

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>8 June 2021</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/20/1667
Planning proposal:	Erection of 128 dwellinghouses with associated roads, landscaping, SUDS and noise attenuation bund (Approval of matters specified in conditions, consent HM/17/0167)

## 1 Summary application information

Application type:	Approval of matters specified in conditions
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 matters specified in conditions (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: DTA Chartered Architects
- ◆ 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

**Residential Design Guide (2011)**

♦ **Representation(s):**

▶	1	Objection Letter
▶	0	Support Letters
▶	1	Comment Letter

♦ **Consultation(s):**

Countryside and Greenspace

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

Community and Enterprise Resources (CER) Play Provision Community Contributions

Education Resources School Modernisation Team

Larkhall Community Council

## **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 currently vacant, comprising large areas of hardstanding, grass and scrub, and was previously occupied by the former DAKS Simpson warehouse. The site is irregular in shape, it is mostly flat with localised mounds of rubble and subsoil and it extends to approximately 5 hectares. 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 This is an application for the approval of matters specified in conditions of planning permission in principle HM/17/0167 for residential development. The matters specified in conditions relate to the design and layout of the site, site investigation and remediation, dust mitigation measures, noise assessment, flood risk and surface water drainage, equipped play provision, traffic signal modelling, access arrangements, footway and cycleway connections through the site, car parking and ecology.
- 2.2 In terms of the proposed design and layout of the site the applicant seeks approval for the erection of 128 dwellinghouses with associated roads, landscaping, SUDS and a noise attenuation bund. The proposed development would comprise a mixture of 106 detached and 22 semi-detached three and four bedroom dwellings. 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 layout 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 A Noise Impact Assessment, Ecological Assessment, Site Investigation Report and Remediation Strategy, Flood Risk Assessment, Environmental Impacts Plan, Landscape Proposals, Transport Assessment and Road Safety Audit were submitted with the application as supporting documents.

### **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 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.

3.3.2 Relative to the above, detailed planning permission was granted to AS Homes Scotland Limited for the erection of 48 dwellinghouses within the northern area of the former DAKS Simpson site on behalf of Clyde Valley Housing Association on 14 February 2018 (HM/17/0484). The 48 dwellinghouses approved, and since constructed, satisfied the requirement of the above Section 75 Obligation in relation to the provision of affordable housing on the former DAKS Simpson site.

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 **Education Resources School Modernisation Team** – have no objections to the application.

**Response:-** Noted. In line with the Section 75 Obligation associated with the previously approved planning permission in principle HM/17/0167 the applicant is required to pay financial contributions at appropriate stages of the development towards the provision of additional nursery, primary and secondary education accommodation as appropriate.

- 4.2 **Environmental Services** – have no objections to the application. They are satisfied with the acoustic fence design provided and clarifications made to the submitted Noise Impact Assessment (NIA) with respect to the proposed glazing and ventilation mitigations and require the recommended mitigation measures to be implemented to the Council's satisfaction. The proposed dust mitigation measures, site investigation and remediation strategy are also considered to be satisfactory. Any consent granted should incorporate a condition requiring the implementation of the mitigation recommendations set out in the remediation strategy with a verification report submitted upon their completion. In terms of the representation submitted by DFDS, which is highlighted in Section 5.1 (e) below, an odour assessment was not requested at the time of the application for planning permission in principle for residential development on the site as Environmental Services had no concerns about the proposed development in this regard. The above Service have advised that DFDS should be controlling odour emissions from their operation to reasonable levels regardless of who their neighbours are. If odour emissions from their factory were so bad as to cause justifiable complaint this would be a matter of great concern to the Council from a Food Safety perspective.  
**Response:-** Noted. Any consent granted would incorporate appropriately worded conditions to address the above matters.
- 4.3 **Roads Development Management Team** – have no objections to the application subject to conditions requiring the provision of appropriate visibility splays, car parking and surfacing of parking bays and private accesses and the submission of full details of the proposed pedestrian / cycle connections, a traffic management plan and travel pack for the Council's further approval. An informative should also be included advising the applicant that the road up to and including the proposed development junction on Borland Drive will require to be brought up to an adoptable standard.  
**Response:** Noted. Appropriately worded conditions and informatives would be incorporated into any consent granted to address the above matters.
- 4.4 **Roads and Transportation Services (Flood Risk Management Section)** – have no objections to the application subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self-certification document.  
**Response:-** Noted. An appropriately worded condition would be attached to any consent granted to address the above matter.
- 4.5 **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 Skellyton Waste Water Treatment Works.  
**Response:-** Noted.
- 4.6 **Countryside and Greenspace** – have no objections to the application. The landscaping plans and specifications for the DAKS development site are considered to be acceptable. The development should create new habitats that are of higher biodiversity value than currently on site. Conditions should be included which require measures to be put in place to ensure badgers and small mammals would not come to harm during the construction period and to ensure that site clearance is carried out outside the bird nesting season.  
**Response:-** Noted. Any consent granted would incorporate appropriately worded conditions to address the above matters.

