

Report

Report to:	Planning Committee
Date of Meeting:	23 March 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/1751
Planning proposal:	Partial demolition of B-Listed annex building and conversion of retained element to form 8 flats and construction of 31 new dwellings in the cleared area and adjacent playground along with associated ancillary works

1 Summary application information

Application type:	Detailed planning application
Applicant:	Wilson Developments and Clyde Valley Housing Association
Location:	Lanark Grammar Annex Hyndford Road Lanark ML11 9AQ

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: Teri Porter
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): Proposed South Lanarkshire Local Development Plan 2 (SLLDP2): Policy 2 Climate change
Proposed SLLDP2: Policy 3 General Urban Areas
Proposed SLLDP2: Policy 5 Development Management and Placemaking
Proposed SLLDP2: Policy 11 Housing
Proposed SLLDP2: Policy 12 Affordable Housing
Proposed SLLDP2: Policy 14 Natural and Historic Environment

Proposed SLLDP2: Policy DM7 Demolition and
 Redevelopment for Residential Use
 Proposed SLLDP2: Policy DM8 Enabling
 Development
 Proposed SLLDP2: Policy NHE6 Conservation
 Areas
 Proposed SLLDP2: Policy NHE9 Protected
 Species
 South Lanarkshire Local Development Plan: Policy
 2 Climate change
 South Lanarkshire Local Development Plan: Policy
 4 Development management and placemaking
 South Lanarkshire Local Development Plan: Policy
 6 General urban area/settlements
 South Lanarkshire Local Development Plan: Policy
 12 Housing land
 South Lanarkshire Local Development Plan:
 Policy13 Affordable housing and housing choice
 South Lanarkshire Local Development Plan: Policy
 15 Natural and historic environment
 Supplementary Guidance 3: Development
 Management, Placemaking and Design Policy
 DM7 Demolition and redevelopment for residential
 use
 Supplementary Guidance 9: Natural and historic
 environment Policy NHE7 Conservation areas
 Supplementary Guidance 9: Natural and historic
 environment Policy NHE19 Protected species

♦ **Representation(s):**

▶	17	Objection Letters
▶	1	Support Letters
▶	2	Comment Letters

♦ **Consultation(s):**

Housing Planning Consultations
 Housing and Technical Resources
 Community and Enterprise Resources Biodiversity Officer
 Nature.Scot
 Scottish Water
 Roads Flood Risk Management
 Environmental Services
 Historic Environment Scotland
 Roads Development Management Team
 The Royal Burgh of Lanark Community Council
 New Lanark Conservation Trust
 West of Scotland Archaeology Service

Planning Application Report

1. Application Site

- 1.1 The application site (0.75ha) is situated within a predominantly residential area, close to Lanark town centre and relates to the vacant B-Listed Lanark Grammar Annexe. It is a single-story building, in neo gothic style with slate roof, ancillary hardstanding playground, boundary walls and railings and two outbuildings. The building has been vacant since 2003 and is in a dilapidated condition.
- 1.2 To the north the site is bounded by Hyndford Road and beyond by a mixture of terraced, semi-detached and detached residential properties; to the south is the former janitor's lodge house, Albany Drive and Braxfield Road and detached dwellings beyond; to the west are two storey residential flats and to the east one and a half storey detached and semi-detached dwellings of the Victorian/Edwardian era which front Hyndford Road and Albany Drive respectively. Vehicular access is taken from Braxfield Road and there is a pedestrian gated access taken from Hyndford Road via steps because of level differences between the street and the playground. The playground sits at a higher level and is fronted by a natural stone retaining wall.
- 1.3 The category B-Listed building is single storey with a raised basement to the rear and is laid out on an H plan featuring 3 and 5 gabled ends with 'Neo Gothic' fenestration and light lancets. Other features include ashlar quoins, decorative drip moulds, iron finials, straight skews and a prominent octagonal lead bellcote topped by a weathervane. This is an early school board building with the original section including bellcote being built in 1883. After fire damage, a first extension was built in 1888 and a second prior to 1911; there are minor late 20th century additions to the rear. The first and second extensions reflect the gothic styling of the original building. The building has been listed as an example of an early school board building with distinguishing architectural detailing in contrast to the simpler, plainer school board buildings found in most Scottish towns outwith the larger cities.

2. Proposal(s)

- 2.1 After extensive marketing it has been established that retention of the entire building is not viable. The current proposal involves the selective demolition of the first and second extensions and later additions to facilitate a new housing development in the cleared area and remaining playground. The new element will cross fund the restoration and conversion of the original 1883 building to form 8 two and three bedroom flats. The interior will be reconfigured to create new apartments over two floors retaining original subdividing walls where practical – 1st floor rooms will be accommodated within the existing roofspace. Heritage rooflights will be introduced to provide daylight to the upper floor. Internally, due to water penetration damage and other factors, ceilings and floors will have to be removed allowing the development of sustainable and insulated residential units. The majority of the flats will be entered from a central atrium that will allow natural light from roof glazing. Where possible, the creation of the 1st floor will be undertaken sensitively to minimise intrusion on the existing windows. The semi derelict condition of the structure shall necessitate extensive restoration, repairs and reinstatement of the original exterior fabric, detailing and features including stonework, roof, guttering, downpipes and flashings. Following demolition, a new eastern gable on the retained building will have to be constructed using salvaged stones and window dressings from the demolished sections, with care taken to ensure that the new gable matches the existing stonework and detailing. To enable a wider vehicle access with appropriate visibility, part of the boundary wall and the easternmost outbuilding will be removed whilst the western outbuilding will be adapted for cycle storage, with the remaining boundary walls and railings being maintained.

- 2.2 The new build element in the eastern section shall comprise 16 two bedroom cottage flats and 3 three bedroom terraced dwellings contained in three two-storey blocks situated in tandem alignment between the Hyndford Road and Albany Drive frontages. Also, a three-storey building containing 12 two bedroom flats between the rear of the retained annexe and the Braxfield Drive frontage will be developed. The flats consist of two blocks, one taller and wider than the other, aligned alongside with a stairwell physically connecting the blocks. The frontage and rear elevation of the new build will be finished in facing brick, whilst the roof and part of the side elevations will be finished in zinc, with the lower half finished in facing brick to match the front and rear. The conversion of the retained building along with the new build will allow the formation of 39 residential units for affordable tenancies managed by Clyde Valley Housing Association. In addition, 42 parking spaces will be provided within the site to serve the residents.
- 2.3 A Listed Building Consent application P/20/1752 covering the conversion and selective demolition of the B-Listed annexe is subject of a separate report which will also be reported to the Planning Committee at its meeting on 23 March 2021.
- 2.4 The submission includes a Planning Statement, Design Statement, Site Investigation, Bat Roost Survey, Heritage Statement, a Visual Inspection Report and a copy of the Strategic Housing Investment Programme.

