



Council Offices, Almada Street
Hamilton, ML3 0AA

Tuesday, 01 June 2021

Dear Councillor

Planning Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 08 June 2021
Time: 10:00
Venue: By Microsoft Teams,

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

Isobel Dorman (Chair), Mark Horsham (Depute Chair), John Ross (ex officio), Alex Allison, John Bradley, Archie Buchanan, Stephanie Callaghan, Margaret Cowie, Peter Craig, Maureen Devlin, Mary Donnelly, Fiona Dryburgh, Lynsey Hamilton, Ian Harrow, Ann Le Blond, Martin Lennon, Richard Lockhart, Joe Lowe, Davie McLachlan, Lynne Nailon, Carol Nugent, Graham Scott, David Shearer, Collette Stevenson, Bert Thomson, Jim Wardhaugh

Substitutes

John Anderson, Walter Brogan, Janine Calikes, Gerry Convery, Margaret Cooper, Allan Falconer, Martin Grant Hose, Ian McAllan, Catherine McClymont, Kenny McCreary, Mark McGeever, Richard Nelson, Jared Wark, Josh Wilson

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

5 - 10

Minutes of the meeting of the Planning Committee held on 11 May 2021 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

3 Application P/20/1365 for Erection of Child Care Nursery (113 Children), Associated Car Parking, Drop Off-Pick Up Facilities, External Play Area, 2.4 Metre High Weld Mesh Fencing and Relocation of Electrical Sub-Station at Land 30 Metres North of 21 Clyde Terrace, Clyde Terrace, Bothwell

11 - 38

Report dated 1 June 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

4 Application P/20/0023 for Erection of 190 Houses with Associated Roads, Drainage, Landscaping and Open Space at Land 360 Metres North Northeast of Hallside Manse, Manse Brae, Cambuslang

39 - 60

Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

5 Application P/20/1492 for Erection of 75 Two Storey Houses with Associated Landscaping, Roads and Infrastructure (Approval of Matters Specified in Conditions 2, 4, 8 and 19 in Planning Application CR/09/0139) at Newton Farm Development - Area 2K, Harvester Avenue, Cambuslang

61 - 72

Report dated 20 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

6 Application P/20/0731 for Siting of 2 Temporary Storage Containers for a Period of 1 Year (Retrospective) at 117 Cedar Drive, East Kilbride

73 - 84

Report dated 27 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

7 Application P/21/0511 for Erection of 7 Classrooms, 2 Storey Extension to Existing North East Gable of Existing School at Newton Farm Primary School, Harvester Avenue, Cambuslang

85 - 94

Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

8 Application P/21/0074 for Installation and Display of LED Panel Display on Retail Unit (Retrospective) at 30 West Port, Lanark

95 - 104

Report dated 19 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

9 Application P/21/0037 for Proposal to Erect 227 new Houses Including any Associated Infrastructure and Landscaping (Approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of Planning Permission in Principle of Planning Consent EK/09/0218) at Land 150 Metres North Northwest of Newhouse Farm, Jackton Road, Jackton, East Kilbride

105 - 120

Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached)

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|----|--|-----------|
| 10 | Application P/21/0310 for Erection of 131 Houses with Associated Infrastructure and Landscaping (Approval of Matters Specified in Conditions 1 (a to r), 2, 3, 4, 6, 8, 9, 10, 12 and 16 of Planning Permission in Principle for Planning Consent EK/09/0218) at Land 120 Metres North of Newlandscroft, Jackton Road, Jackton, East Kilbride | 121 - 134 |
| | Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 11 | Application P/20/1667 for Erection of 128 Houses with Associated Roads, Landscaping, SUDS and Noise Attenuation Bund (Approval of Matters Specified in Conditions of Planning Permission in Principle of Planning Consent HM/17/0167) at Land 90 Metres East Southeast of 24 Simpson Drive, Strutherhill, Larkhall | 135 - 150 |
| | Report dated 1 June 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 12 | Application P/21/0282 for Erection and Operation of Wind Farm Consisting of 14 Turbines up to a Maximum Height to Blade Tip of 180 Metres (Consultation from Scottish Ministers under Section 36 of the Electricity Act 1989) at Heathland Wind Farm, A706 From Forth to Northern Boundary, Wilsontown, Lanark | 151 - 184 |
| | Report dated 18 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 13 | Application P/20/1788 for Change of Use of Part of Public House to form Beauty Salon (Class 2), Coffee Shop (Class 3) and Hot Food Takeaway (Sui Generis) at The C'mon Inn, 56 Alloway Road, East Kilbride | 185 - 200 |
| | Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 14 | Scottish Government Consultation on Proposals for Regulations on Local Place Plans | 201 - 212 |
| | Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 15 | Planning and Building Standards, Consultation, Communication and Engagement Strategy | 213 - 230 |
| | Report dated 28 May 2021 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |

Urgent Business

- 16 Urgent Business**
Any other items of business which the Chair decides are urgent.

For further information, please contact:-

Clerk Name: Stuart McLeod

Clerk Telephone: 01698 454815

Clerk Email: stuart.mcleod@southlanarkshire.gov.uk

PLANNING COMMITTEE

2

Minutes of meeting held via Microsoft Teams on 11 May 2021

Chair:

Councillor Isobel Dorman

Councillors Present:

Councillor Alex Allison, Councillor John Anderson (*substitute for Councillor Stephanie Callaghan*), Councillor John Bradley, Councillor Walter Brogan (*substitute for Councillor Bert Thomson*), Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Jim Wardhaugh, Councillor Jared Wark (*substitute for Councillor Ian Harrow*)

Councillors' Apologies:

Councillor Archie Buchanan, Councillor Stephanie Callaghan, Councillor Ian Harrow, Councillor Joe Lowe, Councillor John Ross (ex officio), Councillor Collette Stevenson, Councillor Bert Thomson

Attending:

Community and Enterprise Resources

B Darroch, Planning and Building Standards Manager (East); P Elliott, Head of Planning and Economic Development; T Finn, Planning and Building Standards Manager (Headquarters); F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Planning and Building Standards Manager (West)

Finance and Corporate Resources

M Cannon, Solicitor; K McLeod, Administration Assistant; S McLeod, Administration Officer

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 23 March 2021 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Application P/20/1749 for Erection of 2 Wind Turbines (Maximum Height 100 Metres to Tip) and Associated Infrastructure Including 2 x 2 Megawatt Battery Storage Facilities, Access Tracks and Associated Cabling at Land 575 Metres South Southeast of Dykecroft, B7086 from Boghead, Kirkmuirhill to Deadwaters Bridge, Boghead, Lanark

A report dated 30 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1749 by HBY2 Limited for the erection of 2 wind turbines (maximum height 100 metres to tip) and associated infrastructure including 2 x 2 megawatt battery storage facilities, access tracks and associated cabling at land 575 metres south southeast of Dykecroft, B7086 from Boghead, Kirkmuirhill to Deadwaters Bridge, Boghead, Lanark.

The Committee decided:

that planning application P/20/1749 by HBY2 Limited for the erection of 2 wind turbines (maximum height 100 metres to tip) and associated infrastructure including 2 x 2 megawatt battery storage facilities, access tracks and associated cabling at land 575 metres south southeast of Dykecroft, B7086 from Boghead, Kirkmuirhill to Deadwaters Bridge, Boghead, Lanark be refused for the reasons detailed in the Executive Director's report.