- 4.7 **CER Play Provision Contributions** – the planning application is acceptable in principle from a community / play provision perspective on the assumption the Council's Residential Design Guide is used throughout the application process. Within the vicinity of the proposal there are a number of community assets in need of investment. A financial contribution towards investment in these existing local assets would be preferred rather than seeking additional on-site provision.

**Response:-** Noted. In line with the Section 75 Obligation associated with the previously approved planning permission in principle HM/17/0167, the applicant is required to pay financial contributions at appropriate stages of the development towards the provision of community facilities.

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

**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. Two letters of representation were received in relation to the application. The grounds of representation are summarised below:

- (a) **There is a lack of links between the homes to the surrounding path network, open space and sports barn to the east of the site. A link path should be provided at plots 42 / 43 to join the core path network. A link path should be provided at plot 103 to provide an easier walking link towards the town centre, there is already a path on the recently completed housing street that goes to nowhere and could be linked.**

**Access to plots 3 and 4 from the main road is dangerous and a shared driveway should be provided at plots 1 - 4 to prevent vehicles from reversing onto the main road.**

**Response:** An amended layout was submitted which show the provision of a 3 metre wide cycleway linking into the recently constructed residential development at the north western edge of the site and a 3 metre wide footpath running up to the south eastern boundary of the site to enable access to the path network in the surrounding area. The amended layout also shows the provision of a shared driveway to Plots 1 to 4 to Roads and Transportation Services satisfaction.

- (b) **There are no visitor parking bays which may result in pavement parking.**

**Response:** Roads and Transportation Services are satisfied with the proposed parking provision for the development.

- (c) **Plots 9 / 10 provide unattractive gable walls as entrance plots to the overall development and should be changed to the house type 126 / 117 style VAN to enhance a more welcoming entrance and encourage living streets.**

**Response:** Following discussions with the Planning Service, amended drawings were submitted showing various changes to the house types proposed. The proposed house types are considered to be acceptable in terms of their design and finish materials and in keeping with existing residential properties in the area including the recently constructed houses directly adjacent to the site.

- (d) **An equipped toddler play area should be provided given the number of family homes.**

**Response:** A toddler's play area was installed within the first phase of the re-development of the former DAKS Simpson site. As discussed in Section 4.7 above, a financial contribution towards investment in existing local assets is the Council's preference rather than seeking additional on-site provision. In line with the Section 75 Obligation associated with the previously approved planning permission in principle HM/17/0167, the applicant is required to pay financial contributions towards the provision of community facilities at appropriate stages of the proposed development.

- (e) **DFDS has occupied our warehousing and distribution facility at 17 Middleton Avenue, Strutherhill Industrial Estate for over 20 years. The site operates 24 hours per day and 7 days per week. We have concerns that the proposed planned development for 128 dwelling houses will be subject to noise from our vehicles operation around the site and with the close proximity there could be some odour issues with the seafood product. Any complaints from the householders could have serious implications for the continued operation of our business. It is, therefore, essential that the applicant provides specialist noise and odour assessments to show that the proposed layout will not result in noise or odour complaints and that those are fully audited by the Council's Environmental Health Department.**

**Response:** A Noise Impact Assessment (NIA) was submitted with the application and Environmental Services consider the recommendations of the NIA to be acceptable. A condition would be attached to any consent granted to ensure that the recommended mitigation measures would be implemented to the Council's satisfaction. An odour assessment wasn't requested at the time of the application for planning permission in principle as Environmental Services had no concerns about the proposed development in this regard. The above Service have advised that DFDS should be controlling odour emissions from their operation to reasonable levels regardless of who their neighbours are. If odour emissions from their factory were so bad as to cause justifiable complaint this would be a matter of great concern to the Council from a Food Safety perspective.