3. Background

3.1 Local Plan Status

3.1.1 On 17 August 2020 the Directorate for Planning and Environmental Appeals issued its report of the Examination of SLLDP2 and a number of modifications to the Plan were recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of the modifications; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers. For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted South Lanarkshire Local Plan and those within the proposed SLLDP2. In this regard the application site and associated proposal is affected by the following policies contained in SLLDP2: Policies 2 – Climate Change, 3 General Urban Areas, Policy 5 – Development Management and Platemaking, 11 – Housing, 12 – Affordable Housing, 14 Natural and Historic Environment, DM7 Demolition and Redevelopment for Residential Use, NHE6 Conservation Areas and NHE9 Protected Species. As SLLDP2 is now approved for adoption, when considering planning applications, greater weight should be given to the policies and guidance contained in this Plan.

3.1.2 In the adopted South Lanarkshire Local Development Plan (soon to be superseded by SLLDP2) it is considered that Policies 2 – Climate Change, 4 – Development Management and Place Making, 6 – General Urban Area/Settlements, 12 Housing land, 13 Affordable housing and housing choice and 15 – Natural and Historic Environment, are appropriate to the determination of this application. In addition, the Policies and Guidance within the Council's adopted Supplementary Guidance are of relevance; namely Development Management, Place Making and Design SG (Policy DM7 Demolition and redevelopment for residential use) and Natural and Historic Environment SG (Policies NHE7 Conservation Areas and NHE19 – Protected Species).

3.2 Relevant Government Advice/Policy

3.2.1 In terms of residential development, Scottish Planning Policy (SPP) advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all

times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. Consideration should be given to the re-use or re-development of brownfield land before development takes place on greenfield sites.

- 3.2.2 Scottish Planning Policy advises that changes to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future.

3.3 **Planning Background**

- 3.3.1 After being declared surplus to educational requirements in 2003, Listed Building Consent CL/04/0485 and Planning Permission CL/04/0506 to convert the Lanark Grammar Annexe into 14 residential flats was granted in November 2004. The approvals were not implemented and expired in 2009 and the site was sold on to Muse development. In 2015, Muse entered into negotiations with a national food retailer seeking to relocate their local outlet to the site, however, after feasibility studies indicated that the Listed Building would have to be removed, interest was withdrawn.

- 3.3.2 Planning Permission CL/07/0106 was granted for temporary classroom accommodation in March 2009 whilst the replacement Lanark Grammar School was being built.

- 3.3.3 Lanark Grammar Annexe has been on the Buildings at Risk Register since 2004.

- 3.3.4 An unsuccessful application was made to Historic Environment Scotland to remove the building from the statutory list in February 2020.

- 3.3.5 The site is included in the Strategic Investment Housing Programme (SHIP) 2021-2026 as a housing development priority supporting a total of 49 units (Appendix 20 – item 11).

4. **Consultation(s)**

- 4.1 **Scottish Water**– There is sufficient capacity at the Coulter Water Treatment and the Lanark Waste Water Treatment Works. For reasons of sustainability and to protect their customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into their combined sewer system. There may be limited exceptional circumstances where they would allow such a connection for brownfield sites only, however, this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges. In order to avoid costs and delays where a surface water discharge to their combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. They will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives. **Response:** The applicant is fully aware of the need to supply supporting information to justify the connection of surface water flow into the combined sewer and will be making early contact with Scottish Water. The site which currently comprises buildings and hard standing already connects into the system. In respect of the proposed development, surface water flow is expected to be less than current because of a reduction in overall hard standing and the installation of SUDS. A condition has been

attached which requires confirmation from Scottish Water that they will accept drainage discharge into their system prior to the commencement of development.

- 4.2 **Housing**– Housing and Technical Resources confirmed that this site is identified in the Councils Strategic Housing Investment Plan 2021-2026 and is prioritised for Scottish Government grant funding for social rented housing. Wilson Development is building on behalf of Clyde Valley Housing Association and the new social rented housing provided will be let through the common housing register HomeFinder.

Response: The importance of this site for the provision of affordable housing is noted.

- 4.3 **Royal Burgh of Lanark Community Council** – there are very few available spaces in the streets adjacent to the development and so the potential for illegal or irresponsible parking is significant. The Community Council would hope that as many as possible of the original features of the site can be retained, particularly the bell tower in the retained part of the building and the railings which form the boundary to the development. The retained building once contained wall murals by the renowned artist Jessie M King. The Community Council has asked that the applicant make reference to this in the development.

Response: A survey undertaken by Clyde Valley Housing Association has previously established that car ownership amongst their tenants was 61%. This application exceeds this total and proposes to provide 107% parking provision within the development. It is therefore unlikely that parking issues will arise on nearby streets as a consequence of this development. The belltower and most of the railings will be retained other than the section which will have to be removed to allow the widening of the access. The applicant has suggested the street serving the development should be named after Jessie M King.

- 4.4 **West of Scotland Archaeology Service (WOSAS)** – Due to the historic nature of the locality and the potential for archaeological finds, it is recommended that a condition be attached covering the requirement for a programme of archaeological investigation.

Response: Noted. An appropriate condition has been attached.

- 4.5 **NatureScotland** – Do not intend providing tailored advice on protected species, reference should be made on their standing advice on their portal. A species licence may be required.

Response: A bat survey has identified 4 bat roosts in the roof of the existing building. Once Planning Permission has been granted the applicant will submit a species licence to NatureScotland.

- 4.6 **Environmental Services** - No objection subject to conditions covering internal noise levels, sound insulation, construction noise, piling and residential waste.

Response: Appropriate conditions have been attached.

- 4.7 **Flood Unit** – No objection subject to conditions covering Flood Risk Assessment, SUDS and confirmation from Scottish Water that they will accept drainage discharge. An updated drainage strategy will have to provide details of the design and location of the filter and an assessment on the viability of infiltration at the site.

Response: Noted. Appropriate conditions have been attached.

- 4.8 **New Lanark Conservation Trust** – No response received to date.

Response: Noted.

- 4.9 **Historic Environment Scotland** - Although not wishing to comment, other than the proposal should be assessed under relevant national and local policies, they did suggest that it could potentially affect the New Lanark World Heritage Site buffer zone.

Response: Although adjoining, the site nevertheless falls outwith the buffer zone – the purpose of the buffer zone is to protect the setting of the World Heritage Site. In considering the nature and scale of the proposal along with intervening buildings, topography and woodland, it is unlikely to impact upon the setting of the World Heritage Site. It is recognised that the principal route for visitors down to New Lanark does pass the site which is derelict and the annexe building is dilapidated and continues to deteriorate. Therefore, this redevelopment including the retention and conservation of the original school building represents a positive opportunity to improve the perception of visitors to Lanark and New Lanark.

