

Report

Report to:	Planning Committee
Date of Meeting:	14 December 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/1183
Planning proposal:	Substitution of house types (Amendment to consent CL/15/0445)

1 Summary application information

Application type:	Further application
Applicant:	Allanwater Homes and Upper Braidwood Development Consortium
Location:	Land 125 metres east of 15 Lanark Road Lanark Road Braidwood Carluke

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: Sam Sweeney
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy DM1 New Development Design
Policy NHE9 Protected Species
Policy 1 Spatial Strategy
Policy 2 Climate change
Policy 3 General Urban Areas
Policy 5 Development Management and Placemaking
Policy 11 Housing
Policy 13 Green Network and Greenspace
Policy 14 Natural and Historic Environment

◆ Representation(s):



▶	0	Support Letters
▶	1	Comment Letter

◆ **Consultation(s):**

Roads Development Management Team

West of Scotland Archaeology Service (WOSAS)

Planning Application Report

1 Application Site

- 1.1 The application site, extending to 7.60 hectares, is located on Lanark Road in Upper Braidwood and comprises a mixture of sheds, greenhouses, boiler houses, (associated with existing and redundant nurseries), derelict land, an area of scrub, agricultural fields, curtilage of a dwellinghouse, a restaurant and car park. Within the perimeter boundaries but out with the application site are three detached dwellings. Topographically the site rises gradually in a west/east direction and in terms of vegetation cover, there are groups of trees scattered throughout the site and hedgerows along some of the perimeter boundaries.
- 1.2 The site sits within the settlement boundary of Upper Braidwood and is bounded to the west by Lanark Road (A73) (the main road corridor between Lanark and Carluke), a number of private dwellinghouses and beyond by agricultural land; to the east by agricultural land, Old Lanark Road and the large garden of a detached dwelling; to the north by a burn, agricultural fields and a farmhouse and steading; and to the south by residential dwellinghouses and agricultural fields. The site is a combination of 8 separate parcels of privately owned ground.

2 Proposal(s)

- 2.1 The applicant seeks planning permission to substitute house types on 125 of the 140 plots approved under Planning Permission CL/15/0445. The other 15 plots are unchanged as the owners of the land do not wish to sell to the current developer who intends constructing the proposed house substitutions which cover most of the site area. The road/footpath layout, amenity space, play area, landscaping, parking provision etc is the same as the plans for the original approval.
- 2.2 The proposed house types are different in style and design, however, they are on approximately the same footprint as the original approved plots with some minor variations. The proposal comprises 26 bungalows and 99 two storey dwellings (12 semi-detached) ranging from 3 to 5 bedroom. A variety of conventional and contemporary designs are proposed, appropriate to an urban setting. Parking provision has been allocated for each plot based on the number of bedrooms. For one to 3 bedroom dwellings two spaces have been allocated and for 4 bedrooms and above it is three spaces in accordance with current standards.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the vast majority of the site as lying within the settlement boundary of Upper Braidwood. The site is identified as a Proposed Residential Masterplan Site where Policy 1 - Spatial Strategy and Policy 11 - Housing apply. In addition, Policies, 2 - Climate Change, 3 - General Urban Areas and Settlements, 5 - Development Management and Place Making, 13 - Green Network and Greenspace, 14 - Natural and Historic Environment, DM1 - New Development Design and NHE9 - Protected Species are of relevance to the determination of this application.

3.2 Relevant Government Advice/Policy

- 3.2.1 In terms of residential development, Scottish Planning Policy (SPP) advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintain at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. In terms of development in the rural area, SPP states that most new development should be

guided to locations within or adjacent to settlements. Planning should take every opportunity to create high quality places and direct development to the right places, in particular by encouraging the re-use of brownfield sites.

