

Report

Report to:	Planning Committee
Date of Meeting:	5 October 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application No	P/21/0730
Planning Proposal:	Erection of 52 Houses with Associated Infrastructure including Roads, Drainage, SUDS Pond and Landscaping

1 Summary Application Information

- Application Type: Detailed Planning Application
- Applicant: Robertson Homes
- Location: Site next to Hillcrest
Strathaven Road
Hamilton

2 Recommendation(s)

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

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

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application
- (2) If planning consent is granted, the decision notice should be withheld until a Planning Obligation is concluded 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.

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 contributions 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 applicant.

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted)**
 - Policy 1 - Spatial Strategy
 - Policy 5 - Development Management and Place Making
 - Policy 7 - Community Infrastructure Assessment
 - Policy 11 - Housing Land
 - Policy 12 - Affordable Housing
 - Policy 14 - Natural and Historic Environment
 - Policy 15 - Travel and Transport
 - Policy 16 - Water Environment and Flooding
 - Policy SDCC2 - Flood Risk
 - Policy SDCC3 - Sustainable Drainage Systems
 - Policy SDCC4 - Sustainable Transport
 - Policy DM1 - New Development Design
 - Policy DM15 - Water Supply
 - Policy DM16 - Foul Drainage and Sewerage
 - Policy NHE 9 - Protected Species
 - Policy NHE18 - Walking, Cycling and Riding Routes
 - Policy NHE20 - Biodiversity

- ◆ Representation(s):

- ▶ 0 Objection Letter
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

- ◆ Consultation(s):

Roads (Development Management Team)

Roads (Flood Risk Management)

Environmental Services

Countryside and Greenspace

Community and Enterprise Resources – Play Provision

Education Resources

Scottish Water

Planning Application Report

1 Application Site

- 1.1 This application relates to an area of land, measuring 3.2 hectares in area, located on the south eastern side of Strathaven Road, to the south of Hamilton. The site wraps around the former waterworks facility on Strathaven Road, which is the subject of separate applications, by the applicants, for a residential development and associated roundabout (applications HM/17/0089 and HM/17/0090).
- 1.2 The land surrounding the application site is currently agricultural in character, however, a residential property, known as Hillcrest, lies immediately adjacent to the site. It is noted that the application site and parts of the adjoining land, including the former waterworks site, are identified as being part of the Hamilton Community Growth Area (CGA) within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). These areas will therefore be the subject of future residential development proposals as part of the Hamilton CGA. In this regard it is noted that “Planning in Principle” was granted in May 2017, following the conclusion of the associated planning obligation under Section 75 of the Planning Act, for the development of parts of the designated Hamilton CGA (Application no.: HM/10/0052). In addition, several detailed submissions for residential development have been approved and works have already commenced on site to deliver these proposals at Meikle Earnock Road and Highstonehall Road. It is also expected that applications for further residential development within the Hamilton CGA, within land on the opposite side of Strathaven Road, will soon be lodged with the Council for consideration.
- 1.3 There is no direct access onto Strathaven Road in association with this current application as it is proposed to take access through the proposed development within the adjacent former waterworks facility site.

2 Proposal(s)

- 2.1 Through this current submission, the applicants seek consent for the erection of a residential development, comprising 52 detached units, associated parking, the provision of amenity space and SUDs pond.
- 2.2 The current proposals would in effect be an extension of the proposed development (37 dwellings) within the former waterworks facility site (HM/17/0089 and HM/17/0090). If approved, this would result in an overall residential development, by the applicants, of 91 dwellings at this location. An additional two units could be provided within the waterworks proposals as a result of the relocation of the SUDs pond to within the current application site. As noted above, access to this site would be taken from the proposed new roundabout on Strathaven Road, via the adjacent housing development proposals.
- 2.3 The current proposals have been designed to accommodate linkages into the adjoining land to the north of the site to ensure the future development of these areas as part of the CGA and also address the level changes on site.
- 2.4 In terms of design, the proposed residential properties will be of a modern appearance and comprise detached, two and two and a half storey properties, similar to those proposed for the adjoining site. The various will vary in size and include a mixture of 4, 5 and 6 bedroom properties. All properties will benefit from appropriate off street parking provision with a minimum of three spaces.