- 4.10 **Roads and Transportation Services** - previously highlighted concerns that the proposed 42 parking spaces were below that required by the SCOTS National Roads Development Guide (NRDG). The application is now in the joint names of Wilson Developments and Clyde Valley Housing Association (CVHA) with the latter providing supporting information on the provision of 107% parking being in excess of their general 61% parking requirement for CVHA sites. On this basis, they have no further comments in relation to parking provision. They have recommended conditions regarding access, visibility, wall maintenance, traffic management and a dilapidation survey.

Response: Noted. Appropriate conditions have been attached.

5. Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the local press as development affecting the character of the conservation area and listed buildings following which 17 letters of objection, 2 letters of comment and one in support have been received. The issues raised are summarised below:

a) Road safety, traffic generation, insufficient parking and impact upon traffic flow.

Response: Roads in their consultation response have not raised concerns about vehicular generation and impact upon traffic flow. In terms of road safety, a condition on traffic management of construction traffic has been attached. The applicant, Clyde Valley Housing Association, has provided survey information demonstrating that only 61% of their tenants own a car whilst parking within the site will be at 107%.

b) Overlooking/loss of privacy

Response: The proposed new build has been orientated and laid out in a manner which minimises overlooking of neighbouring properties and in accordance with privacy standards. The three terrace dwellings will have views over the rear garden of the janitor lodge house from 1st floor windows. However, at ground floor any overlooking can be addressed by boundary fencing. Within densely built-up areas there will always be some degree of overlooking.

c) Drainage/infrastructure – concerned existing drainage will be affected by new system being put.

Response: It is anticipated that with the installation of a Sustainable Drainage System, designed in accordance with current standards and a reduction in the overall hardstanding area that there will be no unacceptable impact upon the drainage system serving the neighbourhood.

d) Noise and disturbance

Response: A number of conditions have been attached covering noise mitigation measures.

e) **Odour/ dust in the air.**

Response: Odour is unlikely to be an issue associated with a residential development and a condition has been attached covering dust suppression.

f) **Boundary wall is in need of repair**

Response: For boundary walls on mutual boundaries responsibility rests with the applicant. In terms of the front retaining wall, conditions have been attached requiring a structural survey and any necessary remedial repairs.

g) **Listed Building should be retained in its entirety.**

Response: After 15 years of marketing it has not been possible to find a viable scheme which involves the retention of the whole building.

h) **The number and size of the proposed blocks would overpower a residential area of mainly low level housing and would look totally out of character with the area especially the three storey block which would totally dominate the area and take away privacy from existing houses.**

Response: This is an appropriate scale of proposal for the bespoke redevelopment of a brownfield site, close to the town centre. The site sits very close to the town centre, characterised by high density and flatted developments three/four storeys in height. Cross sections and contextual illustrations have been submitted which show that the height of the new build is not significantly higher than neighbouring properties or the retained school building on site. The three storey building has been orientated in a manner which avoids direct overlooking of neighbouring properties.

i) **The proposal is overdevelopment with a lack of amenity space, little garden space, no play areas for children and an overall impression of crammed housing blocking views to the historic building.**

Response: Although amenity space is limited, the site is within easy walking distance of Castlebank Park on the edge of town. The new build blocks have been positioned to enable visual and physical permeability through the site. Views towards the Listed Building from the rear and front of the site will remain largely unobstructed.

j) **The terraced housing lacks design vision and is not in keeping with sandstone residences which surround the development. This detracts from the historic housing and buildings especially when visitors to the town and New Lanark will be unable to view the frontage of the Grammar annexe building. It will be blocked from view by the housing right in front of it. The terraced block does not pay regard to the buildings on Hyndford Road.**

Response: Attempts to provide pastiche solutions in replication of an older style can often prove to be second rate. The terraced housing is a bespoke contemporary design providing contrast with neighbouring older properties which allows the evolution of the site to be clearly read. Juxtaposition of old and new can be successful as long as the new is an appropriate scale and makes references to the characteristics of the site and surroundings. The multi gable terrace makes reference to the existing school building and the sandstone terraces to the east. The development will also run parallel to the alignment of Hyndford Road, respecting the flow and rhythm of the street. The mass and scale is appropriate. Views of the annexe building from the front boundary will remain open. Rather than detract from, the redevelopment of a derelict site and restoration of the original school building will enhance the visitor experience and amenity of the surrounding area.

- k) **Opening the stairs at the junction of Albany Drive and Braxfield Road will create a shortcut from Hyndford Road to Albany Drive impacting upon the privacy of the Janitor's house which is now a private residence.**
Response: The through route will encourage walking which is an important means of sustainable travel. In most situations, houses front public footpaths where pedestrian passage is transitory and, therefore, does not impact upon privacy.
- l) **Litter thrown into the property.**
Response: This is a public enforcement issue outwith the planning remit.
- m) **There are mature trees along the objector's boundary.**
Response: These trees fall outwith the application boundary, however, the nearest building will be set back from the boundary. Also, if the root system of these trees has encroached into the site it's likely to have grown under the existing hard standing.
- n) **There is a colony of bats resident in the school building and a family of foxes have reared cubs there every year.**
Response: The bat survey has identified 4 bat roosts in the roof area used by three bats. The applicant will apply to NatureScotland for a licence to remove these roosts. Foxes do not have protected status and are likely to adapt to changes by finding new locations to rear cubs in the locality.
- o) **Damage to common boundary should be avoided and repaired where necessary.**
Response: Noted.
- p) **Precedence of three storey buildings**
Response: Each proposal is assessed on its individual merits.
- q) **Increased anti-social problem.**
Response: There is no evidence to substantiate this claim.
- r) **The three-storey flatted block is excessive, out of character and is poorly positioned in such close proximity to the established residential properties on Braxfield Road.**
Response: Cross sections and plans show that the height is not significantly higher than surrounding buildings, is a reasonable distance back from and does not directly face towards the nearest dwellings. Visual impact of massing from public road and private roads has been minimised by the layout and orientation whereby the narrowest elevation faces to the street and the widest into the site.
- s) **The maintenance/upkeep and repair of said boundary wall lies entirely with the owners of school (as was) and now with the developers and their successors as owners of the development site. Therefore, seeking reassurance that this established liability will not be devolved to the capricious consent of 39 owners but will be appropriately devolved in order that the wall can be maintained in good order in perpetuity.**
Response: The applicant has advised 'There is reference in the relevant conveyance to the School Board of Lanark dating from 1896 to a stone and lime boundary wall already being erected on the subjects and states for the avoidance of doubt that the owner of the relevant subjects (ie the school) would be responsible for its maintenance and repair. It is reasonable to assume if the wall the objection refers to is of stone and lime then it is the wall referred to in

the 1896 deed.' Ultimately this is a legal matter outwith the planning remit. All the residents will be tenants not owners and any responsibility for boundary walls, whether full or jointly, rests with Clyde Valley Housing Association.

