housing Market Area. The Council's Strategic Housing Investment Plan (SHIP), which sets out how investment in affordable housing will be directed over a 5 year period, will be used to identify where commuted sums will be allocated.

The process for agreeing what type of affordable housing contribution is required is fully detailed in the associated approved Supplementary Guidance on Affordable Housing which sets out the requirements for affordable housing from new housing developments. This recognises that not all sites are suitable for the provision of affordable housing on-site and in these cases a financial contribution will be made towards the provision of affordable housing elsewhere.

It is recommended that early discussions are carried out for any proposal for the erection of twenty or more dwellings to ascertain how this contribution can best be met, that is by providing housing on site or on an alternative site, or by paying a commuted sum to the Council to be used to provide housing in the same Housing Market Area as the proposed development. At this point the Council will advise on the appropriate tenure mix, type and scale of affordable housing that is required to meet the housing need in the Housing Market Area in which the site is located. The suitability of the site itself to meet that demand will also be assessed using factors such as whether it is in an accessible location; the topography of the site; whether the affordable housing can be integrated into the wider development; and the scale of development or proximity to other managed units. Further detailed guidance on the different delivery methods and how to determine the nature and level of contributions required can be found in Chapter 4 of [Supplementary Guidance 7 : Affordable Housing](#).

Once an in-principle view has been established on the preferred form of affordable housing contribution a valuation methodology for the level of contribution is agreed to ensure this issue is given early consideration as part of the developers site appraisal. The level of contribution is based on the value of the land. The Council and developer will jointly instruct an independent surveyor to carry out a valuation of the land. The instruction will state that the valuation is for the purposes of calculating affordable housing contributions and that the surveyor's report must indicate a

value for each plot, were it to be developed for mainstream housing for sale. It is this valuation per plot that will enable the level of financial contribution for affordable housing to be calculated.

For the purposes of calculating the plot values for affordable housing, it is assumed that the plot value for an affordable housing unit is exactly half that of the plot value for mainstream housing for sale. The total contribution towards affordable housing applicable for each site will be calculated by using the following formula.

Value per plot divided by 2 multiplied by 25% of the total number of units proposed on site

This formula will give the overall contribution towards affordable housing on site but can be expressed as a contribution per plot by dividing the overall contribution by the total number of units proposed on site.

## **Education**

New housing developments will normally generate additional pupils attending the local schools and nurseries which can have an impact on the educational facilities serving the development. In some cases additional demand for places can be met within the school's existing capacity. However, where there is currently no capacity or where it is predicted there will be no capacity if other new housing developments identified in the Local Development Plan 2 are realised, then a contribution towards the provision of additional educational accommodation is required.

In assessing the need for additional educational accommodation (nursery, primary and secondary), an annual assessment is carried out by Education Resources for both denominational and non-denominational establishments. This considers the capacity at each of the secondary schools and the associated feeder primary schools. The housing land supply figures for each educational catchment area (referred to as learning communities in South Lanarkshire) are fed into the capacity assessment. This gives an indication of any shortfall in school places for each primary and secondary school within the Council area as a result of the new development and the level of contribution required per dwelling constructed in that learning community together with the level of any required contribution to nursery provision. A report is produced on an annual basis identifying where there are capacity issues and therefore where contributions will be sought by the Council.

There are currently 124 primary schools, 17 mainstream secondary schools and 7 additional support needs schools in South Lanarkshire. These are grouped into 17 Learning Communities within South Lanarkshire.

The following mechanism is used to calculate developer contributions on a fair, transparent and equitable basis.

The LDP2 identifies potential housing sites together with indicative housing numbers and it is these Housing Land Supply figures which allow Education Resources to predict the likely numbers of pupils generated within a particular Learning Community.

The likely number of pupils generated is based on a pupil generation formula which assumes that 35 pupils per year group will be generated by 1000 new dwellings. From the 35 pupils per year group, a split of 75% of these pupils will be considered non denominational and 25% denominational. This split does, however, vary within some areas of South Lanarkshire and therefore, where appropriate, Education Resources may apply an area specific split to the projected number of pupils generated where it differs from the Council wide average of 75%/25%.

The year groups accounted for are Nursery – 2.27 years, Primary - 7 years and Secondary - 5.75 years. The pupil generation formula takes account of established trends in both the splits between denominational and non-denominational education and the number of pupils staying on to complete a sixth year of secondary education. The likely numbers of pupils generated as a result of new housing are combined with the pupil roll projections to establish the total number of pupils. Pupil roll projections are based on the actual numbers of pupils gathered via the annual school census (each September), factored up to the appropriate year.

This allows the Council to identify both capacity issues arising from the existing population and those arising as a result of new developments. Developer contributions will only be sought to address capacity issues arising from new developments. The Council will address and manage any existing over capacity issues.

If a capacity issue is identified as a result of new development, the level of developer's contributions will be calculated on an assumed need for 3.5m<sup>2</sup> of gross internal floorspace per secondary pupil, 9m<sup>2</sup> per primary pupil and 4.5m<sup>2</sup> per nursery pupil. The cost to provide this amount of floorspace is calculated using up to date figures and costings from the Council's Schools Modernisation Programme Partnership. The current figure per square metre will be updated on a regular basis to take account of fluctuations in build costs and will be made available to developers on request.

The above calculations will be carried out on an annual basis and a statement for each learning community throughout the Council will be produced. The above methodology will allow the following:

- ◆ an equitable spread of costs amongst all developments;
- ◆ an early and fast response to developer requests for the likely levels of contributions; and
- ◆ greater capacity for aligning funding to provide the required educational space at the required time.

## Roads and transportation

The development of sites for housing and other uses may generate levels of traffic which require improvements to the wider road network. This may include addressing impacts to the pedestrian, cycle and public transport network. When consulted on a planning application Roads and Transportation Services will assess the suitability of the proposed layout within the application site and the impact of the development on the wider road and footpath/cycling network and so identify the improvements needed to the network to accommodate the development. The costs of addressing this impact on the wider network will be met by the developer. Plans submitted with the application should be sufficient to allow the cost of the works to be calculated, including any phased implementation and impact on utility apparatus, in order to accurately assess the level of contribution required.

A similar exercise will also be required where a development may impact on the trunk road network. This will require developers to liaise with Transport Scotland regarding potential costs and the implementation of improvements.

Where a new development or a change of use of land or buildings is likely to generate a significant increase in the numbers and types of trip, a Transport Assessment (TA) should be carried out. This will identify if any road or transportation improvements require to be carried out such as new or improved access to the site and major road improvements outwith the site. This could also include a contribution to the provision of public transport services.

There may be other types of development that do not require a full transport assessment but which have an impact that requires road improvements to be carried out. In these cases, a Transport Statement (TS) may be required as a result of the developments location and/or the type of development proposed. It is recommended that the developer engages with the planning service as early as possible in the project's development to agree if any mitigation is required.

Any off-site road works identified by the TA/TS must be fully designed and costed by the developer, including services, and agreed by the Council's Roads and Transportation Services before planning consent is issued. These discussions will include the technical aspects of off-site works to ensure that the final scheme meets with the Council's standards, timescales and costings, including where appropriate, inflation to cover a delay in implementation of the works. Where a number of developments are proposed which cumulatively will impact upon a specific area of the local network, the cumulative effect should be addressed and any required improvements identified. Their implementation will be secured either by making a financial contribution to the Council through a Planning Obligation or through construction by the developer via a separate legal agreement. A similar exercise, covering all of the above and involving discussions with Transport Scotland will be required where improvements are needed to the trunk road network.

## Active travel

Policy 15 – Travel and Transport in the SLLDP2 states that, where appropriate, a Transport Assessment or Transport Statement to be submitted in support of a planning application will be accompanied by an active travel plan to show the proposal promotes opportunities for travel by sustainable travel modes. The scope for the TA/TS and the outputs form will be agreed in advance and, where necessary, will identify the mitigation required to reduce travel by car and promote walking, cycling, wheeling and public transport.

The Council has completed a number of active travel studies for its main settlements [Active Travel Studies](#). These documents will inform decision making on planning applications and help identify measures to incorporate active travel schemes to serve new development. A number of additions and improvements to the existing cycling network are included in each. In addition, the South Lanarkshire Cycling Strategy identifies proposed strategic routes across the area.

20 Minute Neighbourhoods are a method of achieving compact and connected neighbourhoods to ensure people meet the majority of their daily needs within a reasonable walk, wheel or cycle of their home. New housing developments will be required to encourage people to live more locally and contribute to the creation of sustainable travel options and safe living environments.

As a result the Community Infrastructure Assessment will be required to consider how these aspirations can be met by developers. Layouts for new developments will be required to show how safe active travel connections to the neighbouring area can be achieved. In addition, applicants will need to demonstrate how their schemes will contribute to sustainable travel by either creating new or enhancing existing active travel networks (taking into account the Council's existing priorities) or providing associated facilities to facilitate active travel such as the implementation of 20mph speed limits and gateways to settlements or neighbourhood areas and the provision of cycle shelters or bicycle charging points. In most cases it is expected that a reasonable and proportionate financial contribution will be made to the Council towards the implementation of its existing priorities and projects.

Early discussions with Roads and Transportation Services to discuss the potential requirements and level of contribution is recommended.

## **Community Facilities and Recreation/Sporting Facilities**

This section of the guidance considers the impact of new development on Council owned community facilities such as libraries and community halls (defined as a versatile space which can be hired for activities such as classes, meetings, and sport and recreation) and large scale sporting facilities such as sports halls/centres and pitches. It also looks at the requirements for new housing developments to include appropriate levels of open space and recreation within the site. The reference to the 20 Minute Neighbourhood concept above is equally relevant in this section of the guidance.

In order to ensure community and recreation/sport facilities are available to serve a new development, the impact of new dwellings on the current provision on them must be considered. It has been the Council's approach to concentrate such facilities in specific areas as opposed to having a large number of smaller facilities that would incur higher management costs and may have a more limited appeal to residents. The general approach when assessing the impact of a proposal on community facilities is to improve and expand existing facilities to meet the new demand before considering the creation of new facilities or assets, but with consideration being given to the need to ensure that facilities are accessible to the community.

### Libraries

Local authorities in Scotland have a statutory duty to provide an adequate library service under the Local Government etc (Scotland) Act 1994. The Scottish Library and Information Council advise that an adequate service should provide a number of core functions including providing access to hardcopy and electronic resources which are free; enabling access to resources for reading, information and learning; encouraging community involvement and community based activity; helping to minimise social and digital exclusion; promoting access to Scotland's cultural heritage; and promoting cultural and creative activities.

Community Infrastructure Assessment will consider the impact of new housing development on library services. In particular, it will determine whether contributions are required to build a new library or extend/alter/adapt existing libraries (including construction and fit out costs) and/or expand existing stock. The following methodology will be used for each element

<b>New Library or Extension to Existing</b>	
<b>Step 1</b> - Assess Existing Provision and Identify Deficit	<ul style="list-style-type: none"> <li>• Identify the library within the catchment area of the new development</li> <li>• Identify the population within that catchment.</li> <li>• Identify the floorspace of the library.</li> <li>• Identify if there is a deficit in library provision within the defined catchment (as a result of the new development) based on a requirement for 30sqm per 1,000 population.</li> </ul>

<b>Step 2 - Identify solution</b>	<ul style="list-style-type: none"> <li>Where a deficit is identified the mitigation will be identified by the Council for example, a library extension, shared facility or new library). It should address the existing deficit and further deficit caused by the proposed development. The developer will ONLY contribute toward addressing the further deficit created.</li> </ul>
<b>Step 3 - Calculate Contribution</b>	<ul style="list-style-type: none"> <li><b>Population created by new development</b> = Number of units x 2.3 (average household population).</li> <li><b>The sqm of new library floorspace required as a result of the new development</b> = Population created by new development / 37.311 (equivalent to 1sqm per 37.33 population).</li> </ul> <p>Costing of new floorspace to be based on: Building costs linked to the RICS BCIS Tender Price Index and new build prices and fitting out costs based upon current fitting out costs of new provision in South Lanarkshire Council area.</p> <ul style="list-style-type: none"> <li>Identified developer contribution divided by the population coming forward as a result of the development (<b>cost per person</b>).</li> <li><b>Contribution per unit</b> = the cost per person x 2.3 (average household population).</li> </ul>

The need for a contribution will be established by comparing the current capacity of the library and population it serves against the number of people likely to be generated by the new development. The capacity of the library is determined on a service requirement of 30m<sup>2</sup> of public library space per 1,000 catchment population, based on the current model of delivery and found in the Museums, Libraries and Archives (MLA) Council advice published in 2008. The catchment population of the library is identified by the home addresses of customers who borrow from that library using data from the Council's Library Management System. For any postcode where the majority of customers use a specific library, that library will include that postcode in its catchment area. Using this methodology will determine if the library is under capacity to serve the new population.

Where new development places demands on the library above its existing physical capacity, (so that a new library or an extension/adaption to an existing facility is required), the following standard build cost charges will be applied based on the level at the time of the planning application and will be subject to negotiation with the developer:

- Building costs linked to the RICS BCIS Tender Price Index and new build prices.
- Fitting out costs including furniture and technology based upon current fitting out costs of new provision in South Lanarkshire Council area.

In addition a contribution towards enhanced stock levels will also be required to be addressed. In cases where a library building is able to accommodate the extra demand created by a new development, but stock levels are only adequate to meet the needs of the existing catchment population, a 'stock only' contribution will be sought. The National Library standard upper threshold cites a recommended stock level of 1,532 items per 1,000 population. An average price of £5.88 per stock item will be adopted based on Askews and Holts Library Services book prices in January 2019.

Stock	
Step 1 - Assess Existing Provision and Identify Deficit	<ul style="list-style-type: none"> <li>• Identify the library and define the library's catchment.</li> <li>• Identify the population within that catchment.</li> <li>• Identify the stock level held by that library.</li> <li>• Identify if there is a deficit in stock level within the defined catchment based on a requirement of 1,532 items of stock per 1,000 population.</li> </ul>

Step 2 – Calculate Contribution	<p>Where a deficit is identified then the level of stock required to address the shortfall must be calculated and a cost confirmed.</p> <ul style="list-style-type: none"> <li>• Costing would be based on: <ul style="list-style-type: none"> <li>o Number of dwellings x 2.3 per dwelling (average household population) = Number of people generated by the development.</li> <li>o Number of people generated by development x 1.532 (items per person) x £5.88 (cost per stock item).</li> </ul> </li> </ul>
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### Community Halls and Sports Centres

The Local Government and Planning (Scotland) Act 1982 requires local authorities to ensure there is an adequate provision of facilities for the population for sporting, recreational, cultural and social activities. The Council aims to improve participation in cultural and physical activities in order to promote health, inclusion and wellbeing. The use of these facilities will play a significant role in satisfying this aim.

A wide range of facilities located across South Lanarkshire are used to support the delivery of these activities. In order to maintain and provide the statutory provision of an appropriate level of service, the impact of new dwellings on current provision must be considered. Community Infrastructure Assessment will consider the impact of new housing development using the following methodology.

Step 1 - Assess Existing Provision and Identify Deficit	<ul style="list-style-type: none"> <li>• Identify the community hall(s)/sport centres etc within the catchment area of the new development.</li> <li>• Identify the population within that catchment.</li> <li>• Identify the floorspace of the facility(s).</li> </ul>
---	---

	<ul style="list-style-type: none"> <li>Identify if there is a deficit in facility provision within the defined catchment based on a requirement for 0.51 sqm per house.</li> </ul>
Step 2 - Identify solution	<p>Where a deficit is identified then a solution must be defined by the Council (for example, a facility extension, shared facility or new facility). The Solution should address the existing deficit and further deficit caused by the proposed development. The developer will only contribute toward addressing the further deficit created.</p> <p>Costing would be based on: Building costs linked to the RICS BCIS Tender Price Index and new build prices and fitting out costs based upon current fitting out costs of new provision in South Lanarkshire Council area.</p>
Step 3 – Calculate Contribution	<p>Identified solution / the population coming forward within facility catchment = <b>cost per person</b>.</p> <ul style="list-style-type: none"> <li>Cost per person x 2.3 (average household population) = <b>contribution per house</b>.</li> </ul>

The need for a contribution will be established by comparing the current capacity of the facility and population it serves against the number of people likely to be generated by the new development. The capacity is determined based on a service requirement of 0.51sqm of facility space per household (this is an average figure based on data from UK local authorities). The catchment population of the facility is defined based on 20 minute walking distance (1 mile).

Where new development places demand on facilities above their current physical capacity, (that is a new facility or an extension to an existing facility is required), the following standard build cost charges will be applied based on the level at the time of the planning application and will be subject to negotiation with the developer.

- Building costs linked to the RICS BCIS Tender Price Index and new build prices.
- Fitting out costs based upon current fitting out costs of new provision in South Lanarkshire Council area.

#### Amenity Open Space and Recreation/play provision

The table below provides a general indication of the minimum requirements for the provision of amenity open space and play/recreation areas which the Council will seek in new residential developments. It should be noted that amenity open space is defined as space that is used for landscaping, informal leisure or social activities and must be provided over and above the space required for formal sport/recreational activities.

In all but the cases of small housing proposals (up to 10 units where a financial contribution only is expected to be provided) new housing developments are required to make a contribution to the improvement of existing play/recreational facilities within the vicinity of the site or provide facilities (a play area/modern games court/youth facility) within the site – or a combination of all of those options. In general terms the creation of play area(s) on-site is the preferred option.

The value of the financial contribution towards the provision of, or the upgrading of, existing facilities in lieu of on-site provision will range from £1500 upwards per dwelling. The final figure and how the financial contribution will be spent, however, will depend on the location of the site and other relevant planning circumstances such as the open space needs of the area as well as the nature, type and size of development. It is, therefore, strongly recommended that the developer engages with the Planning Service as early as possible in the project's development to agree the most appropriate option for each development.

Developer's contributions may also be used to invest in facilities which if funded in this way would allow the delivery of additional projects to be brought forward and thus cater for the increased demand generated by a development.

Contributions will also be considered where they are required to mitigate the effects of new development on existing parks in the area. They will be used to deliver projects which will enhance and increase the capacity of parks and can include the upgrade of play equipment, new outdoor seating improved drainage or new/replacement planting.

## **5.0 Collection of developer contributions**

### **Legal obligations**

Following agreement on the nature, level and timing of contributions, their collection will be facilitated through a planning obligation by Minute of Agreement. The Council's Legal Services have prepared a model legal agreement a copy of which can be requested, through the planning officer dealing with the planning application for the development.

The model agreement will set out the basis for the payment of developer contributions, for example, by using a matrix, which has been agreed through discussions, and detailing how the project's contributions may be phased. An example of how this has been done for a housing site can be found in Appendix 2 of the SPG which indicates the level of contributions per house plot and how this has been programmed. Unless otherwise agreed, contributions will be collected annually in arrears.

One of the main threats to the efficient long term management of community facilities is financial uncertainty and the availability of funding to invest in them. In terms of developer's contributions, projects identified may include the upgrading of facilities as a result of increased use due to the proposed development. In order to ensure that the works required to cater for the increased use generated by the development are completed by the time they are needed, funding may have to be provided at an early stage. This would have to be agreed with the developer to ensure that the timing of the financial contribution could be accommodated.

### **Governance**

The identification and collection of contributions involves a three stage process.

#### Stage 1: Initial Planning Consent and Set Up

Discussions with the developer and the spending Resources will be carried out in line with the guidance earlier in this document. Once the amount and phasing of contributions have been agreed the legal obligation will be completed and the decision notice issued. A standard form will be issued with the consent informing the developer of the payment requirements each year (if applicable) and the method of payment.

#### Stage 2: Annual monitoring of Developer Contributions

The Council will issue a standard letter to the developers in the last week in March) advising that they should advise the Council of the numbers of houses completed in the previous year by mid April, the payment that has been made to date and the date by which the next payment must be received.

Once the developer has responded re number of houses completed this will be compared with completion certificates provided by Building Standards. Once the figure is agreed the Council will issue an invoice with the amount required to be paid and the method of payment. Once the payment is received it will be ring-fenced for the purposes set out in the legal obligation.

#### Stage 3: Drawing down developer contributions

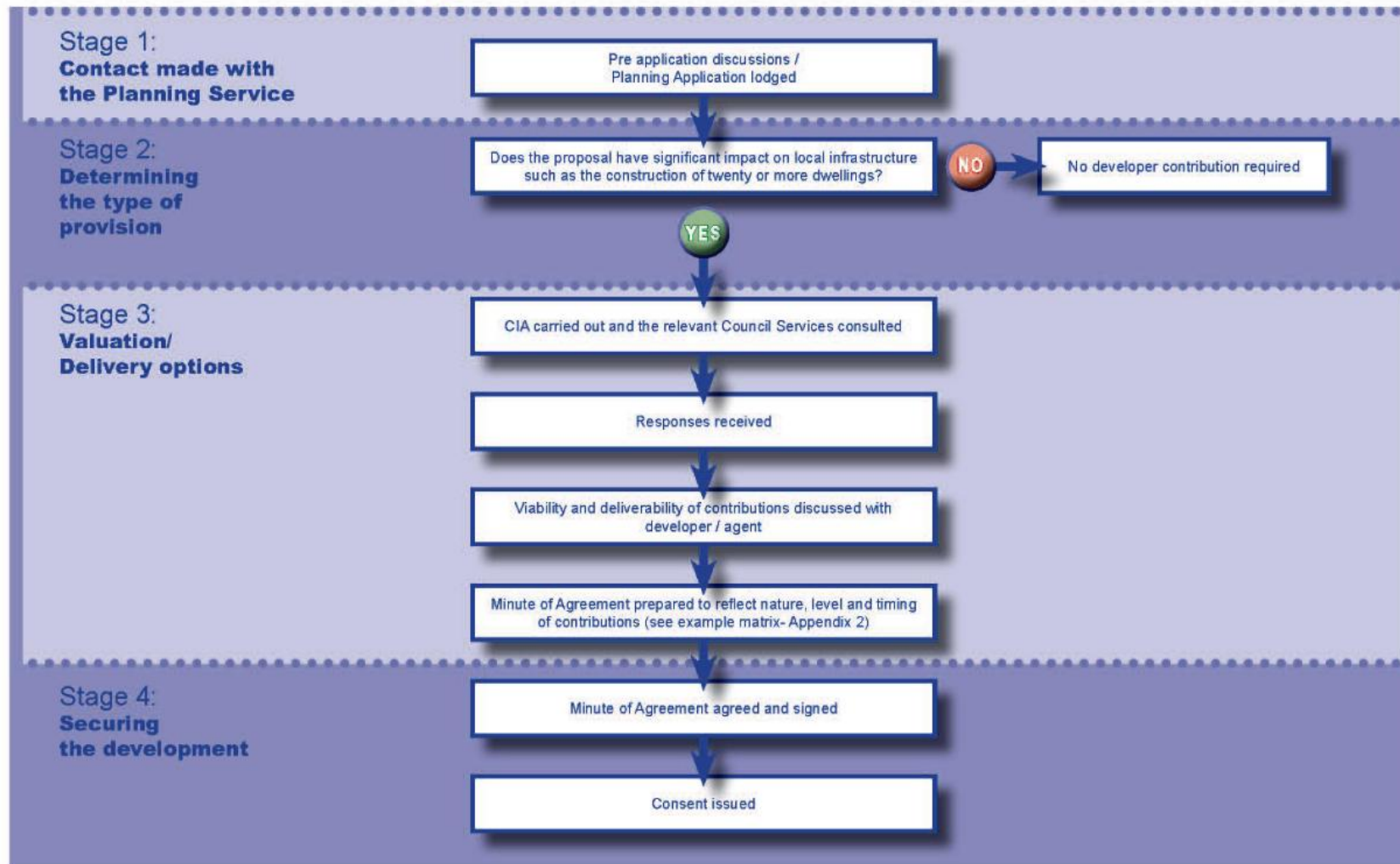
Once the spending Resource is in a position to carry out the project that the contribution is required for it will draw down funds as appropriate. Spending Resource submits an exception to Finance to add spend to the Capital Programme

## **6.0 Monitoring and review**

The need to formally review this SPG will be considered after two years following its approval and biennially thereafter. Any changes in circumstances, policy or legislation prior to this will be taken into consideration and appropriate alterations made to the content of this SG.