- 2.5 It is noted that the application proposals were the subject of Pre-Application Consultation (PAC) in the form of an on-line exhibition in January 2021. A PAC Report has been submitted in support of the application. In addition, the applicants have submitted a Design and Access Statement, Transport Statement, Flood Risk Assessment and Site Investigation Report in support of their application.
- 2.6 It is noted that no consents have yet been issued in respect of HM/17/0089 and HM/17/0090 as these applications are the subject of a legal agreement. However, this matter has been the subject of detailed discussions between the applicants and Council and would be concluded following the determination of this application. As noted at 2.2(2) above, a S75 Obligation would also be required in association with the current application.

3 Background

3.1 Local Plan Policy

- 3.1.1 In determining planning applications the Council must assess the proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (2021) (SLLDP2).
- 3.1.2 In terms of the SLLDP2, the application site is designated as being a Community Growth Area for Hamilton (Policy 1 - Spatial Strategy) and as forming part of the Council's housing land supply (Policy 11 - Housing Land). Residential uses are supported within such sites, subject to compliance with normal development management criteria.
- 3.1.3 A number of other policies within the adopted SLLDP2 are also considered appropriate to the determination of this application, namely, Policy 5 - Development Management and Placemaking, Policy 7 - Community Infrastructure Assessment, Policy 12 - Affordable Housing, Policy 13 - Green Network and Greenspaces, Policy 14 - Natural and Historic Environment, Policy 15 Travel and Transport, Policy 17 - Water Environment and Flooding, Policy SDCC2 - Flood Risk, Policy SDCC3 - Sustainable Drainage Systems, Policy SDCC4 – Sustainable Transport, Policy DM1 – New Development Design, Policy DM15 - Water Supply, Policy DM16 - Foul Drainage and Sewerage, Policy NHE 9 - Protected Species, Policy NHE18 - Walking, Cycling and Riding Routes and NHE20 - Biodiversity. The aim of these policies and guidance is to seek well designed developments which are located in appropriate locations, appropriately serviced and result in no adverse impact.
- 3.1.4 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 Scottish Planning Policy (SPP) highlights that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision-making and advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations.

3.3 Planning Background

- 3.3.1 As stated above, the application site forms part of the designated Hamilton CGA within the adopted SLLDP 2. Planning Permission in Principle was approved in May 2017 for large parts of the Hamilton CGA (HM/10/0052), following the conclusion of the associated planning obligation under Section 75 of the Planning Act, in relation to

infrastructure and other costs associated with the Hamilton Community Growth Area. Several detailed residential developments have been approved within Hamilton CGA and works have commenced on site to deliver these proposals at Meikle Earnock Road and Highstonehall Road (application no.s HM/16/0022, HM/16/0486, HM/17/0047, HM/17/0424, HM/18/0014 and HM/18/0014).

- 3.3.2 As noted above, the adjoining site, to which the current proposals are an extension and over which access would be taken, is the subject of two applications relating to residential development (37 units) of the former waterworks facility (Applications HM/17/0089 and HM/17/0090). These applications were presented to the Planning Committee in 2019 with a recommendation for approval, however, it was also recommended that consent be withheld until the conclusion of an associated legal agreement. Committee agreed with these recommendations. The planning obligation was required to address the submission of financial contributions associated with the delivery of the wider CGA. This matter would be concluded following the determination of this application, should consent be granted, enabling the issue of all relevant consents. It should be noted that agreement has now been reached with the developer concerning the content of the relevant planning obligation.

4 Consultation(s)

- 4.1 **Roads (Development Management Team)** – have advised that, following discussions on the proposed layout and submitted details, a number of technical details require to be addressed. These matters relate to a levels discrepancy with adjacent future development proposals, internal visibility splays and parking standards.

Response: - It is considered that the matters raised can be addressed, in this instance, through the use of appropriately worded conditions and/or informatives attached, where appropriate, to any consent issued.

- 4.2 **Roads (Flood Risk Management)** – have also advised that, following discussions, there remains a number of technical details to be addressed. These matters relate to confirmation of SUDs outflow proposals and SUDs retention.

Response: - Again, it is considered that these matters can be addressed through the use of appropriately worded conditions and/or informatives attached, where appropriate, to any consent issued.

- 4.3 **Environmental Services** – have advised that they have no objections to the proposal subject to conditions and/or informatives relative to the undertaking of a site investigation, remediation of contamination, dust control and noise control.

Response: - Appropriately worded conditions and/or informatives can be added, where appropriate, to any consent issued.