3.3 **Planning Background**

- 3.3.1 Planning Permission CL/15/0445 for a residential development comprising 140 dwellings, associated road, infrastructure and landscaping was granted by Planning Committee in April 2016 subject to the conclusion of a Section 75 agreement for financial contributions towards education, affordable housing and community facilities. Once the Section 75 agreement was concluded, the decision notice was issued on 2 November 2018. The terms of the Section 75 agreement transfer to all further approvals within the application site area. Under normal circumstances, without any commencement of development on site this approval would have expired. However, the associated Town and Country Planning (Emergency Period and Extended Period (Coronavirus) (Scotland) Regulations 2021 has extended planning permissions which would otherwise have lapsed during the emergency period further to September 2022, keeping Planning Permission CL/15/0445 live.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** – Since this current application is subject to a previously approved live planning application, previously imposed conditions should be conditioned within any approval of this application. Having reviewed the proposal, there are no changes to plot location or road layout. An informative note should be added which states that this development will require the applicant to promote and implement a Speed Limit Order for the reduction of the posted speed limit from 40mph to 30mph for this section of the A73 Lanark Road. They offer no objections to this application subject to conditions.

In terms of the previous application CL/15/0445, Roads commented that the vehicular access to the site should be via a signalised junction which incorporates microprocessor optimised vehicle actuation (MOVA) control measures, and these signals should be installed by the Council's Traffic Signal Maintenance Contractor. The new junction will be subject to a full detailed design review and will include a pedestrian phase. In addition, further analysis of the existing signalised A73 Stewart Street/Glamis Avenue should be submitted for approval before works start on site. Furthermore, a safety audit should be undertaken and the possible relocation of the existing bus stop should be subject of discussion. A 2 metre wide footway should be included along the frontage of the site where it meets the A73. There will also be a link to Old Lanark Road for cyclists."

Response: Noted. If Planning Permission is granted, conditions attached to Planning Permission CL/15/0445 will be applied along with an informative note on a requirement for a Speed Limit Order.

- 4.2 **WOSAS** – have recommended a programme of archaeological investigations prior to the commencement of development on site due to the potential for archaeological finds.

Response: This matter can be covered by appropriate condition if permission is granted.

5 **Representation(s)**

- 5.1 In response to the neighbour notification process and the advertisement of the application in the local press due to non-notification of neighbours, 2 letters of objection and 1 comment letter have been received.

The issues raised are summarised below:-

- a) **Overlooking of existing neighbouring property at 1 Albert Park from Plots 112 / 113 which are two storey semi-detached dwellings.**

Response: These two storey dwellings will be relocated elsewhere within the development and replaced by a bungalow. Further, a condition will be attached to ensure the installation of a 1.8m high screen fence and the maintenance of mature trees, where appropriate, along the mutual boundary as a means of protecting privacy.

- b) **Position of Plots 114/115 may result in the loss of sunlight and overshadowing of rear garden.**

Response: The proposed plot at 115 is a bungalow and a shadow assessment has concluded that the proposed two storey dwelling at plot 114 will not result in any significant loss of sunlight or cause significant overshadowing.

- c) **Noise and disturbance from the kick about pitch. The kick about pitch and play areas should have been centrally located for ease of access for residents.**

Response: This application purely relates to house substitutions - there are no plans to alter the location of the kick about pitch and other amenity spaces, which have been approved by the previous consent. Therefore, the nature of this objection is not relevant to the assessment of this application. Notwithstanding, kick about pitches and play areas are commonplace features within the urban environment and there are intervening dwellings between the objector's house and the proposed kick about pitch. Due to the constraints of the layout and size of the pitch, the location chosen for it was deemed to be the most suitable. It will be primarily used by older children, and it will be within easy walking distance for all residents within the development. There are smaller amenity zones located throughout the development – details of proposed play areas for toddlers and young children have still to be submitted and approved. Environmental Health have separate legislative powers to deal with noise disturbance in the event of any future complaint being received.

- d) **Objector did not receive neighbour notification about previous planning application.**

Response: Records in the file for Planning Permission CL/15/0445 indicate that neighbour notification was sent to all neighbouring properties at the time the planning application was submitted.

- e) **Require landscaping plan detailing tree planting and trees to be retained as submitted for the previous approval.**

Response: Landscaping plans detailing trees to be planted and retained have been submitted.