[Reference: Minutes of 23 June 2020 (Paragraph 9)]

Councillor Lockhart left the meeting during consideration of this item of business

4 Application P/21/0395 for Change of Use of Tanning Salon (Class 2) to Hot Food Takeaway (Sui Generis) and Associated Ventilation at 214 Main Street, Cambuslang

A report dated 29 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0395 by Ovenfeast Limited for the change of use of a tanning salon (class 2) to hot food takeaway (sui generis) and associated ventilation at 214 Main Street, Cambuslang.

The Committee decided:

that planning application P/21/0395 by Ovenfeast Limited for the change of use of a tanning salon (class 2) to hot food takeaway (sui generis) and associated ventilation at 214 Main Street, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

5 Application P/19/1462 for Formation of Site for 30 Residential Caravans Including Access, Services and Infrastructure to Serve Plots Including 3 LPG Gas Tanks and 1.8 Metres Firewall at Rob Roy Caravan Park, 120 Carlisle Road, Crawford, Biggar

A report dated 22 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1462 by A Marshall for the formation of a site for 30 residential caravans including access, services and infrastructure to serve plots including 3 LPG gas tanks and 1.8 metres firewall at Rob Roy Caravan Park, 120 Carlisle Road, Crawford, Biggar.

The Committee decided:

that planning application P/19/1462 by A Marshall for the formation of a site for 30 residential caravans including access, services and infrastructure to serve plots including 3 LPG gas tanks and 1.8 metres firewall at Rob Roy Caravan Park, 120 Carlisle Road, Crawford, Biggar be granted subject to the conditions specified in the Executive Director's report.

Councillor Lockhart re-joined the meeting following consideration of this item of business

6 Application P/21/0074 for Installation and Display of LED Panel Display on Retail Unit (Retrospective) at 30 West Port, Lanark

A report dated 30 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0074 by W Rae for the installation and display of an LED panel display on a retail unit (retrospective) at 30 West Port, Lanark.

Following discussion, Councillor Dorman, seconded by Councillor Horsham, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor McLachlan, seconded by Councillor Lockhart, moved as an amendment that the application be deferred to allow Fleet and Environmental Services to check that the maximum permitted luminance during daylight and low light, as detailed in condition 1 proposed in the Executive Director's report, was not being exceeded. On a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, John Anderson, John Bradley, Peter Craig, Isobel Dorman, Mark Horsham, Ann Le Blond, Carol Nugent, David Shearer

Amendment

Walter Brogan, Margaret Cowie, Maureen Devlin, Mary Donnelly, Fiona Dryburgh, Lynsey Hamilton, Martin Lennon, Richard Lockhart, Davie McLachlan, Lynne Nailon, Graham Scott, Jim Wardhaugh, Jared Wark

9 members voted for the motion and 13 members voted for the amendment which was declared carried.

The Committee decided:

that planning application P/21/0074 by W Rae for the installation and display of an LED panel display on a retail unit (retrospective) at 30 West Port, Lanark be deferred to a future meeting of the Planning Committee to allow Fleet and Environmental Services to check that the maximum permitted luminance during daylight and low light, as detailed in condition 1 proposed in the Executive Director's report, was not being exceeded.

[Reference: Minutes of 29 January 2019 (Paragraph 9)]

7 Application P/21/0295 for Amendment to Planning Consent P/19/1794 in Respect of Substitution of House Types at Plots 1 to 50 and Minor Amendments to Layout at Land 110 Metres Northwest of Littlepark Cottage, Jackton Road, East Kilbride

A report dated 22 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/0295 by Stewart Milne Homes Scotland for the amendment to planning consent P/19/1794 in respect of substitution of house types at plots 1 to 50 and minor amendments to layout at land 110 metres northwest of Littlepark Cottage, Jackton Road, East Kilbride.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

that planning application P/21/0295 by Stewart Milne Homes Scotland for the amendment to planning consent P/19/1794 in respect of substitution of house types at plots 1 to 50 and minor amendments to layout at land 110 metres northwest of Littlepark Cottage, Jackton Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

8 Application P/20/1790 for Erection of Boundary Walls and Associated Alterations (Amendment to Planning Consent P/18/1157) (Retrospective) at 6 Strawfrank Road, Carstairs Junction

A report dated 9 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/20/1790 by G Georgien for the erection of boundary walls and associated alterations (amendment to planning consent P/18/1157) (retrospective) at 6 Strawfrank Road, Carstairs Junction.

The Committee decided: that planning application P/20/1790 by G Georgien for the erection of boundary walls and associated alterations (amendment to planning consent P/18/1157) (retrospective) at 6 Strawfrank Road, Carstairs Junction be granted subject to the conditions specified in the Executive Director's report.

9 Development Plan Scheme 2021

A report dated 20 April 2021 by the Executive Director (Community and Enterprise Resources) was submitted on the South Lanarkshire Development Plan Scheme 2021 which set out the Council's programme for preparing its Development Plan. In terms of the Planning etc (Scotland) Act 2006, the Scheme had to be kept up to date by at least carrying out an annual review.

The South Lanarkshire Development Plan Scheme 2021 dealt with:-

- ◆ the current coverage of development plans in South Lanarkshire
- ◆ proposals for the preparation of the next South Lanarkshire Local Development Plan (SLLDP3)
- ◆ the anticipated timescale for preparation of SLLDP3
- ◆ details, as appropriate and where known, of the key components of each stage of preparation
- ◆ a participation statement, giving an account of when consultation would take place, with whom and in what form, during the preparation of SLLDP3
- ◆ details of the preparation of other supporting planning guidance associated with SLLDP3
- ◆ details on how to access information and how to get in touch with the Council

The Scheme also reflected that the development plan process was in a period of transition due to changes brought about by the Planning (Scotland) Act 2019 including:-

- ◆ the repeal of Strategic Development Plans and their replacement by non-statutory Regional Spatial Strategies (RSS)
- ◆ combining the existing National Planning Framework and Scottish Planning Policy into a single document to be called National Planning Framework 4 (NPF4) which, in turn, would form part of SLLDP3
- ◆ the need to replace Local Development Plans at least every 10 years as opposed to 5 years at present
- ◆ the repeal of the ability to prepare Supplementary Guidance (SG)
- ◆ enabling greater public involvement by allowing local communities to prepare Local Place Plans (LPP) which would require to accord with the Local Development Plan

The relevant parts of the Planning (Scotland) Act 2019 and the approved secondary legislation would take effect in early 2022, following which, the Council would begin formal preparation of SLLDP3. The Development Plan Scheme included an initial programme for each stage of the process, however, this could not be prepared in detail until NPF4 and the secondary legislation for Local Development Plans was approved. An updated programme would be included in the Development Plan Scheme for 2022. Transitional arrangements published by the Scottish Government in 2020 included the expectation that the new form of Local Development Plans would be adopted by all councils by 2027.

The report also provided details on non-statutory Supporting Planning Guidance which would be produced on a range of topics and would be the subject of future reports to this Committee.

If approved, the Development Plan Scheme would be submitted to the Scottish Ministers, published on the Council's website and made available in public libraries, once they were re-opened.

The Committee decided: that the South Lanarkshire Development Plan Scheme 2021, attached as Appendix 1 to the report, be approved, published and submitted to the Scottish Ministers.

[Reference: Minutes of 26 February 2019 (Paragraph 10)]

10 Urgent Business

There were no items of urgent business.

Report

3

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

Application no.	P/20/1365
Planning proposal:	Erection of child care nursery (113 children) associated car parking, drop off / pick up facilities, external play area, 2.4 metre high weld mesh fencing and relocation of electrical sub-station

1 Summary application information

Application type:	Detailed planning application
Applicant:	South Lanarkshire Council
Location:	Land 30M North of 21 Clyde Terrace Clyde Terrace Bothwell

2 Recommendation(s)

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

(1) Grant 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.
- (2) The application has attracted a substantial body of objections and the recommendation is to grant planning permission subject to conditions. In accordance with Council procedures, a request for a hearing was made and following consideration, the request has been refused.