- 4.4 **Countryside and Greenspace Services** – have advised that paths through the site should be constructed for multi-use and should be formed to the boundary to facilitate future connections to such paths. In terms of biodiversity it is noted that developments proposals should accord with relevant policies within the adopted SLLDP2.

Response: - The submitted Design and Access Statement highlights that the proposed layout will enable enhanced connections to the existing core path networks, with the potential to provide future pedestrian connections through future development proposals within the Hamilton CGA. Conditions and/or informatives can be added, where appropriate, to any consent issued to address the matters raised. In terms of biodiversity, it is noted that the applicants have submitted an ecological survey in support of their application.

- 4.5 **Community and Enterprise Resources (Play Provision):** - have confirmed that the proposal is acceptable in principle from a community/play provision perspective. However, any open spaces/play areas provided would not be adopted by the Council for future maintenance and as such private factoring would be required. They also note that there are several community assets within the local area which require investment due to the impact of the development.

Response: - Appropriately worded conditions and/or informatives can be added, where appropriate, to any consent issued in terms of play equipment provision. In terms of the requirement for a financial contribution toward existing facilities it is confirmed that this matter would be the subject of a S75 Obligation in line with the wider Hamilton Community Growth Area contributions.

- 4.6 **Education Resources:** - have advised that a financial contribution towards educational accommodation would be required.

Response: - As noted above this matter would be the subject of a legal agreement in line with the wider Hamilton Community Growth Area contributions.

- 4.7 **Scottish Water:** - have offered no objections to the proposal. However, they have advised that the applicants should complete, and submit to Scottish Water, a Pre-Development Enquiry (PDE) Form and that they will not accept any surface water connection to their combined sewer system.

Response: - An informative can be added to any decision issued to address these comments. The applicant is aware of these requirements.

5 Representation(s)

- 5.1 Statutory Neighbour Notification was undertaken, and the proposals advertised in the local press due to the non-notification of neighbours. No letters of representation were received in response

6 Assessment and Conclusions

- 6.1 The applicants seek permission for the erection of a residential development, comprising 52 units and associated works, on the edge of Hamilton. The proposed development represents an extension of existing planning proposals for the erection of a residential development and roundabout. The principle of which was accepted by the Planning Committee in 2019 through the agreement of the grant of consent, subject to the conclusion of a S75 Obligation. Access to the current application site would be via a proposed new roundabout on Strathaven Road serving the former waterworks site development. If approved, the combined application proposals could result in the provision of 91 residential units within the Hamilton Community Growth Area.

- 6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications must be determined in accordance with the development plan unless other material considerations indicate otherwise. The determining issues in consideration of this application therefore are its compliance with national and local plan policy, and other applicable guidance, its impact on amenity and on the local road network. Furthermore, Scottish Planning Policy (SPP) highlights that where a proposal accords with an up-to-date development plan, it should be considered acceptable in principle.

- 6.3 The adopted South Lanarkshire Local Development Plan 2 (SLLDP2) identifies the application site as being within the Hamilton Community Growth Area (Policy 1) and forming part of the Council's housing land supply (Policy 11). It is considered that the proposals take account of wider visions that the Council has in respect of the Hamilton Community Growth Area and retains the ability to integrate well with the future

development of the land surrounding the site, which forms part of the wider scheme. The principle of developing this site for housing is therefore acceptable, subject to compliance with normal development management criteria. The proposed development therefore raises no issues from a land use perspective and can be considered to accord with national planning policy.