- t) **Noise and carbon emissions generated from cars.**
Response: Housing Association tenants have low car ownership and the site is within a short walking distance of the town centre and other services negating the need for car journeys. It is not anticipated that a residential development would result in excessive noise.
- u) **The three terraced houses are very close to the former schoolhouse.**
Response: In considering established average distances between existing dwellings in the neighbourhood, the terraced dwellings are a reasonable distance back from the Janitor's House (school house), however, it is recognised there will be a degree of overlooking (see point b above).
- v) **Blocking of the driveway at the bottom of Albany Drive. More vehicles will exacerbate this issue.**
Response: Sufficient on-site parking will be provided.
- w) **Road at the bottom of Albany Drive would have to be upgraded to an appropriate standard if any construction vehicles needed to use it.**
Response: A Traffic Management Plan and dilapidation survey will ensure measures are in place to inspect and repair the construction traffic route during the construction phase.
- x) **Design of the new buildings are not sympathetic to the existing building.**
Response: The design does not replicate the original building (see point j above), however, in terms of scale, mass and position it does respect the setting of the retained B-Listed Building.
- y) **Dispute the case for partial demolition especially as the developer proposes to demolish the most attractive element of the Hyndford Road elevation (the ornate marbling above the double mullioned windows).**
Response: A heritage assessment has concluded that the most important and architectural distinctive part of the annexe relates to the original school building with its bellcote centre piece. The elements to be demolished reflect the styling and ornamentation of the original building, therefore, there is little to differentiate in respect of moulded stonework above the windows.
- z) **It is not the job of a Planning Authority to evaluate the commercial viability of a development only whether or not the proposed development accords with established policy.**
Response: Planning policies and Historic Environment Scotland guidance set out circumstances and criteria for justifying partial demolition whereby retention of a Listed Building is economically unviable. Part of the process involves submission of supporting documentation including marketing evidence which clearly demonstrates that complete retention is not viable – so in this case evaluating viability falls within the Planning remit.
- aa) **Not enough exploratory work has been done to rediscover the murals Jessie M King painted in the school.**
Response: Despite internal inspection and surveys these murals have not been found.

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

6. Assessment and Conclusions

6.1 The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on surrounding amenity. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended), all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan framework against which the proposal requires to be assessed comprises the South Lanarkshire Local Development Plan (adopted 2015) and its associated supplementary guidance and the Proposed South Lanarkshire Local Development Plan 2.

6.2 Section 3 of the report explains that the proposed South Lanarkshire Local Development Plan 2 (SLLDP2) as modified (in accordance with the modifications recommended in the Examination report) was approved by the Planning Committee on 1 December 2020. Notice has now been given by the Council of the Intention to Adopt the Plan. The weight attached to SLLDP2 as a material consideration in determining this application is, therefore, significant. For the purposes of determining planning applications the Council will, therefore, assess these against the policies contained within the adopted South Lanarkshire Local Plan and those within the proposed South Lanarkshire Local Development Plan. The modified SLLDP2 and associated documents were approved by the Planning Committee on 1 December 2020. The Council has now advised the Scottish Ministers of its intention to adopt the Plan. Local Development Plan 2 is, therefore, the Council's most up to date policy position and is afforded significant weight in the assessment and determination of planning applications. SLLDP2 policies are assessed as follows.

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

6.4 Policy 12 – Affordable Housing expects developers to contribute to meeting affordable housing needs across South Lanarkshire by providing, on sites of 20 units or more, up to 25% of the site's capacity as serviced land for the provision of affordable housing. The applicant is Clyde Valley Housing Association and the proposal involves 100% affordable housing for rent. Furthermore, the site is identified in the Strategic Housing Investment Programme and has the full support of the Council's Housing Department.

- 6.5 Policy 5 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance supports residential developments where they do not have a significant adverse effect on the amenity of the area. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, overshadowing, overlooking or visual intrusion.
- 6.6 In choosing an appropriate layout, the applicant has carefully assessed the constraints of the site and the surrounding locality. This is a bespoke development of a former school annexe whereby the plan involves retention of part of a B-Listed Building. This is a high-density development which is commensurate with other flatted developments within or close to the town centre. Although the new flats will be higher than the existing annexe and neighbouring properties, cross sections and illustrations demonstrate that the height difference is not significant. Rather than attempt a pastiche replication of the past, the new build uses modern materials in the form of brick and zinc. The overall massing and space between buildings is appropriate, thereby allowing successful integration. The multi gables on the cottage flats reflect the existing building and the traditional villas to the east, whilst the parallel alignment with Hyndford Road respects the rhythm and flow of the street. The buildings have been orientated to minimise overlooking albeit within existing residential areas some degree of overlooking is inevitable. A daylight analysis undertaken by the applicant shows that overshadowing of neighbouring properties is not significant or unacceptable. The proposed access arrangement off Braxfield Road has been carefully assessed and is considered acceptable by Roads and Transportation Services. Satisfactory car parking and cycle storage provision can be accommodated on site.
- 6.7 In view of the above, it is considered that the proposal would relate satisfactorily to adjacent development, and the character and amenity of the residential area would not be impaired by reason of traffic generation, parking, visual intrusion or physical impact. The proposal is, therefore, satisfactory in terms of Policy 5 - Development Management and Place Making of the proposed Local Development Plan.
- 6.8 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change by considering various criteria including: being sustainably located; reuse of vacant and derelict land; avoidance of flood risk areas; incorporating low and zero carbon generating technologies; opportunities for active travel routes and trips by public transport; electrical vehicle recharging infrastructure and; where appropriate, connection to heat networks. The site is sustainably located within the settlement boundary of Lanark and is within easy walking distance of town centre shops, services, and bus and train stations. The proposal will redevelop a vacant/derelict site and find a suitable use through the sensitive conversion of the original school building. The site is not at risk of flooding and there are no infrastructure constraints. A footpath route through the site will be facilitated. Conditions have been attached requiring the submission and approval of details for low carbon technology and electrical vehicle recharging infrastructure. In consideration the proposals would not undermine the objectives of the policy.
- 6.9 Policy DM7 sets out that residential redevelopment proposals involving demolition of existing properties will require to comply with the following:-
- ◆ Demolition and redevelopment of a listed building or a building within a conservation area will be assessed against Policies NHE3 and NHE7