## Appendix 1

### Community Infrastructure Assessment Process



## Appendix 2

Development Type	*Amenity Open Space	Sport/Recreational provision
Small Sites (up to 10 houses)	<ul style="list-style-type: none"> <li>No specific requirement, other than planting as detailed below. Some amenity open space desirable.</li> <li>Supply and plant two trees per dwelling to be planted within the site boundary.</li> </ul>	<ul style="list-style-type: none"> <li>No new recreational provision within the site, but a financial contribution to the improvement of existing sport/recreational facilities within the local area.</li> </ul>
Medium Sites (11 - 50 houses)	<ul style="list-style-type: none"> <li>20m<sup>2</sup> per dwelling and two trees per dwelling as above.</li> </ul>	<p>A financial contribution to the improvement of existing sport/recreational facilities within the local area, or, if no appropriate facility exists, then:</p> <ul style="list-style-type: none"> <li>Provision of one play area equivalent in size to 20m<sup>2</sup> per dwelling.</li> <li>Level space provision (14m x 6m) accessible from a road to accommodate mobile play equipment.</li> <li>Or a combination of these options in part or in full as appropriate to the location and as agreed with the Council.</li> </ul>
Large Sites (51 - 100 houses)	<ul style="list-style-type: none"> <li>20m<sup>2</sup> per dwelling and two trees per dwelling as above.</li> </ul>	<p>A financial contribution to the improvement of existing sport/recreational facilities within the local area and:</p> <ul style="list-style-type: none"> <li>Provision of one play area equivalent in size to 20m<sup>2</sup> per dwelling.</li> <li>Provision of a modern games court (minimum size 22m x 20m).</li> <li>Provision of a youth space facility.</li> <li>Or a combination of these options.</li> </ul>
Major Sites (101 houses and upwards)	<ul style="list-style-type: none"> <li>20m<sup>2</sup> per dwelling and structure planting* around site boundaries - minimum of 15-20m width.</li> <li>No trees within 3m of any dwelling or boundary of dwelling.</li> <li>Two trees per dwelling as above.</li> </ul> <p>* edge of settlement sites.</p>	<p>A financial contribution to the improvement of existing sport/recreational facilities within the local area and:</p> <ul style="list-style-type: none"> <li>Provision of a minimum of one play area equivalent in size to 20m<sup>2</sup> per dwelling. Where the site is deemed appropriate due to house types, location or topography, additional sites will be required.</li> <li>Provision of a modern games court (minimum size 20m x 32m).</li> <li>Provision of a youth space facility.</li> <li>Or a combination of these options in part or in full as appropriate to the location and as agreed with the Council.</li> </ul>
Rural Sites (houses)	<ul style="list-style-type: none"> <li>20m<sup>2</sup> per dwelling and two trees per dwelling as above.</li> </ul>	<ul style="list-style-type: none"> <li>Due to the varying nature/size of existing rural communities and their needs, each case will be dealt with on its merits, but based on the standards specified above.</li> </ul>
Flatted Development	<ul style="list-style-type: none"> <li>30m<sup>2</sup> per dwelling and two trees per dwelling as above.</li> </ul>	<ul style="list-style-type: none"> <li>Financial contribution to the improvement of existing sport/recreational facilities within the local area.</li> </ul>
Sheltered Housing Developments	<ul style="list-style-type: none"> <li>25m<sup>2</sup> per dwelling unit and two trees per dwelling as above.</li> </ul>	<ul style="list-style-type: none"> <li>Financial contribution to the improvement of existing sport/recreational facilities within the local area.</li> </ul>

\* Landscaped areas providing visual amenity or separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities such as sunbathing, picnics or kickabouts.

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>11 October 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>South Lanarkshire Local Development Plan 2 Supporting Planning Guidance: Hagshaw Energy Cluster Development Framework</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ inform the Committee of the work undertaken to prepare Supporting Planning Guidance (SPG) comprising a Development Framework for the Hagshaw Energy Cluster
- ◆ seek Committee approval for the proposed SPG as set out in the Appendix and the carrying out of a 6 week period of public consultation

## 2. Recommendation(s)

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

- (1) that the draft Hagshaw Energy Cluster Development Framework, attached as an Appendix to the report, be approved;
- (2) that the Supporting Planning Guidance be published and made available for a 6 week period of consultation; and
- (3) that the Head of Planning and Regulatory Services be authorised to make drafting and technical changes to the non-statutory planning guidance prior to its publication, following public consultation.

## 3. Background

- 3.1. The Planning Committee on 1 December 2020 agreed to carry out the necessary steps to adopt the proposed South Lanarkshire Local Development Plan 2 (SLLDP2). The Plan was submitted to Scottish Ministers in February 2021 for them to advise of the Council's intention to adopt the Plan and notice was received in March that adoption could proceed. The SLLDP2 was subsequently adopted in April 2021.
- 3.2. Following the adoption of the South Lanarkshire Local Development Plan 2 in April 2021, the Council has begun preparation of a series of supporting guidance to support the Plan. Section 9 of the Planning (Scotland) Act 2019 has removed the ability of Planning Authorities to prepare new statutory Supplementary Guidance which was previously the means of creating additional guidance. However, Circular 6/2013 – Development Planning states that planning authorities may issue non-statutory planning guidance to provide detail on a range of subject areas. This form of guidance does not form part of the Development Plan. However, approval by the Council gives

it formal status, meaning that it will be a material consideration in decision making. For noting, non-statutory planning guidance is referred to as Supporting Planning Guidance (SPG) by the Council.

- 3.3. In late 2019, South Lanarkshire Council was invited by NatureScot to take part in a new project, piloting an innovative approach to renewable energy development. The cross-boundary project was intended to bring together a number of different renewable energy developers, working cross-boundary alongside South Lanarkshire Council, East Ayrshire Council, NatureScot and Architecture and Design Scotland, to explore how a more strategic, joined-up approach to renewable energy development could be taken that could achieve greater and multiple benefits.
- 3.4. The project centres around Hagshaw Hill, which sits on the western edge of South Lanarkshire, between the communities of Coalburn and Douglas in South Lanarkshire and Muirkirk in East Ayrshire. The majority of the area sits within South Lanarkshire, with a relatively small part sitting within the East Ayrshire side of the boundary. The area is well established as a renewable energy location; the original Hagshaw Hill wind farm, constructed in 1995, was Scotland's first commercial wind farm. Since that time, a series of wind farms have been erected in the locality, involving a number of different developers and landowners. Together, the operational wind farm developments and those consented but not yet implemented will provide a generating capacity of 584 MW, comprising approximately 190 turbines (the majority sitting within South Lanarkshire). There is potential over the next few years for proposals for the re-powering of existing windfarms (involving the replacement of the original turbines with new larger turbines), possible extensions to existing developments and the co-location of other renewable energy technologies such as hydrogen generation and solar energy which makes Hagshaw an ideal area of focus for this work.
- 3.5. In July 2021, Land Use Consultants (LUC) were commissioned by NatureScot, in collaboration with the two Councils and wind farm developers, to prepare a development framework for the cluster. The framework is intended to set out, at a strategic level, the opportunities for the cluster, in terms of maximising renewable energy output, but at the same time maximising social, economic and environmental benefits of development and minimising any negative environmental impacts. The framework takes a place-based approach, focusing on how Hagshaw can be developed to become a better place that is better connected to its surrounding communities. The approach of bringing wind farm developers together in this way, to achieve more, is the first time such an approach has been piloted in Scotland and can be seen as an important development in the drive to achieve net zero carbon emissions by 2045.
- 3.6. The development framework has been underpinned by community engagement. From October to December 2021, a virtual public exhibition room and online questionnaire were hosted on a dedicated project website and publicised through the Council's social media. The questionnaire sought views on the concept, vision and key aims and objectives of the framework. Over 80% of the respondents supported the more collaborative approach to energy development. In addition, targeted engagement was undertaken with surrounding community councils.

#### **4. Current Position and Status of the Framework**

- 4.1. A steering group, comprising of South Lanarkshire Council, East Ayrshire Council, NatureScot and renewable energy developers, was established in 2021 to oversee the work of LUC. A draft Framework has now been signed off by the steering group and effectively handed over to South Lanarkshire Council and East Ayrshire Council. The draft Framework is set out in Appendix 1.
- 4.2. The draft framework sets out a long-term vision for the Hagshaw cluster – a place which *‘delivers optimised renewable energy generation and contributes towards Scotland’s Just Transition to Net Zero, whilst delivering sustainable and inclusive growth for local communities. Integrated nature-based solutions, with enhanced connectivity supporting healthy, resilient communities and ecosystems, in response to the challenges of climate and biodiversity emergencies’*. The vision is underpinned by six interrelated themes that priorities and projects should seek to deliver on:-
- ◆ Realising the renewable energy opportunity
  - ◆ Resilient and connected communities
  - ◆ Co-ordinated enhancement of nature
  - ◆ A strong identity, of heritage, people and place
  - ◆ Inclusive, sustainable growth
  - ◆ Outdoor recreation to support health and wellbeing
- 4.3. The Framework identifies opportunities and potential projects for progressing the themes above. Examples include (i) co-ordinated approach to habitat management, to support key priority species and habitats within the cluster; (ii) enhanced connectivity between communities through the enhancement of existing and creation of new active travel links, linking to the River Ayr Way; (iii) integration of alternative renewable energy technologies to support and compliment wind energy; and (iv) new infrastructure for recreational activities within and surrounding the cluster.
- 4.4. As noted in 3.2 above, Planning Circular 6/2013: Development Planning sets out procedures for planning authorities to prepare and adopt non-statutory planning guidance. This form of guidance can usefully be used to provide detail on a range of subject areas. This form of guidance does not form part of the Development Plan. However, approval by the Council gives it formal status, meaning that it will be a material consideration in decision making. It is therefore considered that the best approach for the draft Development Framework to be taken forward is to adopt it as non-statutory planning guidance. This approach has been agreed with East Ayrshire Council as well as the Hagshaw Steering Group.

#### **5. Next Steps**

- 5.1. Whilst there is no statutory requirement to publish non-statutory planning guidance (Supporting Planning Guidance) for public consultation, it is considered best practice to do so, in order that the document can be refined and improved through feedback and suggested amendments. All other Supporting Planning Guidance approved by the Planning Committee has been the subject of consultation.
- 5.2. The draft Development Framework was presented to the East Ayrshire Cabinet at its meeting on 7 September 2022 and was approved as draft non-statutory planning guidance. Public consultation was also agreed. Should the draft Framework receive approval from Planning Committee, in order to ensure a cohesive approach to consultation, it is proposed that the consultation will run simultaneously across both authorities, commencing towards the end of October and lasting for 6 weeks.

- 5.3. Going forward, attention will turn to the implementation of the opportunities identified in the Framework. An action plan is under preparation, which will identify lead partners, funding opportunities and potential timelines for the opportunities set out in the Framework. It is noted that the Council has recently appointed an Economic Development Officer, with specific remit for the Douglas Valley, in which Hagshaw sits. Whilst the focus of the role will be on engaging with South Lanarkshire communities in the area and taking forward the action plan, there is an intention that the officer will also look to work collaboratively cross-boundary into East Ayrshire with their Economic Growth Service.
- 5.4. In view of the above, it is recommended that the draft Development Framework as set out in the Appendix is approved. If approved, it is intended to finalise the document and thereafter it will be published and made available for public comment later in 2022 for a 6 week period. Following consultation, should no significant changes be proposed to be made to the draft document, the guidance will be adopted by both East Ayrshire and South Lanarkshire Councils. If significant changes are required as a result of the consultation, a further report will be brought to Planning Committee.
- 5.5. Subject to the Committee's approval, the proposed SPG will become a material consideration in the determination of planning applications alongside the adopted South Lanarkshire Local Development Plan 2.

## **6. Employee Implications**

- 6.1. The preparation of the Supporting Planning Guidance and subsequent implementation of the management plans will be carried out using existing staff resources within Planning and Regulatory Services and the Countryside and Greenspace team. The sites are entirely owned by the Council and maintained by Grounds Services with grounds maintenance regimes in place; no additional staff time is predicted for planned, ongoing site management.

## **7. Financial Implications**

- 7.1. The financial resources required to deliver SLLDP2 including any associated non-statutory planning guidance are based upon current budget levels available to Planning and Building Standards Services. Changes in these resources may impact on the programmes presented.

## **8. Climate Change, Sustainability and Environmental Implications**

- 8.1. A Strategic Environmental Assessment (SEA) of Local Development Plan 2, including the Plan's spatial strategy, policies and potential development sites, was carried out as required by the Environment Assessment (Scotland) Act 2005. The comprehensive and robust SEA helped to ensure that LDP2 fulfils its purpose of providing a clear framework to direct development in an environmentally sustainable way, ensuring any wider environmental issues were considered as far as reasonably possible.
- 8.2. In accordance with the relevant legislation, an SEA Screening Report for the draft Framework has been prepared and submitted to the statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency) for their consideration. They have confirmed SEA is not required.

## **9. Other Implications**

- 9.1. The SLLDP2 was adopted in April 2021. However, it is necessary to provide detailed guidance to support the adopted planning policies. There would be a reputational risk if this was not undertaken.

## **10. Equality Impact Assessment and Consultation Arrangements**

10.1. This report does not introduce a new or recommend a change to existing policy, function or strategy, therefore, no impact assessment is required.

**David Booth**

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

20 September 2022

### **Link(s) to Council Values/Priorities/Outcomes**

#### **Values**

- ◆ Focused on people and their needs
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving
- ◆ Fair, open and sustainable

#### **Priorities**

- ◆ We will work towards a sustainable future in sustainable places

#### **Outcomes**

- ◆ Good quality, suitable and sustainable places to live
- ◆ Caring, connected, sustainable communities
- ◆ People live the healthiest lives possible

### **Previous References**

- ◆ Planning Committee Report 26 February 2019: South Lanarkshire Local Development Plan 2
- ◆ Planning Committee Report 1 December 2020: South Lanarkshire Local Development Plan 2

### **List of Background Papers**

- ◆ South Lanarkshire Local Development Plan 2

### **Contact for Further Information**

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

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Email: [james.wright@southlanarkshire.gov.uk](mailto:james.wright@southlanarkshire.gov.uk)

### **Appendices**

Appendix 1 – Draft Hagshaw Development Framework



# A Development Framework for the Hagshaw Energy Cluster

## Planning for Net Zero<sup>19</sup>



Project Steering Group

NatureScot

ScottishPower Renewables

Architecture & Design Scotland

Energiekontor UK Ltd.

East Ayrshire Council

Octopus Renewables

South Lanarkshire Council

BayWa.re UK Ltd.

3R Energy Solutions Ltd.

Ventient Energy



Project Team

Land Use Consultants (LUC)

BiGGAR Economics

RPS Group

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Cover Image: The Hagshaw Energy Cluster © Richard Carman

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# Welcome to the Hagshaw Energy Cluster Development Framework

**If Scotland is to achieve Net Zero greenhouse gas emissions by 2045, we believe a more collaborative and inclusive approach to how we achieve this goal is needed.**

The Hagshaw Energy Cluster is an established strategic location for large scale renewable energy projects, with a committed capacity of almost 585 MW. Future plans, policies and decisions by local authorities should reflect the cluster’s suitability for hosting a range of renewable energy developments which can be delivered at pace to achieve Scotland’s Net Zero ambitions.

Coupled with advocating quality through design and maximising benefits for people, place and nature, the Development Framework identifies opportunities to deliver enhancement to both communities, and the natural and built environment, and support a thriving and prosperous local and regional economy.

The first important milestone on the journey to net Zero will be achieving the Scottish Government’s 75% reduction in greenhouse gas emissions by 2030, and the changes we make during this current decade will be critical to ensuring we are on the right path to achieving that goal.

The Development Framework has been developed together between the local authorities, renewable energy developers and operators, statutory agencies and communities to create a shared vision for the cluster.

It sets out an ambitious but deliverable ten year vision for how a more strategic and collaborative approach to renewable energy development can help us achieve Net Zero together in a just and fair way.

## Role of the Development Framework

East Ayrshire Council and South Lanarkshire Council will use the Development Framework as a basis for working with developers, communities and other stakeholders to promote and adopt a coordinated approach to future renewable energy development across the cluster. The Development Framework will inform, shape and support the delivery work. The framework represents an ambitious vision for the future, but is not a statutory plan.

Landowner and community forums will be set up to support the delivery of the vision and specific projects, progressed via an Action Plan to be developed in summer 2022.

**Potential 1GW+ of Renewable Energy Generation**

**A Regional Green Energy Employment Hub**

**Local Prosperity and Thriving Communities**

“We’re delighted to be working with the group to pilot a new approach to onshore wind energy which can help deliver a just transition and more investment in nature.”  
- NatureScot



Image: Looking west to the Hagshaw Hill Energy Cluster from above  
Conexus West site © Airbourne Lens

# What is the Project about?

## Working together on a Development Framework for the Hagshaw Energy Cluster

In 2020 NatureScot brought together a group of wind farm developers and operators with East Ayrshire Council and South Lanarkshire Council to discuss how we could work together on the future of renewable energy development in the context of planning for, and delivering Net Zero in Scotland. Focused on the cluster of wind farms near Hagshaw Hill on the border of South Lanarkshire and East Ayrshire, and located between the communities of Coalburn, Douglas and Muirkirk - the Hagshaw Energy Cluster was born.

Other stakeholders were engaged in initial discussions, including the Scottish Government, Historic Environment Scotland (HES), Scottish Environment Protection Agency (SEPA), Scottish Forestry, Forestry and Land Scotland (FLS) and the Royal Society for the Protection of Birds (RSPB), along with a range of consultants involved in renewable energy developments within the existing cluster, to scope out the topics where there may be opportunities to collaborate and coordinate.

A project steering group was formed and has worked together to prepare this Development Framework for the cluster. Although a familiar design tool for many other forms of development, we believe this is the first time this approach has been taken in Scotland towards shaping a more strategic approach to renewable energy development and related opportunities. We hope to demonstrate how a more coordinated and structured approach to planning, consenting and delivery of renewable energy development can help deliver a Just Transition to Net Zero.

The key contributors to the development of the Framework include:

<b>NatureScot</b>	<b>3R Energy</b>	<b>Octopus Renewables</b>
<b>Architecture &amp; Design Scotland</b>	<b>ScottishPower Renewables</b>	<b>BayWa.re UK Ltd.</b>
<b>East Ayrshire Council</b>	<b>Energiekontor UK Ltd.</b>	<b>Ventient Energy</b>
<b>South Lanarkshire Council</b>		

In 2021, Land Use Consultants (LUC), working with BiGGAR Economics, RPS Group and Star Development Group, was commissioned to develop the project and engage with landowners, communities, local businesses, and other interested parties to shape the Development Framework.



“

As Scotland's design champion we believe in the power of design to improve people's lives. Our vision is a Scotland whose places are healthy, sustainable and thriving, and where everyone works together to shape their future.

We are delighted to be part of the collaborative approach taken at the Hagshaw Energy Cluster which aims to see the benefits of the Place Principle become an everyday reality in the way Scotland's places are created, adapted and sustained.

- Architecture & Design Scotland

”



# Why a Development Framework?

## Development Frameworks and Renewable Energy

Existing and emerging planning policy advocates that design tools, such as design frameworks and development briefs, can look to make places better and promote positive change – the same principle can be applied to this Development Framework.

Development frameworks have been used regularly for large scale strategic development addressing a particular land use challenge, development type or opportunity through a co-ordinated approach. Many development frameworks can act as the precursor to more detailed masterplans, providing a spatial vision with flexibility for detail to be brought forward through a potential masterplanning process.

Onshore wind energy is expected to continue to make a substantial contribution towards the target of Net Zero by 2045, with current Scottish Government ambitions targeting a further 8 - 12 GW of new onshore wind deployment by the interim target of 75% reduction in emissions by 2030. The cluster could deliver a significant proportion of this target through the deployment of consented developments, and the future extension and repowering of existing wind farms.

## How will the Development Framework be used?

The Development Framework will be adopted by both East Ayrshire Council and South Lanarkshire Council as non-statutory planning guidance and will help shape future development within the cluster in a clear and coordinated way. It will create an overarching design vision for the Hagshaw Energy Cluster and the surrounding area. Through the key themes and objectives it will seek to deliver a wide range of potential benefits alongside existing committed renewable energy development, and future proposals which may be brought forward through in the coming years.

Alongside National Planning Framework 4 (NPF4), Local Development Plans (LDPs) and relevant Supplementary Guidance (SG), the councils will refer to this non-statutory planning guidance to inform decision making.