- 6.4 The matters considered appropriate, in terms of development management criterion, are set out within Section 3.2.3 above. Principally, the stated policies and guidance seek to ensure that any development does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in a manner which takes account of appropriate guidance and the area within which it is located.
- 6.5 Having considered the design and layout of the development, it is considered that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance. The proposed development meets the main standards set out in the Council's Residential Design Guide, which provides additional advice and sets out the criteria against which new housing development should be assessed, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. In addition, it is noted that the proposed dwellings are of a similar scale and style to those being developed elsewhere within the Hamilton CGA. The proposal therefore raises no concerns in terms of Policies 5 - Development Management and Place Making and DM1 – New Development Design. The layout, design and density of the development are considered to be acceptable.
- 6.6 The site has been assessed in terms of flood risk and drainage and will be developed in accordance with the principles of sustainable urban drainage and is considered acceptable. In addition, foul drainage will be treated in accordance with the specification and requirements of both Scottish Water and the Council's Flood Risk Management guidance. On this basis it is considered that the proposal accords with Policies 16 - Water Environment and Flooding, SDCC 2 - Flood Risk, SDCC 3 - Sustainable Drainage Systems, DM15 - Water Supply and DM16 - Foul Drainage and Sewerage of the SSLDP and supplementary guidance.
- 6.7 In terms of potential impact on the natural environment and protected species (Policies 14 and NHE19), it is considered appropriate to require, prior to any works commencing on site, the undertaking of an assessment of the site, by an appropriately qualified person, in terms of any potential impact on wildlife species and habitats. With regard to biodiversity, Policy NHE20, the applicants have submitted an ecological report in support of the application which notes that the site is of limited ecological value. However, the site has potential to support a range of species which, through appropriate mitigation measures, any impact can be minimised and addressed.
- 6.8 It is noted that the overall site will be integrated into existing and future networks through the provision of crossing points on Strathaven Road and footpath links through the site. In terms of Policy NHE18 - Walking, Cycling and Riding Routes the proposal is therefore considered to raise no issues. With regards to Policy 15 – Travel and Transport and Policy SDCC4 – Sustainable Transport it is noted that an updated Transport Statement (July 2021), to cover the combined proposals for 91 units, was submitted in support of the application. This highlights that the site is accessible to existing and proposed footpath links and is in close proximity to regular bus services, which could be extended to serve the site and wider Community Growth Area. Furthermore, it notes that the impact of the proposed development, in terms of projected vehicular trips, would be limited.

- 6.9 There is a requirement to provide a contribution towards wider requirements associated with the site's designation as part of the Hamilton West Community Growth Area. This is consistent with the requirements of Policy 7 - Community Infrastructure Assessment and these matters would be the subject of a Section 75 Planning Obligation. With regard to the provision of affordable housing, in accordance with Policy 12 - Affordable Housing, land has been allocated within the wider Hamilton CGA area and therefore there is no requirement within the current application site for such provision. However, a financial contribution would be required to assist in the provision of off-site accommodation. This will form part of the Planning Obligation which is the subject of ongoing discussion with the relevant parties. Planning permission would not be issued until the obligation, or other appropriate arrangement has been concluded.
- 6.10 In relation to road safety it is noted that Roads and Transportation Services have offered no objections in this regard. Whilst noting Roads and Transportation Service's comments with regards to the submission of additional details it has been agreed that this can be addressed through the use of conditions attached to any approval given.
- 6.11 In terms of impact on the amenity of the area it is considered that the proposed development has been designed in such a manner that it will not be detrimental to the amenity or privacy of the area or the property immediately adjoining the site.
- 6.12 No objections were received in response to the undertaking of the neighbour notification process or advertisement of the application in the local press. The requirements of the consultees can be addressed using conditions and/or informatives, where appropriate to do so.
- 6.13 In summary, it is considered that the application conforms to both national and local plan policy and that the proposal raises no significant environmental, infrastructure or road safety issues. Furthermore, the proposed works will contribute to the delivery of this part of the Hamilton CGA, which has been identified for residential purposes for over 10 years and will assist the Council in meeting its housing needs.
- 6.14 On the basis of the above assessment, it is recommended that planning permission be granted subject to the conditions listed. 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 accords with the policies of the South Lanarkshire Local Development Plan 2 (namely Policies 1 - Spatial Strategy, 5 - Development Management and Place Making, 7 - Community Infrastructure Assessment, 11 - Housing Land, 12 - Affordable Housing and Housing Choice, 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 – Water Environment and Flooding, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, Policy SDCC4 – Sustainable Transport, DM1 – Design, DM15 - Water Supply, DM16 - Foul Drainage and Sewerage, NHE 9 - Protected Species and NHE18 - Walking, Cycling and Riding Routes).
- 7.2 There are no other material considerations that would justify the refusal of consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 24 September 2021

Previous References

- ◆ HM/09/0348
- ◆ HM/10/0052
- ◆ HM/17/0089
- ◆ HM/17/0090

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted)
- ▶ Neighbour Notification, dated 16.07.2021
- ▶ Newspaper Advertisement dated 12.08.2021

▶ Consultations

Roads (Development Management Team)	03/09/2021
Roads (Flood Risk Management)	
Environmental Services	20/07/2021
Countryside and Greenspace	21/07/2021
Community and Enterprise Resources – Play Provision	19/02/2021
Education Resources	07/07/2021
Scottish Water	16/07/2021

▶ Representations

None

Contact for Further Information

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

James Watters, Planning Officer
Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB
Ext 4970 (Tel: 01698 454970)
E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

Conditions and reasons

01. That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.

Reason - In the interests of amenity and in order to retain effective planning control.