3 Other information

- ◆ Applicant's Agent: Lorna Carmichael
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
 - Policy 1 – Spatial Strategy
 - Policy 2 – Climate Change
 - Policy 3 – General Urban Areas/Settlements
 - Policy 5 – Development Management and Place Making
 - Policy 13 – Green Network and Greenspace
 - Policy 14 – Natural and Historic Environment
 - Policy 15 – Travel and Transport

Policy DM1 – New Development Design
 Policy DM15 – Water Supply
 Policy DM16 – Foul Drainage and Sewerage
 Policy SDCC3 – Sustainable Drainage Systems
 Policy SDCC4 – Sustainable Transport
 Policy NHE9 – Protected Species

♦ **Representation(s):**

▶	270	Objection Letters
▶	2	Support Letters
▶	0	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

Roads Flood Risk Management

Environmental Services

Arboricultural Services

Scottish Water

Bothwell Community Council

Housing Planning Consultations

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of vacant land (1674 sq. m in area) located on the west side of Clyde Terrace, Bothwell. It is located between residential properties and is opposite an area of public open space. The area is residential in character with two storey residential properties being located along the western side of Clyde Terrace, beyond which Wooddean Park is located. A footpath link into Wooddean Park from Clyde Terrace is situated immediately to the south of the application site. A further area of public open space which was a former railway line, is found along the eastern side of Clyde Terrace. This area forms part of the Brighter Bothwell Nature Trail and provides pedestrian links through to Main Street, and beyond, with an access point being located opposite the proposed nursery site.
- 1.2 The application site was formerly utilised for garages / lock-ups which have long since been demolished, and now consists of an area of hardstanding, with access directly onto Clyde Terrace. There are areas of grass / scrub within the site, with the western boundary being formed by mature trees adjoining Wooddean Park. An electricity sub-station is currently located within this area.

2 Proposal(s)

- 2.1 This application, on behalf of South Lanarkshire Council, proposes the erection of a nursery school and the formation of on-street parking on Clyde Terrace and the relocation of the electricity sub-station to the eastern side of Clyde Terrace. The proposed building, which is of a modern design combining single and two storey elements, would occupy a large portion of the site, however, external play space would also be accommodated within the site. The design of the building is relatively typical of a modern nursery development and would be finished externally in a combination of brick (Raeburn Bothwell Castle), smooth render and zinc cladding.
- 2.2 In terms of accommodation, the proposed building would provide a 2-3 year playroom, a 3-5 playroom (both with cloakroom, toy store and toilet facilities), entrance lobby, main office, visiting services room, hygiene room, kitchen, laundry and drying rooms, server room, switch room, plant room and external toilet within the ground floor. Staff facilities (management room, multi-purpose room, staffroom and toilets) would be provided at first floor level.
- 2.3 It is anticipated that the nursery would be capable of accommodating 113 children, operating between 08:00am to 6:00pm and employ 25 staff.
- 2.4 Following concerns raised in terms of the proposed parking provision associated with the nursery, the proposal was amended to provide 32 on-street parking spaces on Clyde Terrace. Six spaces would be located immediately to the front of the proposed nursery entrance, with the remaining 26 spaces being located on the opposite side of Clyde Terrace. In addition, the entrance to Wooddean Park would be enhanced as part of the proposed works.
- 2.5 To accommodate the redevelopment of the site for the proposed nursery, it would be necessary to relocate the existing electricity sub-station. Concerns were raised in respect of the originally proposed location of the sub-station within the park area on the opposite side of Clyde Terrace. The revised location now proposed, would see the sub-station located immediately adjacent to the east side of Clyde Terrace rather than within the nature trail.

- 2.6 The applicant has submitted a number of documents in support of their application, namely:
- Geotechnical and Environmental Desk Study Report
 - Ground Investigation Report and Geotechnical design Report
 - Tree Survey Report – Tree Constraints Report
 - Factual Report on Ground Investigations
 - Design Statement
 - Surface Water Discharge Options Report
 - Preliminary Ecological Appraisal Report
 - Transportation Assessment
- 2.7 Following the Planning Committee of 23 March 2021, Education Resources provided additional information to clarify site selection and traffic and transportation assessments. This information has been made available to Committee members for their consideration and published on the ePlanning Portal for public access. Whilst information has been submitted by the applicant concerning the site selection process, it is not a material planning consideration in this instance and should only be viewed as background information. However, the information submitted in relation to traffic and parking is material to the consideration of this application.
- 2.8 In addition to the above, it is advised that Education Resources also submitted revised drawings relative to the building's design. The proposed alterations relate to minor changes to the rear of the proposed building to avoid conflict with an existing sewer pipe. It is also proposed to re-route a further sewer pipe adjacent to the footpath link to Wooddean Park as part of the proposed works.

3 Background

3.1 Local Development Plan Status

- 3.1.1 In determining planning applications, the Council must assess the proposal against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2) (Adopted 2021).
- 3.1.3 In terms of land use, the application site is identified as residential within the SLLDP2. As such, Policies 1 – Spatial Strategy, 2 – Climate Change, 3 – General Urban Areas / Settlements, 5 – Development Management and Place Making, 13 – Green Network and Greenspace, 14 - Natural and Historic Environment, 15 – Travel and Transport, DM1 – New Development Design, DM15 – Water Supply, DM16 – Foul Drainage and Sewerage, SDCC3 – Sustainable Drainage Systems, SDCC4 – Sustainable Transport and Policy NHE9 – Protected Species are all relevant to the assessment of this development.
- 3.1.5 The aim of the above policies and guidance is to seek a development that is appropriately designed, located, serviced and results in no adverse impact on the surrounding area. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 Planning Background

- 3.2.1 There is no planning history relevant to the determination of this application.

4 Consultation(s)

- 4.1 Roads (Development Management Team)** – following amendments to the proposal, including works to provide 32 on-street parking spaces and the analysis of submitted traffic assessment / parking surveys, they have confirmed that they offer no objections to the proposal. They have recommended that conditions should be included, should consent be granted, relative to the completion of the identified parking spaces, pedestrian crossing details, the submission of a Traffic Management Plan and Nursery Travel Plan etc. Following consideration of the application at the March Planning Committee, Roads remain satisfied with the proposal.

Response: Appropriately worded conditions can be attached to any consent issued to address these points.

- 4.2 Roads (Flood Risk Management)** – have no objections to the application subject to the undertaking of a Flood Risk / Drainage Assessment in accordance with the latest industry guidance listed within the Council's Developer Design Guidance Note dated May 2020 and the provision of a sustainable urban drainage system (SUDS) within the site.

Response: Appropriately worded conditions can be attached to any consent issued to address these points.

- 4.3 Environmental Services** – have advised that they have no objection to the proposal, subject to conditions relative to noise control.

Response: Appropriately worded conditions can be attached to any consent issued to address these points.

- 4.4 Arboricultural Services** – Recommend that any decision be deferred until the impact of the development on existing trees within the site had been assessed.

Response: It is noted that there are no proposals to remove the existing trees within the site. It is also noted that a tree survey has been undertaken which advised that the trees within the site offer no issue, subject to minor works, in terms of their proximity to the proposed building. It further advised that during the construction phase of the development appropriate measures should be put in place to protect the trees on site. Appropriately worded conditions can be attached to any consent issued to address these matters.

- 4.5 Scottish Water** – have advised that they have no objection to the proposal. They highlight that they will not accept any surface water connection into their combined sewer systems except in limited exceptional circumstances.