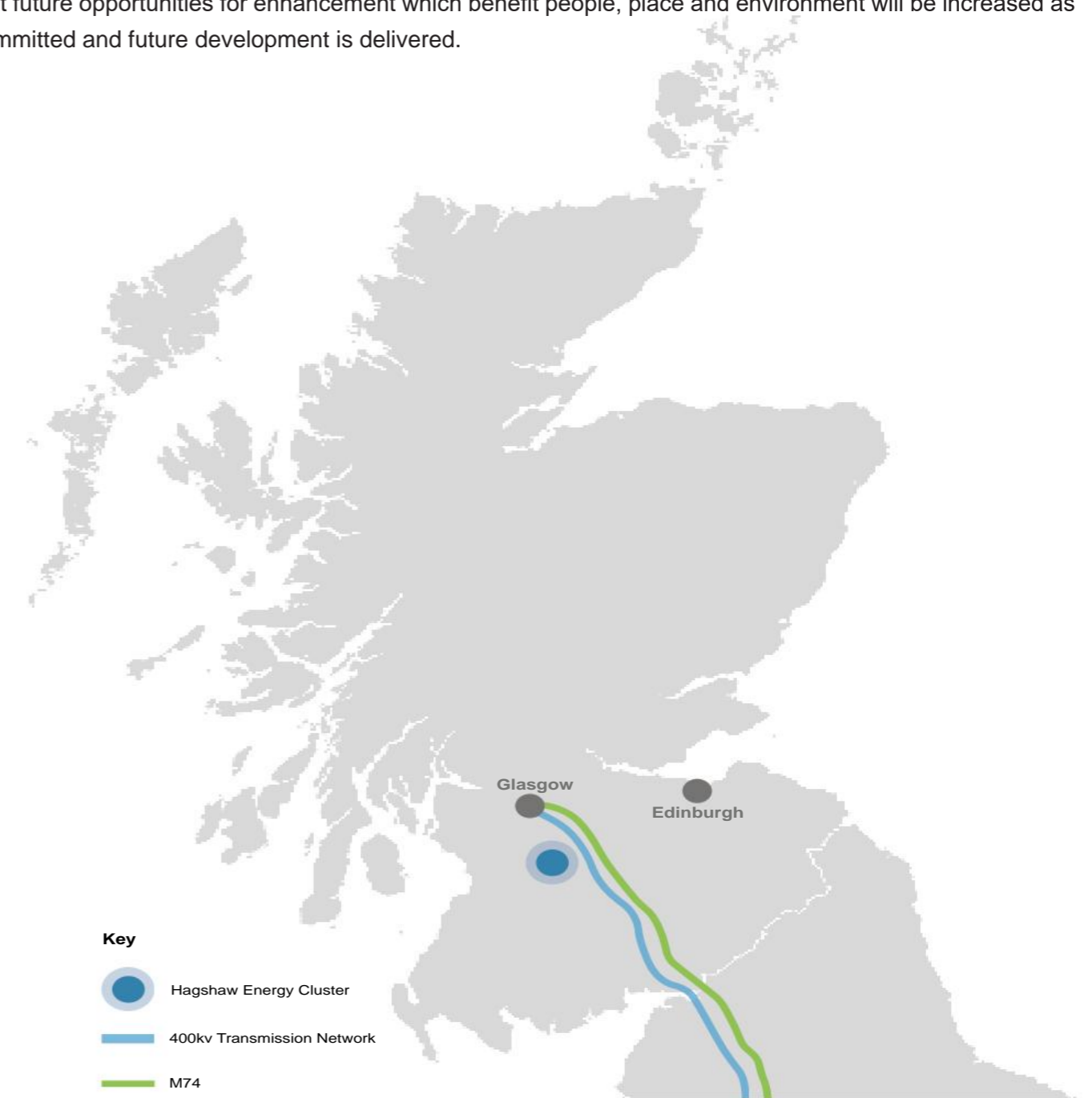
## Monitoring and Reviewing the Framework

The Development Framework is designed to be in place for at least ten years, but will be updated as required, to reflect the changing baseline context, respond to changing planning policies and the evolution of renewable energy technologies. The future governance of the framework will be agreed during the formal adoption process, and East Ayrshire Council and South Lanarkshire Council will monitor and review the framework in line with their relevant LDP timescales.

## Why here?

The Hagshaw Energy Cluster is uniquely placed in central-southern Scotland, close to large conurbations, key transport and communication routes, and areas of rich industrial, cultural and natural heritage.

Since the construction of the original Hagshaw Hill Wind Farm in 1995, wind energy in the cluster has evolved, and the next decade will see a new generation of wind farms emerge. Whilst communities have benefitted from the presence of renewable energy developments in the area over many years, we believe that future opportunities for enhancement which benefit people, place and environment will be increased as committed and future development is delivered.



# The Current Hagshaw Energy Cluster

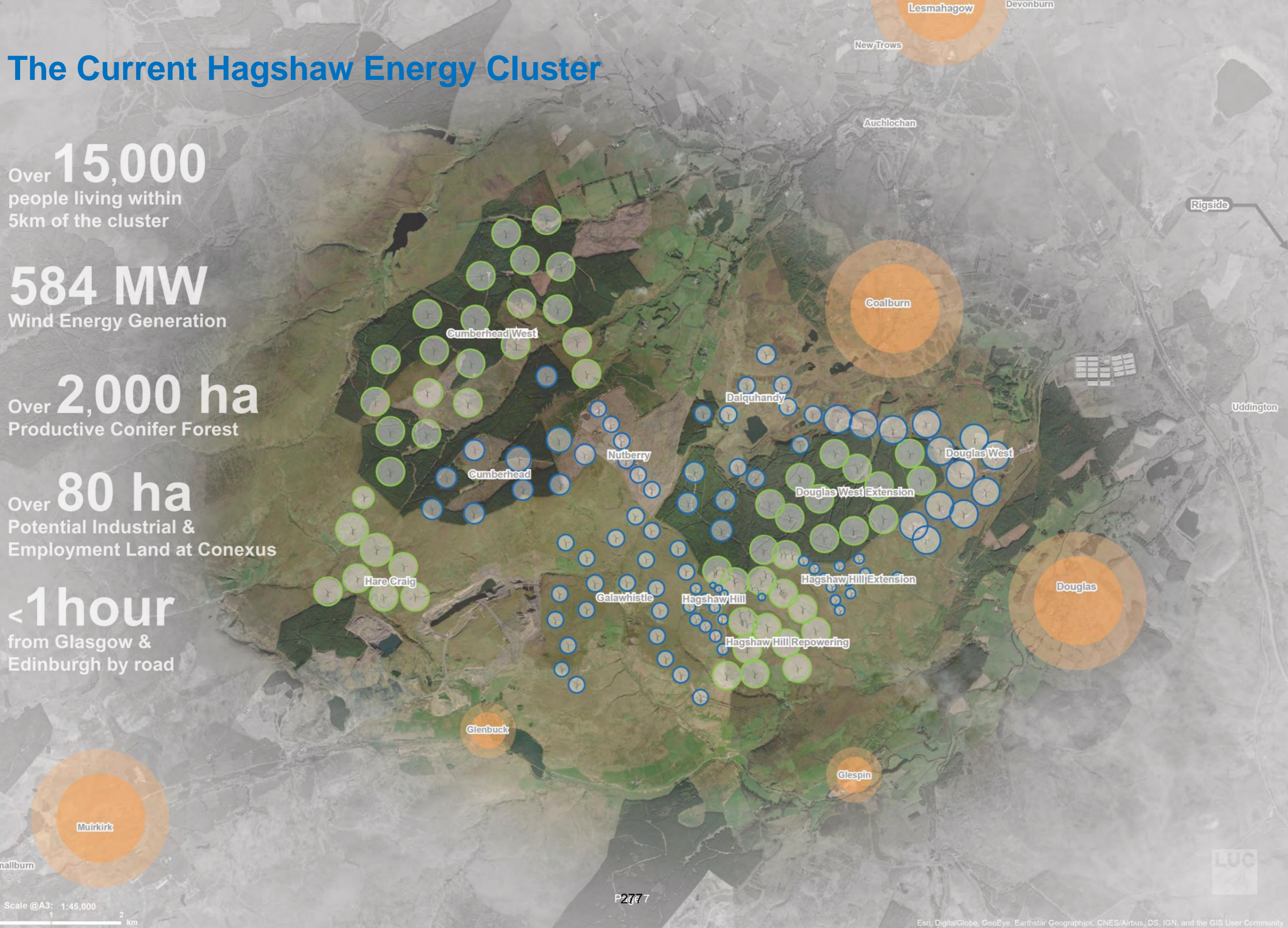
Over **15,000**  
people living within  
5km of the cluster

**584 MW**  
Wind Energy Generation

Over **2,000 ha**  
Productive Conifer Forest

Over **80 ha**  
Potential Industrial &  
Employment Land at Conexus

**<1 hour**  
from Glasgow &  
Edinburgh by road



# Policy Context

## International Policy

Policy drivers for the principles underpinning the Development Framework start at an international level, with the United Nations (UN) 17 Sustainable Development Goals (SDGs). They recognise that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth - all while tackling the global climate and biodiversity crises. The SDGs are becoming a pivotal part of policy making for many governments, and a more global outlook on tackling climate change was underlined at the 26th United Nations Climate Change conference (COP26), held in Glasgow in 2021.

## National Policy

In April 2019, the Scottish Government became the first government in the world to declare a climate emergency. In line with this declaration, the SDGs are embedded in the draft National Planning Framework 4 (NPF4) for Scotland which is currently being consulted on by the Scottish Government and will incorporate Scottish Planning Policy (SPP). It will form the long-term plan for Scotland, setting out where development and infrastructure is needed to support sustainable and inclusive growth, whilst achieving Net Zero by 2045. The draft NPF4 sets out four key outcomes it will focus on: Net Zero Emissions, A Wellbeing Economy, Resilient Communities and Better Greener Places. An update to the Onshore Wind Policy Statement is also due to be published during 2022, setting out a vision for an additional 12 GW of onshore wind installed capacity by 2030.

The National Performance Framework was introduced in 2007, with the most recent update having taken place in 2018. It sets out a vision for the national wellbeing of Scotland, an overall purpose and vision, and 'National Outcomes'. The Performance Framework measures Scotland's progress using a range of economic, social and environmental 'National Indicators', and is supported by the Place Principle in ensuring a collective purpose for Scotland.

## Regional Policy

Strategic Development Plan (SDP) Areas are found across several regions of Scotland and focus on the key land use and development issues that may cross planning authority boundaries. Most of the Hagshaw Energy Cluster is located within the southern extents of the Clydeplan area. As per the Planning (Scotland) Act 2019, the current SDP will soon expire and a new non-statutory Regional Spatial Strategy will be prepared for the Clydeplan area as well as a separate one for Ayrshire. It is envisaged that the Hagshaw Energy Cluster, and other similar wind farm clusters, could form a key strategic development area within Regional Spatial Strategies.

Regional Spatial Strategies will support Regional Growth Deals, and the CoRE project in Cumnock in particular, provides opportunities for linkages with the Development Framework. Regional Land Use Partnerships are being piloted by the Scottish Government to help develop Scotland's approach to land use in support of our green recovery and transition to Net Zero.

## Local Policy

The extents of the Hagshaw Energy Cluster are covered by the respective Local Development Plans of East Ayrshire Council and South Lanarkshire Council. It is anticipated that future iterations of the Development Plans will incorporate support for the Development Framework. The framework will be monitored and reviewed in line with the development of national and local policy.

The Development Framework will form non-statutory planning guidance alongside each LDP. The Development Framework does not replace or supersede other existing adopted policy from East Ayrshire Council or South Lanarkshire Council. It complements the principles of key guidance documents related to renewable energy in the area.

“

East Ayrshire Council is excited to be part of this energy. We think, that by taking a joined up approach, we can achieve more. More benefits for our communities, landscape enhancements, and more jobs, all in the face of the climate emergency.

We hope to be able to approve the framework to help guide and influence future development more widely that a joined up, strategic approach is the best way forward.

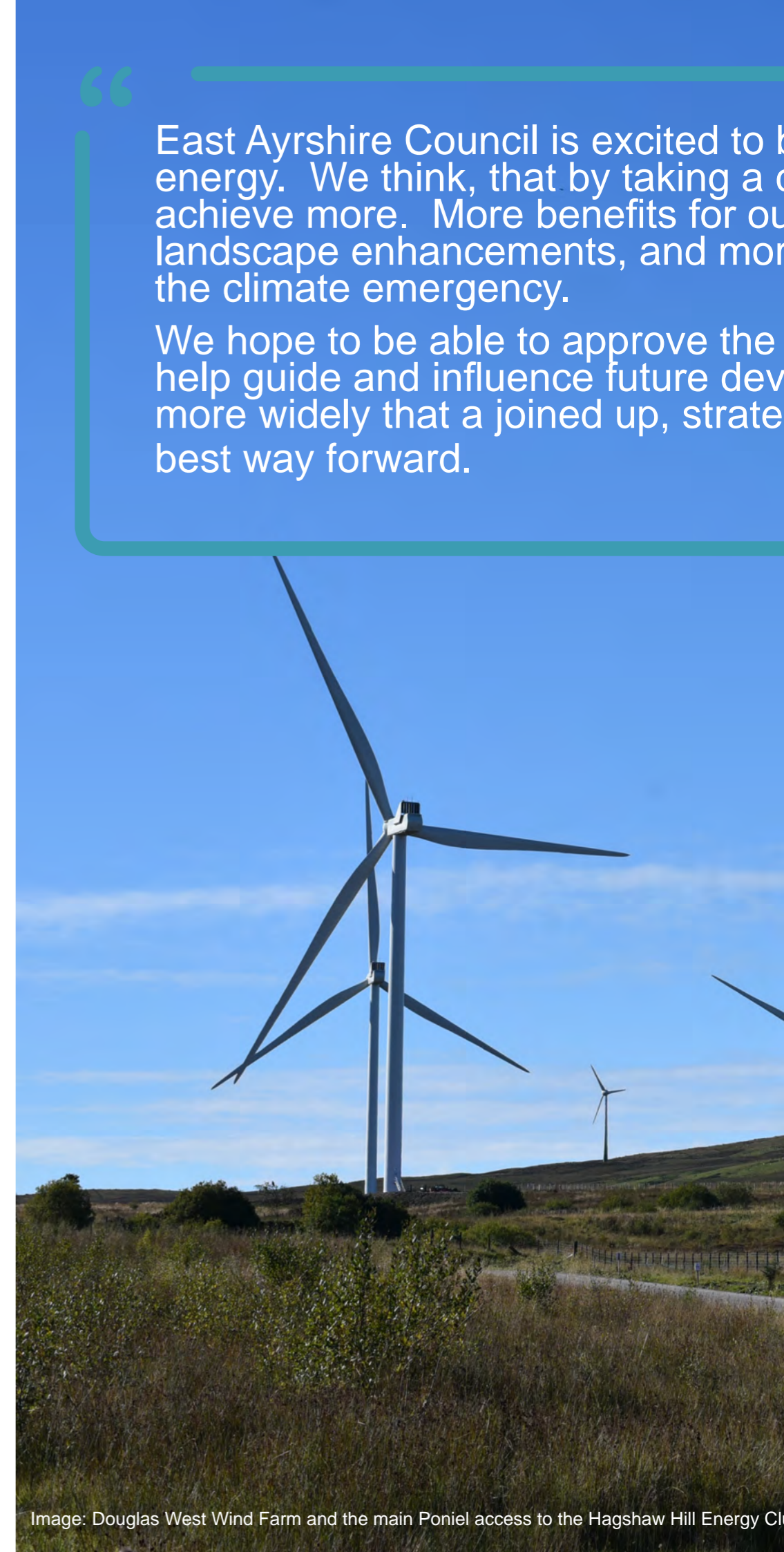


Image: Douglas West Wind Farm and the main Poniel access to the Hagshaw Hill Energy Cluster

be part of this new approach to planning for renewable  
cross boundary and collaborative approach, we can  
our communities and local economy, more habitat and  
re clean, green energy, helping to play our part in tackling

framework as a new piece of planning guidance that will  
development in the Hagshaw cluster and also demonstrate  
logic approach to renewable energy development is the

- East Ayrshire Council

**2045**

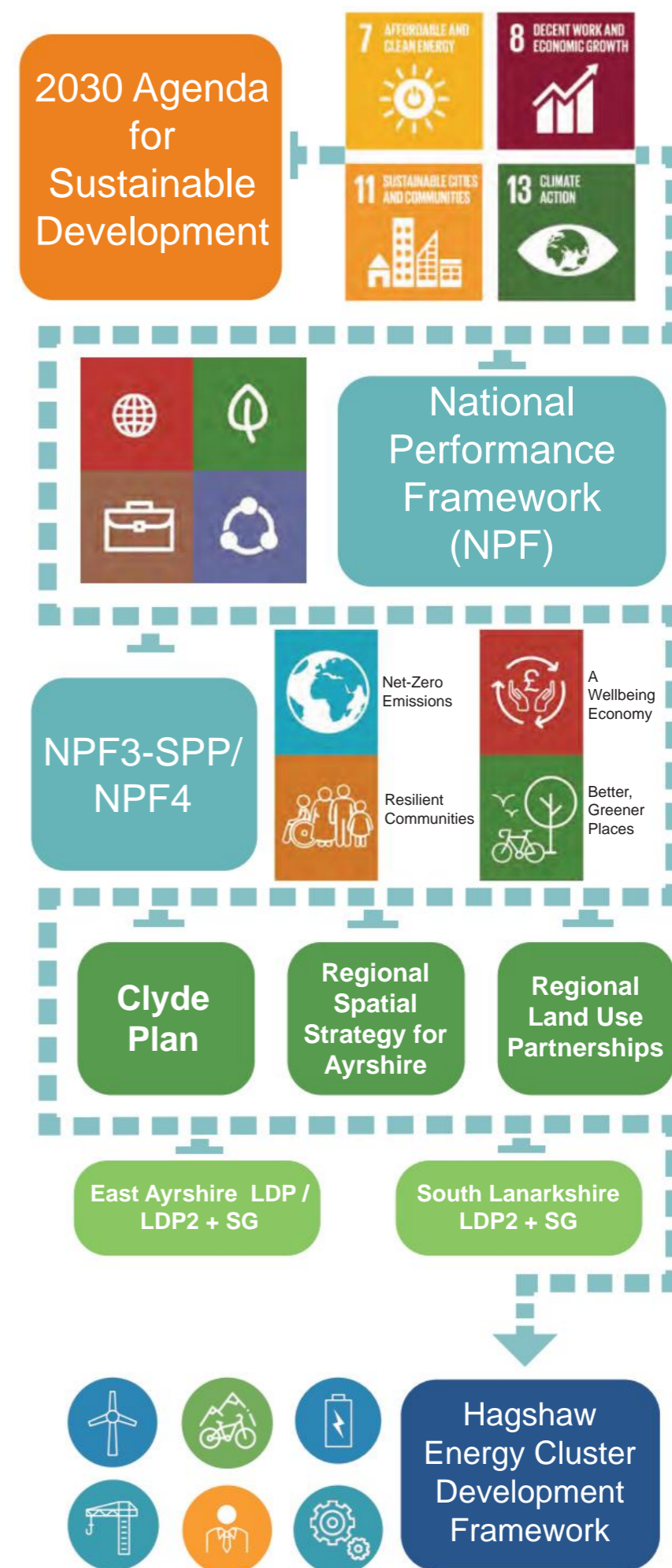
Scottish Government  
target for Net Zero  
greenhouse gas  
emissions

**250,000 ha**

Scottish Government  
target for peatland  
restoration by 2030

**18,000 ha**

Scottish Government  
target for new  
woodland each year  
by 2024-25





**584 MW**  
Total Committed Wind  
Energy Generation  
Capacity

**1 GW+**  
Potential Renewable  
Energy Capacity



**Wind Farm  
Extensions and  
Repowering**



**Potential  
Solar PV  
generation**



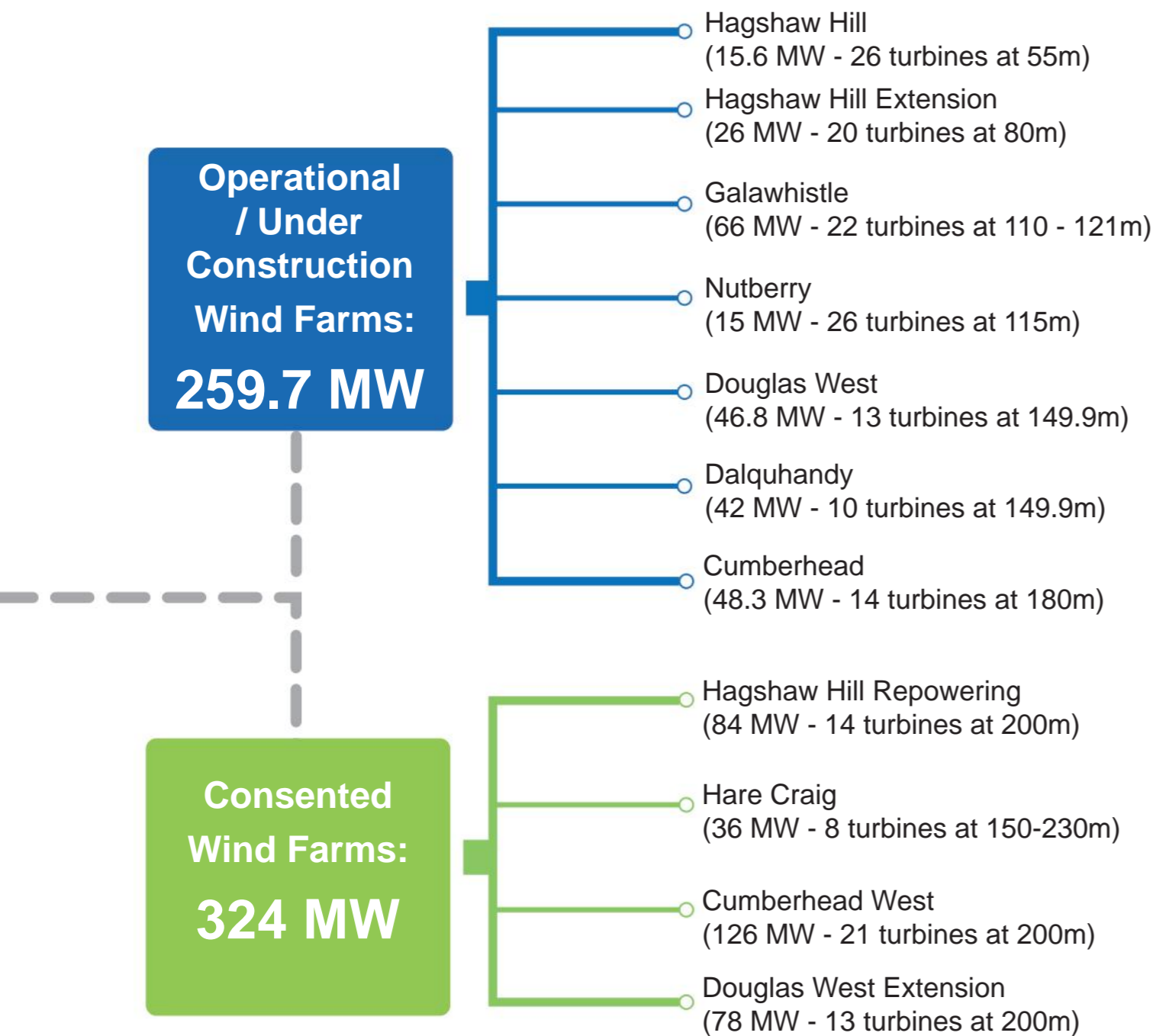
**Potential  
Green Hydrogen  
Production**

**A Development Framework for the Hagshaw Energy Cluster**  
**Planning for Net Zero**

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0 1 2 km

P28010

# What is the Hagshaw Energy Cluster?



## Existing Renewable Energy Development

Onshore wind energy development within the Hagshaw Energy Cluster has grown organically since Hagshaw Hill Wind Farm was first commissioned in 1995. There are now seven operational or under construction wind farms within the cluster. A further four projects have consent, including Hagshaw Hill Repowering, one of the first wind farm repowering proposals in Scotland.

The cluster includes developments at various stages in their life cycle from consented, under construction, operational and soon to be repowered, making it the ideal location to pilot a new approach which could leave a long lasting legacy. Over the coming years it is expected that renewable energy generated from onshore wind will reach almost 585 MW within the cluster as committed development is deployed. However, over the life of the Development Framework it is envisaged that this may increase as further existing schemes are repowered and/or extended, and other renewable energy technologies are co-located.

## Achieving Net Zero

Scotland currently has almost 12 GW of installed renewable electricity generation, with onshore wind contributing to almost 60% of all installed capacity. The Scottish Government has committed to decarbonising all energy production by 2045. A large proportion of this will come from additional onshore wind development, with a commitment for deployment of between 8 GW and 12 GW by 2030.

The extension and repowering of existing onshore wind farms will play a critical role in this substantial increase in onshore wind energy development, on our journey towards achieving Net Zero carbon emissions by 2045.

## Optimisation and Diversification

The cluster has the potential to make a greater contribution towards Scotland's renewable energy targets. In addition to increased wind energy generation, greater diversification of renewable energy generated within the cluster could be achieved through the deployment of other complementary renewable and low carbon energy generation and storage technologies, including solar photovoltaics (PV), hydropower and battery storage.