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 in writing by the Council as Planning Authority.

Reason - These details have not been submitted or approved.

03. That before any of the dwellinghouses situated on the site upon which a fence, approved under the terms of Condition 2 above, 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 this consent, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason - In order to retain effective planning control.

04. That the open space/landscaping, as relates to the development hereby approved, as detailed on drawing **DWA 95.62.01 Rev.B** shall be laid out simultaneously with the development and shall be completed, and thereafter be maintained and replaced where necessary, to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

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 amenity.

06. That before any work commences on the site details of a proposed equipped play area within the application site shall be submitted to the Council as Planning Authority for written approval and this 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

07. That prior to the completion, or occupation, of the last dwellinghouses within the development all of the works required for the provision of equipped play area(s) included in the scheme approved under the terms of Condition 6 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

Reason - In order to retain effective planning control

08. 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 - To minimise the risk of nuisance from dust to nearby occupants.

09. 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.

10. That before any work commences on site, a maintenance and management scheme shall be submitted to and approved by the Council as Planning Authority and it shall include proposals for the continuing care, maintenance and protection of: -
- (a) The proposed footpaths;
 - (b) The proposed parking areas;
 - (c) The proposed external lighting provided for the area(s);
 - (d) The proposed play areas;
 - (e) The proposed grassed, planted and landscaped areas;
 - (f) The proposed fences to be erected along the boundaries of the site.

Reason - To safeguard the amenity of the area.

11. That prior to the occupation of any dwellinghouse, hereby approved, the maintenance and management scheme approved under the terms of Condition 12 above shall be in operation.

Reason - To safeguard the amenity of the area.

12. That prior to any works commencing on site, or as otherwise agreed in writing with the Council as Planning Authority, a traffic management plan shall be submitted detailing, staff parking, wheel washing facilities, routing of traffic and phasing of the works. The submitted traffic management plan shall include provisions for the following:

- That any detritus material carried from the site on to the public road network to be cleared by the applicant on a daily basis.
- Ensure the road network immediately adjacent to the site is kept clear of mud and debris, the applicant must ensure a road brush motor is made available throughout.
- The provision of adequate wheel washing facilities to be in operation at all times during any earth moving operations.

- That a "clean zone" should be maintained between the end of the wheel wash facility and the public road.
- A plan showing a turning area within the site, to enable vehicles to access and exit the site in forward gears.
- A plan showing the location and number of spaces for site staff / operatives.

The agreed traffic management plan will be fully operational prior to any works commencing on site, thereafter implemented in accordance with the agreed scheme.

That during the construction period, all roads within the delivery route will be maintained by the applicant or repaired by the Council's Roads & Transportation Services and recharged accordingly

Reason - In the interest of road and public safety.

13. That a continuous 2 metre wide footway should be provided across the full frontage of the development site with Strathaven Road. Prior to works commencing on site, details of which should be submitted to and agreed by the Council as both Roads and Planning Authority and thereafter implemented to the satisfaction of the Council's Roads Services.

Within any submitted scheme appropriate crossing points, incorporating dropped kerbs, should be provided on the proposed and existing footways and bus stops, incorporating shelters, should also be provided in both directions.

Reason - In the interest of road and public safety.

14. That prior to any works commencing on site, or as otherwise agreed in writing with the Council as Planning Authority, the location of proposed bus stop locations shall be agreed with the Council as Planning and Roads Authority. Thereafter the agreed scheme shall be fully implemented, prior to the occupation of any dwelling house hereby approved.

Reason - In the interest of road and public safety.

15. The applicant must meet the costs of promoting and if successful, implementing a Traffic Regulation Order to extend the existing 30mph speed limit on the A723 to the southern boundary of the development (or other appropriate location as identified by Roads & Transportation Services). The implementation should include new gateway signing/features and speed limit countdown signage and road markings.

The development shall be promoted as 20mph speed limit with appropriate signage.