5.2 These letters are available for inspection on the Planning Portal.

## **6 Assessment and Conclusions**

- 6.1 The application is for the approval of matters specified in conditions of planning permission in principle HM/17/0167 for residential development. The matters specified in conditions relate to the design and layout of the site, site investigation and remediation, dust mitigation measures, noise assessment, flood risk and surface water drainage, equipped play provision, traffic signal modelling, access arrangements, footway and cycleway connections through the site, car parking and ecology. In terms of the proposed design and layout of the site, the applicant seeks approval for the erection of 128 dwellinghouses with associated roads, landscaping, SUDS and noise attenuation bund. 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 this instance, 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 As the application site is designated for residential use under the terms of Policy 11 and the site benefits from the planning permission in principle granted for residential development under application HM/17/0167, the proposal raises no policy issues and, therefore, conforms with this policy.
- 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. Areas of landscaping are proposed within the development which would provide opportunities for enhanced biodiversity and leisure



within the site and the surrounding area. Furthermore, the houses within the development 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, 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. 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 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 represents a sensitive re-use of a largely untidy site and it is considered that the re-development of the site would improve the visual and environmental quality of the area. 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 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.
- 6.9 The application site is covered by the Green Network and Policy 13 states that development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:-
- i placemaking,
  - ii mitigating greenhouse gases,
  - iii supporting biodiversity,
  - iv enhancing health and quality of life,
  - v providing water management including flood storage, and buffer strips,
  - vi providing areas for leisure activity, and
  - vii promoting active travel.
- 6.10 In addition to the above, Policy 14 states that the Council will assess all development proposals in terms of their impact on the natural and historic environment, including biodiversity, geodiversity, landscape and townscape.
- 6.11 The submitted Ecological Assessment has been assessed and is considered to be acceptable. The assessment concludes that the development of the site would result in the loss of very low value semi-natural habitat with minimal adverse impact on biodiversity from the loss of unexceptional habitats and it is anticipated there would be a minor biodiversity benefit as a consequence of habitat diversification arising from the development. There would be no impact on badger populations, but precautionary

measures should be put in place to safeguard small mammals during construction. There would also be no impact on bat roost opportunities whilst there would be an insignificant loss of bat forage resources. 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 habitats lost would be replaced by private gardens, amenity open space and SUDS facilities with new habitat opportunities and the landscape features would be designed and managed for biodiversity benefit with the potential for the new habitats to be more diverse than the habitats they replace. Given the above, it is considered that the development of the site would have a positive impact on the environment and that it would assist in increasing the sense of place and the quality of life for those living in the surrounding area. Overall, the development and the re-use of a previously developed site which has been lying in a vacant and untidy condition for a number of years would have a positive impact on the built and natural environment. It is, therefore, considered that the proposal meets the aims of Policies 13 and 14.

- 6.12 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 adjacent Strutherhill. 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.
- 6.13 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.
- 6.14 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 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).

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

Date: 1 June 2021

## Previous References

- ◆ 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)
- ▶ Residential Design Guide (2011)
- ▶ Neighbour notification letter dated 27.11. 2020
- ▶ Press Advertisement, Hamilton Advertiser 10.12.2020
  
- ▶ Consultations
  - Countryside and Greenspace 10.02.2021  
&  
10.05.2021
  - Roads Development Management Team 15.04.2021  
&  
20.05.2021
  - Environmental Services 06.01.21,  
01.02.2021,  
11.05.2021
  - Roads Flood Risk Management 11.05.2021  
&  
27.05.2021
  - Scottish Water 03.12.2020
  - CER Play Provision Community Contributions 15.12.2020
  - Education Resources School Modernisation Team 07.01.2021
- ▶ Representations
  - Mr Steve Macaulay, 17 Middleton Avenue, Strutherhill  
Industrial Estate, Larkhall, South Lanarkshire, ML9 2TL Dated:  
22.12.2020
  - Ms Lynn Reid, 82 Glen Tennet, East Kilbride, Glasgow,  
South Lanarkshire, G74 3UY 10.02.2021

## Contact for further information

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Phone: 01698 453657  
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 in writing 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 in writing 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 in writing 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 in writing 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 notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road with the exception of a metre high facing brick or roughcast wall built to match the facing brick or roughcast on the existing house, and before the development starts, samples of the facing materials to be used on the wall shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: To safeguard the residential amenity of the area.

07. 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 in writing by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

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

08. 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.

09. 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.

10. That unless otherwise agreed in writing, 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.

11. 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.

12. 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.

13. (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.

- 14. That prior to any development taking place on site, a scheme of intrusive site investigation works shall be submitted to and approved in writing 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.

- 15. In the event that the site investigations required under Condition 14 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.

- 16. 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.