The Scottish Government has set out an initial ambition of generating 5 GW of renewable and low-carbon green hydrogen by 2030. There is clear opportunity to utilise the green energy generated from wind energy development within the cluster to power green hydrogen electrolyzers, which would contribute to a resilient energy system.

## What could the future hold for renewable energy in the cluster?

 Extension, Life Extension and Repowering

 Solar PV

 Hydropower

 Green Hydrogen Production

 Battery Energy Storage Systems (BESS)

 Carbon Capture

# The Evolution of an Energy Landscape

## Industrial History and Heritage

The Hagshaw Energy Cluster is located within an area of Scotland with a rich industrial heritage, and which has played an important role in the provision of energy and resources throughout history.

The artefacts of many of the region’s past industries now form distinctive landmarks and contribute to the identity and character of the area. Up until the late 18th century this area of Ayrshire and Lanarkshire was predominantly agricultural and characterised by pastoral fields associated with burghs and landed estates, typically located within the valley floors and lower slopes of the valley sides.

The Industrial Revolution, coupled with the discovery of a number of coal and iron seams brought about significant change to the area. From the late 18th century onwards, a number of mine workings became fixtures in the landscape and led to an influx of workers. The need to transport raw materials to more industrialised and urban areas led to the building of railways in the local area.

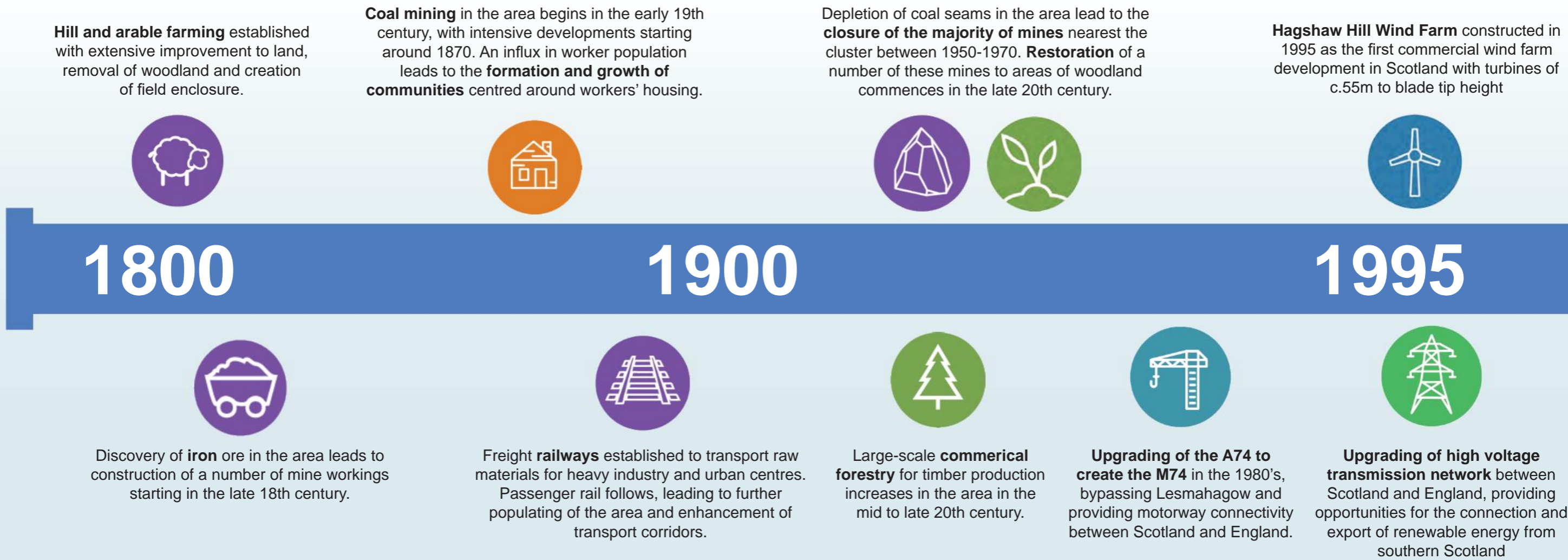
## Changing Priorities

Most deep mines closed between 1950 and 1970 with the final mine in the local area closing in 1972, however open cast mining has been a more recent feature of many landscapes surrounding the cluster.

In the late 20th century, changing priorities for a more sustainable future resulted in a new industry for the region. Sites for commercial wind energy developments began to be identified, proposed and built in upland landscapes, harnessing renewable energy from the wind and creating a new chapter for the industrial heritage and land use of the area.

In 1995 Hagshaw Hill Wind Farm was constructed as the first commercial wind farm in Scotland, 16MW of installed capacity from 26 turbines, and is still generating renewable green energy today. The wind turbines of Hagshaw Hill Wind Farm are now 25 years old, forming an established feature within the landscape, but are nearing the end of their operational life. The site is intend to be repowered with 200m turbines delivering a five fold increase in its generating capacity along with 30MW of energy storage.

## Timeline



## Evolution of Wind Turbine Technology

Since the original turbines of the Hagshaw Hill Wind Farm were deployed turbine technology, planning and financial support mechanisms for onshore wind development have significantly evolved. The cluster hosts not only some of Scotland's earliest wind turbines, but will soon host some of the tallest, with recent consented developments consisting of turbines between 200m and 230m to turbine blade tip height.

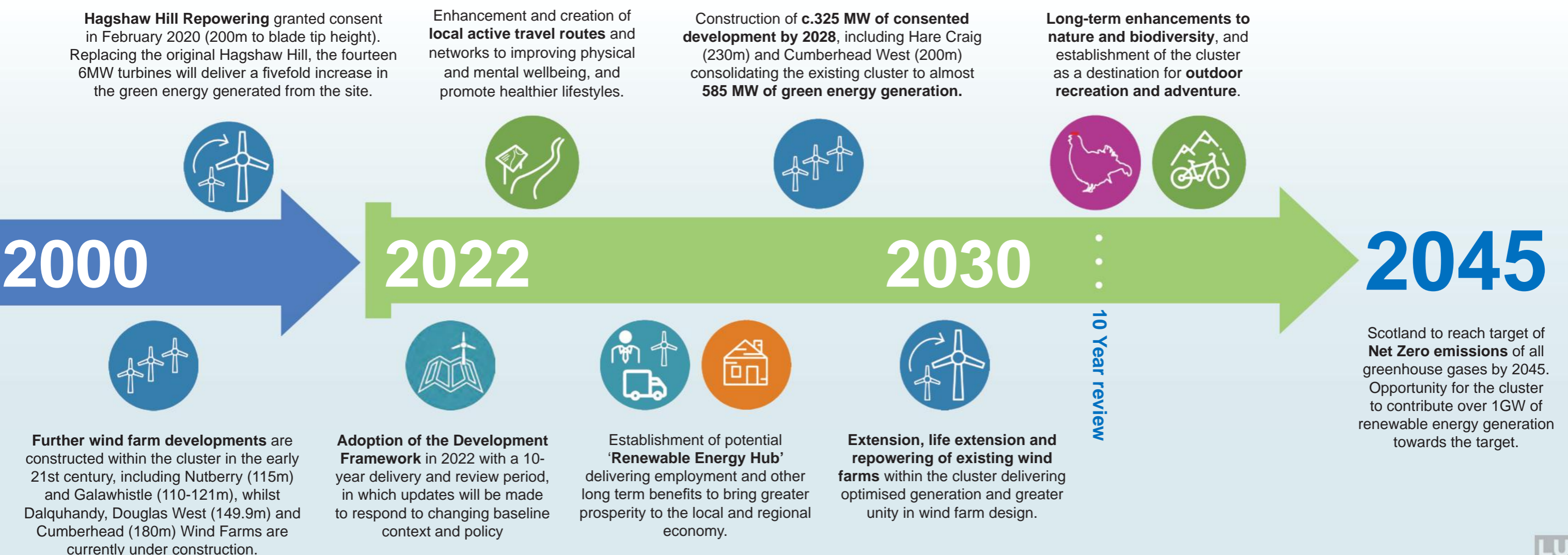
These advances in technology and co-located complementary technologies are bringing greater efficiencies and reduced intermittency to the harnessing of renewable green energy, and contributing towards rapid decarbonisation of electricity generation in Scotland.

The coming decade will see the build out of the other consented wind farms in the cluster, and the potential repowering of other existing operational wind farms. The Development Framework seeks to help influence and maximise the renewable energy opportunity of the cluster, whilst seeking to create other opportunities for business, industry and local employment.

## A Pilot for the Future

The landscape surrounding the cluster continues to be influenced by a number of other forces for change, and climate change looks set to influence the biggest changes yet. As Scotland continues its journey towards Net Zero emissions, via a Just Transition to a low carbon economy, it is important that a shared vision for the area acknowledges and manages these forces for change so that the distinctive character and identity of the area and its communities are retained, and wherever possible enhanced.

The Development Framework creates a vision for the future of the cluster, with the flexibility to evolve in order to address future challenges and priorities, and create a positive lasting legacy which includes the presence of renewable energy development in the landscape in perpetuity.



# Renewable Energy: People | P

## “ The Vision

A place-based vision for the future development of the Hagshaw Energy Cluster, optimised renewable energy generation and contributes towards Scotland's Just Transition, whilst delivering sustainable and inclusive growth for local communities.

Integrated nature based solutions, with enhanced connectivity supporting healthy, resilient and ecosystems, in response to the challenges of the climate and biodiversity emergency.

# Place | Nature

ter which delivers  
ransition to Net  
siliant communities  
ergency.

## Key Aims

The vision is underpinned by five key aims:

“

1. **Support the efficient delivery of the renewable energy potential of the cluster, taking account of all appropriate technologies and the optimisation, extension and repowering of existing wind farms**
2. **Maximise the social, economic and environment benefits of renewable energy development within the cluster**
3. **Support the Just Transition to a low carbon future through a place-based approach**
4. **Minimise adverse impacts of development on the environment and local communities**
5. **Deliver investment in nature to enhance climate change and biodiversity resilience**

”

# What are the Potential Benefits?

The Development Framework will help maximise the range and scale of benefits from the Hagshaw Energy Cluster for people, nature and place, directed by local priorities and delivered through partnership working.

The potential benefits can be grouped as:

## Environmental Development

## Social Economic

Delivery of all committed and future renewable energy proposals within the cluster in a collaborative and coordinated way could act as the catalyst for a range of potential benefits which are transformative for local communities, the surrounding area and the wider central and southern Scotland region.

## When will the vision be delivered?

The Development Framework sets out a ten year vision for the cluster, however it is envisaged that some elements will be realised over a longer period of time. Throughout the framework short-term, medium-term or longer-term opportunities are identified, with delivery dependant on the progression of project feasibility, engagement of all relevant landowners and interested stakeholders and access to capital investment funds.

South Lanarkshire Council (SLC) appointed an Economic Development Officer for the Douglas Valley Initiative in summer 2022 to work with local communities to deliver projects which meet the aims of the Framework. The officer will help them to secure funding through the Renewable Energy Fund (REF) and other sources and provide a resource to help deliver projects. The role is part funded by Greencoat Energy, NatureScot and SLC Council.

## How will projects be funded?

The Development Framework doesn't identify specific sources of funding to support the delivery of the vision. It is anticipated that a partnership approach will be adopted to fund and deliver projects and proposals within the framework via the public, private and third sectors - along with the appropriate use of community benefit funds from development within the cluster.

## Environmental

- Space for nature and improved ecological resilience
- Support for landowners and land managers to make wildlife improvements
- Increased climate change mitigation via carbon capture and sequestration, on the journey to achieving Net Zero
- Improved air quality, improving human health and nature
- Reduced risk of flooding and improved water quality through nature based solutions
- Protection and enhancement of priority habitats & species - including moorland, wetland, woodland, and farmland
- Investment in Natural Capital, delivering wider complementary benefits

## Development

- A clearer vision of what may represent appropriate development
- Increased prospect of positive planning outcomes for stakeholders
- Increased opportunities for renewable energy generation and provision of green energy to communities
- Coordinated and innovative technical solutions
- Cost and time efficiencies to delivery of green energy developments on the route to achieving Net Zero
- The ability to plan for long-term investment



## The Benefits

### Social

- Improved access to high quality open spaces
- Improved physical and mental health and wellbeing of communities and visitors
- Improved social and physical connectivity between communities around the cluster
- Land brought into community ownership and delivering local benefits
- Active transport opportunities such as walking and cycling
- Improved aesthetic value and reinforced sense of place
- Increased opportunities for play, education and interaction with nature

### Economic

- Increased investment and annual spend into the local and regional economy from development within the cluster
- Increased and more coordinated community benefits, which can achieve better outcomes for communities
- Creation of new skilled industries, businesses and sustainable jobs in the green economy
- Increased economic activity and attractiveness for inward investment
- A local economic identity to serve the cluster and wider regional renewable energy developments
- More productive and efficient use of land to deliver on strategic national targets, such as timber production

# Consultation and Engagement

## Formal Consultation

Inclusivity and transparency were key in developing the framework, involving a wide range of interested parties and stakeholders with a direct connection to land within the cluster, and ensuring communities who may have an interest in the project area were given the opportunity to contribute ideas or concerns, and act as a sounding board for what is proposed.

Follow up consultation with specific landowners, community groups and community councils was undertaken in early 2022.

Meetings were held with Coalburn Regeneration Group, and Muirkirk, Douglas and Lesmahagow Community Councils to understand the key priority issues for communities located close to the cluster, and explore how the Framework could assist in addressing challenges and delivering opportunities. The Development Framework intends to assist in delivering these objectives, many of which are identified in local Community Action Plans which have been developed by several communities which neighbour the cluster.

Landowner and community forums will be set up to support the delivery of the vision and opportunities outlined within the Development Framework. An accompanying Action Plan will be developed during summer 2022, coordinated by the appointed Douglas Valley Initiative Economic Development Officer.

## Online Exhibition & Survey

The initial public consultation and participation phase of the project ran for six weeks between October and December 2021. A virtual public exhibition room and online questionnaire formed the core aspect of the consultation process, hosting information about the project and our vision for the cluster.

Active participation of communities and interested parties was encouraged, providing an opportunity to shape the framework and reflect the ideas and aspirations of all.

An online questionnaire was hosted on the project website to obtain comments and feedback on the concept, vision and key aims and objectives of the framework.

Over **325** individual visitors to online virtual public exhibition

Over **80%** respondents supportive of a more collaborative approach



**Working Group Meetings**  
January 2020 - March 2021



**Established the Development Framework Concept and Approach**  
March 2021



**Project Steering Group Established** March 2021



**Consultants Appointed**  
June 2021



**Stakeholder Project Briefing** August 2021



**Consultation & Participation Phase**  
October - December 2021

Spring **2020**

Winter **2020**

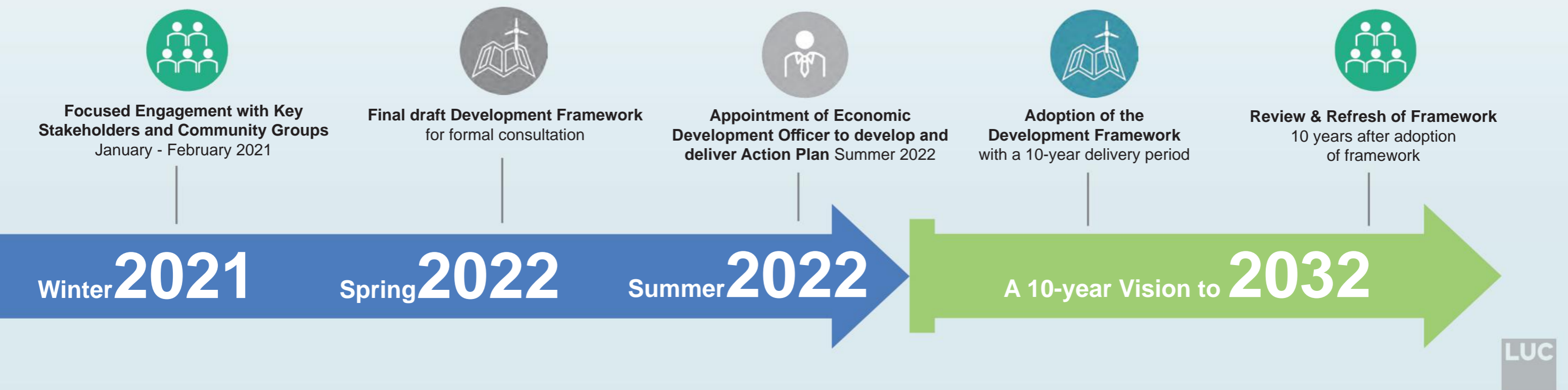
Spring **2021**

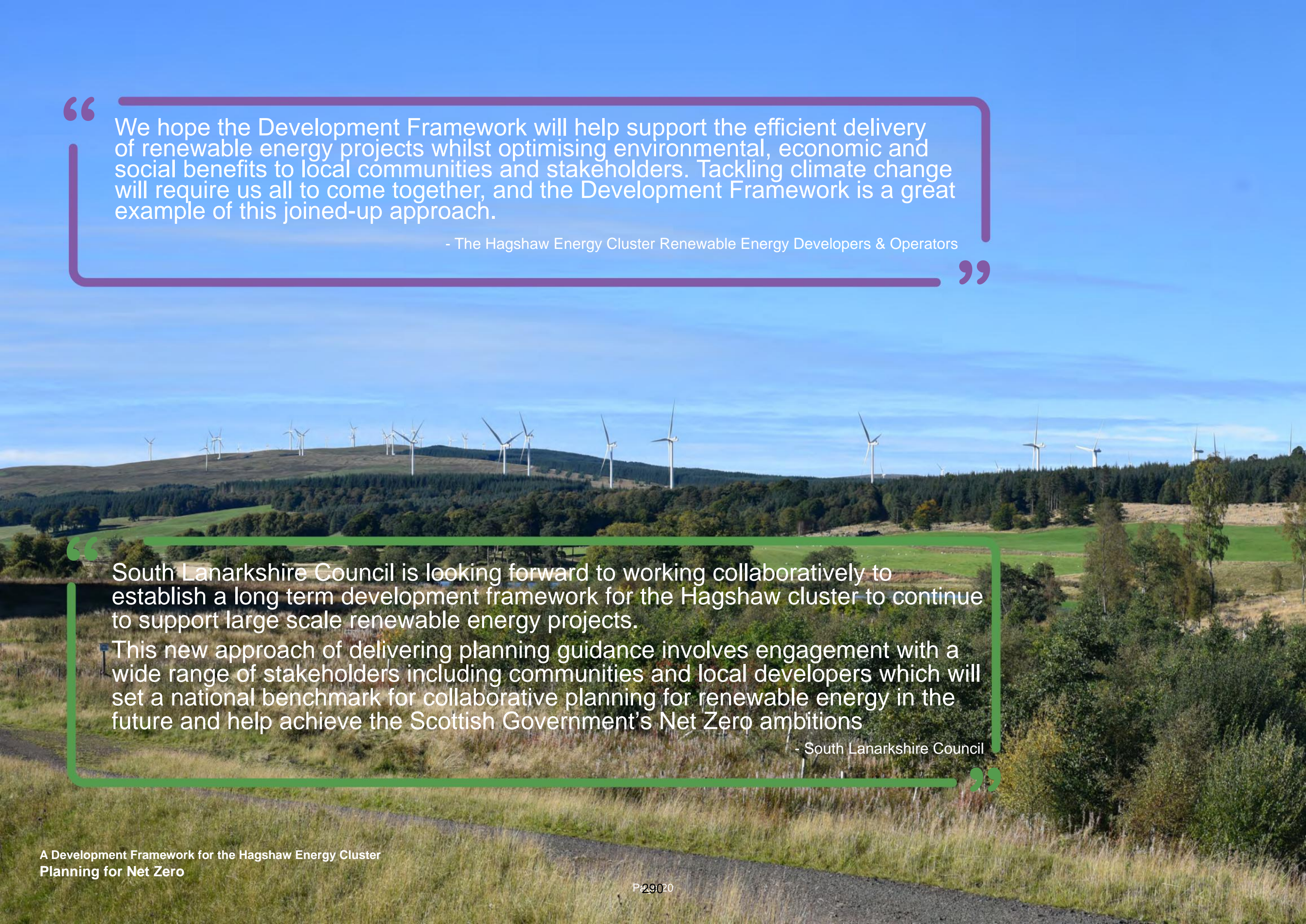
Summer **2021**

Autumn **2021**



An interactive virtual public exhibition was hosted online at: [www.thehagshawenergycluster.co.uk](http://www.thehagshawenergycluster.co.uk) © LUC





“ We hope the Development Framework will help support the efficient delivery of renewable energy projects whilst optimising environmental, economic and social benefits to local communities and stakeholders. Tackling climate change will require us all to come together, and the Development Framework is a great example of this joined-up approach.

- The Hagshaw Energy Cluster Renewable Energy Developers & Operators

“ South Lanarkshire Council is looking forward to working collaboratively to establish a long term development framework for the Hagshaw cluster to continue to support large scale renewable energy projects.

This new approach of delivering planning guidance involves engagement with a wide range of stakeholders including communities and local developers which will set a national benchmark for collaborative planning for renewable energy in the future and help achieve the Scottish Government's Net Zero ambitions

- South Lanarkshire Council



# Delivering the Vision - The Journey to Net Zero...

The Development Framework will be delivered via six interrelated themes:



**1. Realising the Renewable Energy Opportunity**



**2. Resilient and Connected Communities**



**3. Coordinated Enhancement of Nature**



**4. A Strong Identity, of Heritage, People and Place**



**5. Inclusive, Sustainable Growth**



**6. Outdoor Recreation to Support Health and Wellbeing**

## Key Objectives

Key objectives define what each delivery theme of the framework is seeking to achieve.

## What does success look like?

A series of metrics have been identified for each delivery theme, identifying how success will be measured in meeting the key objectives.