Reason - In the interest of road and public safety.

16. 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, in consultation with Roads (Flood Risk Management Team).

That submitted details will include a drainage strategy detailing arrangements for the capture and treatment of surface water run-off to prevent debris and silts entering the surface water system.

The proposed 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 and be supported by a Flood Risk Assessment, which should include an assessment of the existing culvert to the north of the application site. Thereafter all works will be carried out in accordance with the agreed scheme to the satisfaction of the Council as Planning Authority, Roads (Flood Risk Management Team).

Reason - To ensure the provision of a satisfactory land drainage system.

17. That before development hereby approved is completed or brought into use, the access, via a new roundabout on the A723, shall be implemented on site and completed. The details of which shall be submitted to, and agreed by, the Council as Planning and Roads Authority prior to any works commencing on site, or as otherwise agreed by the Council. Thereafter the works will be carried out in accordance with the agreed works.

Reason - In the interest of public safety.

18. That parking provision for each house type shall be in accordance with the requirements on page 167 of the SCOTS National Roads Development Guide with all private vehicular driveways provided to the following standards:
- i) Driveways should be accessed via a drop kerb.
 - ii) Parking space should be 6 metres by 3 metres. (For a garage to count as a parking space it must be 3 metres (including the entrance) by 7 metres
 - iii) The first 2.0m of this should be of bound or block construction to ensure that loose material is not deposited on to the road.
 - iv) All driveways should be perpendicular to the road with 45 degree splays on either side (over verges).
 - v) The minimum gradient of the driveways should be 1:10.
 - vi) All surface water should be contained, controlled and discharged within the confines of the driveway so that there is no discharge of water onto the footway/road and compliant with SEPA and Scottish Water requirements.

Reason - To ensure the provision of adequate parking facilities to serve the development.

19. That before the development hereby approved commences on site, the applicant shall submit for the written approval of the Roads Authority a plan showing the required visibility splay information as referred to below.
- i) All junctions shall have a 2.4metre x 43metre visibility splay in each direction.
 - ii) All driveways/parking bays onto adoptable roads shall have a 2metre x 20metre visibility splays in each direction within traffic calmed areas; and 2.0metre x 35metre elsewhere.
 - iii) Pedestrian visibility splays of 2.4metres x 2.4metres (measured along heel kerb from both driveway edges) required at all driveways.
 - iv) Forward visibility splays at speed bends shall be 15metres and 35metres at all other locations.
 - v) No driveways/parking areas shall be located within the visibility splays referred to above.

Nothing over 900mm in height, i.e., trees, shrubs, walls etc., is permitted within any of the visibility splays referred to above.

Reason - In the interest of road and public safety.

20. That before the development hereby approved commences on site, the applicant shall submit for the written approval of the Roads Authority a plan showing that:
- i. all areas of carriageway and verge crossings within shared surface/monoblocked areas shall be formed to carriageway construction specially approved by the Council as Roads Authority.
 - ii. areas of asphalt carriageway shall be formed in camber and all shared surface/monoblocked areas shall be formed in crossfall.
 - iii. proposed levels layouts showing any slopes adjacent to the public road at gradients not exceeding 1 in 2 separated from the road/heel kerb edge by 0.5m level berm.
 - iv. The provision of 1metre deep by 1.5metre wide grit bin hard standing areas located to the back of the heel kerb. These areas shall be constructed as per the footway construction. Where the carriageway is constructed as a shared surface the hard standing should be located within the service strip and be a minimum of 2m x 1.5m.

Reason - In the interest of road and public safety.

21. That prior to the commencement of development on site, unless otherwise agreed in writing with the Council as Planning and Roads Authority, the link(s) to future development land to the north of the site, as shown on drawing **SRH-ARC-004 rev H**, shall be fully constructed to the standards and specification of Roads and Transportation Services, so as not to create a possible ransom strip.

Reason - To ensure the future potential for the development of the adjacent land which forms part of the Hamilton Community Growth Area, as designated within the adopted South Lanark shire Local Development Plan

22. That

(a) The applicant shall be required to undertake a comprehensive site investigation, carried out to the appropriate Phase level, to be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:

- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
- (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
- (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

(b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning

Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

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.

23. That

(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.

24. That before the development hereby approved commences on site, the applicant shall submit a Road Construction Consent application accompanied by a Stage 2 Road Safety Audit and Designer's Response.