- f) **Requested further information on how bats are to be handled during demolition of building and clarification on the usefulness of bat boxes. Due to the time lapse since the approval is the previous bat survey still valid?**

Response: Due to the sensitivity of such information details of bat surveys and mitigation measures are not made available to the general public. However, a Licence from Scottish Nature has been applied for, and any impact on Bats or their roosts will be in accordance with recognised standards. An updated bat survey was carried out between May and July this year by a qualified ecologist who recommended mitigation measures including the installation of bat boxes.

- g) **Impact upon natural habitats which are home to many animals including deer, squirrels, hedgehogs, rabbits, birds and a bat roost. What measures will be taken to protect wildlife?**
Response: A residential development has already been approved on the site, therefore, the principle of the development cannot be revisited. Notwithstanding as established by previous ecological surveys, there are no protected habitats or other habitats considered of importance to plants and wildlife affected by the proposal. Other than bats which will be subject of a bat protection plan no other protected species within the application site have been identified during ecological surveys. There is sufficient surrounding countryside and woodland where any displaced animals can recolonise. A condition will be attached to protect nesting birds.
- h) **Will existing conditions apply or will a new set be drawn up?**
Response: Relevant conditions will be re-applied or amended where appropriate. Additional conditions will be attached to take account of climate change objectives and the provision of digital broadband.
- i) **Uncoloured coded houses imply these houses can be built under the current umbrella of this application.**
Response: The applicant does not intend substituting or developing the plots shown white on the submitted layout, however, the proposed dwellings on these plots still benefit from the previous approval CL/15/0445.
- j) **As there is no suitable safe walking route from the site to the local primary school, children will have to be bused or driven to school.**
Response: This is a matter for the parents and the school authority and is discussed further in paragraph 6.11.
- k) **Will there be places for the additional families at the health centre and primary school.**
Response: This site has been identified as being suitable for housing in the current and previous adopted local plans for over 6 years without any issues on the capacity of the health centre to accommodate additional residents being raised. In terms of the previous Planning Permission CL/15/0445, Education Resources did not object subject to the developer providing a financial contribution for education accommodation in the school catchment areas for the site. The terms of the contribution have been set down in a Section 75 agreement between the developers and the Council.
- l) **Why was there a delay in the submission of the application and its final approval? Why was there an amendment to its final expiry date?**
Response: The delay in issuing a decision was a result of the time taken to conclude the associated Section 75 agreement. There has been no amendment to the expiration date other than by reason that all planning permissions which would have lapsed during the covid emergency period have been extended to September 2022.
- m) **What mitigation measures will be put in place to ensure no nests are damaged or destroyed during the development.**
Response: A condition will be attached to protect nesting birds.
- n) **Has an Environmental Impact Assessment (EIA) been carried out as it was marked as not available on the application form.**
Response: An EIA was not considered necessary for the current and previous planning applications for the site area. However, for the previous application

CL/15/0445 as the proposal related to a residential development which falls within the definition of 'major' development, as set out in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, the applicants undertook pre-application consultation prior to the submission of the planning application.

o) Loss of privacy as there will be new homes directly over rear fence meaning there will now be overlooking in the rear garden and rear house windows.

Response: Within high density urban areas there will always be some level of overlooking. The Council's Residential Guide recommends that there should be a minimum of 20 metres between directly facing habitable windows. The objector has not specified their address, however, in most cases proposed dwellings in the development adjoining existing houses are either bungalows or meet the requirements of the Residential Development Guide. A condition will be attached to ensure screen fencing is installed along mutual boundaries.

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

6 Assessment and Conclusions

6.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).