Response: The applicant is aware of the above comments and confirmed that surface water will be treated in an appropriate manner. Appropriately worded conditions can be attached to any consent issued to address these matters.

- 4.6 Bothwell Community Council** – whilst offering no formal objection to the proposal have noted the objections / concerns from local residents and hope that these are taken into consideration in the determination of the application.

Response: The comments made by the Community Council are noted. The representations received in respect of the development have been considered within Section 5 below.

- 4.7 Housing Planning** – have offered no objections.

Response: Noted.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken in respect of the development and an advert placed in the local press. Further neighbour notifications were undertaken following the amendment of the application site to include provision for formalised on-street parking provision. In response, a total of 272 letters of representation were received, of which 270 offered objections to the proposal, and included representations from Margaret Mitchell MSP and Councillor Kenny McCreary. In addition, a request for a hearing has been received by the Head of Planning and Economic Development. Following consultation with the Chair of the Planning Committee, the request has been refused.

5.2 The grounds of objection can be summarised as follows:

- a) **Concerns over increased traffic, traffic congestion and public safety. It is noted that concerns have also been raised in terms of the additional information provided with the submitted traffic and transportation assessments.**

Response: It is acknowledged that there is potential for increased traffic within the surrounding area as a result of the introduction of a nursery at this location. However, it is considered that this would not result in an unacceptable impact in terms of the concerns raised. Given the nature of the proposed use, any traffic associated with the development will be largely spread out over short periods of time in the morning, evening and potentially lunchtimes when children are dropped off and picked up. The proposals have been amended to include the provision of formalised on-street parking for staff and visitors. Whilst the provision of formalised on-street parking will result in the reduction in the width of the road and pavement it is considered that this will not result in any significant impact on road and public safety and the proposed width of the carriageway and pavement are comparable with many residential streets. These spaces will also be available for residents. It is also noted that the site is well located in terms of pedestrian links through Bothwell, and beyond, which could potentially reduce car usage associated with the proposed nursery.

Concerns have also been raised in terms of the lack of controlled crossing points on Clyde Terrace. However, it is noted that following an assessment of the proposal, Roads (DMT) considered that there is no requirement for such crossings in this instance. They have requested that the submission and approval of details of pedestrian crossing locations, speed reduction measures and associated traffic signage be conditioned should consent be granted.

It is further noted that Roads (DMT) have, following an assessment of the application, traffic assessment, and operational characteristics of the proposed facility, offered no objection in terms of the concerns raised.

In terms of the additional information provided by the applicant to provide clarification on these matters it is noted that Roads (DMT) have offered no further comments or concerns in respect of the development.

- b) **Concerns over the lack of parking for both the nursery and residents**

Response: As noted above, the proposal was amended to provide improved on-street parking provision. These spaces would be unrestricted and be available for both the residents and the nursery. Roads (DMT) are satisfied that the level of parking proposed is sufficient for the proposed operation.

- c) **Concerns over the impact of the relocated sub-station on the nature trail**
Response: It was originally proposed to relocate the electricity sub-station to an area within the nature trail, close to the access onto Clyde Terrace. The scheme has however been amended to reposition it on the edge of the nature trail park immediately adjacent to Clyde Terrace, where it will have limited impact on the overall setting of the nature trail than was previously the case. The proposed location for the electricity sub-station is, therefore, considered to be acceptable.

- d) **Concerns over the impact of the proposal on Wooddean Park, including the loss of the pedestrian access lane and loss of proposed parking for the park.**

Response: It is confirmed that the proposed development will not impact adversely on Wooddean Park or its operation. An area of mature trees along the rear of the site for the nursery would be retained. Furthermore, the existing pedestrian access to the park from Clyde Terrace would be retained, and enhanced, as part of the proposed works.

It is understood that the site of the nursery was identified as a potential location for a car park associated with the upgrade of Wooddean Park. It is considered that the use of the site as either a car park or for a nursery would be acceptable in principle, from a planning perspective. However, the application being considered proposes to construct a nursery on the site.

- e) **Concerns in terms of the adverse impact on the character and amenity of the area due to the proposed building's design, including perimeter fencing and noise associated with such uses.**

Response: Educational facilities are considered appropriate uses within residential areas and as such are found in many residential areas in South Lanarkshire. Notwithstanding this fact, it is considered that the proposed nursery, whilst modern in its design, would not adversely impact on the amenity of the area or surrounding properties in this instance. The scale and design of the proposed building, and perimeter fencing, are fairly common for such educational facilities and will not be out of scale with adjacent properties.

- f) **Concerns in terms of additional noise, dirt, air-pollution and increased danger (ongoing residential development / sewer works)**

Response: Whilst there is potential for increased noise etc. during the construction phase of the development it is not considered this would be to a level which would merit the refusal of the application. Through appropriate on-site management such matters should be properly controlled. Furthermore, appropriately worded conditions and / or informatives can be added to any consent to address such matters.

It is not considered that upon its completion the operation of the nursery would raise significant concerns with regards to the concerns raised.

- g) **Overdevelopment of the site in terms of the lack of outdoor facilities for children**

Response: The proposed development has been designed in accordance with the relevant standards and the Council's Education Resources are satisfied with the proposals and that they are fit for purpose. In addition, there are public amenity spaces in close proximity to the application site which could compliment the resources within the proposed development.

- h) **Concerns over the potential impact on wildlife habitats**
Response: It is confirmed that an Ecological Appraisal Report was prepared in respect of the proposed development and no significant issues were raised. The proposal is, therefore, considered acceptable in terms of any potential impact on wildlife habitats.
- i) **Concerns raised about the impact on the designation of Bothwell as a Conservation Area due to increased traffic associated with the development.**
Response: The application site is located out-with the designated Conservation Area and would, therefore, have no adverse impact on this designation. It is considered that any traffic movements through the village, whether associated with the proposed development or not, would not have a significant effect on the Conservation Area. In addition, the Council's Roads (DMT) are satisfied with the proposals and any associated impacts.
- j) **Concerns over the lack of consultation with local residents**
Response: In terms of the processing of the planning application it is confirmed that statutory neighbour notification was undertaken on two separate occasions and the application advertised in the local press. It is confirmed that there are no other requirements within current planning legislation to undertake further public consultation in this instance. It is also noted that Education Resources held a public event within a local primary school which was in addition to any requirements under planning legislation.
- k) **Concerns over lack of consideration of alternative sites, including the site at Appledore Crescent where a previous application was withdrawn and vacant sites within industrial estates.**
Response: Under current legislative requirements, the Council as Planning Authority, must process applications on the basis of the application submission, taking into consideration local planning policies and other material considerations, to determine their acceptability or otherwise. There is no requirement to consider alternative sites as part of this process. It should be noted that the applicant has submitted further information regarding this matter. Whilst concerns have been received regarding the additional information provided by the applicant, as noted above, this is not a material planning consideration in this instance.
- l) **Concerns over the impact on property values**
Response: This is not a material planning consideration.
- m) **Concerns that site works had already started on site.**
Response: This relates to the existence of storage cabins, fencing and workers on site. However, it is advised that the site was being used as a compound in connection with works being undertaken within Wooddean Park and not associated with the proposed development.
- n) **Concerns over the accuracy of information provided, by Education Resources, to the previous Committee in respect of the non-provision of on-site parking at existing nursery facilities.**
Response: The Council's Roads Development Management Team have been consulted in relation to this application and they are satisfied with the parking proposals associated with the development.