- 17. 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.

- 18. 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.

- 19. 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.

20. 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 in writing 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.

21. 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.

22. That pedestrian/vehicle inter-visibility 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.

23. That before any work commences on site, a Traffic Management Plan (TMP) shall be submitted to and approved in writing 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.

24. That prior to the occupation of the 1st dwellinghouse details of a welcome pack shall be submitted to and approved in writing 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.

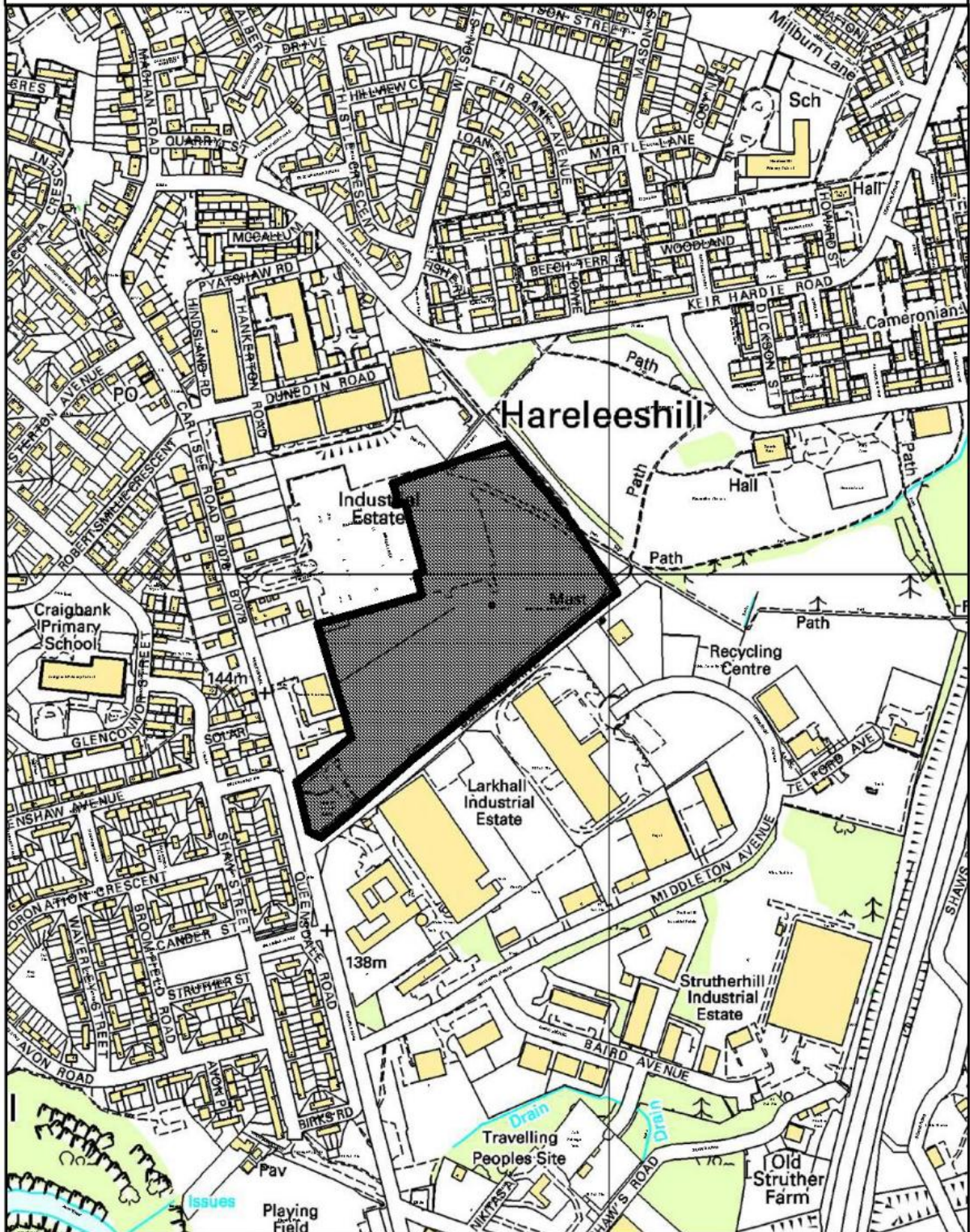
25. That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Planning and Roads Authority.

Reason: To ensure the provision of adequate parking facilities within the site.



P/20/1667

Land 90m ESE of 24 Simpson Drive



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Scale:  
1:5,500  
Date:  
13/05/2021



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