- ◆ The scale and design of development should be sympathetic to the scale / mass / height and materials of adjacent buildings and to development in the immediate area. It should not significantly breach any existing layout convention such as an established building line or height of adjacent buildings
- ◆ Redevelopment proposals should not be cramped or out of keeping with, or occupy a significant greater footprint than the demolished building or of those flanking the site, where this is to the detriment of the visual character of the area or results in other criteria of this policy being unable to be met
- ◆ Redevelopment shall not result in increased overlooking of adjoining property or garden ground, either through the formation of habitable windows or by the virtue of the new development extending deep into a site beyond the footprint of the demolished building
- ◆ Redevelopment shall not be detrimental to the amenity of adjacent properties or garden ground in terms of overshadowing, visual impact or noise and disturbance. Assessment of the impact of the new development shall have regard to orientation, height, proximity to boundaries and adjacent buildings
- ◆ Vehicular access and off-street parking must be satisfactorily achieved and must not present a traffic hazard or create amenity problems for neighbours. Parking provision in front or rear gardens should not adversely affect the appearance or character of the street, and the major part of the surface area of the front or rear gardens should remain in use as garden ground

6.10 The partial demolition of a B-Listed Building has been assessed under the terms of Policy NHE3 – Listed Buildings in a separate report for Listed Building Consent P/20/1752 which is also being considered by this Committee. The demolition will facilitate new build development and although the new build footprint will be greater than the demolished area, the difference is not significant nor overly noticeable when account is taken of the reasonable separation between buildings that is proposed. Being a derelict brownfield site, there are opportunities to reduce the total hard standing on site and create garden and amenity space. The mass and scale of the development is appropriate to its setting and although modern materials will be used on the new build, the contrast with the old will create interest whilst still being in keeping due to the appropriateness of the scale and massing. The building line along Braxfield Road is not infringed upon and the retention of the boundary wall and one of the outbuildings will help integrate the new development into the street scene. Along the Hyndford Road frontage the cottage flats shall sit marginally to the front of the villas to the east whilst being slightly behind the flats to the west. There will be no significant overshadowing or overlooking. Whilst the 1st floor bedrooms on the terrace housing will overlook the rear garden of the former Janitor's Lodge house, this arrangement is not considered to be unacceptable or uncommon within an urban residential area. In conclusion, the proposal is largely compliant with the objectives of this policy.

6.11 Policy DM8 - Enabling Development advises that proposals for single houses or small-scale housing shall be considered where it is required to fund works to a Listed Building or other significant historical asset. Proposals will be required to meet the following criteria:-

- ◆ It requires to be demonstrated that this is the only means to prevent the loss of the asset and secure its long-term future. Consequently, this policy shall be applicable only once in relation to that asset
- ◆ Evidence is required in all cases to demonstrate that other sources of funding have been pursued and why these are unavailable or unable to fully fund the project
- ◆ Any new development shall be the minimum necessary to bridge any gap in funding to achieve the works required

- ◆ A business plan will be required. The expected demand and sale price of the proposed dwelling(s) shall be evidenced and based on a local market assessment
- ◆ The development shall be designed and sited carefully to preserve and enhance the character and setting of the historical asset and the surrounding landscape or townscape, and must comply with the relevant historic environment policies in Chapter 7
- ◆ The location, siting and design of the new house(s) shall meet existing design policy and guidance as set out in LDP2 and supporting planning guidance

In all cases, a Section 75 obligation and/or planning condition will be required to control the phasing of the works in relation to the proposed dwellings.

- 6.12 The case for justifying partial demolition to facilitate new build to cross fund the restoration and conversion of the original Lanark Grammar Building has been set out in the separate report for Listed Building Consent P/20/1752. To reiterate, the building has been marketed for over 15 years without finding a viable proposal which ensures the conservation and retention of the complete building. It has been on the Buildings at Risk Register since 2004 and in that time there has been significant physical deterioration to the structure and fabric both internally and externally. This is having a negative impact upon a heritage asset and the surrounding locality. An inspection report in 2010 estimated repair costs of £340,000 – further surveys in 2015 and, more recently, A Visual Inspection Report in December 2020 have identified continuing deterioration. Areas of concern include erosion of stonework, repointing, faulty rainwater goods, subsidence, failed ceilings, rotten trusses, asbestos, failing lintols, rotten door surrounds, flooring and joists, missing slates, roof sections, skew stones, windowpanes and flashing allowing water penetration and deterioration of stonework. Conversion of an old building is significantly more costly per square metre of liveable floorspace compared to complete demolition and new build. The developer has carried out a feasibility study to consider options A-D, 3 of which (A-C) include the retention of the original 1883 building and parts of the first and second extensions along with new build whilst option D involves the conversion of the original building and complete demolition of the first and second extensions to facilitate new build. Options A-C were unviable because development costs exceeded net profit by a significant margin – losses ranged from £866,505 to £124,844. Option D is deemed to be profitable and the only viable scheme after 15 years of marketing which offers the original school building, the most important component, from a historical and heritage perspective, a long and sustainable future. Also, it is included within the Strategic Housing Investment Programme (SHIP) for South Lanarkshire 2021-2026 and is, therefore, eligible for funding from the Scottish Government. A condition has been attached to control the Phasing of the development. In consideration the proposal complies with policy DM8.
- 6.13 The application site in this case is dominated by the category B-Listed building and it also adjoins the Lanark Conservation Area and potentially could affect the setting of the A Listed St Mary's RC Church to the north and the B-Listed numbers 3 to 5 Hyndford Road situated across the road from the site. Policy 14 – Natural and Historic Environment states that the Council will assess all development proposals in terms of their impact on the natural and historic environment, including biodiversity and townscape. In category 2 areas (which includes the setting of A-Listed Buildings) development proposals will only be permitted where the objectives of the designation and overall integrity of the area can be shown not to be compromised. Further guidance is found in Policy NHE3 – Listed Buildings. Category 3 areas includes the setting of conservation areas and category B and C listed buildings within which development which would affect them will only be permitted where there is no significant adverse impact on the protected resource. Policies NHE3 – Listed Buildings

and NHE6 – Conservation Areas note the importance of the setting of listed buildings and conservation areas. In the separate report relating to planning application P/20/1752 for listed building consent, it was concluded that the setting of St Mary's and numbers 3 to 5 Hyndford Road would not be affected unacceptably. That report also considered the partial demolition of the existing B-Listed building on site to be justified, therefore, the objectives of Policy NHE3 have not in this instance been compromised. Assessment of Policy NHE6 – Conservation Areas in respect of the impact upon the setting of the Conservation Area will be outlined below. Development affecting protected species will not be permitted unless it can be justified in accordance with the relevant protected species legislation. Since bat roosts were identified in the roof area this matter will be considered further under the terms of Policy NHE9 – Protected Species.