5.3 Two letters offering support for the proposal were received which highlighted that there is a recognised need for nursery provision and consider that the proposal would be beneficial for young families and the wider community. In addition, further correspondence was also received which sought additional information and clarification on the application proposals, details provided in support of the application, and the information referred to within the report to the Planning Committee in March 2021. These related to matters such as:

- Access to any report which identifies service users
- Access to any traffic analysis report
- Access to the Surface Water Discharge Options Report
- Access to the Preliminary Ecological Appraisal Report
- Clarification of discrepancies with information provided in supporting documents and submitted drawings

It is advised that a response has been provide on the matters raised and access to the relevant supporting reports and drawings provided, where such information was available.

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

6 Assessment and Conclusions

6.1 This application proposes the erection of a nursery, with associated on-street parking and the relocation of an electricity sub-station within the established urban area of Bothwell.

6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local plan policy and its impact on the amenity of adjacent properties and on the local road network.

6.3 The adopted South Lanarkshire Local Development Plan 2 (SLLDP2) seeks to ensure that future development takes place in a sustainable way whilst recognising the need for economic growth and regeneration (Policies 1 – Spatial Strategy and 2 – Climate Change). The proposal accords with these aims as it relates to the redevelopment of a site within an established urban area with good links to public transport and footpath networks. The adopted plan designates the site as being within a general residential area (Policy 3). Educational facilities are acceptable uses within such areas and the proposal is, therefore, acceptable, subject to compliance with other development management criteria.

6.4 The matters considered appropriate in the determination of this application are set out within Section 3.1 above. Principally, the stated policies and guidance seek to ensure that any development does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in a manner which takes cognisance of appropriate guidance and the area within which it is located. It is considered that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance.

- 6.5 With regard to the detailed design of the proposed development it is of a modern design, typical of such educational facilities and is considered acceptable at this location. Given the design and layout of the proposed development and its relationship with existing properties adjoining the site, it is also considered that there would be no significant detrimental impact on the amenity or overlooking issues, as a result of the introduction of this development. Whilst the surrounding properties are traditional styled former local authority properties, the proposed external material finishes raise no issues at this location. As noted in paragraph 2.8 above, the applicant has submitted revised drawings for the nursery building. These changes relate to minor alterations to the rear of the proposed building and it is considered that the proposed changes will have no additional impact on the amenity or privacy of the neighbouring properties or the amenity of the area in general.
- 6.6 In terms of road safety consideration it is noted that the application submission is supported by a Traffic Assessment, supporting parking assessments and analysis of the operation of similar facilities within South Lanarkshire. These demonstrate that the proposed nursery is unlikely to have an adverse impact on available parking within the immediate area or wider road network. Furthermore, it is also noted that Education Resources have amended their initial proposal to include the provision of formal parking spaces within Clyde Terrace, for the benefit of both existing residents and the users of the proposed nursery. No concerns have been raised by Roads and Transportation Service in this regard and the proposal is, therefore, considered acceptable in road safety terms. The applicant has provided additional clarification in response to roads and transportation matters raised by Committee Members at the Planning Committee held on 23 March 2021. Roads and Transportation Services have offered no further comment following the submission of this information.
- 6.7 No specific concerns, subject to the inclusion of conditions and / or informatives, have been raised by the remaining consultees. The proposal, therefore, accords with the aims of Policies 5, 15, DM 1 of the SLLDP2. Furthermore, it is considered that there will be no significant impact as a result of the proposal in terms of the green network / greenspace designations (Policies 13 and 14) nor protected species (Policy NHE9).
- 6.8 The application site is within an urban location where sewerage and water infrastructure connections can be easily accessed. In addition, the site will incorporate a suitably designed urban drainage system, to be conditioned should consent be given, to serve the development. On this basis, it is considered that the proposal raises no issues in terms of Policies SDCC3, DM15 and DM16.
- 6.9 In terms of Policy SDCC4, which relates to the promotion of sustainable travel, it is proposed to provide facilities for on-street parking to serve the development. However, the site is located within easy reach of public transport links and a network of public footpaths and can, therefore, be considered to accord with these policies. In addition, there is scope for the incorporation of facilities for vehicle charging points, which can be addressed through the use of an appropriately worded condition.
- 6.10 Whilst third party representations have been received, it is considered that the issues raised are not of sufficient weight or merit, either individually or collectively, to justify the refusal of the application in this instance.
- 6.11 In conclusion, following assessment of the proposal, it is considered that the proposal accords with the policies contained in the adopted South Lanarkshire Local Development Plan 2 and raises no unacceptable amenity, privacy or roads safety concerns.

- 6.12 On the basis of the above, it is recommended that planning permission be granted, subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal accords with the policies of the South Lanarkshire Local Development Plan 2 (namely Policies 1 – Spatial Strategy, 2 – Climate Change, 3 – General Urban Areas, 5 – Development Management and Place Making, 13 – Green Network and Greenspace, 14 – Natural and Historic Environment, 15 – Travel and Transport, DM1 – Design, DM15 – Water Supply, DM16 – Foul Drainage and Sewerage, SDCC3 – Sustainable Drainage Systems SDCC4 – Sustainable Transport and NHE9 – Protected Species).

There are no other material considerations that would justify the refusal of consent.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Date: 1 June 2021

Previous References

- ▶ Planning Committee – 23 March 2021

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 21/10/2020 and 23.12.2020
- ▶ Press advert, dated 29.10.2020
- ▶ Geotechnical and Environmental Desk Study Report
- ▶ Ground Investigation Report and Geotechnical design Report
- ▶ Tree Survey Report – Tree Constraints Report
- ▶ Factual Report on Ground Investigations
- ▶ Design Statement
- ▶ Surface Water Discharge Options Report
- ▶ Preliminary Ecological Appraisal Report
- ▶ Transportation Assessment

- ▶ Consultations
 - Roads Flood Risk Management 10.12.2020
 - Roads Development Management Team 11/11/2020
 - Environmental Services 28.10.2020
 - Scottish Water 27.10.2020
 - Arboricultural Services 20.11.2020
 - Bothwell Community Council 05.11.2020
 - Housing Planning Consultations 15.01.2021

► Representations	Dated
Walter Watson, 8 Clyde Terrace, Bothwell, G71 8DX	13.01.2021
Mr Gordon Roberts, 15 Douglas Drive, Bothwell, G71 8DH	11.11.2020
Stephen Reilly, 18 Clyde Terrace, Bothwell, G71 8DX	03.11.2020
A Ogston, 20 Clyde Terrace, Bothwell, G71 8DX	13.01.2021
Lisa Callachan, No Address Provided	03.11.2020
Craig Tarnawski, Via Email	03.11.2020
Laura O'Donnell,	04.11.2020
Audrey Samwells, Received Via E-mail	30.10.2020
Mr David Budge, 2 Dunclutha Drive, Bothwell, G71 8SQ	03.11.2020
Mr Gerard Lee, 8 Carnoustie Court, Bothwell, G71 8UB	03.11.2020
Mrs Christine Cumming, 2 St Andrews Avenue, Bothwell, G71 8DL	09.11.2020
Mrs Karen McLean, 4 Carnoustie Court, Bothwell, G71 8UB	27.10.2020
Mr Graham Maxwell, 10 Douglas Drive, Bothwell, G71 8DH	06.11.2020
Mr Derek Robson, Sent Via Email	11.11.2020
Mr Tom Paterson, 24 Silverwells Crescent Bothwell, G71 8DP	26.10.2020
Mrs Corinne Paterson, 24 Silverwells Crescent Bothwell, G71 8DP	26.10.2020
Mr John Murphy, 15A Lady Jane Gate, Bothwell, G71 8BW	30.10.2020
Elsie Forrest, 10 St Andrews Avenue, Bothwell, G71 8DN	04.12.2020
Joanna Pugh, No Address Provided	26.10.2020
Lesley Tait, 27 Clyde Avenue, Bothwell, G71 8DT	26.10.2020
Margaret Daly, 30 Royal Gardens, Bothwell, G71 8SY	26.10.2020
Robert Daly, 30 Royal Gardens, Bothwell, G71 8SY	26.10.2020
Mr Barry Clarkson, 20 Grieve Croft, Bothwell, G71 8LU	27.10.2020
Mrs Christine Budge, 2 Dunclutha Drive, Bothwell, G71 8SQ	03.11.2020
Michael Purdo, By Email	04.11.2020

