

Report

Report to:	Planning Committee
Date of Meeting:	16 August 2022
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/1982
Planning proposal:	Removal and restoration of railway sidings and reuse of material as fill for land grading

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Andrew Stewart
Location:	Land 90M NNW Of 289 Carlisle Road Carlisle Road Kirkmuirhill Lanark South Lanarkshire

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

2.2 Other actions/notes

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

3 Other information

- ◆ Applicant's Agent: Robert Ramage
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
Policy 1 Spatial Strategy
Policy 2 Climate Change
Policy 3 General Urban Areas and Settlements
Policy 5 Development Management and Placemaking
Policy 14 Natural and Historic Environment
Policy 15 Travel and Transport
Policy 16 Water Environment and Flooding
Policy 17 Waste
Policy DM1 New Development Design
SDCC2 Flood Risk
SDCC3 Sustainable Drainage Systems

Policy MIN8 Aggregate Recycling

◆ **Representation(s):**

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

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

SEPA West Region

West Of Scotland Archaeology Service

Roads Geotechnical

SP Energy Network

Planning Application Report

1 Application Site

- 1.1 The application site is an area of rough grazing land, approximately 6.28 hectares in size located at Carlisle Road within the settlement boundary of Kirkmuirhill as designated within the South Lanarkshire Local Development Plan 2 (SLLDP2) which was adopted in 2021.
- 1.2 The site is relatively open and runs west to southeast, forming the northern settlement boundary of Kirkmuirhill. The site is split into two parts where it is transected by Lanark Road (B7086). As noted this splits the site into 2 parts, namely the larger portion of the site to the west of Lanark Road (hereon referred to as Site 1) and the smaller part of the site to the east of Lanark Road (hereon referred to as Site 2).
- 1.3 Old railway sidings run along the northeastern edge of both Site 1 and Site 2, forming the boundary in this part of Kirkmuirhill which bounds further agricultural land. The west and southern boundaries of the full site mainly comprises existing residential properties with Kirkmuirhill Church and Manse (a C Listed Building) also bounding part of the western boundary of Site 2. The railway sidings are overgrown and comprise scrubland.
- 1.4 Site 2 currently benefits from planning permission for the erection of 25 detached dwellinghouses (Planning Ref: P/19/0614 as set out in 3.3 below). There are currently no extant planning permissions for developing Site 1.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the removal of the railway sidings on both Site 1 and Site 2. The material from the railway embankment will be used as fill material for regrading and land levelling works on Site 1. Following regrading of Site 1, the land will be returned to rough grazing. Following the removal of the sidings on Site 2, the topography of this site will allow construction of the 25 houses as noted in 1.4 above and 3.3 below.
- 2.2 The proposed works have been split into 3 phases. Phase 1 involves the soil stripping and removal of the sidings in Site 2 with the material stored on Site 2. Phase 2 includes the soil stripping and sidings on Site 1 and contouring of the site. Phase 3 would then transport the soil and fill material from Site 2 for final grading of Site 1. The applicants have estimated that duration of the works is expected to be 6 weeks in total.
- 2.3 Material from the sidings will be utilised on site to create internal access roads on both sites to allow transportation of the material from Site 2 onto Site 1.

3 Background

3.1 National Policy

- 3.1.1 National Planning Framework 3 (NPF3) June 2014 sets out the long term vision for the development of Scotland and is the spatial expression of the Scottish Government's Economic Strategy. It has a focus on supporting sustainable economic growth which respects the quality of the environment, place and life in Scotland and the transition to a low carbon economy. The framework sets out strategic outcomes aimed at supporting the vision – a successful, sustainable place, a low carbon place, a natural, resilient place and a connected place. NPF 3 recognizes that waste can be considered a resource rather than a burden. NPF3 states that it expects Planning Authorities to work with the market to identify viable solutions to create a decentralized

network of waste processing facilities and, through effective waste management, create a sustainable legacy for future generations.