- 6.14 Policy NHE7 – Conservation Areas states that development within a Conservation Area or affecting its setting, shall preserve or enhance its character. The design, materials, scale and siting of any development shall be appropriate to the character of the conservation area and its setting. The site is currently derelict, the annexe building is dilapidated and generally it has an untidy, neglected appearance which detracts from its surroundings and the setting of the Conservation Area. Although the designs of the new buildings are modern in appearance and do not reflect historic local architecture, the size, mass and scale of the development is proportionate to the allocated curtilage and its setting alongside the most important part of the B-Listed building which will be subject to a high quality restoration. Overall, in the context of its setting, the development will be visually contained by neighbouring buildings ensuring impacts beyond the site boundary are minimised. Removing a sense of dereliction, redeveloping the site and retaining part of the annexe building will have a positive impact upon the townscape character benefitting the setting of the Conservation Area. In consideration the proposal complies with policies 15 and NHE6.
- 6.15 Policy NHE9 – Protected Species states all development that would impact on a European Protected Species will not be permitted unless it can be shown that:-
- ◆ The development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment
 - ◆ There is no satisfactory alternative
 - ◆ The development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range
- 6.16 The site is currently derelict and the B-Listed Building is in a dilapidated condition and continues to deteriorate. The proposal affords an opportunity to retain and conserve the most important part of the building. The redeveloped site will result in environmental improvements, of benefit to the historic and townscape character of the area. The proposed housing will also help meet demand for affordable housing within a sustainable location. The Government will provide grant funding for affordable housing on this specific site, however, to be eligible, Planning Permission must be granted before the end of March 2021. The economic viability of this development is dependent upon Government funding. There are no suitable, alternative sites. This proposal is considered of importance for economic, social and heritage reasons. A bat survey was carried out in October 2020 which identified 4 bat roosts within the roof area of the Annexe building used by solitary Soprano Pipistrelle bats as transient, non-breeding roosts. The Ecologist who carried out the survey is of the view that the loss of non-breeding roosts used by a small number of Soprano Pipistrelles will not have a significant impact upon the national, regional or local conservation status of the

species. A Bat Protection Plan will be implemented to ensure these roosts are removed in accordance with current standards. Also, further surveys will be carried out in May/June 2021 to establish whether other roosts are present. The applicant will be required to apply for a Licence to Nature Scotland to remove these roosts should Planning Permission be granted. It is considered that the proposal will not adversely affect bats and complies with the requirements of Policy NHE9.

- 6.17 The Policies of SLLDP2, as outlined above, now take precedence over policies contained in the adopted SLLDP and once formally adopted in the near future will supersede the current Local Plan. Notwithstanding, until that time the adopted Local Plan policies are still materially relevant. The wording and criteria of the adopted Local Plan policies are similar to their equivalent in the proposed Local Plan other than there now being more emphasis on climate change and sustainability. Therefore, there is little merit in repeating an assessment for each individual adopted Local Plan policy as that effectively duplicates the above assessment. However, in summary, it is considered that the proposal complies with Policies 2 – Climate Change, 4 – Development Management and Place Making, 6 – General Urban Area/Settlements, 12 Housing land, 13 Affordable housing and housing choice, 15 – Natural and Historic Environment, DM7 Demolition and redevelopment for residential use, NHE7 Conservation areas and NHE19 – Protected Species of the adopted Local Plan and associated guidance.
- 6.18 The proposal will result in the redevelopment of a derelict site with the purpose of providing and meeting demand for affordable rented housing in Lanark. Although partial demolition of the B- Listed Annexe is regrettable, the retention of the building in its entirety is not economically viable and the option under consideration would allow the preservation of the historically and architectural impressive original Lanark Grammar School which will be converted into flats. In view of all of the above and taking into account the current and proposed local development plan context, the proposal represents an appropriate form of residential development for the application site, and it is, therefore, recommended that detailed planning consent be granted subject to the conditions listed.

7. Reasons for Decision

- 7.1 The proposal will not adversely impact on residential or visual amenity, raises no road safety concerns, conserves the most important part of a B-Listed Building and reuses a brownfield site to meet demand for affordable housing. The proposal accords with the requirements of the policies and guidance within the proposed South Lanarkshire Local Development Plan 2 (namely Policies 2 - Climate Change, 3 - General Urban Areas, 5 - Development Management and Place Making, 11- Housing, 12 - Affordable Housing, 14 - Natural and Historic Environment, DM7 -Demolition and Redevelopment for Residential Use, DM8 - Enabling Development, NHE6 - Conservation Areas and NHE9 - Protected Species). The development also complies with Policies 2 - Climate Change, 4 - Development Management and Placemaking, 6 - General Urban Area/settlements, 12 - Housing - Housing Land, 13 - Affordable housing and housing choice, 15 Natural and historic environment, DM7 - Demolition and redevelopment for residential use, NHE7 - Conservation Areas and NHE19 - Protected species of the adopted South Lanarkshire Local Development Plan and relevant Supplementary Guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

12 March 2021

Previous References

- ◆ CL/04/0485
- ◆ CL/04/0506
- ◆ Planning Committee – 20 March 2007 - CL/07/0106

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 23 December 2020

- ▶ Consultations
 - Housing Planning Consultations 19.02.2021
 - Housing and Technical Resources
 - Community and Enterprise Resources Biodiversity Officer
 - Nature.Scot 08/02/2021
 - Scottish Water 29.12.2020
 - Roads Flood Risk Management 12.02.2021
 - Environmental Services 08.02.2021
 - Historic Environment Scotland 14.01.2021
 - Roads Development Management Team 23.02.2021
 - The Royal Burgh of Lanark Community Council 06.01.2021
 - New Lanark Conservation Trust
 - West of Scotland Archaeology Service 06.01.2021
 - Environmental Services 04/02/2021

- ▶ Representations Dated:
 - Mr John Patrick, 8 Braxfield Road, Lanark, South Lanarkshire, ML11 9AB 12.01.2021
 - Ann Doherty, 1A Hyndford Road, Lanark, South Lanarkshire, ML11 9AE 21.01.2021
 - Ann Doherty, 1 Albany Drive, Lanark, ML11 9AG
 - Ms Jean Clayton, 3 Albany Drive, Lanark, South Lanarkshire, ML11 9AG 12.01.2021
12.01.2021
 - Margaret Steele, 9 Guschet Place, Lanark, South Lanarkshire, ML11 9DN 07.01.2021
 - Mrs Maureen Craig, 45 Albany Drive, LANARK, ML11 9AF 04.02.2021
04.02.2021