Mr Derek Ferguson, 1 Barassie Court, Bothwell, G71 8UH	26.10.2020
Mrs Jill Capaldi, 8 Orchard Avenue Bothwell, G71 8NF	31.10.2020
Mr Martin Pugh, 1 Clyde Terrace, Bothwell, G718DX	29.10.2020
Emma Robson, Via Email	10.11.2020
Carol Lane, 38 Silvertrees Wynd, Bothwell , G718FH	29.10.2020
Tom Henderson, 38 Silvertrees Wynd, Bothwell , G718FH	29.10.2020
Martin Pugh,	29.10.2020
Lesley Tait, 27 Clyde Avenue, Bothwell, , G71 8DT	29.10.2020
Dennis Walker, Brighter Bothwell, 5 North Deanpark Ave, Bothwell, G71 8HH	12.11.2020
Lesley Tait, Via Email	12.11.2020
Amanda Gilfedder, 3 Douglas Drive, Bothwell, G71 8DH	05.11.2020
Andrew & Janice Lawrie, 27 Grieve Croft, Bothwell, G71 8LU	02.11.2020
Mrs Marion Stewart, 43 Grieve Croft, Bothwell, G71 8LU	02.11.2020
E McDowall, 9 The Lindens, Bothwell, G71 8LS	02.11.2020
Ailsa Calla, 86 Clyde Avenue, Bothwell, G71 8DU	02.11.2020
Hammad Jahanzeb, 1 Grieve Croft, Bothwell, G71 8LU	02.11.2020
Rudna Boyd, 10 Grieve Croft, Bothwell, G71 8LU	02.11.2020
Martin Herdman, 61 Clyde Avenue, Bothwell, G71 8DT	02.11.2020
Thomas Tait, 1 Dunclutha Drive, Bothwell, G71 8SQ	02.11.2020
Colin McQueen, 67 Clyde Avenue, Bothwell, Glasgow, South Lanarkshire, G71 8DT	02.11.2020
Jean McCullagh, 11 The Lindens, Bothwell, G71 8LS	02.11.2020
Walter Watson, 8 Clyde Terrace, Bothwell, G71 8DX	02.11.2020
Lorna Murray, 9 Blantyre Mill Road, Bothwell, G71 8DF	02.11.2020
Lesley Tait,	16.11.2020
Frances Cameron, No Address Provided	29.10.2020
S Hannaway, No Address Provided	04.11.2020

Robert And Elizabeth A Boyle, By Email	02.11.2020
Mr Gerald Capaldi, 8 Orchard Avenue Bothwell, G71 8NF	31.10.2020
Mrs Fiona Macintyre, 7 Grieve Croft, Bothwell, G71 8LU	15.11.2020
Mrs Margaret Daly, 30 Royal Gardens, Bothwell, G71 8 SY	29.10.2020
Mrs Diane McCrory, 36 Blairston avenue, Bothwell, G71 8SA	31.10.2020
Mr Michael McLaughlin, Elmwood Lodge, Bothwell, G71 8EA	04.11.2020
Miss Alexandra Budge, 2 Dunclutha Drive, Bothwell, G71 8SQ	12.01.2021
Mrs Evelyn Cole, 36 Main Street, Bothwell, G72 9bx	03.11.2020
Mrs Carol Lee, 8 Carnoustie Court, Bothwell, G71 8UB	13.01.2021
Mrs Teresa Ross, 70 Silvertrees Wynd, Bothwell, G71 8FH	20.11.2020
Mrs Marjory Robertson, 42 Old Station Court, Bothwell, G71 8PE	11.11.2020
Mrs Sandra Jones, 11 Croftbank Avenue, Bothwell, G71 8RT	11.11.2020
Arrin Coughlan, 21 Eden Park, Bothwell, G71 8SL	12.11.2020
Mrs Lisa McCann, 6 Douglas Drive, Bothwell, G718DH	02.11.2020
Mrs L Gray, 21 Fairyknowe Court, Bothwell, G71 8SZ	03.11.2020
Gerry & Madeline McMahon, 1 Silverwells Crescent, Bothwell, G71 8SE	24.11.2020
Dr Jemma Callahan, Elmwood Lodge, Bothwell, G71 8EA	04.11.2020
Dr Mary Church, 9 Carnoustie Court, Bothwell, G71 8UB	14.12.2020
Sofia Sansovini, 27 Clyde Avenue, Bothwell, G71 8DT	02.11.2020
Mr William Findlay, 35 Silvertrees Gardens, Bothwell, G71 8FJ	02.11.2020
Mr Eric Gunn, 64 Clyde Avenue, Bothwell, G71 8DU	04.11.2020
Mrs M Coakley, 21 Clyde Avenue, Bothwell, G71 8DT	04.11.2020
Mr Simon Mousley, 11 Gales Park, Bothwell, G71 8TS	27.10.2020
Mr John Reid, 40 Grieve Croft, Bothwell, G718LU	10.01.2021
Gillian Sinclair, Received Via Email	02.11.2020

Allan Winning, 29 Elmwood Court, Bothwell, G71 8SW	02.11.2020
Karin McAfee, 30 Castle Wynd, Bothwell, G71 8TQ	02.11.2020
Mr Alan McLean, 4 Carnoustie Court, Bothwell, G71 8UB	27.10.2020
Heather Wallace, Received Via Email	29.10.2020
Hugh Dykes, Bothwell Resident	14.01.2021
Russell Parsons, 30 Clyde Avenue, Bothwell, G71 8DU	14.01.2021
Jean Myra Parsons, 30 Clyde Avenue, Bothwell, G71 8DU	14.01.2021
James McCunnie, 23 The Fairways, Bothwell, G71 8PB	14.01.2021
Jacqueline McCunnie, 23 The Fairways, Bothwell, G71 8PB	14.01.2021
John Roberts, 83 The Fairways, Bothwell, G71 8PB	13.01.2021
Mrs Carol Lee, 8 Carnoustie Court, Bothwell, G71 8UB	14.01.2021
Margaret Mitchell MSP, Room M2.11, The Scottish Parliament, Edinburgh, EH99 1SP	18.01.2021
John McAfee, 30 Castle Wynd, Bothwell, G71 8TQ	11.01.2021
Alan Street, 83 The Fairways, Bothwell, G71 8PB	13.01.2021
Mrs D McCarte, 30 Silverwells Crescent, Bothwell, G71 8DS	13.01.2021
Ranitha Kumar, 33 Grieve Croft, Bothwell, G71 8LU	13.01.2021
Kumar Periasamy, 33 Grieve Croft, Bothwell, G71 8LU	13.01.2021
John Kinloch, 42 Grieve Croft, Bothwell, G71 8LU	13.01.2021
Russell Parsons, 30 Clyde Avenue, Bothwell, G71 8DU	13.01.2021
Jean Myra Parsons, 30 Clyde Avenue, Bothwell, G71 8DU	13.01.2021
Joanna Pugh, 1 Clyde Terrace, Bothwell, G71 8DX	11.01.2021
June Lobbon, 9 Clyde Terrace, Bothwell, G71 8DX	11.05.2021
Elaine McPherson, 4 Clyde Terrace, Bothwell, G71 8DX	10.05.2021
F Lang, 16 Clyde Terrace, Bothwell, G71 8DX	13.01.2021
Ann Wilson, 13 Clyde Terrace, Bothwell, G71 8DX	11.05.2021
Gillian Sinclair, 26 Clyde Avenue, Bothwell, G71 8DU	14.01.2021