6.2 Policy 1 Spatial Strategy aims to ensure that development proposals are of a compatible scale and that a generous supply of housing land is provided in appropriate locations. District heating schemes are encouraged. The policy lists all projects that are appropriate to the spatial strategy including a residential masterplan site at Upper Braidwood covering the planning application site. In terms of the requirements for this specific area, the SLLDP2 states that the Council will discourage piecemeal proposals and seek a comprehensive and co-ordinated approach to the servicing and development of access and drainage in the area, ensuring green infrastructure, suitable housing provision including affordable housing and upgrades to the electricity network as required. The previous Planning Permission CL/15/0445 for 140 dwellings was compliant with the masterplan requirements at the time of assessment and pre-dated the adoption of the current Local Plan and the promotion of district heating which in this instance would be unreasonable to insist upon, especially as the proposal only relates to house substitution and does not involve changes to the approved layout. There was no identified need to upgrade the electricity network and the preference of Housing was for a commuted sum rather than on site provision of affordable housing. Therefore, the proposal complies with Policy 1.

6.3 Under Policy 11 - Housing, the application site is identified as part of the housing land supply in the proposed SLLDP2 proposals map and is included within the settlement boundary of Upper Braidwood where Policy 3 – General Urban Areas and Settlements advises that residential developments on appropriate sites will generally be acceptable. The residential development of the site positively contributes towards the Council's requirement to maintain a five year effective supply of housing land provision. Furthermore, effective housing land within the settlement of Upper Braidwood meets the aims of Scottish Planning Policy by providing a sufficient and sustainable supply of housing within an existing residential area with access to services nearby. Policy 11 encourages a range of house sizes and types to give greater choice in meeting the needs of the local community whilst recognising demands of the wider housing market area. In that respect the proposal includes a reasonable range of styles and housing types. The proposal satisfactorily complies with the aims of Policies 3 – General Urban Areas and settlements and 11 - Housing of the adopted local development plan and therefore the principle of the proposed development is acceptable.

- 6.4 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change by considering various criteria including: being sustainably located; reuse of vacant and derelict land; avoidance of flood risk areas; incorporating low and zero carbon generating technologies; opportunities for active travel routes and trips by public transport; electrical vehicle recharging infrastructure and where appropriate connection to heat networks. The site is located within the settlement boundary of Upper Braidwood where there is access to public bus routes and a number of services and facilities in the village which are within easy walking distance. The proposal will redevelop a significant area of brownfield land. The site is not at risk of flooding and a landscaping plan has identified trees to be retained along with additional tree planting. Conditions have been attached requiring the submission and approval of details for low carbon technology. Electrical vehicle recharging can be obtained from the electrical supply servicing the houses. In consideration, the proposals would not undermine the objectives of policy 2.
- 6.5 Policy 5 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance supports residential developments where they do not have a significant adverse effect on the amenity of the area. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials, and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, overshadowing, overlooking or visual intrusion. Policy DM1 - New Development Design reiterates these points and adds that modern innovative design can reflect local tradition through scale, massing, siting and colour rather than replicating existing building form. New houses should be designed in such a way as to incorporate high speed broadband connection.
- 6.6 The road layout, landscaping, amenity, drainage infrastructure etc and streetscene character remains largely unchanged. House replacements are similar to the footprint, curtilage, driveway, and parking provision as the originally approved dwellinghouses which are being substituted. The size, scale and design of the dwellings are in keeping with the established character of the area, will not adversely affect residential amenity and are largely compliant with guidance in the Residential and Rural Design Guides. The proposal will not have a significant impact upon landscape features, protected habitats or species. There are no infrastructure constraints. Roads and Transportation Services have not raised any traffic or public safety issues in their consultation response. Adequate parking, turning areas and access can be provided. A condition has been attached requiring approval of measures to facilitate the provision of full fibre broadband. In view of the above, it is considered that the proposal would relate satisfactorily to adjacent development, and the character and amenity of the residential area would not be impaired by reason of traffic generation, parking, visual intrusion or physical impact. The proposal is therefore satisfactory in terms of Policies 5 and DM1 of the adopted Local Plan.
- 6.7 The site forms part of the Green Network where Policy 13 – Green Network and Greenspace seeks to enhance and extend the green network as a means of contributing towards placemaking, enhancing health and supporting biodiversity. Landscaping represents a significant element of the proposed layout and is diffused throughout the site in both private and public space, around play areas, swales and along the roadsides and footpaths. The landscaping spread and distribution throughout the site accords with Policy 13.