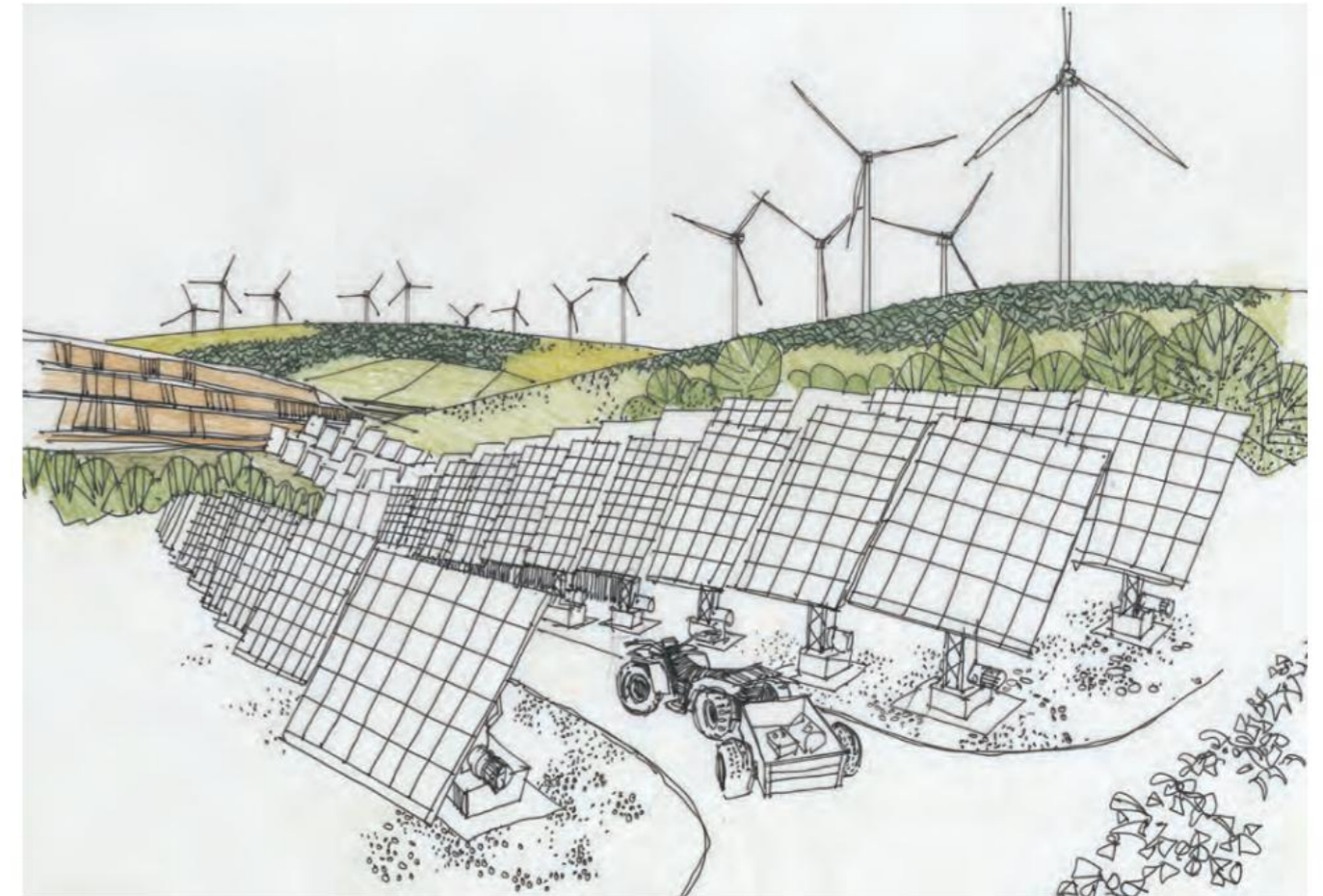
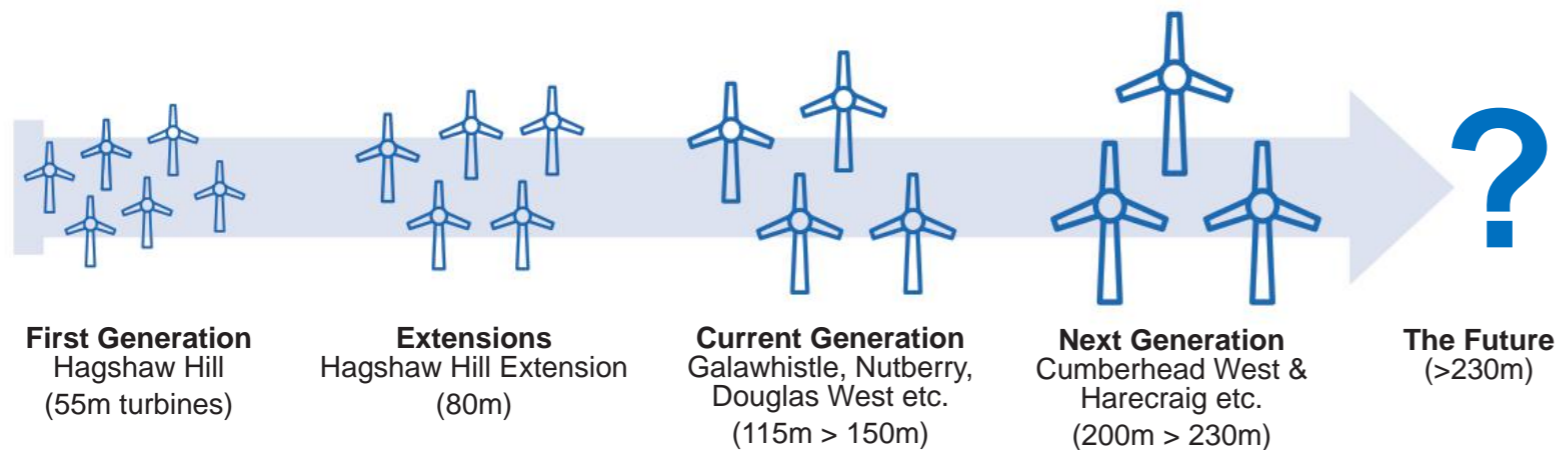
# 1. Realising the Renewable Energy Opportunity

*Maximising green energy generation, whilst minimising impacts*

With almost 585 MW of committed onshore wind capacity now operational, under construction or consented, the Hagshaw Energy Cluster will provide a substantial contribution to Scotland's Net Zero Ambitions. However, this may represent only a proportion of the real opportunity of the cluster.

Through a more coordinated approach to the design and implementation of extensions and repowering, coupled with the collocation of other complementary renewable energy technologies, this 'Regional Renewable Energy Hub' could utilise existing infrastructure to make a strategic contribution to national energy targets.

The repowering and extension of existing wind farm schemes to achieve Net Zero presents new challenges and opportunities. Optimisation of existing strategic clusters such as this, using the latest wind turbine technology and other renewable energy technologies could make a significant contribution, whilst continuing to minimise and mitigate adverse impacts on people, communities and the environment where possible.



Integration of other renewable energy technologies alongside wind energy development to maximise renewable energy generation and efficiency © Richard Carman

## Key Opportunities

### Cluster Wide Design Principles

Development of long-term design principles for future wind farm development within the cluster, with clear design objectives, to deliver optimised wind energy generation whilst avoiding unacceptable effects on the environment and communities (see Technical Annex).

### New Green Energy Sources & Storage

Develop co-location of other renewable energy generation and storage technologies - including, but not limited to solar PV generation, battery storage systems, green hydrogen production on appropriate sites across the cluster, and close to existing grid infrastructure.

### Technical Collaboration

Development of coordinated solutions to cluster wide technical challenges such as radar and aviation lighting, which minimise infrastructure costs and minimise impacts on operation, communities and the environment.

### Coordinated Access Strategy

Coordinated construction and operation access strategy for development within the cluster. Collaboration between renewable developers, operators and other businesses within the cluster to reduce infrastructure costs and disturbance to communities from abnormal load and heavy goods vehicles.

### A Local Green Energy Network

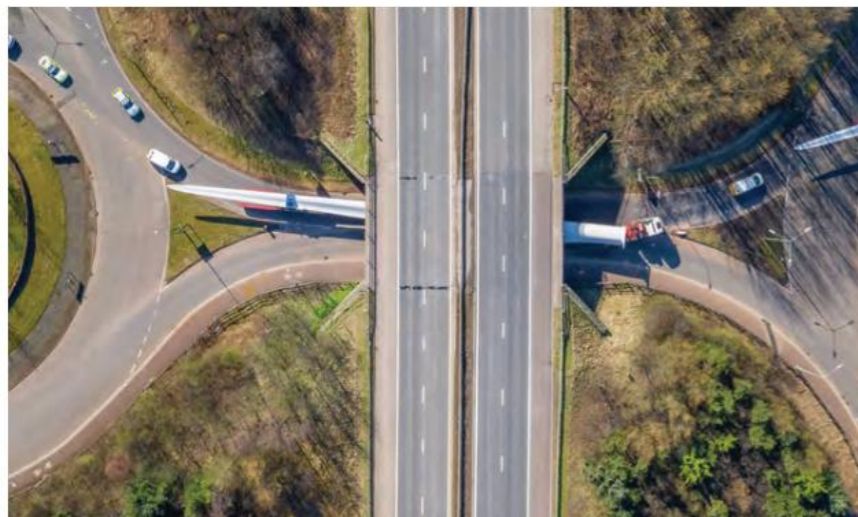
Explore the development of a Community Renewable Energy Scheme with local electricity charging regime for communities, building on the work of Community Councils. Distribution of green energy via a local grid network generated from multiple renewables technologies across the cluster.



Co-location of solar PV (similar to the above) and energy storage technologies on appropriate sites across the cluster © LUC



Repowering with larger turbines may increase potential for long-term coexistence of productive timber forest beneath turbines © Airbourne Lens



Collaboration between developers to share access routes for abnormal loads and coordinate construction activities © Airbourne Lens



Work with ScottishPower Energy Networks to design an efficient grid network which is fit for the future © LUC

## Regional Renewable Energy Hub

The creation of a regional Renewable Energy Hub which supports the construction, servicing, maintenance, and eventual decommissioning and repowering of wind farms within the cluster and the wider region, and complements the development of Scotwind offshore wind energy hubs elsewhere.

## A Future Network Plan

Future proofing the transmission and distribution networks to support extension and repowering of wind farms, and diversified renewable energy generation from the cluster, to provide greater certainty to developers, grid operators, and neighbouring communities.



## Key Objectives

- a.) Optimise wind energy in cluster, through extension and repowering, and use of the most effective and efficient modern technology.
- b.) Avoid and mitigate unacceptable effects on the environment and surrounding communities through a strategic and coordinated approach to design.
- c.) Promote opportunities for co-location of other renewable energy technologies such as hydro, solar PV, energy storage and green hydrogen production.
- d.) Encourage developers and operators, to work together to identify innovative solutions to technical challenges, for example, grid, noise, aviation radar and lighting, abnormal load/construction access.
- e.) Promote opportunities for shared community ownership/location of renewable energy generation assets, and provision of green energy to communities via local green energy networks.
- f.) Encourage a strategic approach to the planning and delivery of increased grid transmission network capacity.



# 1. Realising the Renewable Energy Opportunity

*Maximising green energy generation, whilst minimising impacts*

## Designing Wind Energy of the Future

In order to achieve the optimum generation from wind energy and realise the renewable energy opportunity of the cluster a more coordinated approach is needed. Through collaboration, between developers, landowners, communities, local authorities and statutory agencies, agreed principles for the future development and design of wind farms within the cluster could be achieved.

The cluster hosts some of the oldest commercial wind turbines in the country, with the turbines of Hagshaw Hill at 55m to blade tip height, whilst the consented turbines of Hare Craig at 230m to blade tip height will represent some of the largest turbines in Scotland once constructed.

Juxtapositions of small and large turbines will be unavoidable as existing consented developments are built out within the cluster. However, through the potential extension and future repowering of the older wind farms within the cluster, opportunities exist to rationalise the overall composition of turbines and deliver greater cohesion and consistency in design, whilst utilising the very latest and future turbine technology.

## Key Design Principles

Some key design principles have been devised to provide a guide to help shape future wind energy development within the cluster. Further detail is presented in **Technical Annex - Wind Energy of the Future**.



Opportunities for promotion and educational interpretation of green energy technologies to communities and visitors © Richard Carman

## What does success look like?

### More Predictable Determinations

A streamlined and efficient planning process, with more predictable outcomes to determination for development proposals which align with the coordinated vision for the cluster, and the associated grid transmission and distribution network.

### Cohesive Wind Farm Design

A more cohesive and consistent image of wind energy development within the cluster for surrounding communities and visitors to the area, as committed development is built out and future extensions and repowering consolidate development in the cluster.

### Optimised Renewable Energy

An increase in renewable energy generated from the cluster, from a range of different renewable energy technologies. Greater efficiency and reduced intermittency of renewable energy generated from individual renewable technologies.

### Local Communities Invested in Energy

Community ownership of existing or additional renewable energy assets within the cluster, generating green energy which is distributed and used locally, via a green grid network.

### Hagshaw Renewable Energy Hub

Established regional flagship 'Renewable Energy Hub' driving efficiencies and innovation within the onshore wind sector, and providing sustainable jobs supporting construction and maintenance of renewable generation within the cluster and beyond.



Note: this schematic plan identifies indicative areas of opportunity where potential benefits could be delivered, subject to further detailed survey and development.

**Key**

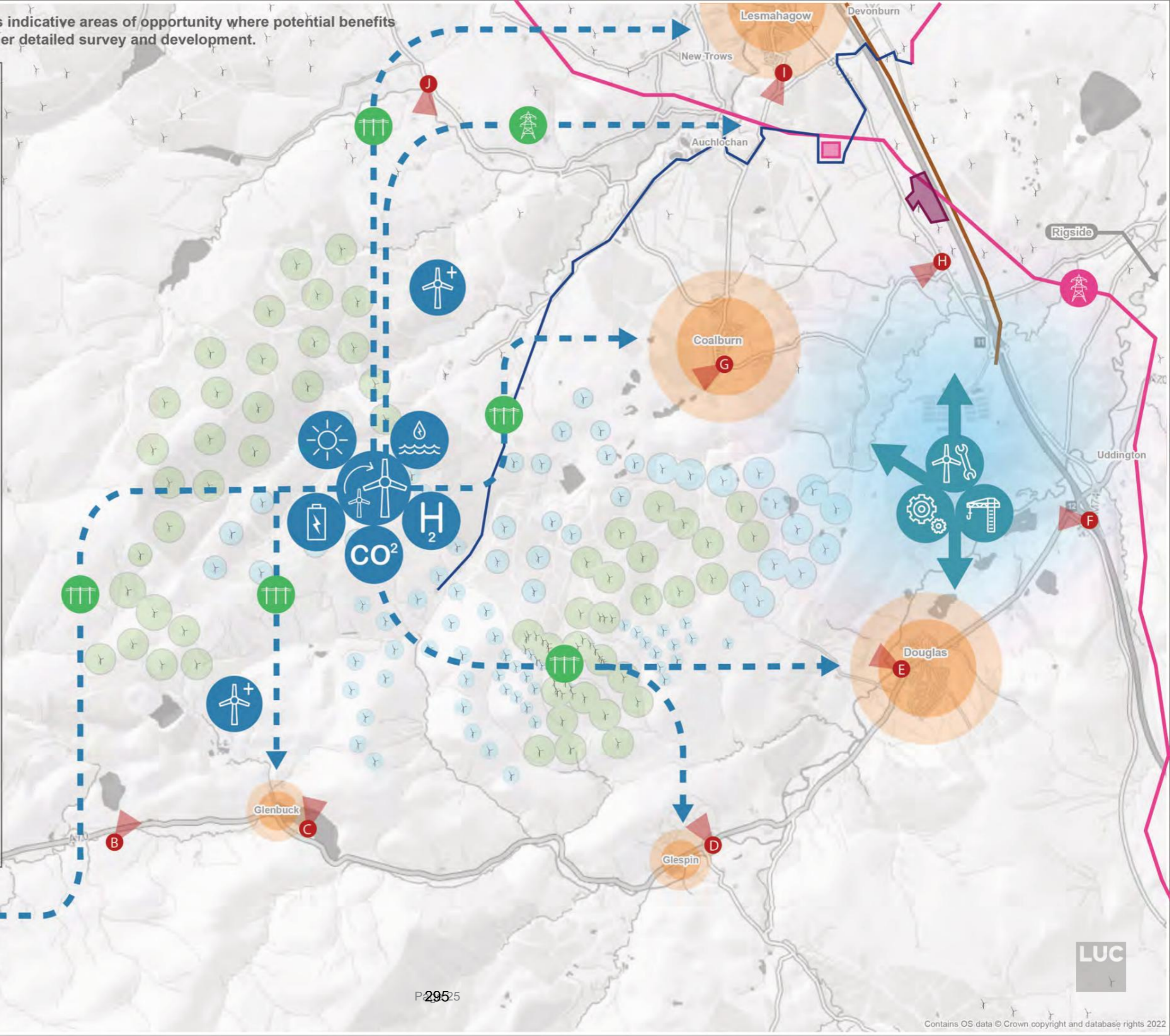
- Key Settlements & Communities
- Wind Farms outside of the Hagshaw Energy Cluster
- Operational or Under Construction Wind Farms within the Hagshaw Energy Cluster
- Consented Wind Farms within the Hagshaw Energy Cluster
- Overhead Transmission Lines
- Underground Transmission Line
- Potential Shared Abnormal Access Route
- Coalburn Substation
- Proposed Coalburn Energy Storage
- Potential Renewable Energy Hub
- Key Design and Assessment Viewpoints

**Potential Renewable Energy Opportunities**

- Wind Energy
- Solar PV
- Hydropower
- Carbon Capture
- Energy Storage
- Green Hydrogen Production
- Green Energy from Cluster to Main Grid Network
- Green Energy from Cluster to Local Grid Network

**Potential Supply Chain & Employment Opportunities**

- Development and Construction
- Servicing and Maintenance
- Manufacturing



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## 2. Resilient & Connected Communities

*Enhancing and creating sustainable communities for the future*

Supporting thriving, resilient, and diverse communities, which are inclusive, empowered, and safe places for people is central to delivering Scotland's National Outcomes. Taking a place-based approach which puts communities at the centre of decision making allows them to create and shape their own future, and NPF4 is expected to focus on 'A Plan for Resilient Communities' as one of its four key outcomes.

Our resilience to climate change will be tested across many aspects of our lives in the coming years. The places in which we live, work and play, need to be adaptable and multifunctional, and be managed in a sustainable way which considers both current and future generations.

As advocated by Architecture and Design Scotland (AD&S), the Development Framework promotes a whole place approach to the challenge of planning for Net Zero, and supports a Just Transition to a low-carbon future in response to a changing climate. Informed by the Place Principle and the 8 Principles of Carbon Conscious Places we believe that a coordinated vision for investment across the cluster can deliver greater resilience to local communities and deliver many of the objectives of existing Community Action Plans.

The cluster offers extensive opportunities for safe active travel links to be enhanced, extended and created, linking local communities with access to goods and services – in line with the Scottish Government vision for 20-minute neighbourhoods. Opportunities to create and strengthen cross boundary links between communities in East Ayrshire and South Lanarkshire have been identified - linking Muirkirk and Glenbuck, with Glespin and Douglas via feasible off-road walking and cycling links.



Improved connectivity between communities, through the enhancement of existing and creation of new active travel and public transport links © Richard Carman

### Key Opportunities

#### Connected Communities

Improving connectivity between the communities which surround the cluster, and across local authority boundaries – supporting the concept of 'small distance places' (e.g. the 20 minute place concept) accessible via new active travel walking and cycling links.

#### Community Placemaking

Involve communities in the planning and design of enhancements to existing public realm, townscapes and greenspaces. Focused on the creation of new, public spaces in key settlements around the cluster - with a focus on revitalising communities.

#### Low Carbon Living Initiatives

Promote and support shared local services and a circular system approach to community projects. Adoption of a local coordinated approach to energy and heat (e.g. Local Heat and Energy Efficiency Strategies (LHEES)), water, food production, greenspace, habitat, transport, waste, travel and housing, to support the transition to low carbon living.

#### Local Place Plans

Collaborate with communities to coordinate the development and delivery of Local Place Plans, informed by Community Action Plans which have been developed by organisations working with several communities around the cluster, and identify shared benefits from development within the cluster.

#### Community Transport Initiatives

Explore opportunities for improved public and shared transport links between communities around the cluster and the wider region across local authority boundaries, providing easier access to public services and amenities (e.g. green energy fuelled public transport and car share initiatives).



Improved connectivity between communities, through the enhancement of existing and creation of new active travel and public transport links © Richard Carman

## Spatial Planning for Future Resilience

Identification of appropriate sites for specific development opportunities on land around the cluster, which will be resilient to the challenges of a changing climate (e.g. avoidance of areas at risk of future flooding).

## Community Land Ownership

Support the development of local Community Right to Buy proposals to bring parcels of land around the cluster into community ownership and management, for delivery of community focused land use initiatives (e.g. energy, recreation, nature and biodiversity and community growing etc).



Creating opportunities for recreation and interpretation, with an ethos of access for all abilities, whilst engaging people in nature, biodiversity and the threat of climate change © NatureScot



Promoting sustainable and reliable methods of public and private transport to connect rural and sem-rural local communities with the wider region © Jaggery (cc-by-sa/2.0)



## Key Objectives

- Developments should help to create 'small distance places' – providing the infrastructure, links and assets that people need close to where they live.
- Promote opportunities for active travel, play, education and interaction with nature, such as community growing.
- Improve social cohesion through delivery of opportunities for greater social interaction and collaboration amongst communities around the cluster.
- Promote the sharing of assets and services to enable lower carbon living and connect people to their neighbourhoods.
- Promote multifunctional land use, with an emphasis on community, local and regional scale benefits, and function.



## 2. Resilient & Connected Communities

*Enhancing and creating sustainable communities for the future*

### Key community links

Through consultation with communities and other stakeholders a number of key community links have been identified:

- **Muirkirk and Glenbuck, to Glespin and Douglas via the River Ayr Way** - a local link providing connectivity between the isolated conservation village of Glenbuck with neighbouring communities in East Ayrshire and South Lanarkshire
- **Coalburn to Lesmahagow** - alternative pedestrian and cyclist link taking people off busy back roads to enable safe travel between nearby communities.
- **Douglas to Coalburn** - enhancement of existing corepaths to provide important links between shared essential local services of neighbouring communities.
- **Muirkirk to Coalburn railway line link** - the former Caledonian Railway line reimagined as an off-road link which passes through the cluster, with opportunities for interpretation of heritage and nature along the way.
- **Douglas to Happendon and the National Cycle Network (NCN) Route 74** - a ready developed solution to a long-term opportunity, providing a safe link to the settlement of Douglas via an off-road route from the NCN near Happendon.
- **Regional strategic link between the River Ayr Way and Clyde Walkway** - linking two of Scotland's Great Trails, via some of the above links opening up regional opportunities to some of Scotland's extensive long distance routes.



Utilising and enhancing existing and historic infrastructure to create safe and accessible links between communities, helping people connect and feel connected with their neighbours © Richard Carman

### What does success look like?

#### Enhanced Connectivity

Greater social and physical connectivity between communities around the cluster, including those located across the boundary of East Ayrshire and South Lanarkshire

#### Increased Pride in Local Place

An improved sense of identity and pride in local communities and their public and shared urban and green spaces.

#### 20 Minute Neighbourhoods

Provision of local services shared amongst communities which surround the cluster in line with the Scottish Government vision for '20-minute neighbourhoods'.

#### Zero Carbon Communities

Communities which have embraced and delivered on the journey towards low carbon living and the path to Net Zero, with reduced energy consumption, energy efficiencies and climate consciousness - inspired by the Local Heat and Energy Efficiency Strategy (LHEES) Pilot Programme elsewhere in Scotland.

#### Land that Works for All

Land brought into community ownership is delivering environmental, social and/or economic benefits for communities, including greater resilience to the challenges posed by a changing climate.