Mr Peter Mulholland, 4 Clyde Ave, Bothwell, G71 8DU	10.01.2021
Mrs Shirley Chalmers, 6 Mason Gardens, Bothwell, G71 8FN	31.01.2021
Mrs Margaret Mitchell, 119 Cadzow Street, Hamilton, ML3 6JA	14.01.2021
George Wilson, 23 Blantyre Mill Road, Bothwell, G71 8DY	13.01.2021
Elizabeth Martin, 78 The Tait, The Fairways, Bothwell, G71 8PA	13.01.2021
Edgar Martin, 78 The Tait, The Fairways, Bothwell, G71 8PA	13.01.2021
John Gallacher, 98 The Park, The Fairways, Bothwell, G71 8PF	13.01.2021
William Elliott, 2 Arran Way, Bothwell, G71 8TR	13.01.2021
Mrs Marion Stewart, 43 Grieve Croft, Bothwell, G71 8LU	13.01.2021
Jack McAllister, 60 The Herd, The Fairways, Bothwell, G71 8PA	15.01.2021
Dr Julie McFarlane, 77 The Fairways, Bothwell, G71 8PB	
Mrs I Greenshields, 51 Grieve Croft, Bothwell, G71 8LU	15.01.2021
Lynn Hendry, 41 Grieve Croft, Bothwell, G71 8LU	15.01.2021
Amber Beresford and Darrel Markson, 53 Clyde Avenue, Bothwell, G71	18.01.2021
Councillor Kenny McCreary, By Email	08.02.2021
Kieran Gilmurray, 11 Blantyre Mill Road, Bothwell, G71 8DF	19.01.2021
Anne Gilmurray, 11 Blantyre Mill Road, Bothwell, G71 8DF	19.01.2021
Helen E Harris, 1 The Fairways, Bothwell, G71 8PB	12.01.2021
Janet MacIntyre, 3 The Fairways, Bothwell, G71 8PB	12.01.2021
Stephen Reilly, 18 Clyde Terrace, Bothwell, G71 8DX	12.01.2021
Margaret And Nick Maguire, 25 The Fairways, Bothwell, G71 8PB	12.01.2021
Craig Tarnawski, 18 Clyde Terrace, Bothwell, G71 8DX	12.01.2021
Mr Michael Pardo, 2 Clyde Terrace, Bothwell, G718DX	13.01.2021
Martin Pugh, 1 Clyde Terrace , Bothwell , G718DX	12.01.2021

Aiden Hill, 51 Blantyre Road, Bothwell, G71 8PJ	12.01.2021
William Hill, 51 Blantyre Road, Bothwell, G71 8PJ	12.01.2021
Rosemary Hill, 51 Blantyre Road, Bothwell, G71 8PJ	12.01.2021
Sarah Jahanzeb, 1 Grieve Croft, Bothwell, G71 8LU	03.02.2021
Mrs Hazel Reid, 40 Grieve Croft, Bothwell, G71 8LU	10.01.2021
Martin Kelly, 45 Grieve Croft, Bothwell, G71 8LU	21.01.2021
Patricia Kelly, 45 Grieve Croft , Bothwell , G71 8LU	21.01.2021
Mrs MH Deacon, 51 The Fairways, Bothwell, G71 8PB	21.01.2021
Cindy Denholm, 26 Silverwells Crescent, Bothwell, G71 8DP	21.01.2021
Sue Taylor, 53 Clyde Avenue, Bothwell, G71 8DT	21.01.2021
Emma Toner, 68 The Fairways, Bothwell, G71 8PB,	21.01.2021
Ms Lynn Hendry, 41 Grieve Croft Bothwell, G71 8LU	12.01.2021
Mrs Kim Hamilton, 7 Wellsgreen Garden's, Glasgow, G71 7WT	31.01.2021
Miss Kim Armstrong, 15 Marguerite Gardens, Bothwell, G71 8LD	01.02.2021
Janice Lawrie, 27 Grieve Croft, Bothwell, G71 8LU	14.01.2021
Andrew Lawrie, 27 Grieve Croft, Bothwell, G71 8LU	14.01.2021
Thomas Walters, 2 Barrie Avenue, Bothwell, G71 8FA	14.01.2021
John McCaveny, Received Via Email	14.01.2021
Miss Anya Barsauckas, 22 Grieve Croft, Bothwell, G71 8LU	30.01.2021
Miss Heather Wallace, 2 Clyde Terrace, Bothwell, G71 8DX	06.01.2021
Mrs Valeri Mulholland, 4 Clyde Ave, Bothwell, G71 8DU	10.01.2021
Ms Carolyn MacBride, 36 Grieve Croft, Bothwell, G71 8LU	28.01.2021
Gordon Morris, 8 Barrie Avenue, Bothwell, G71 8FA	11.01.2021
Alice Paterson, 3 Clyde Avenue, Bothwell, G71 8DT	11.01.2021
Eric Ginn, 64 Clyde Avenue, Bothwell, G71 8DU	11.01.2021

Anne Ginn, 64 Clyde Avenue, Bothwell, G71 8DU	11.01.2021
Margaret Rose Gartshore, 90 Clyde Avenue, Bothwell, G71 8DU	11.01.2021
Martin Super, 23 Grieve Croft, Bothwell, G71 8LU	11.01.2021
Mrs Hazel Reid, 40 Grieve Croft, Bothwell, G71 8LU	11.01.2021
Charlotte Deans, 4B Mill Road, Bothwell, G71 8DQ	11.01.2021
Eileen Deans, 3 Morag Riva Court, Uddingston, G71 7BF	11.01.2021
David Deans, 3 Morag Riva Court, Uddingston, G71 7BF	11.01.2021
Roslyn O'Callaghan, 57 Silverwells Crescent, Bothwell, G71 8DP	11.01.2021
Kendal Morris, 8 Barrie Avenue, Bothwell, G71 8FA	11.01.2021
Debra Campaigne, 5 Silverwells Drive, Bothwell, G71 8FF	15.01.2021
Angelina Franchitti-Murray, 33 Silverwells Crescent , Bothwell, G71 8RF	22.02.2021
Agnes McIver, 9 The Fairways, Bothwell, G71 8PB	22.02.2021
Mr Stuart Beresford, 5 The Fairways, Bothwell, G71 8PB	13.04.2021
Miss Lauren Purves, 5 The Fairways, Bothwell, G71 8PB	13.04.2021
Owner/Occupier, 20 Clyde Terrace, Bothwell	26.03.2021
Joanna Pugh, Michael McLaughlin And David Budge, Received Via Email	26.03.2021
Mrs Fiona Blake, 9 Douglas Drive, Bothwell, G71 8DH	22.03.2021
Stuart Russell, Received Via Email	15.03.2021
Beth Russell, 19 Blantyre Mill Road, Bothwell, G71 8DY	15.03.2021
Dr Yusuf Kaya, 14, The Fairways, G71 8PA	25.03.2021
Mr Richard Conway, 1 North Deanpark Avenue, Bothwell, G71 8HH	22.03.2021
Mr Stephen McQuade, 34 Grieve Croft, Bothwell, G71 8LU	15.03.2021
Mrs Janet Haldane, 7 Birkdale Court, Bothwell, Glasgow, G71 8UA	09.05.2021