- 6.8 Policy 14 – Natural and Historic Environment states that the Council will assess all development proposals in terms of their impact on the natural and historic environment, including landscape. The Council will seek to protect important natural and historic sites and features from adverse impacts resulting from development, including cumulative impacts. Development affecting protected species will not be permitted unless it can be justified in accordance with the relevant protected species legislation. Since bat roosts were identified in some of the existing buildings on site which are to be demolished this matter will be considered further under the terms of Policy NHE9 – Protected Species.
- 6.9 Policy NHE9 – Protected Species states all development that would impact on a European Protected Species will not be permitted unless it can be shown that:-
- ◆ the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment
 - ◆ there is no satisfactory alternative
 - ◆ the development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range
- 6.10 In response to the first test, the site has been identified for some considerable time as a suitable housing site for purposes of meeting housing demand in the medium to long term. The derelict nature of part of the site represents an eyesore and the re-use of previously developed land is supported by the Scottish Government. In respect of the second test there is no alternative other than leaving the site in its present condition. Three roosts, two non-breeding summer roosts and one transient roost, used by a small number of Soprano Pipistrelle bats, were identified in three separate buildings, earmarked for demolition, over the course of two bat surveys, one in June 2015 and the most recent during summer 2021. The applicant has applied to Scottish Nature for a bat licence to legally remove these roosts, during demolition – the application includes a bat protection plan outlining procedures for the removal of the roosts and mitigation measures including compensatory bat roost provision incorporated into the structure of some of the new build dwellings (either bat slates/tiles on new build roofs or bat tubes). The procedures adopted will not harm either individual bats or the local/regional status or national status of bats, therefore, the terms of the third test have been met. It is considered the proposal will not adversely affect bats and complies with the requirements of Policies 14 and NHE9.
- 6.11 This application has been resubmitted following deferral from the previous Planning Committee on 16 November 2021. Members at the November Committee had raised issues about safe routes to school, therefore, the application was deferred to enable time to consider these points and elaborate on findings in an updated report to be presented to the next available Committee. Ultimately, the assessment of safe routes to school falls outwith the planning remit and is primarily a matter between parents and the school authorities. Any primary school pupil that lives more than a mile from their catchment school by the shortest walking route is entitled to free school transport. School transport is provided on the same basis for any secondary pupil that lives more than two miles away from their catchment school. In the case of this residential development, it is considered that the distance to Braidwood Primary School, St. Athanasius' Primary School and Carluke High School are less than the threshold distance for the provision of free school transport, unless an assessment carried out by the Roads Safety Team, instigated by parents in liaison with the school authority, deems the walking route for a child accompanied by an adult to be unsafe. In response to an application for free mainstream school transport due to road safety, Education

Resources measure the distance from home to school using a Geographical Information System (GIS) in accordance to agreed procedures. In the case of St. Athanasius' Primary School this may result in a qualification on the grounds of distance, dependant on the individual home to school distance being ascertained from this process. The routes do involve having to cross the A73, (Lanark Road) which is a busy route, being the principal road corridor between Lanark and Carluke. The safety concerns in crossing this road were fully considered during the determination of the original Planning Permission CL/15/0445 and relevant conditions relating to road safety were applied and these conditions have been reapplied. Condition 08 'Signalised junction' (see list of conditions below) requires the installation of a signalised junction with pedestrian phase prior to the occupation of any dwellings. This will ensure vehicular access to the site from the A73 will be controlled by a 3-arm signal-controlled junction. The wording of this condition has been revised to provide more clarity by including specific reference to the pedestrian phase on the A73 at the proposed access point. Condition 12 stipulates that the new traffic signal installation to serve the development shall be undertaken by the Council's Traffic Signal Maintenance Contractor. Also, Condition 32 'Safety audit' has been added to ensure a full safety audit is undertaken prior to any commencement of work on site. It should also be noted that paragraph 4.1 above, states that an informative note will be attached to a Decision Notice if permission is granted, advising that a 30mph Speed Limit Order will be required as part of the development. With the implementation of these measures, children accompanied by adults as determined within the walking route to school assessment guidelines, will be able to cross the A73 safely, on the west side of which is an existing footway thereon providing pedestrian connection via the existing footway and footpath network to Carluke and Braidwood.