- 3.1.2 Scottish Planning Policy sets out a series of policy principles for achieving the zero waste policy Scotland has adopted through the National Zero Waste Plan 2010 (ZWP). SPP promotes the delivery of waste infrastructure at appropriate locations and waste management should be prioritised through the Scottish Government's waste hierarchy. The hierarchy is: waste prevention, reuse, recycling, energy recovery and waste disposal.
- 3.1.3 The proposals are for the management of inert waste in the form of existing railway sidings and involve the re-use of the material for infill and land grading works as well as the preparation of land with extant permission for housing. By utilising the inert waste from the railway sidings on the same application site rather than its removal to be treated off site, it is considered that the proposals meet the waste strategy set at a national level through SPP and NPF3. It is, therefore, considered that, at a national level, the proposals comply with waste policy and, therefore, do not require to be further assessed within this high-level context.

3.2 Development Plan Status

- 3.2.1 The proposed development requires to be considered against the approved Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP). The GCVSDP is a high level, strategic document and it is considered that proposals of this scale would not have any strategic implications within the Strategic Development Plan Area. As such there is no detailed assessment of the proposals against this strategic Plan.
- 3.2.2 Following formal adoption on 9 April 2021, the proposals are required to be assessed against the South Lanarkshire Local Development Plan 2 (SLLDP2).

In this regard, the application site and associated proposal is affected by the following policies contained in SLLDP2:-

- ◆ Policy 1 Spatial Strategy
- ◆ Policy 2 Climate Change
- ◆ Policy 3 General Urban Areas and Settlements
- ◆ Policy 5 Development Management and Placemaking
- ◆ Policy 14 Natural and Historic Environment
- ◆ Policy 15 Travel and Transport
- ◆ Policy 16 Water Environment and Flooding
- ◆ Policy 17 Waste
- ◆ Policy DM1 New Development Design
- ◆ SDCC2 Flood Risk
- ◆ SDCC3 Sustainable Drainage Systems
- ◆ Policy MIN8 Aggregate Recycling

3.3 Planning Background

- 3.3.1 As noted in 1.4 above, Site 1 does not have any extant planning history. It did previously receive planning permission for 53 dwellinghouses in 1997 (CL/97/0338) which was subsequently renewed in 2002 (CL/02/0601). These permissions lapsed in 2006 and no subsequent planning applications have been granted for Site 1. In February 2008, Planning Committee granted planning permission (CL/06/0208) for proposals similar to the current ones, but only on Site 1. Permission was granted for the removal of the rail sidings as well as to import material from bings located north of the current application site to level the topography of Site 1. This permission's commencement date was extended through a further application (CL/12/0531) until

February 2016. These permissions have now lapsed. The works to the bings north of the application site do not form any part of these proposals.

- 3.3.2 In relation to Site 2, Planning Permission in Principle (CL/12/0007) was granted for the residential development of the site and the formation of an alternative access road from Carlisle Road. This was approved by the Planning Committee on 27 March 2012.
- 3.3.3 Detailed Planning Permission (CL/17/0343) was granted for the erection of 19 detached dwellings and associated access road, landscaping and drainage works by the Planning Committee on 1 May 2018.
- 3.3.4 Detailed planning permission (P/19/0614) was then granted for the erection of 25 detached dwellings and associated access road, drainage and ground works (including the sidings the subject of this application) by the Planning Committee on 25 August 2020 subject to the completion of a legal agreement relating to financial contributions towards the provision of affordable housing, education provision and leisure facilities. This legal agreement was concluded and the permission issued on 10 May 2021. The permission is currently extant.
- 3.3.5 The proposals involve the management of inert waste but are under the 25,000 tonne, annual threshold that would constitute a Major Planning Application.
- 3.3.6 The application was screened as a Schedule 2 Environmental Impact Assessment (EIA) Development. Due to the relatively low scale of the proposals, they were considered not to constitute EIA development.