Mr Martin Travers, 26 Braxfield Road, Lanark, ML11 9AH	15.01.2021
Mr Andrew Smith, 13 Braxfield Road, Lanark, ML11 9AH	12.01.2021
Miss Linda Nisbet, 31 Albany Drive, Lanark, ML11 9AG	01.02.2021
Mr William Findlater, 5 and 7 Hyndford Road, Lanark, ML11 9AE	01.02.2021
Mrs Nicola Odonnell, 21 Albany Drive, Lanark, ML11 9AG	01.02.2021
Miss Kim Green, 25 Albany Drive, Lanark, ML11 9AG	09.02.2021
Miss Susan Tait, 12 Braxfield Road, Lanark, ML11 9AB	12.01.2021
Mrs Anne Smith, 13 Braxfield Road, Lanark, ML11 9AH	12.01.2021
Dr John Copland, 41 Albany Drive, Lanark, ML11 9AF	28.01.2021
Ms Linda Nisbet, 31 Albany Drive, Lanark, ML11 9AG	01.02.2021
Mr Crawford Fulton, 10 Braxfield Road, Lanark, ML11 9AB	12.01.2021
Mr Andrew Robertson, 42 Albany Drive, Lanark, ML11 9AF	01.02.2021
N/A Royal Burgh of Lanark Community Council, 34 Albany Drive, Lanark, ML11 9AG	01.02.2021 05.01.2021
Mrs Jane Nicholson, 8, Alder Tree Road, Banchory, AB31 4FW	07.01.2021

Contact for further information

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455174

Email: ian.hamilton@southlanarkshire.gov.uk

Conditions and reasons

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

03. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 2 shall be erected and thereafter maintained to the satisfaction of the Council.

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

04. That the open space relating to the development shall be laid out simultaneously with the development or each phase thereof, and shall be completed to the satisfaction of the Council as Planning Authority.

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

05. That proposals for the maintenance of all areas of open space within the development shall be submitted for the written approval of the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

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

06. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:-
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
 - (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
 - (c) details of any top-soiling or other treatment to the ground;
 - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
 - (e) proposals for the initial and future maintenance of the landscaped areas;
 - (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

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

07. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

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

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

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

09. 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 order to ensure a properly programmed development.

10. That none of the new build dwellings shall be occupied until the retained part of the B-Listed Lanark Grammar annexe has been fully restored and converted for residential use to the satisfaction of the Council as Planning Authority.

Reason: In the interests of the heritage and townscape character of Lanark.

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

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

Reason: To secure a reduction in carbon dioxide emissions.

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

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

13. That prior to the commencement of works, details and locations of charging point(s) for electrical cars shall be submitted for the written approval of the Council as Planning Authority. Prior to the completion of the development the approved charging points shall be installed, available for use and thereafter maintained and replaced where necessary to the satisfaction of the Council.

Reason: To ensure facilities for recharging electrical cars are available for the use of the residents.

14. That prior to commencement on site, the roads, footpaths/footways, and parking areas, shall be designed taking account of the requirements of Inclusive Mobility.

Reason: In the interests of mobility.

15. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5m by 43m measured from the road channel shall be provided on both sides of the vehicular access onto Braxfield Road and everything exceeding 0.9 metres in height above the road channel level shall be removed from the visibility splay area and thereafter nothing exceeding 0.9 metres in height shall be planted, allowed to grow, be placed, or erected within these sight lines.

Reason: In the interests of traffic and public safety.

16. That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.

Reason: In the interests of traffic and public safety.

17. That prior to commencing works on site the applicant shall submit details of the proposed footway infill works on Braxfield Road adjacent to the western boundary as indicated on the site layout for the written approval of the Council as Planning Authority and thereafter implement the works to the agreed specification and to the satisfaction of the Council as Planning and Roads Authority prior to occupation of the first property.

Reason: To retain effective planning control and safeguard the adjacent footway.

18. That prior to works commencing on site the applicant shall submit a structural survey and condition report of the existing retaining wall on Hyndford Road to the sites northern site boundary to include proposals to address any defects, all for the written approval of the Council as Planning Authority.

Reason: To ensure the structural stability of the existing retaining wall.

19. That any works to the retaining wall identified through the structural and condition survey and agreed with the Council as Roads Authority shall be implemented on site to the satisfaction of the Council as Planning and Roads Authority prior to the formation of the adjacent parking bays unless otherwise agreed in writing.

Reason: To ensure the stability of the existing retaining wall.

20. That prior to works commencing on site the applicant shall demonstrate that the proposed works adjacent to the existing retaining wall, including the introduction of car parking spaces will not impact upon its structural stability or result in any increased loading to the retaining wall, all for the written approval of the Council as Planning and Roads Authority.

Reason: To ensure the structural stability of the existing retaining wall.

21. That prior to commencing on site the applicant shall submit a Traffic Management Plan (TMP), to include proposals for a dedicated delivery route and delivery times to avoid school 'am' and 'pm' peak periods all for the written approval of the Council as Planning and Roads Authority. Once approved the development shall proceed in accordance with the approved TMP.

Reason: Reasons: In the interests of public and road safety.

22. During the construction phase the applicant shall ensure they have arrangements in place for appropriate cleaning systems within the site to ensure mud and debris are not deposited on the public road, to the satisfaction of the Council as Planning and Roads Authority.

Reason: In the interests of road safety.

23. That prior to commencing on site the applicant shall undertake a joint dilapidation survey of the construction traffic route identified and agreed through the Traffic Management Plan and submit to the Council a record of the survey, together with arrangements for subsequent inspection and repair during the construction phase; for the written approval of the Council as Planning and Roads Authority.

Reason: In the interests of road safety.

24. That a Residential Travel Plan for the development be prepared and thereafter maintained by Clyde Valley Housing Association as part of their ongoing management arrangements and that a copy of Residential Travel Plan shall be made available to all residents.

Reason: In the interests of sustainable travel.

25. Prior to the commencement of works on site, the applicant will require to submit a flood risk assessment for the consideration and approval of the council. Self-certification and independent check certificates appendices A and B (refer to the Council's developer design guidance May 2020) duly signed by the relevant party are to be submitted.

Reason: To ensure that works proposed are not at risk of flooding and will not increase the likelihood of flooding elsewhere.

26. Prior to the commencement of works on site, the applicant shall provide a sustainable drainage strategy for the approval of the Council. Copies of the self-certification and independent checks contained within Appendices C and D (refer to the Council's developer design guidance May 2020) duly signed by the relevant parties are to be submitted.

Reason: To ensure the drainage designs are acceptable to the Council.

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

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

28. Prior to the commencement of works on site, the applicant will require to provide confirmation from Scottish Water that they are willing to accept the drainage discharge and design.

Reason: To ensure that the site will be effectively drained.

29. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as 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 Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to safeguard any archaeological items of interest or finds.

30. Prior to development the applicant shall submit a construction noise assessment demonstrating that all works will be carried out in accordance with the current BS5228:2009, 'Noise control on construction and open sites'. The detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be provided in accordance with the standard. The emissions at the Noise Sensitive Receptor adjacent to the site shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. Corrections shall be made for variables such as the operating time and the relative cumulative impact value. This shall be corrected for attenuation and shall be provided as an LAeq,1hr to be compared with either the pre-existing background level or using the ABC table within the British Standard.