- 6.12 In view of all the above and taking into account the current local development plan context, the previous Planning Permission CL/15/0445 for 140 dwellings which remains live, and the supporting information submitted with the application, the proposed house substitutions, an amendment to CL/15/0445, are deemed to be acceptable. The proposals represent an appropriate form of residential development for the site, and it is therefore recommended that detailed planning consent be granted subject to the conditions listed.

7. Reasons for Decision

- 7.1 The proposal will have no adverse impact on residential or visual amenity and raises no road safety concerns. The development complies with Policies 1, 2, 3, 5, 11, 13, 14, NHE9 and DM1 of the adopted South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 3 December 2021

Previous references

- ◆ CL/15/0445
- ◆ Planning Committee - 16 November 2021

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 23 July 2021

►	Consultations	
	Roads Development Management Team	29.09.2021
	West of Scotland Archaeology Service	03.08.2021
►	Representations	Dated:
	Alfred Dickson, Windygates, 1 Albert Park, Braidwood, Carluke, South Lanarkshire, ML8 4RZ	13.08.2021
	Mrs Rosalind Yung, 6 Albert Park, Braidwood, ML8 4RZ	12.08.2021
	Emma Henderson, Received Via Email	16.09.2021

Contact for further information

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
 Phone: 01698 455174
 Email: ian.hamilton@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: In the interests of amenity and in order to retain effective planning control.

02. That proposals for the maintenance of all areas of open space, landscaping and play/recreation areas within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

Reason: In the interests of amenity.

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

04. That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

05. That before any work commences on the site, a scheme for the provision of play area(s) and kick about pitch within the site(s) detailed on the approved plans shall be submitted to the Council as Planning Authority for written approval and shall include:(a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s); (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; (c) details of the fences to be erected around the play area(s); and (d) details of the phasing of these works.

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

06. That before each phase approved under the terms of condition 14 below is completed, the entire access road and footpath network serving the approved phase shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.

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. No dwellinghouse shall 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 unless otherwise agreed in writing by the Council.

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. Prior to the commencement of any development on site, a detailed scheme, showing the design and specification for the installation of the signalised junction with MOVA control measures, including pedestrian phase, on the A73, at the proposed access, shall be submitted to and approved in writing by the Council as Planning and Roads Authority. Thereafter the approved scheme shall be implemented to the satisfaction of the Council and be in operation before any house within the development is occupied.

Reason: In the interest of public safety.

09. Prior to occupation of any part of the development hereby approved the existing bus stops adjacent to the A73 Lanark Road shall be relocated to a position to be agreed with the Council as Roads and Planning Authority and Strathclyde Partnership for Transport and enhanced by the provision of access kerbs of a type to be approved by the Council as Planning and Roads Authority following consultation with Strathclyde Partnership for Transport.

Reason: To be consistent with the requirements of SPP and Planning Advice Note 75.

10. Prior to the commencement of any part of the development details of all pedestrian and cycle links to the existing networks shall be submitted to and approved by the Council as Planning Authority. Thereafter the approved scheme shall be implemented to the satisfaction of the Council and be in operation before any house within the development is occupied or other timescale agreed in writing by the Council.

Reason: To be consistent with the requirements of SPP and Planning Advice Note 75.

11. That prior to works commencing on site, further junction analysis at the signalised junction at A73 Stewart Street and Glamis Avenue shall be submitted by the applicant for the approval of the Council as Planning and Roads Authority.

Reason: In the interests of efficient traffic movement.

12. That the new traffic signal installation to serve the development or alterations to the existing traffic signal system on the A73 shall be undertaken by the Council's Traffic Signal Maintenance Contractor to the satisfaction of the Council as Planning and Roads Authority.