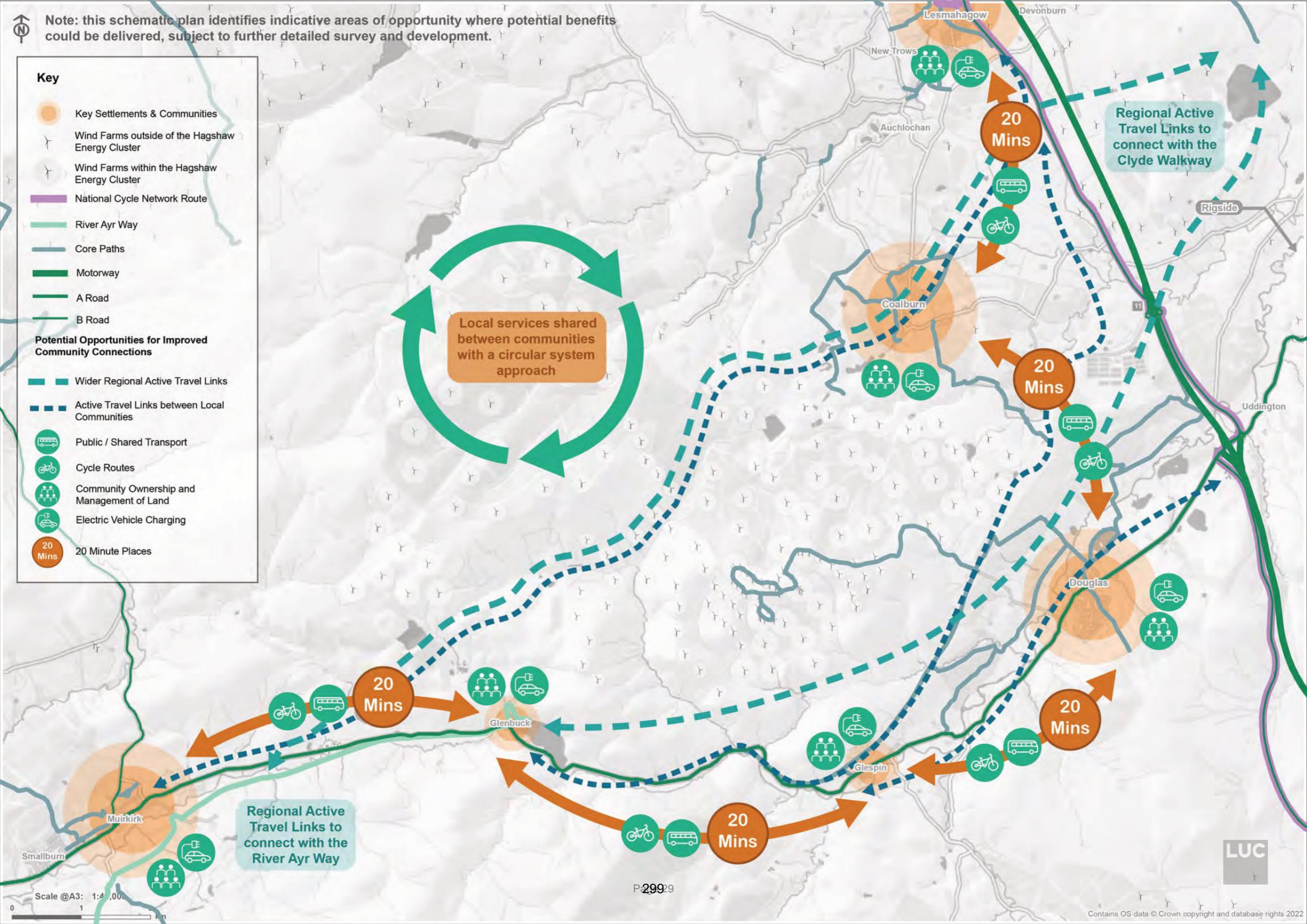
Note: this schematic plan identifies indicative areas of opportunity where potential benefits could be delivered, subject to further detailed survey and development.

**Key**

- Key Settlements & Communities
- Wind Farms outside of the Hagshaw Energy Cluster
- Wind Farms within the Hagshaw Energy Cluster
- National Cycle Network Route
- River Ayr Way
- Core Paths
- Motorway
- A Road
- B Road

**Potential Opportunities for Improved Community Connections**

- Wider Regional Active Travel Links
- Active Travel Links between Local Communities
- Public / Shared Transport
- Cycle Routes
- Community Ownership and Management of Land
- Electric Vehicle Charging
- 20 Mins





### 3. Coordinated Enhancement of Nature

*Making space for nature, delivering increased resilience*

Potential impacts on wildlife and natural heritage from wind farms in the cluster have been considered through the planning process. Developers and operators carry out species and habitat surveys to inform Environmental Impact Assessment (EIA) of proposals, and monitor birds, habitats, and other species during the construction and operation of developments. In many cases, developers and operators have also put in place Habitat Management Plans (HMPs) to avoid or reduce impacts, whilst restoring and enhancing habitats.

By working together, the cluster offers opportunities to deliver landscape-scale restoration, enhancement and creation of wildlife habitats and help connect these to other important areas for nature in the surrounding area, in line with the principles of the Glasgow and Clyde Valley (GCV) Green Network Partnership Blueprint for Strategic Habitat Networks - *facilitating the movement of wildlife through the landscape*.

In particular, as the impacts of climate change are becoming more evident, the value of peatland habitats as a carbon store is now fully recognised and improving their condition to increase carbon capture, expand wildlife habitats and deliver Biodiversity Net Gain (BNG) is a key priority. Opportunities exist within and around the cluster, including within the Muirkirk and North Lowther Uplands Special Protection Area (SPA), to influence land management decisions and deliver large scale peatland restoration, which as well as helping mitigate climate change, offers the potential to improve habitat for important birds such as black grouse.

Taking a co-ordinated approach to forest management as areas of plantation are felled and replanted also offers opportunities to improve the design of woodlands, leaving more space for wildlife, increasing the extent of native woodland, and expanding forest corridors. This could include opportunities to support and complement the objectives of the Clyde Climate Forest Initiative and neighbouring landowners, such as Forestry Land Scotland. The introduction of larger modern turbines may allow for alternative approaches to management of productive forestry in the cluster - such as key hole felling with long-term cycles of felling and restocking beneath operational turbines.

Through investment in the enhancement of existing habitats and ecosystems, we believe these natural capital assets can provide social, environmental and economic benefits, and contribute to the wellbeing of those who live and work in neighbouring communities.

#### Key Opportunities

##### Peatland Restoration

Develop a peatland restoration strategy for land within the cluster to maximise carbon capture and peatland habitat restoration opportunities, combining existing information on peatland extent, depth, and condition, with coordinated additional new surveys.

##### Coordinated Habitat Management Plan

The preparation of a collaborative habitat management plan between landowners and managers to guide the coordinated management of land use across the cluster. Balancing existing and future land uses, including woodland and forestry expansion, habitat enhancement and peatland restoration, agriculture, and access.

##### Priority Species Conservation Plans

Develop conservation plans for black grouse and other moorland birds, including curlew, golden plover, and hen harrier, working with landowners and managers, to protect existing key areas for these species and identify other suitable areas for appropriate conservation management.

##### A Local Nature Knowledge Network

Working in tandem with local groups such as the South Strathclyde Raptor Study Group and the East Ayrshire Coalfield Environment Initiative, promote the collection of wildlife information, supporting education, training and development of wildlife monitoring skills.

##### Improved Access to Nature

Improve access and interpretation in areas of existing and enhanced greenspace, to make it easier for people to view and learn about wildlife, as part of promoting recreation and tourism, whilst ensuring wildlife is also protected from disturbance.



Creation, enhancement and restoration of habitats to support key priority species in the cluster and promote connectivity with other similar habitats © Richard Carman



Habitat enhancement to benefit key priority species, such as Hen Harrier within the Muirkirk and North Lowther Uplands SPA © NatureScot



Opportunities for peatland restoration, locking up carbon and contributing towards Net Zero © NatureScot



A collaborative approach to surveys and monitoring, bringing cost and programme efficiencies, and availability of shared data © LUC



Black Grouse habitat enhancement is a key focus across the cluster. By working together we can deliver a more coordinated response © NatureScot

## Agri-Environment Network

Creation of an agri-environment network amongst landowners, managers, farmers, and foresters to highlight opportunities for funding habitat restoration and enhancement works to maximise agriculture, forestry, biodiversity and climate change benefits from land across the cluster.

## Nature Education

Develop opportunities for educational visits and study programmes by children and young adults from educational settings in communities around the cluster and the wider region (e.g. schools and colleges), as well as adults via nature focused community groups and organisations.

## Shared Survey & Monitoring Data Bank

Development of a centralised and coordinated depository for habitat, peat and protected species EIA survey and monitoring data. Being developed by RPS, it will be accessible to developers, operators, statutory agencies and local authorities to support the efficient future delivery of renewable energy development within the cluster



## Key Objectives

- a.) Protect the integrity of internationally and nationally designated areas, and important habitats and species during development of renewable energy and other projects in the cluster.
- b.) Promote a landscape scale approach to the enhancement and restoration of habitats across the cluster.
- c.) Support improved and coordinated management of habitats so important habitats and species benefit.
- d.) Promote new revenue streams for land managers from wildlife conservation, peatland restoration and native woodland expansion.
- e.) Explore opportunities to fund and deliver other ecosystem services, particularly for reducing flood risk and improving water quality.



## 3. Coordinated Enhancement of Nature

*Making space for nature, delivering increased resilience*

### Cluster Wide Habitat Management Plan

The sharing of existing habitat management and monitoring data between developers and operators, landowners, agencies and other stakeholders, will inform the development of a Cluster Wide Habitat Management Plan.

The schematic plan opposite identifies the broad areas of opportunity for the restoration, enhancement and creation of peatland and habitats for key priority species found across the cluster. This has been devised using existing survey information and data, and will be supplemented by future survey and monitoring work with more detail to be developed in the Action Plan during summer 2022.

Through a more coordinated and focused approach it is envisaged that the cluster could offer extensive opportunities for enhanced ecosystem services e.g. climate change mitigation, flood mitigation, and benefit the following key priority species:

- Black Grouse
- Hen Harrier
- Merlin
- Peregrine
- Short-eared Owl
- Golden Plover
- Curlew

### What does success look like?



Opportunities for peatland restoration and the delivery of other nature based solutions in response to the challenges of a changing climate and the biodiversity crisis © Richard Carman



Promotion and support for agri-environment schemes and exploration of new models such as agro-forestry to diversify income streams and maximise carbon benefits © Richard Carman

### Restored Peatland Habitats

Information will be available on the extent and condition of all important peatland areas in the cluster and will have been used by local land managers and local contractors to deliver peatland restoration.

### Coordinated Land Management

A coordinated habitat management plan will be in place for the cluster, supporting the management and expansion of sensitively designed productive conifer plantation, and native mixed woodland, building habitat corridors, enhancing the landscape, and contributing to increased carbon capture/sequestration.

### Shared Survey Efforts

Wildlife surveys needed for planning applications in the cluster will be more focused through access to a shared databank of existing records, and the need for post-construction species and habitat monitoring will be focused on the priority species list above.

### Habitat Management & Enhancement

Habitat Management Plans will have contributed to the delivery of, the peatland restoration strategy, and land management plan, and populations of golden plover, curlew, black grouse, hen harrier and other wading birds will have stabilised and show signs of sustained recovery.

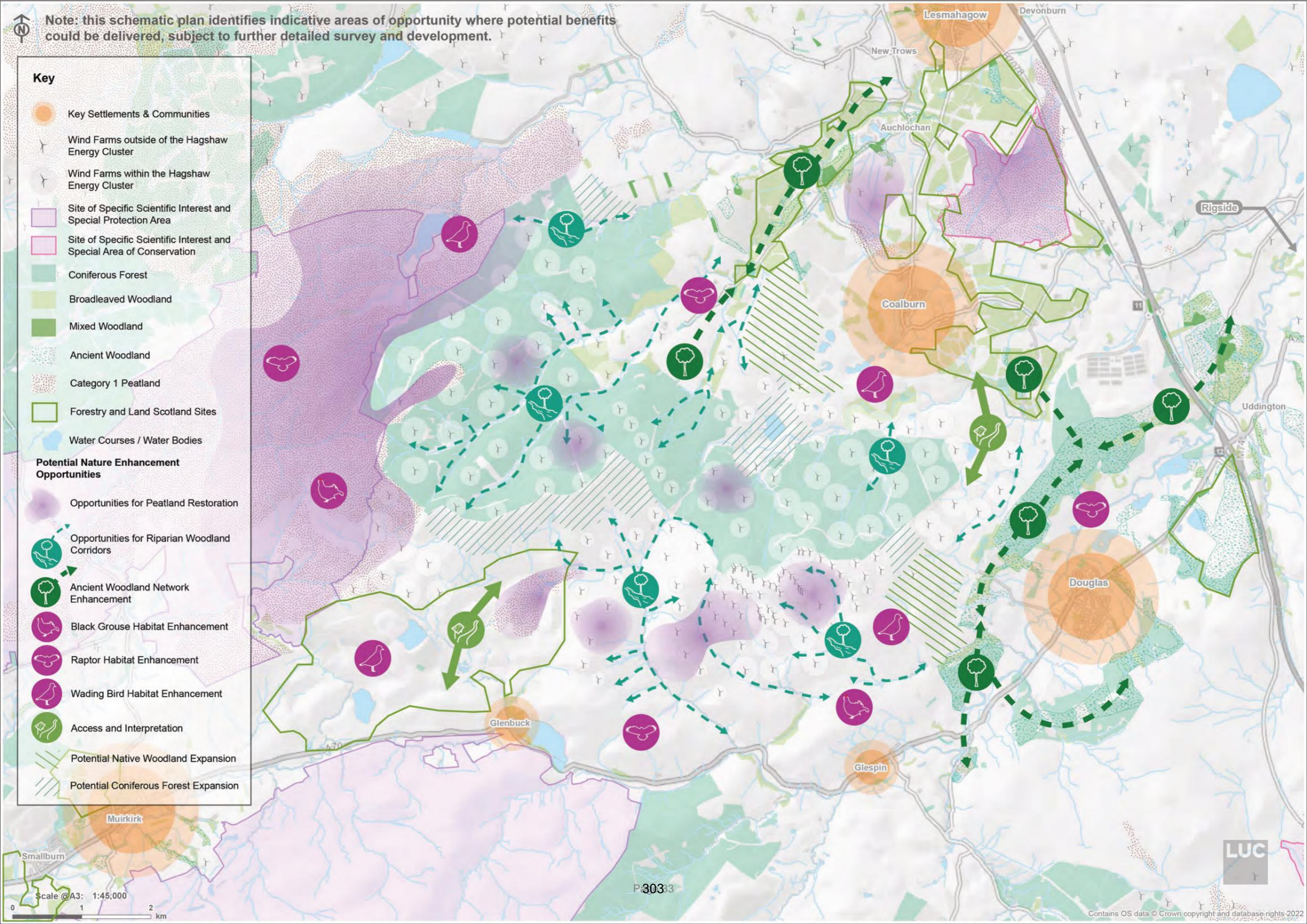
### Engagement in Nature

An increased number of local people will be involved in wildlife monitoring and survey, collecting information that can help guide habitat management, restoration and be used to help avoid disturbance to wildlife.



Note: this schematic plan identifies indicative areas of opportunity where potential benefits could be delivered, subject to further detailed survey and development.

- Key**
- Key Settlements & Communities
- Wind Farms outside of the Hagshaw Energy Cluster
- Wind Farms within the Hagshaw Energy Cluster
- Site of Specific Scientific Interest and Special Protection Area
- Site of Specific Scientific Interest and Special Area of Conservation
- Coniferous Forest
- Broadleaved Woodland
- Mixed Woodland
- Ancient Woodland
- Category 1 Peatland
- Forestry and Land Scotland Sites
- Water Courses / Water Bodies
- Potential Nature Enhancement Opportunities**
- Opportunities for Peatland Restoration
- Opportunities for Riparian Woodland Corridors
- Ancient Woodland Network Enhancement
- Black Grouse Habitat Enhancement
- Raptor Habitat Enhancement
- Wading Bird Habitat Enhancement
- Access and Interpretation
- Potential Native Woodland Expansion
- Potential Coniferous Forest Expansion



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P3033





## 4. A Strong Identity of Heritage, People and Place

*Respect and interpret the natural and cultural heritage of the area*

The cluster and the surrounding communities of East Ayrshire and South Lanarkshire are rich in their cultural and industrial heritage. The development of many of these communities was shaped by their support for the coal mining and associated industries, and they were once bustling industrial hubs supplying coal to Scotland's industrial heartlands and the ship building industry on the Clyde.

Communities are rightly proud of the history which has shaped their identity and preserving some of the remaining physical and cultural elements of this will be important as communities transition towards a low carbon future. The natural heritage of the area has also shaped its strong identity, from the rolling hills of open moorland and coniferous woodland to the river valleys of the River Ayr and Douglas Water, there is a rich and diverse history of land use across the area which continues to evolve.

A lack of employment options post closure of traditional industries has adversely affected coalfield communities for many years, and has often seen economic, educational and health challenges intensify in some areas. Opportunities exist to enhance awareness and pride in communities around the positive role renewable energy plays within the surrounding communities, and the contribution made locally towards achieving Net Zero.

The economic benefits arising from renewable energy development within the cluster could make substantial improvements to the lives and opportunities of people in local communities. Ensuring that these benefits are delivered fairly and inclusively, whilst respecting the existing cultural heritage and historical identity of communities is a significant challenge, but one which the Development Framework will seek to achieve through collaboration and the involvement of communities.



Enhancement of existing and creation of new public spaces within settlements around the cluster, which respect the historic character and sense of place © Richard Carman

### Key Opportunities

#### Industrial Heritage Trails

Restoration and enhancement of industrial heritage assets within and surrounding the cluster, with potential heritage trails linking key cultural and historic assets which have influenced the current identity of the area.

#### Reinvented Mineral Workings

Identify opportunities to address the legacy issues of open cast coal mining in a positive way, such as restoration of former open cast coal mining sites to create new greenspaces and points of interest to attract visitors and deliver environmental, social and/or economic benefits for local communities.

#### Enhancing Conservation Areas

Enhancement of the current condition and understanding of historic conservation areas within settlements and communities surrounding the cluster, and involve communities in the sympathetic planning and design of public realm and greenspaces within these areas.

#### Enhancing Local Landscape Character

Enhancement of the distinctive local landscape character of the area, including the key characteristics of unique natural and man-made local landscapes and features, including renewable energy as an established feature within the landscape, and the qualities of the Douglas Valley Special Landscape Area (SLA).



Glenbuck Viaduct, the remnants of a long lost village and strong socialist heritage of the area © Richard Webb (cc-by)



## Key Objectives

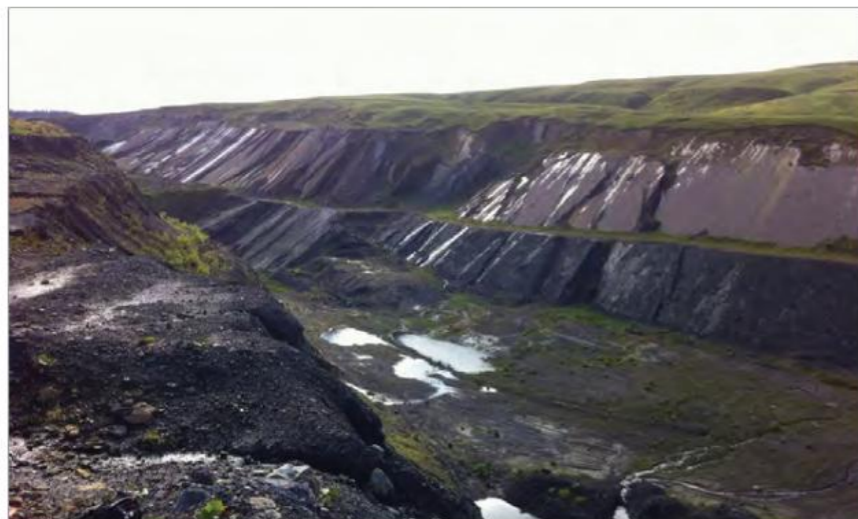
- a.) Improve aesthetic value and reinforce the existing sense of place of the area.
- b.) Respect and interpret local and regional heritage and history of area and its communities.
- c.) Enhance awareness and connectivity of cultural assets in the area, and their relationship to assets beyond the cluster.
- d.) Instil a sense of pride in place for communities and visitors alike, offering a unique and identifiable local and regional destination.
- e.) Ensure place quality and the low carbon agenda is prioritised in all decisions and investments.
- f.) Interested parties, developers and operators, and communities to work together through a place-based approach to develop opportunities.



Opportunities to reflect on and celebrate the past landuse, industry and employment of coal mining which has shaped the communities and landscape around the cluster, such as the including the Spireslack geological features - a Scottish Carboniferous Research Park © Richard Carman



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The unique exposed geology and scarred landscape of the former Scottish Coal site at Spireslack. Glenbuck.© Alan Pitkethley (cc-by-sa/2.0)



The remains of Douglas Castle originating from the 13th century, is a site with a rich history and vantage over the cluster © Billy McCrorie (cc-by-sa/2.0)



## 4. A Strong Identity of Heritage, People and Place

*Respect and interpret the natural and cultural heritage of the area*



Maintaining the integrity and character of the Douglas Valley Special Landscape Area (SLA) has been a key priority for the development of wind farms within the cluster. Opportunities to enhance and enrich the cultural and industrial heritage of the area will be explored as the area transitions to renewables, and land use evolves © Richard Carman

### What does success look like?

#### Local Place Identity

Greater involvement of communities in the planning and design of their local 'place', including public realm and green spaces within key settlements. Strengthening of distinctive local landscape character.

#### Maintained Local Heritage

Reflection and interpretation of local heritage and history in the planning and design of new development and green infrastructure within the cluster.

#### Enhanced Interpretation

Enhanced understanding and knowledge of what has shaped the distinctive identity of the area and its communities through locally and regionally promoted heritage interpretation. (e.g. potential heritage trails).

#### Sympathetic Urban Enhancement

Improved high quality public realm and open spaces within local communities, creating healthy, happy places to invest, live, work and play within.