Reason: To minimise noise disturbance to adjacent occupants.

31. The internal noise levels shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows:-

- a) The internal levels with windows open shall not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
- b) The internal levels with windows shall not exceed an LAeq,8hr of 35dB night-time (23:00 - 07:00).

- c) The internal levels with windows open shall not exceed an LA_{max} of 45dB night-time (23:00 - 07:00).

The external noise levels, within any amenity space, shall not exceed an LA_{eq},16hr of 55dB daytime in any garden amenity areas, when measured free-field.

The Internal Noise Rating Values, within the residential properties and resultant from the neighbourhood and neighbour noise (installed services), shall not exceed-

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

Reason: To minimise noise disturbance to residents.

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

Reason: To minimise noise, vibration and disturbance to neighbouring residents/occupants during blasting.

33. On completion dwellings shall be tested based on the recommended ratios for sampling given in the Building (Scotland) Regulations 2004 Technical handbook. This shall ensure the following:-

The Airborne Minimum Values of Weighted Standardised Level Difference D_{nT,w}

- For new build and conversions not including traditional buildings (Walls and Floors): The minimum attenuation shall be 56dB
- For conversion of traditional buildings (Walls and Floors): The minimum attenuation shall be 53dB

This shall use a method as described within BS EN ISO 16283-1:2014+A1:2017

The Impact Maximum Values of Weighted Standardised Impact Sound Pressure Level L'_{nT,w}

- For new build and conversions not including traditional buildings (Floors). The maximum transmission shall not exceed 56dB
- For conversion of traditional buildings (Floors). The maximum transmission shall not exceed 58dB

This shall use a method as described within BS EN ISO 16283-2:2020

Reason: To minimise noise disturbance to adjacent occupants.

34. That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

Reason: To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

35. That the development shall be carried out in accordance with the measures and method statement set down in the Appendix 1 'Bat Protection Plan' of the Bat Roost Potential Survey & Subsequent Bat Presence/Absence Survey (Acorna Ecology Ltd, October 2020) including further bat surveys in May and June and the installation of bat boxes prior to the completion of the development.

Reason: In the interests of wildlife.

36. 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.

37. That before any of the dwellings are occupied, all of the parking spaces shown on the approved plans shall be laid out, constructed and available for use. Thereafter they shall be maintained to the specification of the Council as Roads and Planning Authority at all times.

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

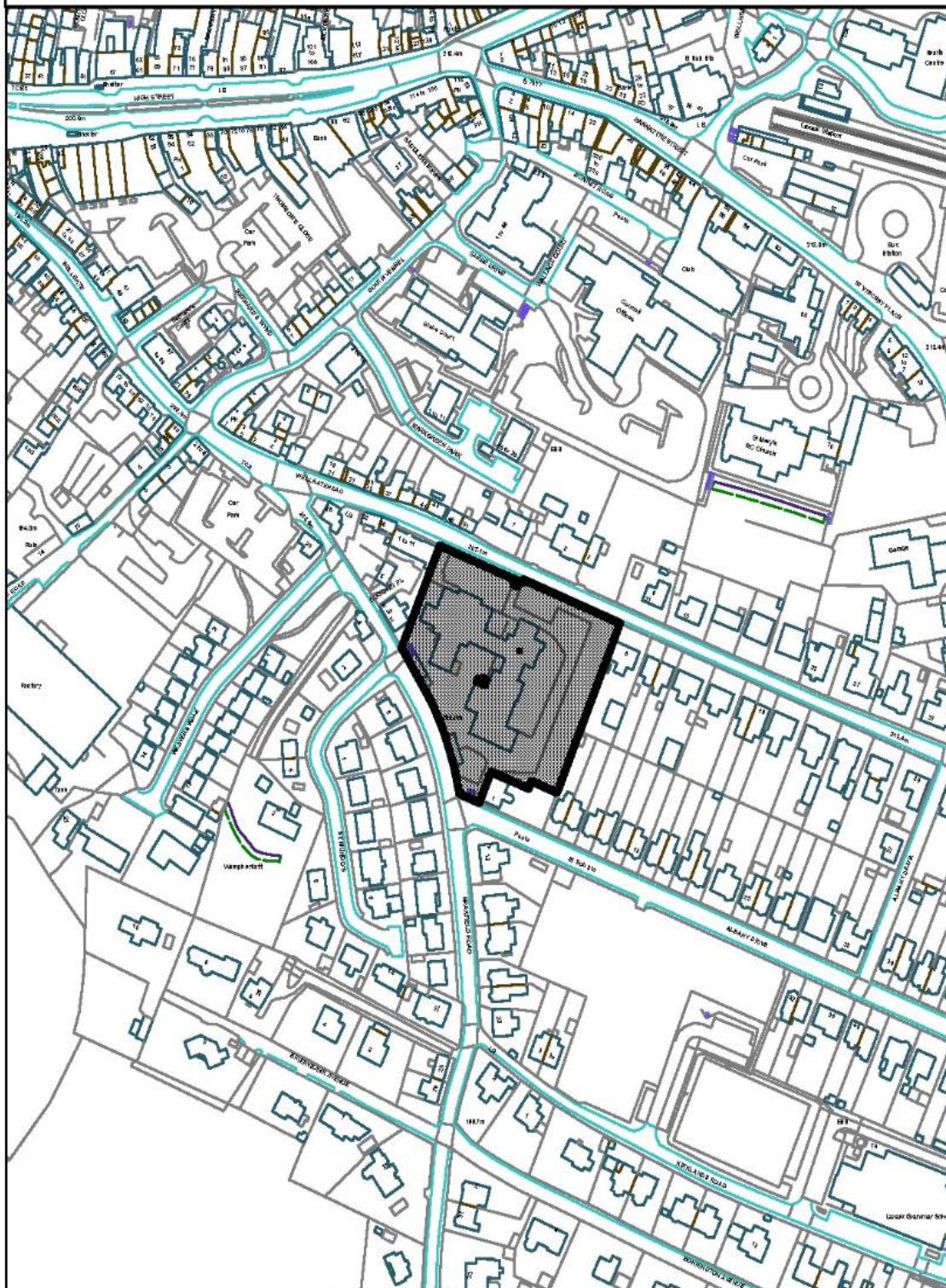
38. Prior to development commencing on site, details of external lighting together with a lighting assessment shall be submitted. The scheme shall include, where appropriate, details of all aspects of the installation including specific luminaire and lamp type; beam control; wattage; use of reflectors; baffles; louvres; cowling; lux contours/distribution diagrams and column type.

The approved scheme shall be implemented prior to the completion of the development and shall thereafter be operated in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: To minimise the risk of nuisance from light pollution to nearby occupants.

P/20/1751

Lanark Grammar Annex, Hyndford Road, Lanark



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Scale:
1:2,500
Date:
25/02/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development