4 Consultation(s)

- 4.1 **Roads Development Management** –offer no objections to the proposals subject to conditions relating to the further approval of a Traffic Management Plan (TMP) with the TMP to include details of the management of removing the parts of the sidings that bound Lanark Road, proposals for traffic management for vehicles crossing Lanark Road, wheel and road cleaning, staff and welfare facilities, vehicle routing, the construction and design of the internal haul road and a baseline, dilapidation survey.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.2 **Roads (Geotechnical Engineer)** – no objections to the proposals. Requests an advisory note to be placed on any permission, if issued, for the applicant to consult with Roads prior to any design work being carried out on any future Roads Construction Consent.
Response: Noted. An appropriate advisory note can be attached to any consent if issued.
- 4.3 **Environmental Services** – no objections to the proposals subject to controlling the hours of operation to 8am to 7pm Monday to Friday and 8am to 1pm on a Saturday only, noise limits, noise monitoring and mitigation, dust mitigation and air quality management and a comprehensive site investigation in relation to contaminated land.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.4 **Roads (Flood Risk Management)** – no objections subject to the imposition of conditions to comply with the Council's Flood Risk and Drainage Design Criteria, complete the necessary forms and provide the required information prior to commencement on site.
Response: Noted. An appropriate condition can be attached to any consent issued.

- 4.5 **West of Scotland Archaeology Service (WoSAS)** – note the site's potential for archaeological interest and that archaeological works. Note that archaeological investigations were carried out in relation to the extant planning permission for housing on Site 2, but this did not cover Site 1. Therefore request that a condition requiring a programme of archaeological works to be agreed before any work starts on site for Site 1.

Response: Noted. An appropriate condition can be attached to any consent issued.

- 4.6 **Scottish Power Energy Networks** – no objections to the proposals. Note that they have transmission equipment within the vicinity of the proposals and if required to be relocated it would be at the applicant's expense.

Response: Noted and this is a private civil matter outwith the remit of the Planning System.

- 4.7 The application is not of a scale or nature that would meet the threshold for SEPA to provide comments.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press for non-notification of neighbours and, as a schedule 3 development.

- 5.2 Following this publicity 14 letters of objection were received from 13 separate third parties with the following concerns:-

(a) Impact on wildlife including protected species and loss of habitat

Response: An Ecological Appraisal was submitted as part of the planning application and it is assessed in detail in 6.9 below.

(b) Impact on Environment, creation of pollution, air quality, dust and not being sustainable

Response: The impact of the proposals in relation to air quality, including dust, are assessed throughout Section 6 below. As noted in 6.3, the nature of the proposals involving the re-use of existing material and minimising any haulage distance of the material are considered to be more sustainable than the material required to be removed on Site 2 being taken off site to a remote waste facility. A dust management scheme would be required to be approved and implemented for the lifetime of the operations proposed and a condition requiring this is attached to the recommendation below.

(c) Impact on road safety and increase in traffic

Response: As noted in 4.1 above, Roads (Development Management have no objections to the proposals subject to appropriate conditions. It is noted that apart from crossing Lanark Road, all haulage will be on internal access roads within the full application site.

(d) Noise Impact and inaccuracy of Noise Impact Assessment

Response: As noted in 4.3, Environmental Services have no objections to the proposals subject to achievable noise limits and hours of operation being imposed on any permission, if issued. Environmental Services are also content with the Noise Impact Assessment submitted. Further assessment of the proposals impact in relation to noise is considered throughout Section 6 below.

(e) The field is used for recreation throughout the year

Response: The application site is not formal open space and is private land. The proposals are temporary in nature and once complete it would revert back to being informal open space.

(f) Overshadowing and loss of daylight

Response: The proposals are not considered to involve any development of a scale that would impact upon daylight to surrounding properties or create overshadowing.

(g) Loss of Green Belt

Response: The application site is on land within a designated settlement boundary and is not Green Belt land.

(h) Will result in further housing and loss of field

Response: Part of the application site (Site 2) has an extant planning permission for housing. There is no planning permission for any development on the remainder of the site (Site 1). Any future development of this part of the site (Site 1) would require an application for planning permission and full assessment which does not form any part of these development proposals.