Reason - In the interest of road and public safety.

25. That, unless agreed in writing with the Council as Planning Authority, the development hereby approved shall be undertaken in accordance with the recommendations contained within Section 4 of the submitted Ecological Report (Envirocentre, dated September 2021).

Reason: In order to ensure the protection of the specified species.

26. 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.

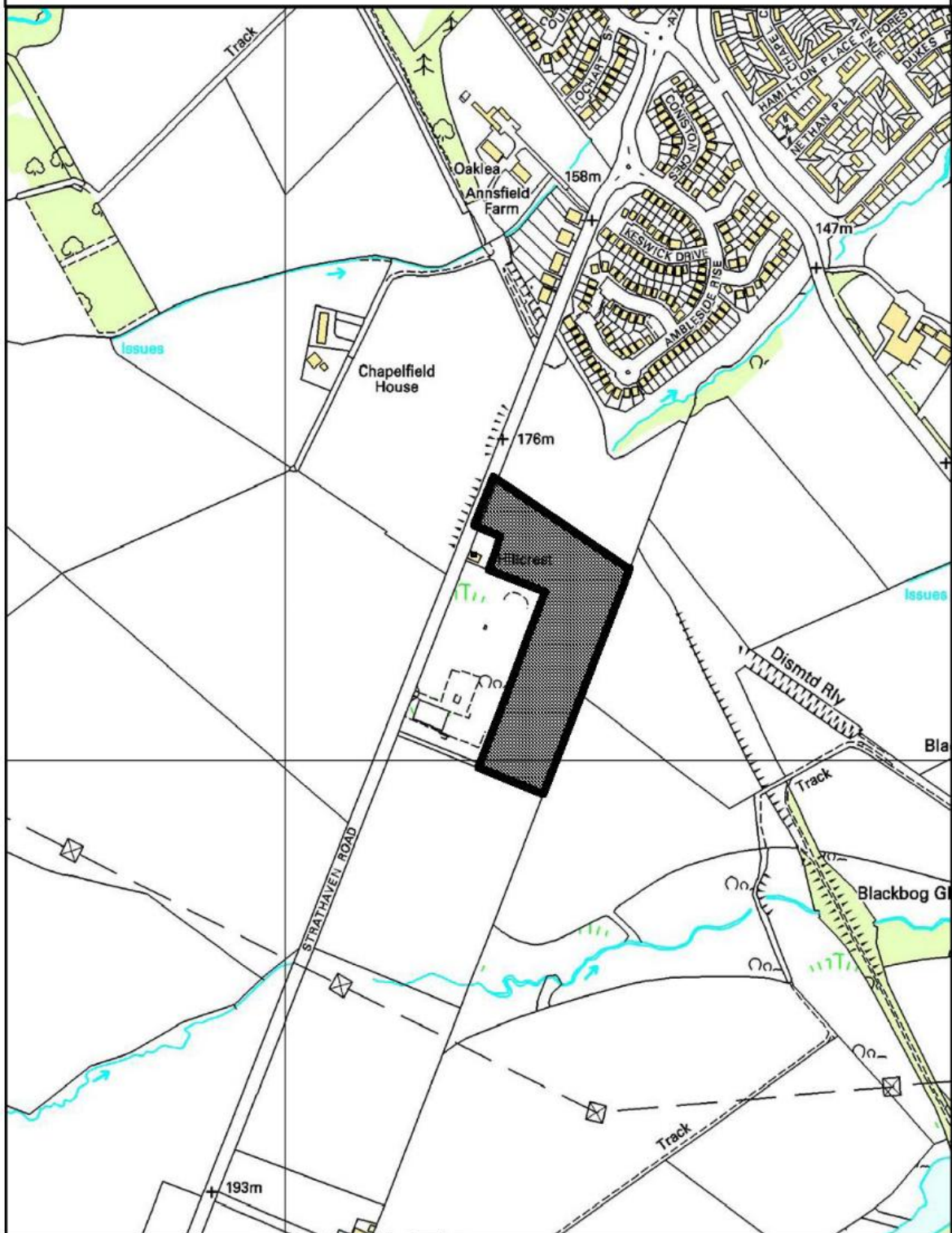
Reason: To ensure the provision of digital infrastructure to serve the development.

27. 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.

Site next to Hillcrest, Strathaven Road, Hamilton



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