#### Evolution of Mining Heritage

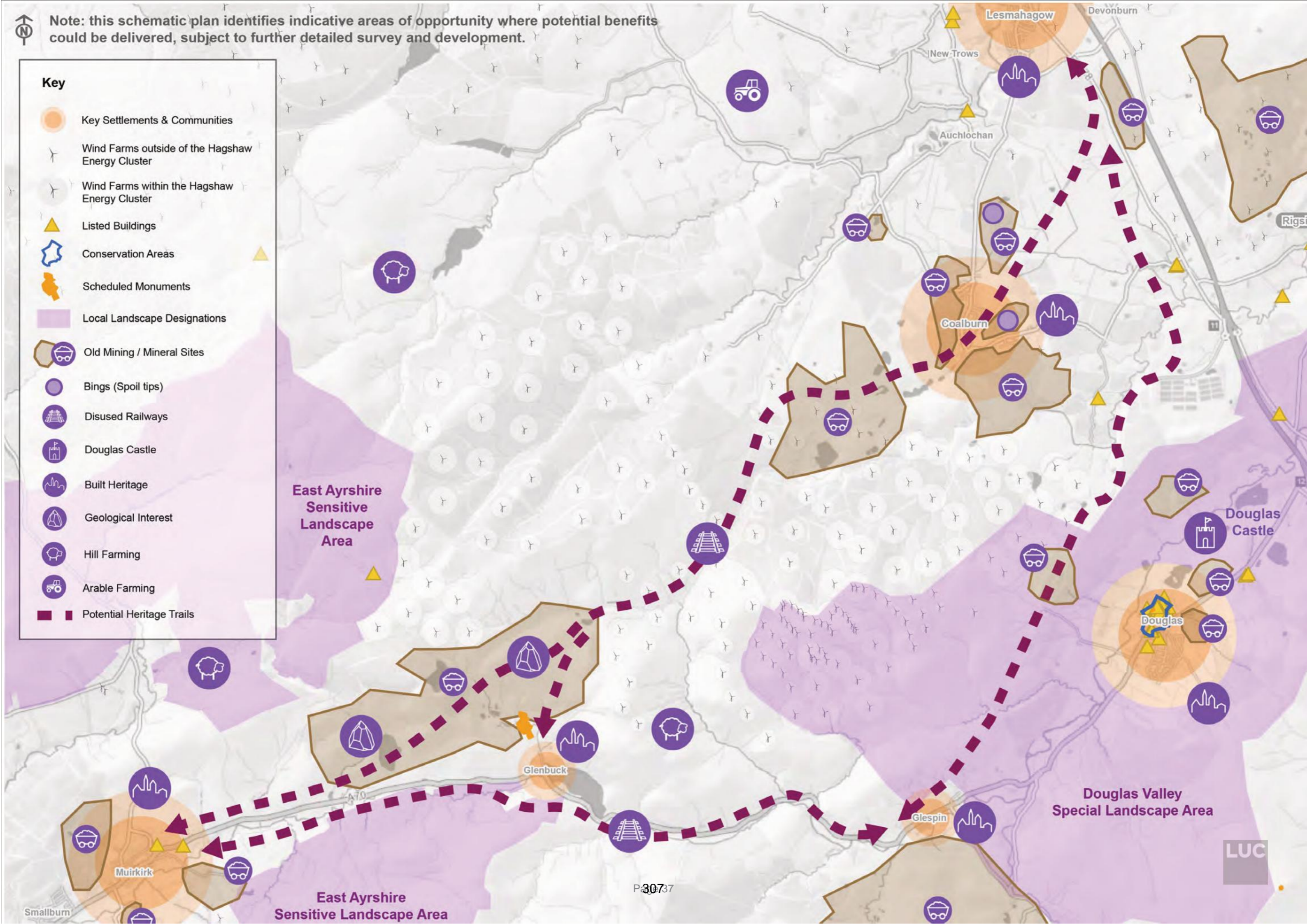
Restoration of former open cast coal mining sites, delivering environmental, social and/or economic benefits for communities.



Note: this schematic plan identifies indicative areas of opportunity where potential benefits could be delivered, subject to further detailed survey and development.

**Key**

- Key Settlements & Communities
- Wind Farms outside of the Hagshaw Energy Cluster
- Wind Farms within the Hagshaw Energy Cluster
- Listed Buildings
- Conservation Areas
- Scheduled Monuments
- Local Landscape Designations
- Old Mining / Mineral Sites
- Bings (Spoil tips)
- Disused Railways
- Douglas Castle
- Built Heritage
- Geological Interest
- Hill Farming
- Arable Farming
- Potential Heritage Trails





## 5. Inclusive, Sustainable Growth

*Promoting and supporting a local economy which delivers locally*

The Hagshaw Energy Cluster has contributed to the local and regional economy for many years. The cluster has the potential to deliver far more opportunities and benefits to the local communities of both East Ayrshire and South Lanarkshire.

The local area is in need of an economic boost, with relatively high deprivation, particularly in employment and income, and has an older population suggesting a lack of opportunities for young people. As Scotland transitions towards a Net Zero economy, the impacts, and benefits of doing so must be fair – a Just Transition. By promoting a more strategic approach to development, with greater certainty and efficiency of investment, the local area could benefit from more sustainable employment opportunities.

Future committed and proposed wind energy development within the cluster alone is predicted to result in capital investment of up to £525 million, with an operational spend of approximately £18 million annually. A greater share of this investment could flow directly into the local economy and wider region through a more coordinated approach.

Key sectors and employment areas in the local area include:

- Construction (17% of employment)
- Accommodation and food services (10%)
- Transportation and storage (8%)
- Professional, scientific and technical activities (5%)



The construction and long-term maintenance of the existing and committed wind energy developments could be facilitated via shared construction and lay-down areas within a Renewable Energy Hub © Richard Carman



Productive timber forests are a key land use for the processing of timber locally for construction and other uses.

### Key Opportunities

#### Strategic Investment Plan

Coordinated by the Douglas Valley Initiative Economic Development Officer. Development of a strategy to maximise and realise the regional economic opportunities from a collaborative approach to development within the cluster.

#### Coordinated Local Procurement

A collaborative procurement strategy with an aim of ensuring that existing and new local and regional businesses secure a greater proportion of tender opportunities.

#### Diversifying & Building Local Skills

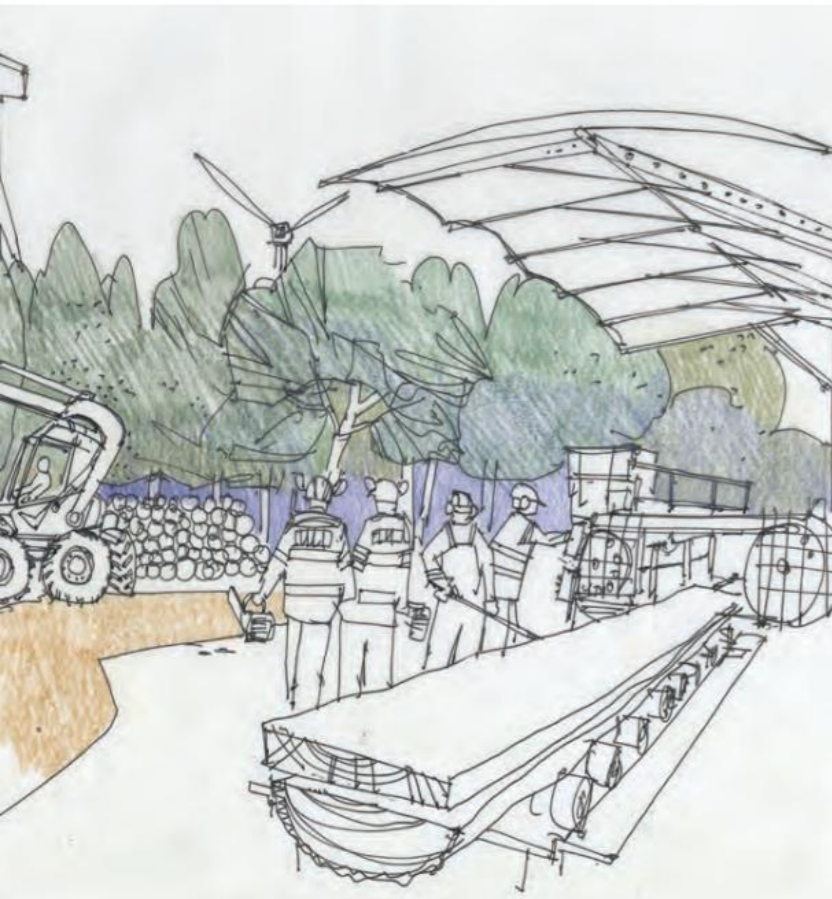
Identification and enhancement of existing skills within the local and regional economy which could be utilised and developed to support local, long-term and sustainable jobs in the green economy, building on the example of the Connect2Renewables initiative.

#### Tourism & Visitor Strategy

Creation of a recreation and tourism strategy for the cluster to identify opportunities for outdoor recreation, and visitor and tourism attractions focused on education and learning about renewable energy and nature.

#### Hagshaw Renewable Energy Hub

The creation of a regional 'Renewable Energy Hub' which supports the construction, servicing and maintenance, and eventual decommissioning and repowering of developments within the cluster and wider region, whilst supporting other Net Zero business opportunities.



Induse within the cluster, with opportunities to expand production and construction and biomass supply chains © Richard Carman

## Circular Economy Strategy

Promote a local and regional circular economy strategy where local skills, and materials are utilised to create a society where resources are valued and nothing is wasted. This could include the eventual reuse and recycling of renewable energy infrastructure, such as wind turbines.



The prospect of new industrial and logistics development at the Conexus hub adjacent to the M74 brings opportunities to establish a green energy hub and local employment © 3R Energy



The construction of over 300MW of committed wind energy development within the cluster has the potential to bring temporary and permanent jobs to the local economy © Alan O'Dowd (cc-by-sa/2.0)



## Key Objectives

- Maximise opportunities to support the development of local supply chain and skills as part of a green and circular economy.
- Promote longer term investment in infrastructure, through longer duration or in perpetuity consents for renewable energy developments and development envelopes.
- Ensure that communities benefit from the opportunity offered by the transition to a low carbon future.
- Deliver more effective and larger scale benefits to communities and the environment by working together to manage and invest community benefit funds.
- Promote opportunities for shared community ownership/location and investment in renewable energy development by communities.



## 5. Inclusive, Sustainable Growth

*Promoting and supporting a local economy which delivers locally*

Financial benefits from wind energy developments are currently delivered through grant initiatives such as the South Lanarkshire Renewable Energy Fund and Foundation Scotland. With 584MW of committed wind energy development within the cluster to be delivered in the coming years, this could generate up to £2.7 million in direct annual benefit payments to communities around the cluster. Subject to community-led decision making on how to use and invest funds, potential recreation and tourism facilities could bring further economic benefits to communities.

A significant opportunity for employment land exists at the proposed Conexus hub. Promoted as a strategically located logistics, energy & industrial hub at the crossroads of Scotland, it provides the ideal foundation to establish a new thriving local economy of industries around green energy.

The committed wind energy development in the cluster could deliver the following economic benefits locally:

Up to **£47m**  
Gross Value Added  
(GVA) and 650 job years  
during construction

Up to **£6m**  
GVA and 80 jobs  
annually during  
operation

Up to **£2.7m**  
per year in community  
benefit payments for  
25-30 years

Source: Data collated and analysed by Biggar Economics, 2021



A Renewable Energy Hub, creating sustainable jobs supporting the deployment, servicing and maintenance of renewable technologies within the cluster and beyond © Richard Carman

### What does success look like?

#### Enhanced Local Economy

A greater share of capital investment and annual spend flowing directly into the local and regional economy from development within the cluster.

#### Investment in Communities

An increase in community benefit payments into communities around the cluster from deployment of additional renewable energy development, including wind energy and co-located technologies, and other businesses and activities.

#### Skilled Green Energy Jobs

Creation of new skilled industries, businesses and sustainable jobs in the local and regional green economy.  
  
A decrease in local deprivation and unemployment, through creation of opportunities for the local population.

#### Diversified Visitor Economy

The creation of jobs and businesses indirectly related to renewable energy development, and increased visitor numbers through the creation of new recreation and tourism opportunities.

#### Renewable Energy Hub

Establishment of flagship regional 'Renewable Energy Hub' providing sustainable jobs within renewable technologies within the cluster and beyond.



Note: this schematic plan identifies indicative areas of opportunity where potential benefits could be delivered, subject to further detailed survey and development.

**Key**

- Conexus Hub Sites
- Key Settlements & Communities
- Wind Farms outside of the Hagshaw Energy Cluster
- Wind Farms within the Hagshaw Energy Cluster
- Potential Renewable Energy Hub
- Regional Connectivity
- Capital Investment and Community Benefit
- Employment Opportunities

**Potential Renewable Energy Opportunities**

- Wind Energy
- Solar PV
- Hydropower
- Carbon Capture
- Energy Storage
- Green Hydrogen Production

**Potential Supply Chain & Employment Opportunities**

- Development and Construction
- Servicing and Maintenance
- Manufacturing

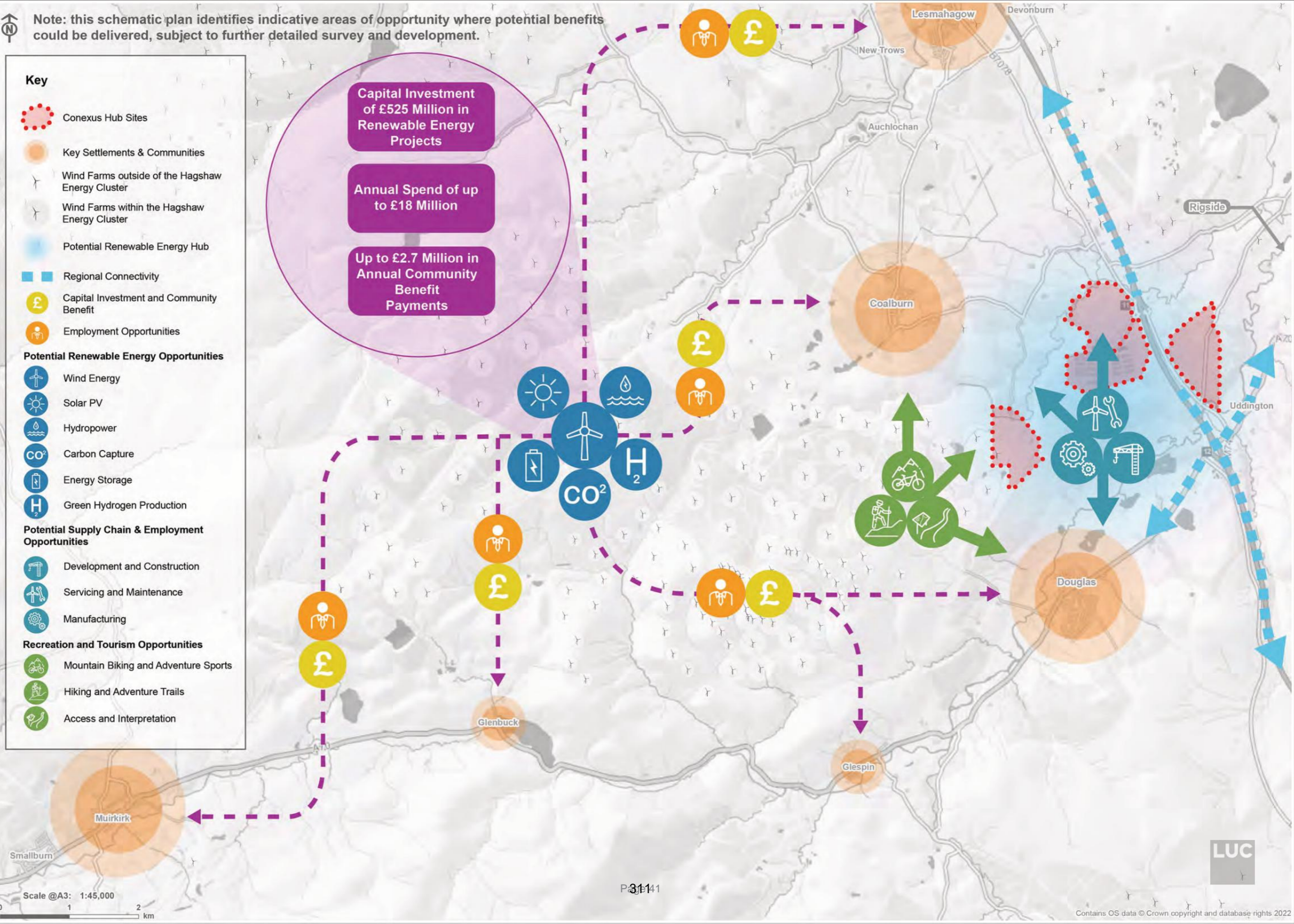
**Recreation and Tourism Opportunities**

- Mountain Biking and Adventure Sports
- Hiking and Adventure Trails
- Access and Interpretation

Capital Investment of £525 Million in Renewable Energy Projects

Annual Spend of up to £18 Million

Up to £2.7 Million in Annual Community Benefit Payments





## 6. Outdoor Recreation to Support Health and Wellbeing

*Creating opportunities for healthy, happy and active communities*

The Scottish Government is committed to creating a wellbeing economy which secures sustainable, inclusive growth for everyone, in all parts of Scotland. Promoting opportunities for improved access to outdoor greenspace and participation in outdoor recreation and learning, regardless of any physical or mental disability, can help build social cohesion and promote active and healthy lifestyles. This is at the heart of creating and maintaining sustainable communities, and a National Public Health Priority.

The Development Framework promotes a more inclusive approach to identifying ways to work together to support and enhance the health and wellbeing of communities and visitors to the area. Whilst extensive networks of local Core Paths exist within East Ayrshire and South Lanarkshire, the cluster offers opportunities to deliver aspirational and crossboundary links between communities, as identified in existing Core Path Plans.

Promoting active travel, via walking, running, cycling or other alternative means can play a role in improving physical and mental wellbeing, as well as assisting in the transition to a low carbon economy.

Ensuring communities are connected via functional green networks is a key principle of the GCV Green Network Partnership Blueprint for Strategic Access Networks - *facilitating the off-road movement of people around and between communities through Green Active Travel routes and greenspace.*

The Hagshaw Energy Cluster also offers a unique opportunity to promote the area as a regional visitor destination for organised outdoor recreation and adventure sports, accessible to large population centres via the M74 and A70 road links, with an initial focus on areas in the south and east of the cluster, close to communities, local businesses and other existing local amenities.



Enhanced outdoor spaces to live, work and play in and creation of opportunities for community and visitor destinations © Richard Carman



Enhanced and new infrastructure for recreation and access to neighbouring communities © Richard Carman

### Key Opportunities

#### Connected Local Green Spaces

Enhancement and creation of connected formal and informal outdoor open spaces which are accessible to all – within the key communities around the cluster, and connected by an enhanced and maintained Core Path Network.

#### Active Play for All

Delivery of high-quality infrastructure for formal and informal outdoor play in communities around the cluster, e.g. traditional and natural play areas, pump track for cycling, roller skating, skateboarding etc.

#### Local Active Travel Links

Delivery of safe active travel links for walking and cycling between the key communities surrounding the cluster. Including Lesmahagow, Coalburn, Douglas, Glespin and Muirkirk, reducing the need to travel by car, and improving residents health and well-being.

#### A Regional Active Travel Network

Development and delivery of an active travel strategy which provides local links between communities, and wider regional links to communities and the River Ayr Way, Clyde Walkway, and the National Cycle Network east of Douglas.

#### Access & Recreation Strategy

Development of a recreation and access strategy for the whole cluster which identifies coordinated opportunities for promoting responsible access, connectivity and delivery of infrastructure, whilst respecting the nature, existing land use and communities, and management of existing crime and antisocial behaviour.



onal activities within the extents of the cluster and

## Outdoor Recreation & Adventure Hub

Creation of an outdoor and adventure recreation hub which promotes use of existing infrastructure, such as on site wind farm access tracks for walking, running and mountain biking, e-biking (powered by renewable energy), creating a local identity and providing facilities for visitors and local employment opportunities.



The network of existing wind farm access tracks offer endless opportunities for physical recreation and exploration, similar to the successful Whitelee Wind Farm - now renowned as Greater Glasgow's 'largest park' © Alan O'Dowd (cc-by-sa/2.0)



Providing public access to woodlands and forests around the cluster and surrounding area to support both mental health and wellbeing. Spending time in woodlands has been proven to have a positive effect on alleviating conditions such as depression and anxiety © LUC



## Key Objectives

- a.) Promote outdoor recreation across the cluster and beyond, to support the physical and mental health and wellbeing of local communities and visitors to the area.
- b.) Maximise the suitability of existing paths and roads and to provide a coherent network of access opportunities.
- c.) Deliver enhanced local and regional active travel and transport networks, with links to wider walking and cycling routes.
- d.) Develop and promote the cluster as a hub destination for organised formal recreation such as walking, running, mountain biking, e-biking etc.
- e.) Promote opportunities for inclusive outdoor recreation, through infrastructure which provides access for all abilities.



## 6. Outdoor Recreation to Support Health and Wellbeing

*Creating opportunities for healthy, happy and active communities*



Creating safe and secure opportunities for commuting via active modes of transport between communities and potential employment centres © LUC



Waymarked trails for mountain or gravel biking, walking or horse riding to be developed around the cluster, initially focusing on areas close to population centres and existing amenities © Valenta (cc-by-sa/2.0)



Recreation and tourism hub facilities to promote and support local and regional visitors to the cluster, and diversified employment opportunities © Richard Carman

### What does success look like?

#### Contribution to Healthier Lifestyles

Improved health and wellbeing of all age groups within communities, through access to opportunities for outdoor recreation and adoption of more active lifestyles.

#### High Quality Open Space

Improved access to high quality open spaces connected by green corridors for local communities, creating healthy, happy places to invest, live, work and play within.

#### An Active Landscape

A network of diverse, accessible and high quality rides and trails for all abilities of cyclist e.g. mountain/family/beginner/trials/pump-track.

Networks of paths for walking, cross country skiing and roller skiing activities.

#### Enhanced Active Travel Links

Increased participation and visitor numbers to the area through the creation of new active travel links through the area, and recreation and tourism opportunities.

#### An Outdoor Destination

Establishment of a hub destination for outdoor recreation and adventure sports which is identifiable and promoted locally and regionally for the benefit of communities and visitors alike e.g. a potential Outdoor E-bike National Centre, powered by renewable energy.



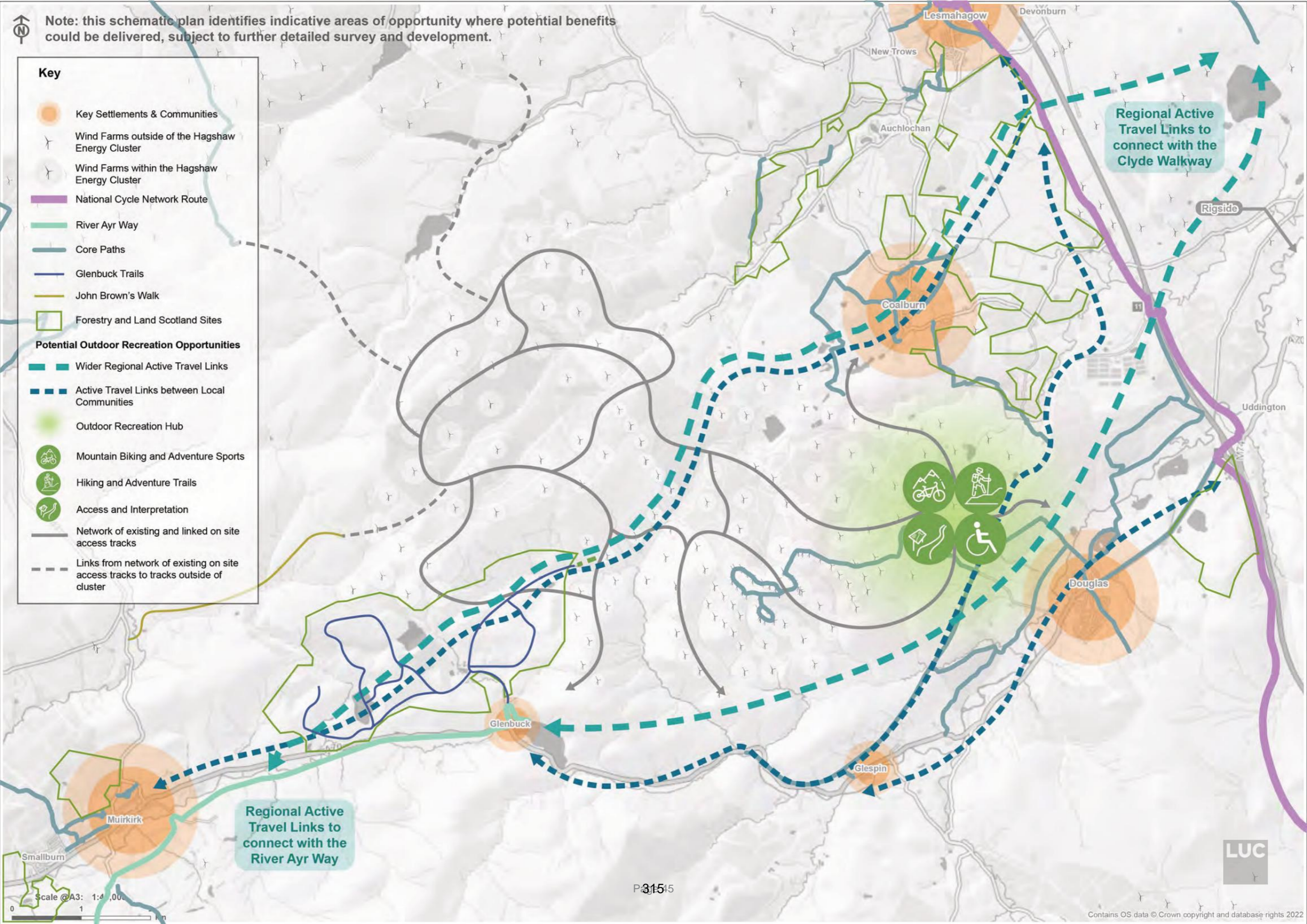
Note: this schematic plan identifies indicative areas of opportunity where potential benefits could be delivered, subject to further detailed survey and development.