(i) Flooding

Response: Roads (Flood Risk Management) have no objections to the proposals subject to conditions relating to Flood Risk and Drainage.

(j) Impact on privacy

Response: The proposals do not include any permanent structures that would create any impact upon residential privacy while it is proposed to limit operations to day time hours to restrict activity on site during the works.

(k) Impact on property prices

Response: This is not a material consideration to the assessment of any planning application.

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

6 Assessment and Conclusions

6.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GCVSDP) and the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). As noted in 3.2.1 above, it is considered that the GCVSDP is a strategic, high-level document and an application of this scale and nature does not raise any strategic implications. Therefore, no further assessment against this document is required.

6.2 SLLDP2 Policy 1 'Spatial Strategy' states that developments that accord with the policies and proposals of the development plan will be supported. The full application site is on land designated with the settlement boundary of Kirkmuirhill as set out within SLLDP2. Site 1 does not have any specific designation other than being within the settlement boundary, whereas Site 2 is also a designated housing site which marries with the extant planning permission detailed in 3.3.4 above. As both sites are within the settlement boundary, Policy 3 'General Urban Areas and Settlements' is of

relevance. Policy 3 states that proposals for uses that are ancillary to residential uses will be assessed on their individual merits, with particular regard to their affect on the amenity and character of the area. In this instance, it is considered that the proposals relate to the management of inert waste in relation to an extant housing permission (Site 2) and the regrading of open land within a settlement boundary (Site 1). The operations are temporary in nature and are considered to result in a betterment of Site 1 through the land regrading whilst preparing the site to be developed through the separate, extant planning permission. It is therefore considered that the principle is acceptable at this location subject to further, detailed assessment of other development management criteria in relation to the affect of the proposals on the amenity of the area. It is therefore considered that the proposals accord with the relevant criteria and provisions of SLLDP2 in this regard.

- 6.3 Policy 2 'Climate Change' of the SLLDP2 states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The proposals involve the removal of inert waste to allow the construction of a development with an extant planning permission. The works required to remove railway sidings on Site 2 have been approved by the extant permission but rather than having to transport the material off site to be dealt with at an existing waste facility, they are to be utilised in the immediate locale for the land regrading works on Site 1. This minimises any transportation and handling of the material which is intrinsically more sustainable than it being taken off site as well as the immediate reuse of the material as well. Therefore, the proposals are considered to be in accordance with the aims of this Policy.
- 6.4 Policy 17 'Waste' states that, in general, waste management facilities and transfer stations will be directed to employment land unless other material considerations indicate otherwise. As noted, the proposals relate to dealing with inert waste relating to a specific site (Site 2) with an extant planning permission and therefore it is considered that the proposals are location dependent rather than being able to be located elsewhere. Policy 17 goes on to state that waste proposals will only be acceptable should they meet certain criteria relating to impact on amenity, the natural and historic environment, hours of operation and length of time of the proposed operation, impact on the road network and suitable restoration. It is considered that a short operational lifespan of 6 weeks is acceptable and will minimise any impact the proposals would have over the long term. Site 2 is to be developed into housing following the implementation of an extant planning permission and Site 1 is to be regraded and returned to open, grazing land. It is therefore considered that the restoration of the site is acceptable. Further assessment of the proposals in relation to amenity, including hours of operation, impact on the natural and historic environment, as well as the road network are further considered below in relation to other more detailed policy criteria.
- 6.5 Policy 5 'Development Management and Placemaking' states that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community. This advice is supported within SLLDP2 Policy DM1 'New Development Design as well as complimenting the aforementioned criteria relating to amenity within Policy 17.
- 6.6 A Noise Impact Assessment (NIA) has been submitted as part of the application. Background monitoring was carried out as part of the NIA at the nearest residential receptors to ensure that it could be demonstrated that standard, acceptable noise levels could be met. Environmental Services are content with the findings of the NIA subject to controlling the hours of operation to ensure they do not involve any late