Reason: In the interests of road safety and in order to retain effective planning control.

13. That before the occupation of any houses, a 2 metre wide footway shall be constructed along the A73 frontage of the site to the specification of the Council as Roads and Planning Authority.

Reason: In the interest of public safety.

14. No development shall take place within the site until a detailed Phasing Scheme (the Scheme) has been submitted by the developer to, and approved in writing by, the Council as Planning Authority. The Scheme will include, amongst other items, the phasing of the construction of roads and SUDS features, landscaping, play areas and kick about pitch and will specifically include a timetable for implementation. Thereafter, the development will be carried out strictly in accordance with the terms of the Scheme as approved, unless the Planning Authority gives written consent to any variation or variations of the Scheme (including the timetable for implementation), in which case the development will be carried out strictly in accordance with the Scheme as varied from time to time.

Reason: To ensure that the development proceeds in an orderly manner.

15. That the maximum gradients of the road system within the development shall be no greater than 8%.

Reason: In the interest of public safety.

16. That internal visibility splays of 2.4 metres by 25 metres measured from the road channel shall be provided and maintained in both directions at all junctions and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed, or erected within these sight lines.

Reason: In the interest of road safety.

17. That none of the driveways shall have a gradient in excess of 1:10.

Reason: In the interest of public safety.

18. 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: These details have not been submitted or approved.

19. 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 18 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

20. That no dwellinghouse shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a sewerage and water scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.

Reason: To ensure that the development is served by an appropriate effluent disposal system and water supply.

21. That no development shall take place within the development site as outlined in red on the approved plans until the developer has secured the implementation of a programme of archaeological work 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: In order to safeguard any archaeological items of interest or finds.

22. That the development shall be carried out in accordance with the measures and method statement set down in the Appendix 2 'Bat Protection Plan' of the Bat Roost Surveys (Acorna Ecology Ltd, May - July 2021) including further bat surveys and the installation of bat boxes on the completion of the development.

Reason: In the interests of wildlife.

23. That before each phase of the development hereby approved is completed or brought into use, or as otherwise agreed in writing with the Council as Planning Authority, the new vehicular access serving that part of the development 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 interest of public safety.

24. That before each phase of the development hereby approved is completed or brought into use, the entire access road and footpath network serving that part of the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: In the interest of public safety.

25. That before any work starts on site details of an acoustic barrier shall be submitted to the Council as Planning Authority for its consideration and written approval. The proposals shall ensure that the external day time noise level between 07.00 and 23.00 shall not exceed an LAeq.16hrs of 50dB when measured free field within the curtilage of any external amenity area. The external night time noise level between 23.00 and 7.00 shall not exceed an LAeq.8hrs of 40dB when measured free field within the curtilage of any external amenity area.

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

26. That before any of the dwellinghouses are occupied, a 1.8 metre high screen fence shall be erected along the boundaries marked yellow on the approved plan subject to minimising impact upon existing boundary trees.

Reason: To protect the privacy of neighbouring dwellings.

27. 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.

28. Prior to the commencement of development on site, an energy statement covering the new build element of the approved development which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 10% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:

- a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 10% reduction beyond the 2007 building regulations CO2 standard;
- b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
- c) an indication of the location and design of the on-site energy technologies; and
- d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.

Reason: To secure a reduction in carbon dioxide emissions.

29. The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.

Reason: To secure the timeous implementation of on-site zero and low carbon energy technologies.

30. 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.

31. No ground preparation works shall take place during the bird nesting season (March - July). If any such works are proposed during the bird breeding season the area proposed for works and a 50m buffer shall be checked by an ecologist to determine if any breeding birds with active nests or dependent fledglings are present. If any are present, then works must not take place until the breeding cycle is complete for those individual birds.