**Key**

- Key Settlements & Communities
- Wind Farms outside of the Hagshaw Energy Cluster
- Wind Farms within the Hagshaw Energy Cluster
- National Cycle Network Route
- River Ayr Way
- Core Paths
- Glenbuck Trails
- John Brown's Walk
- Forestry and Land Scotland Sites

**Potential Outdoor Recreation Opportunities**

- Wider Regional Active Travel Links
- Active Travel Links between Local Communities
- Outdoor Recreation Hub
- Mountain Biking and Adventure Sports
- Hiking and Adventure Trails
- Access and Interpretation
- Network of existing and linked on site access tracks
- Links from network of existing on site access tracks to tracks outside of cluster



# Future of the Hagshaw Energy Cluster...

## Restoration of Valuable Peatlands

Opportunities for peatland restoration and the delivery of other nature based solutions in response to the challenges of a changing climate and the biodiversity crisis.



## Coordinated Enhancement of Nature

Creation, enhancement and restoration of habitats to support key priority species in the cluster and promote connectivity with other similar habitats.



## Repurposing of Existing Infrastructure

Utilising and enhancing existing and historic infrastructure to create safe and accessible links between communities, helping people connect and feel connected with their neighbours, whilst adding valuable opportunities for safe recreation.



## Reinvented Mineral Workings

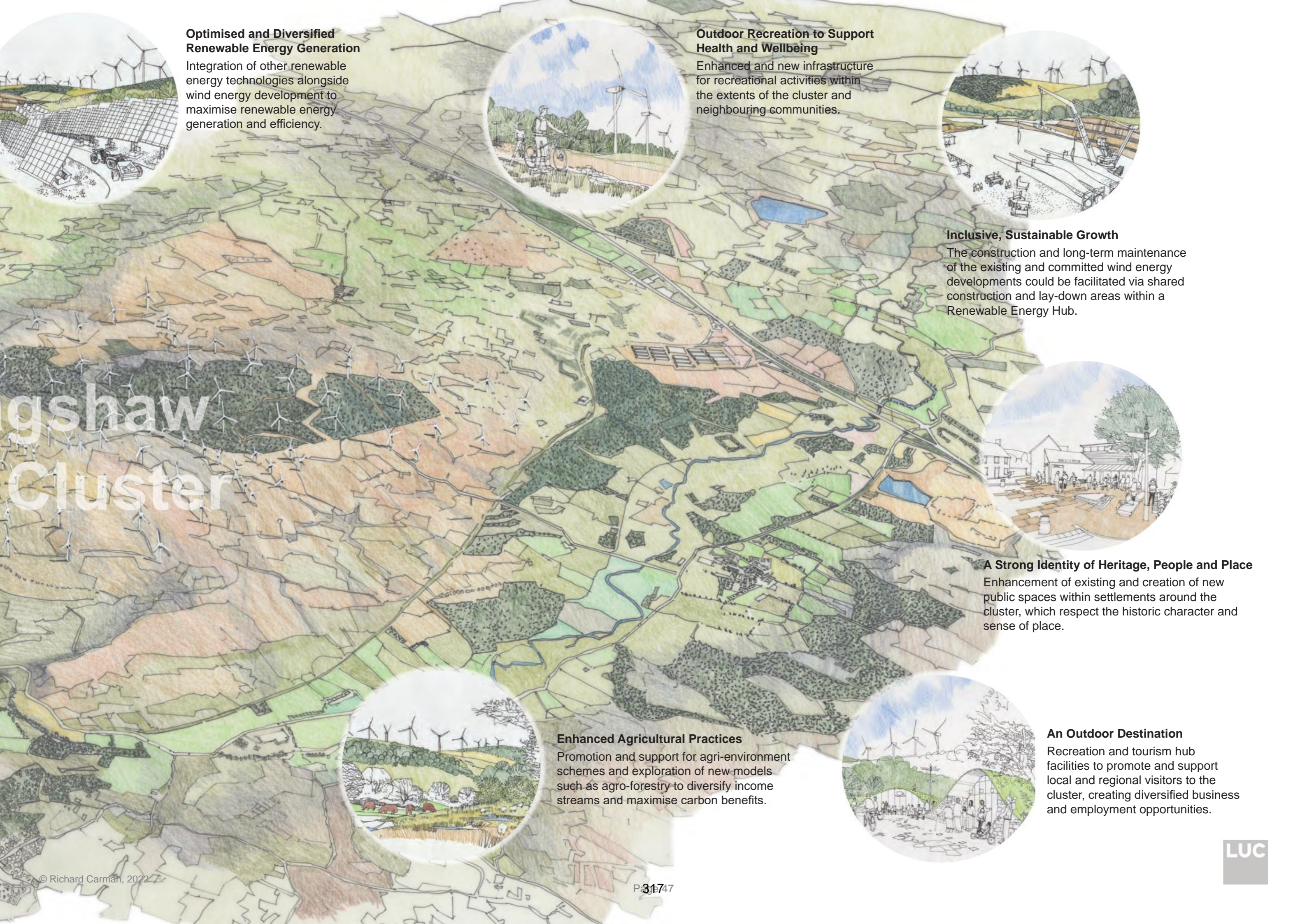
Reflecting and celebrating the past landuse, industry and employment of coal mining which has shaped the communities and landscape around the cluster, including the including the Spireslack geological features - a Scottish Carboniferous Research Park.



## Enhanced Connectivity

Improved connectivity between communities, through the enhancement of existing and creation of new active travel and public transport links - and linking of existing long distance promoted trails such as the River Ayr Way and Clyde Walkway.





### Optimised and Diversified Renewable Energy Generation

Integration of other renewable energy technologies alongside wind energy development to maximise renewable energy generation and efficiency.

### Outdoor Recreation to Support Health and Wellbeing

Enhanced and new infrastructure for recreational activities within the extents of the cluster and neighbouring communities.

### Inclusive, Sustainable Growth

The construction and long-term maintenance of the existing and committed wind energy developments could be facilitated via shared construction and lay-down areas within a Renewable Energy Hub.

### A Strong Identity of Heritage, People and Place

Enhancement of existing and creation of new public spaces within settlements around the cluster, which respect the historic character and sense of place.

### Enhanced Agricultural Practices

Promotion and support for agri-environment schemes and exploration of new models such as agro-forestry to diversify income streams and maximise carbon benefits.

### An Outdoor Destination

Recreation and tourism hub facilities to promote and support local and regional visitors to the cluster, creating diversified business and employment opportunities.

Gushaw  
Cluster



This technical annex sets out key design principles for wind energy development within the cluster, including new projects, extensions and the repowering of existing sites.

The Development Framework does not seek to define the extent of the cluster, which, to date, has been largely influenced by the following designated areas and physical features:

- The River Ayr Valley to the south-west, and River Douglas Valley, encompassing part of the Douglas Valley Special Landscape Area (SLA) to the south, south-east;
- The presence of the settlements of Coalburn, Douglas, Glespin, Lesmahagow and Muirkirk, and scattered residential properties to the south, south-east, east and north-east;
- The M74 corridor to the east, and the A70 to the south within the Douglas Valley; and
- The presence of the Muirkirk and North Lowther Uplands SPA and Muirkirk Uplands SSSI to the west and south-west.

The presence of the above, and the suitability of the Rolling Moorland landscapes found across the cluster and now defined as the Plateau Moorland Landscape Character Type (LCT), to accommodate large scale wind energy development has influenced the organic evolution of the cluster over the past 25 years. It is anticipated that these considerations will continue to influence and inform future wind energy development in the cluster.

The annex does not replace or supersede existing Supplementary Guidance published by East Ayrshire and South Lanarkshire Council's, such as the South Lanarkshire Landscape Capacity Study for Wind Energy (2016), but instead complements this where relevant, and sets out a locally specific design response for future wind energy development in the Hagshaw Energy Cluster.

## Key Design Principles

These design principles provide a guide to help shape further wind energy development within the cluster. They should be used at the scoping stage to inform both design and assessment throughout the EIA / Landscape and Visual Impact Assessments (LVIA) process, informed by the existing principles of good wind farm siting and design and alongside other planning policy and guidance. They do not alter or supersede existing planning policy, but are provided to help inform scoping and subsequent assessment.

- **Protect the residential amenity of the closest residents and communities to the cluster by avoiding unacceptable, adverse impacts informed by the EIA process;**
- **Relate to and where possible enhance the existing underlying landscape character of the area, taking account of existing wind farm developments and delivering the landscape opportunities set out in this Framework;**
- **Protect the integrity of locally designated landscapes (e.g. Douglas Valley Special Landscape Area (SLA) and East Ayrshire Sensitive Landscape Area), by avoiding unacceptable, adverse impacts;**
- **Avoid visual coalescence with other nearby wind farms or clusters of wind farms beyond the cluster; and**
- **Promote greater consistency and cohesion in turbine composition and scale across the cluster e.g. turbine spacing, elevation, rotor diameter and/or blade tip height.**

## A Development Framework for the Hagshaw Energy Cluster

### Planning for Net Zero

## Design and Assessment Viewpoints

The key design and assessment viewpoints have been informed by desk and field based survey, and a review of past LVIAs for developments within the cluster. The relevance of each viewpoint to the design and assessment of specific proposals will be dependent on the location, extent and scale of wind energy development proposed. Not all viewpoints will necessarily be included in future assessments – this is a standard list from which to identify the best ones to use for each project which are likely to capture the key considerations. In collaboration with relevant stakeholders, viewpoint(s) should be agreed on a case by case basis and may be microsituated to represent maximum visibility and the highest sensitivity receptors.

The approximate location of each viewpoint is shown on the map (right), and a description of the key receptors detailed below:

- **A - Muirkirk** - Representing views from the historic settlement and important cultural landscape within East Ayrshire.
- **B - River Ayr Way** - Representing views experienced by recreational users of the long distance walking route through East Ayrshire, following the River Ayr from source to sea.
- **C - Glenbuck** - Located in the historic conservation village of Glenbuck in East Ayrshire, and representing views experienced by local residents and visitors to village and nearby Ponesk-Spireslack FLS site.
- **D - Glespin** - Representing views experienced by residents within this small settlement located on the A70 within the Douglas Valley SLA.
- **E - Douglas** - Viewpoint to represent settlement located on the A70 within the Douglas Valley SLA to the south-east of the cluster, and protected heritage assets of Douglas Castle and Douglas Conservation Area.
- **F - M74/A70 near Uddington** - To represent views experienced by receptors travelling on the M74 and A70, and nearby NCN Route 74, and within the Douglas Valley SLA.
- **G - Coalburn** - Representing views from the settlement east, north-east of the cluster.
- **H - B7078/NCN Route 74** - Viewpoint represents views experienced by receptors travelling on the B7078 and NCN Route 74 to the east of the cluster.
- **I - Lesmahagow** - Viewpoint to represent settlement located to north-east of the cluster.
- **J - Logan Water** - Viewpoint located at transition to *Plateau Farmland LCT* and *Upland River Valley LCT* to north, north-east of the cluster.
- **K - B743 Muirkirk - Strathaven** - Located on the B743 passing through the upland *Plateau Moorland LCT* between Muirkirk and Strathaven.
- **L - Loudon Hill** - Viewpoint located at local hill summit near Darvel in East Ayrshire and within protected Inventory Battlefield. Representing views experienced by recreational receptors.
- **M - Cairn Kinney** - Located at hill summit in Southern Uplands of South Lanarkshire to the south of the cluster, representing views experienced by recreational receptors.
- **N - Cairn Table** - Located at hill summit in Southern Uplands on boundary between East Ayrshire and South Lanarkshire to the south-west of the cluster, representing views experienced by recreational receptors from edge of East Ayrshire Sensitive Landscape Area.
- **O - Rigside** - Viewpoint to represent settlement located on A70 above the Douglas Valley to east of the cluster.
- **P - Blackhill Cairn Fort** - Viewpoint at site of Scheduled Monument (SM) to the north-east of the cluster and overlooking the Middle Clyde Valley.
- **Q - Tinto Hill** - Regionally distinctive landmark hill within the Upper Clyde Valley & Tinto SLA to the east of the cluster.
- **R - Lowther Hill** - Regionally distinctive landmark hill on the Southern Upland Way long distance trail, and within the Leadhills and Lowther Hills SLA (location not shown on map).
- **S - Middlefield Law** - Local hill summit to the north of the Ayr Valley and settlement of Muirkirk, within the East Ayrshire Sensitive Landscape Area.



# Glossary of Terms

**20 minute neighbourhood** - A method of achieving connected and often compact neighbourhoods designed in such a way that people can meet the majority of their daily needs within a reasonable walk, wheel or cycle (within approx. 800m) of their home.

**Active travel** - Making journeys by physically active means, like walking or cycling.

**Biodiversity** - The variability in living organisms and the ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems (UN Convention on Biological Diversity, 1992).

**Biodiversity Net Gain (BNG)** - an approach which aims to leave the natural environment in a measurably better state than beforehand.

**Blue infrastructure** - Water environment features within the natural and built environments that provide a range of ecosystem services. Blue features include rivers, lochs, wetlands, canals, other water courses, ponds, coastal and marine areas.

**Brownfield** - Land which has previously been developed. The term may cover vacant or derelict and, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable.

**Carbon sequestration** - The long-term removal, capture, or sequestration of carbon dioxide from the atmosphere to slow or reverse atmospheric carbon dioxide (CO<sub>2</sub>) pollution and to mitigate or reverse climate change.

**Circular economy** - A circular economy is one that is designed to reduce the demand for raw material in products; to encourage reuse, repair and manufacture by designing products and materials to last as long as possible in line with the waste hierarchy.

**Community** - A body of people. A community can be based on location (for example people who live or work in or use an area), common identity (for example a shared ethnicity, language, age) or common interest (for example the business community, amenity, sports, social or heritage groups).

**Conservation Area** - Conservation areas are areas which have special architectural or historic interest that are considered worthy of protection. To be designated as a conservation area it must meet the criteria of 'special architectural or historic interest the character or appearance of which is desirable to preserve or enhance', as set out in Section 61 of the Planning Listed Buildings and Conservation Areas (Scotland) Act 1997.

**Community Hub** - A community hub is a multipurpose centre, such as a community centre, medical centre or school, that provides a range of high quality and cost effective services to the local community, with the potential to develop new services in response to changing community needs.

**Community facilities** - Buildings or services used by the community, including community halls, recreation centres, libraries, etc.

**Cumulative impact** - Impact in combination with other development. That includes existing developments as appropriate, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process.

**Decarbonisation** - Reducing the amount of gaseous carbon compounds released by buildings, activities or operations.

**Ecosystem services** - The benefits people obtain from ecosystems

**Energy storage** - Energy storage is the capture of energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production.

**Environmental Impact Assessment (EIA)** - A process of evaluating the likely significant environmental impacts of a proposed project or development, taking into account inter-related socio-economic, cultural and human-health impacts, both beneficial and adverse.

**Flood Risk** - The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.

**Forestry and Woodland Strategy** - A strategy prepared by a planning authority either singly or in collaboration with other planning authorities, which sets out policies and proposals for the development of forestry and woodlands in their area, according to the Planning (Scotland) Act 2019.

**Green hydrogen** - Hydrogen and oxygen produced by splitting water by electrolysis, stored hydrogen can then be used to provide heat and power, with only oxygen vented to the atmosphere with no negative impact. To achieve electrolysis requires electricity, which can be generated from renewable energy sources such as wind.

**Green infrastructure** - Features or spaces within the natural and built environments that provide a range of ecosystem services.

**Green networks** - Connected areas of green infrastructure and open space, that together form an integrated and multi-functional network.

**Green Space** - Space which provides a recreational function, an amenity function, or aesthetic value to the public such as areas of grass, trees, other vegetation and water.

**Habitat Management Plan (HMP)** - Provide a guide for land managers to facilitate works that will result over time in maintenance of, or increase in, the biodiversity value of retained and/or newly created habitats.

**Historic Environment** - The physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand.

**Just Transition** -The Climate Change Act 2019 embeds the principles of a just transition; this means as we reduce our emissions and respond to a changing climate, our journey is fair and creates a better future for everyone – regardless of where they live, what they do, and who they are. It is both the outcome – a fairer, greener future for all – and the process that must be undertaken in partnership with those impacted by the transition to net zero. It supports a net zero and climate resilient economy in a way that delivers fairness and tackles inequality and injustice.

**Landscape Character** - Created by the way the physical and cultural components of the landscape come together and can be defined as “a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another”. Scotland has a digital map-based national landscape character assessment (published in 2019) which defines Landscape Character Types (LCTs) across Scotland.

**Landscape and Visual Impact Assessment (LVIA)** - The process of evaluating the landscape and visual effects of a development proposal, as a component of a multi-topic Environmental Impact Assessment (EIA).

**Local Landscape Designation** - Designated landscapes where the scenery is highly valued locally. Defined and protected by policy at a local level across Scotland, where local development plans show their location (and associated policy). Referred to as Special Landscape Areas (SLAs) in South Lanarkshire and Sensitive Landscape Areas in East Ayrshire.

**Masterplan** - A strategic scheme within which a location is proposed to be regenerated or changed in order to meet a perceived challenge or strategic need.

**Natural Capital** - Natural capital is a term for the habitats and ecosystems that provide social, environmental and economic benefits to humans. Scotland has a wide range of these habitats and ecosystems - each of which makes a unique contribution to the wellbeing of those who live and work in Scotland.

**Nature based solutions** - Nature-based solutions use nature to help tackle environmental and social challenges, providing benefits to people and nature, and help us to mitigate and adapt to climate change.

**Nature network** - A Nature Network is a joined-up system of places important for wild plants and animals, on land and at sea. It allows plants, animals, seeds, nutrients and water to move from place to place and enables the natural world to adapt to change, providing plants and animals with places to live, feed and breed. Effectively functioning nature networks will connect existing nature rich areas through habitat corridors, habitat ‘stepping stones’ or habitat restoration areas.

**Net Zero** - Scotland has set a target to become 'Net Zero' by 2045. This means the amount of greenhouse gas emissions we put into the atmosphere and the amount we are able to take out will add up to zero.

**Open space** - Space within and on the edge of settlements comprising green space or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function.

**Placemaking** - Placemaking is the process of creating good quality places that promotes people's health, happiness and wellbeing. It concerns the environment in which we live; the people that inhabit these spaces; and the quality of life that comes from the interaction of people and their

**Priority species** - Animals, plants and habitats included on the Scottish Biodiversity List considered to be of principal importance for biodiversity conservation in Scotland.

**Renewable Energy** - Renewable energy, often referred to as green energy, comes from natural sources or processes that are constantly replenished from a source that is not depleted when used. Renewable sources of energy, such as wind, wave, tidal, solar, hydro and biomass are widely available and can substitute sources of fossil fuel.

**Sustainable development** - Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987.)

# List of Stakeholders

Blackwood and Kirkmuirhill Co-ordination Group  
Blackwood and Kirkmuirhill Community Resilience group  
British Horse Society  
British Trust for Ornithology (Ayrshire and Cumbrae)  
Butterfly Conservation Scotland  
Carluke Community Council  
Carluke Development Trust  
Central Scotland Bat Group  
Central Scotland Green Network  
Clyde River Foundation  
Clydeplan  
Coalburn Community Council  
Coalfields Communities Federation  
Coalfields Regeneration Trust  
Community Action Lanarkshire  
Community Land Scotland  
Community Links Scotland  
Development Trusts Association Scotland  
Douglas Community Council  
Douglas Water and Rigside Community Council  
Douglasdale Recreation, Environment, Access, and Leisure Group  
East Ayrshire Coalfield Environment Initiative Board  
East Ayrshire Council  
East Ayrshire Leisure  
East Ayrshire Woodlands  
Fisheries Management Scotland  
Forestry and Land Scotland  
Foundation Scotland  
Glasgow and Clyde Valley Green Network Partnership  
Greenspace Scotland  
Heads of Planning Scotland  
Historic Environment Scotland  
John Muir Trust  
Joint Radio Company  
Lanarkshire Area Tourism Partnership  
Landscape Institute / Landscape Institute Scotland  
Lesmahagow Community Council  
Lesmahagow Development Trust  
Local Energy Scotland  
Muirkirk Community Council  
Muirkirk Enterprise Group  
National Farmers Union of Scotland  
NATS Safeguarding  
NatureScot  
Ofgem  
Outdoor Access Trust for Scotland  
Paths for All  
Public Health Scotland

Rigside & Douglas Water Residents and Tenants Association  
Royal Society for the Protection of Birds  
RSPB Scotland  
Sandford/upper Avondale Community Council  
Scottish Development International  
Scottish Enterprise  
Scottish Environmental Protection Agency  
Scottish Forestry  
Scottish Government  
Scottish Government Energy Consents Unit  
Scottish Land and Estates (Clydeside)  
Scottish Outdoor Access Network  
Scottish Renewables  
Scottish Water  
Scottish Wildlife Trust  
ScottishPower Energy Networks  
Scotways  
Skills Development Scotland  
South Lanarkshire Biodiversity Partnership  
South Lanarkshire Council  
South Scotland Red Squirrel Group  
South Strathclyde Raptor Study Group  
Spirit of Lanarkshire Wind Energy Co-operative  
St. Brides Community Group, Douglas  
Stonehouse Community Council  
Sustrans Scotland  
The Coal Authority  
The Ramblers Association  
The Rural Development Trust Ltd  
University of the West of Scotland  
Visit Scotland  
Voluntary Action South Lanarkshire  
West of Scotland Archaeology Service  
Zero Waste Scotland

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Cumberhead West Wind Farm (Consented), website: <https://3renergy.co.uk/projects/cumberhead-west-wind-farm/>

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Douglas West Wind Farm (Operational), website: <https://3renergy.co.uk/projects/douglas-west-wind-farm/>

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Hare Craig Wind Farm (Consented), website: <https://www.energiekontor.co.uk/our-projects/hare-craig>

Galawhistle Wind Farm (Operational), website: <https://www.ventientenergy.com/our-portfolio/galawhistle/>

Nutberry Wind Farm (Operational), website: <https://community.falckrenewables.eu/2016/05/03/nutberry/>

## A Development Framework for the Hagshaw Energy Cluster Planning for Net Zero

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