night/ early morning activity as well as ensuring there is no working on Saturday afternoons and at any time on a Sunday. Environmental Services are content with the levels set out within the NIA and that they are achievable and should therefore be conditioned to ensure compliance throughout the duration of the works. In relation to dust, Environmental Services are content that this can be controlled through a dust management plan with suitable mitigation and continued dust monitoring to ensure compliance is met. It is therefore considered that, subject to these environmental controls, conditioned if permission were to be granted, that the impact on the surrounding amenity in terms of noise and dust would not have a significantly detrimental impact. It is also noted that the proposals are temporary, taking approximately 6 weeks to complete and would therefore not have any permanent impact within the area.

- 6.7 In terms of the impact the proposals would have in relation to the local context and built form of the area, it is considered again that as they are temporary, they will not have any significant adverse impact within the area in this regard. The works in Site 2 are to make way for an extant planning permission for housing which has previously been assessed as being acceptable within the locale. The works in Site 1 involve the regrading of the land and returning it to informal grazing which is considered acceptable within the local context. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.8 Policy 14: Natural and Historic Environment provides the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment. There are no listed buildings, Conservation areas or other historical asset within the application site. There is however, one C Listed Building (Kirkmuirhill Parish Church and Manse) located on the western side of Site 2's northwest boundary. It is considered that the proposals would not have an impact, either directly or indirectly, on this listed building given they do not involve any physical built development that could impinge on its character. As noted in 4.5 above, WoSAS have no objections to the proposals subject to a programme of archaeological works being carried out prior to the commencement of the works.
- 6.9 In relation to the natural environment, an Ecological Appraisal (EA) formed part of the planning submission. This report included a site survey which found no sign of any protected species. The EA noted that the habitat within the site was not of a high quality for wildlife or loss of quality habitat within the site area and is considered poor from an ecology viewpoint. It is considered that this is expected given the site is an area of grazing grassland with limited groundcover. Whilst the EA survey did not find any signs of protected species, it does note that it is still prudent for mitigation measures in relation to badgers, breeding birds and bats should be carried out prior to commencement. These include further surveys of all trees to be removed and for any open trenches to have ramps constructed to ensure any mammal would be able to exit one if entered. An appropriate condition requiring the proposed mitigation forms part of the recommended conditions. It is, therefore, considered that the proposals accord with the relevant criteria of this policy.
- 6.10 SLLDP2 Policy 15 'Travel and Transport' requires that new development does not impact upon any existing walking or cycle route and promotes sustainable travel, where at all possible. In this instance there are no formal walking or cycling routes affected by the proposals. A core path (CL/3264/1) is located to the eastern boundary of the application site but would be unaffected by the proposals. The application site is located within the settlement of Kirkmuirhill and can therefore be reached via public transport. Roads (Development Management) have no objection to the proposals subject to the conditions outlined in 4.1 above.

- 6.11 SLLDP2 Policy 16 'Water Environment and Flooding' states that development proposals within areas of flood risk or that are detrimental to the water environment will not be supported. Policies SDCC2 Flood Risk and SDCC3 Sustainable Drainage Systems provide further detailed advice in support of Policy 16. The application site is not located within any area at risk from river or coastal flooding. The application site is, however, located within an area that is at risk of surface water flooding given the sloping topography of the site. The regrading on the land will minimise this in the future by removing the sloping topography of the site. Roads (Flood Risk Management) have no objections to the proposals subject to their Flood Risk and Drainage design criteria being met. It is therefore considered that the proposals accord with the relevant provisions of the development plan subject to the aforementioned condition.
- 6.12 SLLDP Policy MIN8 Aggregate Recycling states that the Council will support proposals of the recycling of mineral, demolition and construction material providing the proposals do not have a significant adverse effect on local communities. It is considered that, as per the above assessment and subject to conditions, the proposals can be supported and accord with this Policy criteria.
- 6.13 In conclusion, it is considered that the proposed development complies with the adopted South Lanarkshire Local Development Plan 2 and there would be no adverse effect in terms of road safety, residential amenity or environmental impact and, therefore, it is recommended that planning permission should be granted.