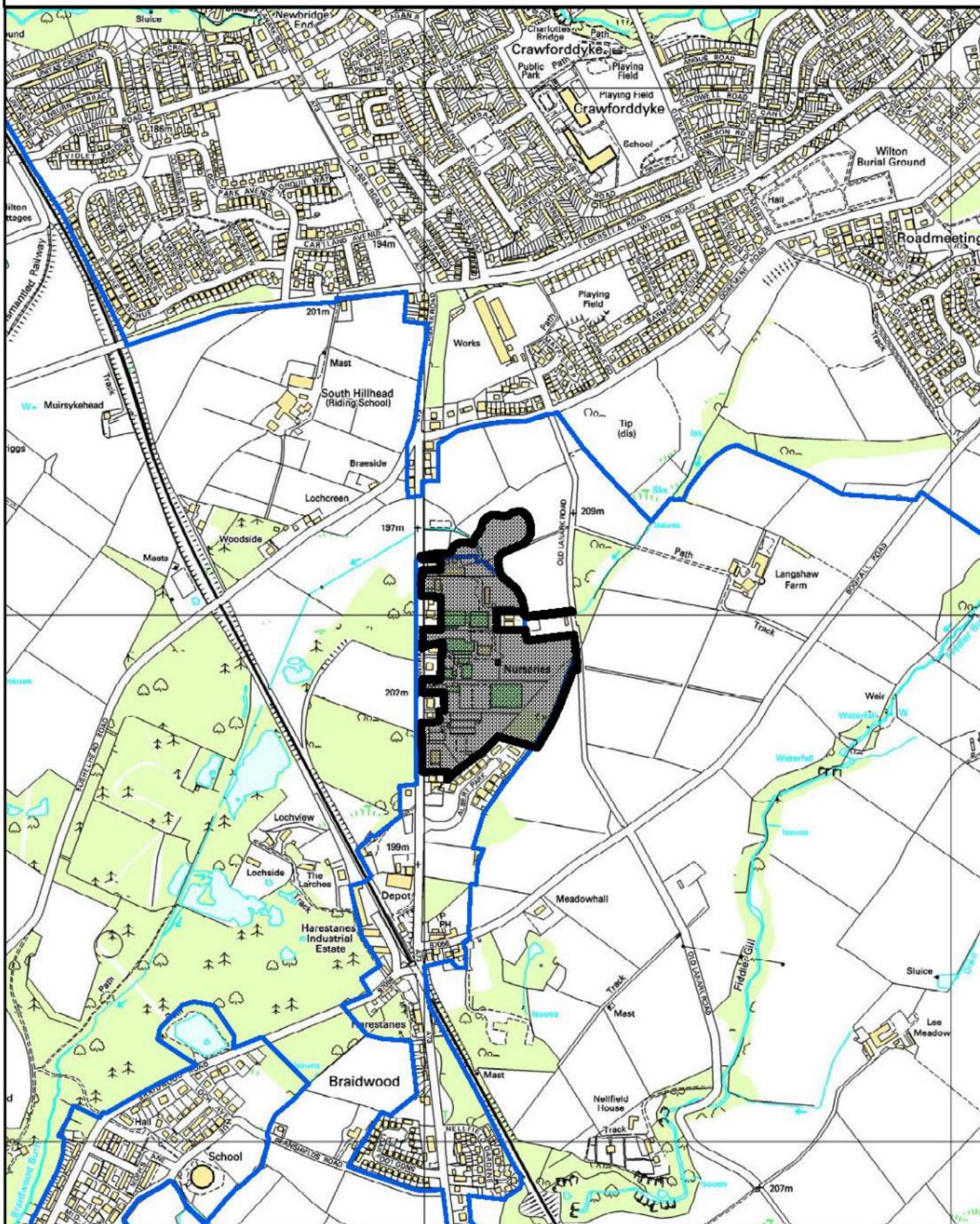
Reason: In the interests of nesting birds.

32. That prior to the works commencing on site, a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, shall be submitted to the Council as Planning and Roads Authority for approval for all infrastructure to be constructed and adopted, or altered, on the public road.

Reason: In the interests of public and traffic safety.

P/21/1183

Land 125M East of 15 Lanark Road, Braidwood



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Scale:
1:10,000
Date:
26/10/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development