7 Reasons for Decision

- 7.1 The proposed development complies with Policies 1,2, 3, 5, 14, 15, 16, 17, SDCC2, SDCC3, DM1 and MIN8 of the Adopted South Lanarkshire Local Development Plan 2 (2021).

David Booth

Executive Director (Community and Enterprise Resources)

26 July 2022

Previous references

- ◆ CL/97/0338
- ◆ CL/02/0601
- ◆ CL/06/0208
- ◆ CL/12/0007
- ◆ CL/12/0531
- ◆ CL/17/0343
- ◆ P/19/0614

List of background papers

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

- ▶ Consultations

Roads Development Management Team

22.12.2021

Environmental Services

26.07.2022

Roads Flood Risk Management	22.06.2022
West Of Scotland Archaeology Service	23.11.2021
Roads Geotechnical	26.07.2022
SP Energy Network	26.11.2021

► Representations	Dated:
Anne Laird, 5 Lanark Road, Kirkmuirhill, Lanark, ML11 9RB	09.12.2021
Mr & Mrs Cowan, 41 Lochanbank Drive, Kirkmuirhill, Lanark, ML11 9RD	13.12.2021
Mr Frank Aitken, 3 Lanark Rd, Kirkmuirhill, ML11 9RB	11.12.2021
Mr Frank Aitken, 3 Lanark Rd, Kirkmuirhill, ML11 9RB	11.12.2021
Donna Laird, Received Via Email	15.12.2021
Graeme Willis, Via Email	14.12.2021
Mr And Mrs Aitken, Via Email	06.12.2021
Mrs Lynn Coltart, 286 Carlisle Rd, Kirkmuirhill, Lanark, ML11 9RA	08.12.2021
Mr Sean Kelly, 11 Lanark Road, Kirkmuirhill, ML11 9RB	09.12.2021
Mr William Cowan, 289 Carlisle Road, Kirkmuirhill, ML11 9RB	09.12.2021
Gemma Laird, Sent Via Email	11.12.2021
Mrs Linda Cowan, 289 Carlisle Road, Kirkmuirhill, ML11 9NT	13.12.2021
Mrs Christina Seagrave, 13 Lanark Road, Kirkmuirhill, ML11 9RB	13.12.2021
Mr William McCutcheon, 1 Hope Road, Kirkmuirhill, ML11 9QY	10.12.2021

Contact for further information

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

James Wright, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455903

Email: james.wright@southlanarkshire.gov.uk

Detailed planning application

Conditions and reasons

01. That, unless otherwise approved in writing by the Council, as Planning Authority, the operations hereby approved, shall continue no longer than 8 weeks following the commencement of development, which shall be submitted for the written notification of the Council, as Planning Authority.

Reason: In order to define the terms of the consent.

02. That all ecological mitigation measures contained within the document titled Preliminary Ecological Appraisal dated July 2021 shall be implemented fully as narrated and maintained for the lifetime of the development, hereby approved.

Reason: In the interests of ecology.

03. That before any work starts on site, details of the restoration of the portion of the application site referenced as Site 1 on approved drawing titled: Location Plan shall be submitted for the written approval of the Council, as Planning Authority. Once approved the restoration shall be implemented as such.

Reason: In order to define the terms of the consent.

04. That no development shall take place within the portion of the application site referenced as Site 1 on approved drawing titled: Location Plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In the interests of the historical environment.

05. That no development shall commence until details of a flood risk assessment and 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 the submission of signed appendices A-E of the Council's Developer Design Guidance on Flood Risk Assessments and Sustainable Drainage Systems, May 2020. The development shall not be commenced until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority and Roads Authority.

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

06. That before any work starts on site a Traffic Management Plan shall be submitted to the Council as Roads and Planning Authority for approval. This should include, but not be limited to the following:
- Phase of works with the railway abutments removed first to increase visibility splays
 - Details of the removal of the abutments
 - Formal traffic control proposals for vehicles crossing the B7086
 - Wheel washing and Road cleaning facilities
 - Details of staff and welfare facilities
 - Details of the haul road, including a 7.3m wide access for a minimum of 15m and measures to ensure no surface water flows onto the public road.
 - Details ensuring all vehicles enter and leave the site in forward gear
 - Details of the haulage route for delivery to the site

Reason: in the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

07. That, before any works commence on site, a dilapidation survey shall be undertaken by the applicants, in accordance with the requirements of the Council's Roads and Transportation Services, along the length of the construction traffic route to be agreed in writing with the Council as Roads and Planning Authority. Thereafter, any subsequent repair works to the road in question shall be undertaken by the applicants, to the satisfaction of the Council's Roads and Transportation Services, before the development is brought in to use, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: In the interests of road safety.

08. That the applicant shall ensure that audible construction activities shall be limited to, Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. No audible activity shall take place during local and national bank holidays - without the prior written approval of the planning authority.

Under exceptional conditions the above time restrictions may be further varied subject to written agreement with the council as Planning Authority.

Reason: In the interests of residential amenity.

09. Noise from construction activity shall not exceed an LAeq,1hr of 65dB as measured free field at the façade of any noise sensitive property.

For soil handling and other temporary operations for the creation of bunds and other works in connection with landscaping noise levels at all noise sensitive properties shall not exceed a free field façade measurement of 70dB as an LAeq,1hr. Temporary operations shall be agreed in writing with the Planning Authority prior to their commencement.

Reason: In the interests of residential amenity.

10. That before any work starts on site, a detailed scheme of site noise monitoring and mitigation shall be submitted to and be approved in writing by the Council as Planning Authority and thereafter the site operator shall abide by the terms of the approved monitoring and mitigation scheme unless otherwise agreed in writing with the Council as Planning Authority.

This monitoring and mitigation scheme shall provide details of:

- Location of noise monitoring equipment;
- Mitigation measures to include bunds and barriers including insertion loss.
- Monitoring frequency;
- Details of equipment to be used and experience of monitoring staff;
- The process and steps to be taken in the event of a complaint regarding noise

Reason: In the interests of Residential Amenity

11. That before any work starts on site, details of mitigation shall be submitted to and be approved in writing by the Council as Planning Authority for dust and air quality (including haul roads). and thereafter the site operator shall abide by the terms of the approved monitoring and mitigation scheme unless otherwise agreed in writing with the Council as Planning Authority.

The dust and air quality monitoring and mitigation scheme shall provide details of:

- ◆ A dust management plan;
- ◆ Mitigation measures;
- ◆ Location of monitoring points;
- ◆ Monitoring frequency;
- ◆ Details of equipment to be used and experience of monitoring staff;
- ◆ The process and steps to be taken in the event of a complaint regarding dust.

That the operator shall minimise dust emissions from the site by every practicable means and shall at all times operate in full accordance with current best practice.

In the event of dust nuisance problems being created by operations on site, the operator shall take all reasonable remedial measures to minimise the transmission of dust, to the satisfaction of the Council as Planning Authority.

If the prevention of dust nuisance by these means is not possible, then the operations which are, in the opinion of the Council as Planning Authority, creating the dust nuisance shall cease temporarily until such times as the weather/ ground conditions allow.

Reason: In the interests of residential amenity.

12. At all times during the operation water bowsers and sprayers, whether fixed or mobile, shall be available to minimise the emission of dust from the site. If the prevention of dust nuisance by these means is not possible, then the movement of soils, overburden, etc. shall cease temporarily until such times as the weather/ ground conditions allow.

The developer shall ensure that sufficient water is maintained on site, at all times, to address the requirements for dust suppression.

Reason: In the interests of residential amenity

13. That before any work starts on site, the following shall be carried out:

(a) The applicant should 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 advice given in the following:

- Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995)
- Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11)' - issued by DEFRA and the Environment Agency
- BS 10175:2011 - British Standards Institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

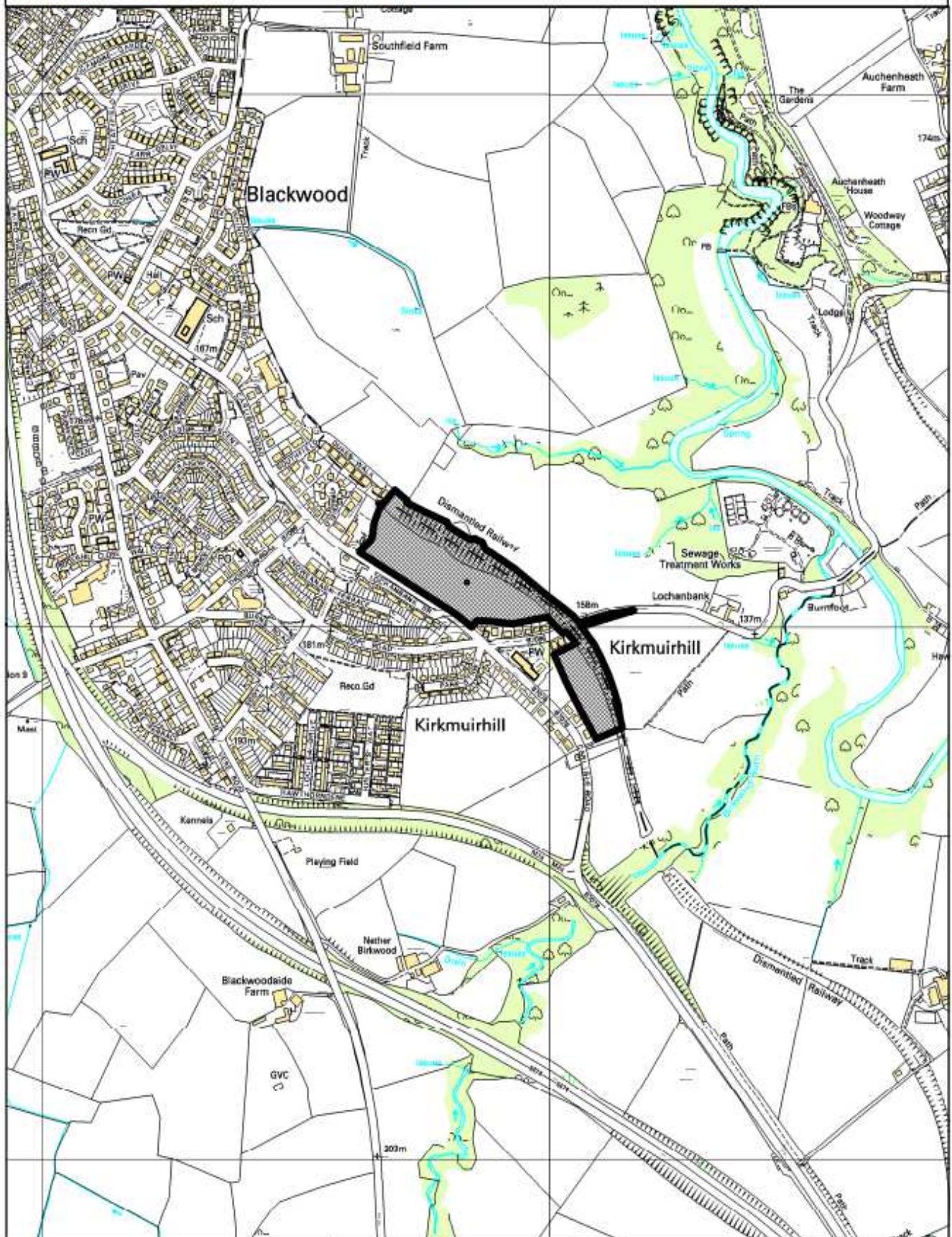
(b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment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

P/21/1982

Land 90M NNW of 289 Carlisle Road, Carlisle Road, Kirkmuirhill



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1:10,000
Date:
21/07/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development