Mr Aaron Cooper, 4 Muirfield Meadows, Bothwell, G71 8NT	18.05.2021
Nicholas & Dorothy Scullion, 8 Muirfield Meadows, Bothwell, G71 8NT	12.05.2021
Mr Bernard Cassidy, 40 Clyde Avenue, Bothwell, G71 8DU	14.05.2021
Mrs Alexandra Dos Reis Murphy, 15A Lady Jane Gate, Bothwell, G71 8BW	23.05.2021
Mrs Kirsty McAninch, 6 Dukes Gate, Bothwell, G71 8SN	23.05.2021
Dr Roisin Coll, 10 Langside Road, Bothwell, G71 8NG	23.05.2021
Mrs Louise Mackie, 66 Clyde Avenue, Bothwell, G71 8DU	30.04.2021
Dr Alan Liddell, 10 Turnberry Wynd, Bothwell, G71 8EE	02.05.2021
Miss Anne Henderson, 62 Clyde Avenue, Bothwell, G71 8DU	09.05.2021
Mrs Joanna Pugh, 1 Clyde Terrace, Bothwell, G71 8DX	25.05.2021
Mrs Diane McManus, 60 McGuire Gate, Bothwell, G71 8FL	23.05.2021
Mr Chris McLeish, 2 Hamilton Drive, Bothwell, G71 8RR	24.05.2021
Diane Smith, 54B Main Street, Uddingston	26.04.2021
Mr William Elliott, 2 Arran Way, Bothwell, Glasgow, G71 8TR	03.05.2021
Nicola Taggart, 20 Ross Drive, Uddingston	04.05.2021
Miss Nicole McCann, 1B, Flat 1, Blantyre Mill Road, Bothwell, G71 8EP	27.04.2021
Andrew Raeburn, 9 Silverwells Drive, Bothwell, G71 8FF	10.05.2021
Cathryn Miller, 11 Barassie Court, Bothwell, G71 8UH	10.05.2021
Richard Murray, 9 Blantyre Mill Road, Bothwell, G71 8DF	10.05.2021
Gillian Mason, 9 Silverwells Drive, Bothwell, G71 8FF	10.05.2021
Colin Chalmers, 6 Mason Gardens, Bothwell, G71 8FN	10.05.2021
Mrs Noeleen Conway, 1 North Dean Park Ave, Bothwell, G71 8Hh	23.05.2021
Dorothy-Anne Ardrey, 27 Lytham Meadows, Bothwell, G71 8ED	12.05.2021
Mrs I Scott, 8 Grieve Croft, Bothwell, G71 8LU	12.05.2021

Mrs J McGonigle, 22 Fife Court, Bothwell, G71 8DG	12.05.2021
Graeme Balmer, 57 Royal Gardens, Bothwell, G71 8SY	12.05.2021
Janet Bell, 2 Silvertrees Wynd, Bothwell, G71 8FH	12.05.2021
Caroline Adams, Via Email	12.05.2021
Mrs Janet Haldane, 7 Birkdale Court, Bothwell, G718UA	09.05.2021
Alasdair Gledhill, 4B Mill Road, Bothwell, G71 8DQ	25.05.2021
Sarah Deans, 4B Mill Road, Bothwell, G71 8DQ	25.05.2021
Gemma Kerr, Received Via Email	25.05.2021
Miss Lauren Cooper, 4 Muirfield Meadows, Bothwell, G71 8NT	18.05.2021
Thomas Boyd, 10 Grieve Croft, Bothwell, G71 8LU	20.05.2021
Thomas Roy Boyd, 10 Grieve Croft, Bothwell, G71 8LU	20.05.2021
Louise Boyd, 10 Grieve Croft, Bothwell, G71 8LU	20.05.2021
Mrs Joan Neely, 8 Elmwood Court, Bothwell, G71 8SW	
Joan Henry, 5 Elmwood Court, Bothwell, G71 8SW	20.05.2021
Mary Ann Reston, 7 Silverwells Drive, Bothwell, G71 8FF	20.05.2021
Margaret Crawford, 29 Silvertrees Gardens, Bothwell, G71 8FJ	25.05.2021
Graham Gartshore, 90 Clyde Avenue, Bothwell, G71 8DU	25.05.2021
Mr and Mrs C Fisher, 14 Pailis Crescent, Bothwell, G71 8FP	25.05.2021
James Devlin, 10 Sunningdale Wynd, Bothwell, G71 8EQ	25.05.2021
Joyce Gledhill, 30 Fairyknowe Court, Bothwell, G71 8SZ	25.05.2021
Steven Deans, 4B Mill Road, Bothwell, G71 8DQ	25.05.2021
W and MF Gardner, 64 Silvertrees Wynd, Bothwell, G71 8FH	25.05.2021
MF Gardner, 64 Silvertrees Wynd, Bothwell, G71 8FH	25.05.2021
Ann Hughes, 3 St Andrews Avenue, Bothwell, G71 8DN	25.05.2021
Sandra J Greenshields, 32 Elmwood Court, Bothwell, G71 8SW	25.05.2021

Robert F Greenshields, 32 Elmwood Court, Bothwell, G71 8SW	25.05.2021
Mrs Lesley Iantchev, 49 Grieve Croft, Bothwell, G71 8LU	27.04.2021
Mr Kevin Mackie, 66 Clyde Avenue, Bothwell, G71 8DU	01.05.2021
Mr Ben Paterson, 24 Silverwells Crescent, Bothwell, G71 8DP	06.05.2021
John McGuire, 23 Croftbank Avenue, Bothwell, G71 8RT	25.05.2021
Jeanette McGuire, 23 Croftbank Avenue, Bothwell, G71 8RT	25.05.2021
Eileen Parsons, Keats Park, Bothwell	25.05.2021
Philip Sheridan, 15 Gleneagles Park, Bothwell, G71 8UT	25.05.2021
Pamela McGuire, 23 Croftbank Avenue, Bothwell, G71 8RT	25.05.2021
Michael V McGuire, 23 Croftbank Avenue, Bothwell, G71 8RT	25.05.2021
Mr M Cowan, 15 Elmwood Court, Bothwell, G71 8SW	25.05.2021
Diane Montgomery, 7 Clyde Avenue, Bothwell, G71 8DT	25.05.2021
Mrs Olwen Mason, 81 The Fairways, Bothwell, G71 8PB	18.05.2021
Jean Farquhar, 9 Gleneagles Park, Bothwell, G71 8UT	18.05.2021
Mrs Carol Goudie, 6 Gailes Park, Bothwell, G71 8TS	18.05.2021
Jennifer Wiles, 7 Hoylake Park, Bothwell, G71 8UX	18.05.2021
Bernadette Bellamy, 1 Silverwells Crescent, Bothwell, G71 8SE	18.05.2021
Marie Elliott, 2 Arran Way, Bothwell, G71 8TR	18.05.2021
Anne Moore, 62 The Fairways, Bothwell, G71 8PA	18.05.2021
Miss Anne Gray, 44 Clyde Avenue, Bothwell, G71 8DU	24.05.2021
Ms Melinda Evans, 62 Silvertrees Wynd, Bothwell, G71 8FH	01.05.2021
Mr Mike Farrance, 30 The Fairways, Bothwell, G71 8PA	01.05.2021
Dr Yasmin Ismail, 85 The Fairways, Bothwell, G71 8PB	01.05.2021
Miss Eva Paterson, 24 Silverwells Crescent, Bothwell, G71 8DP	06.05.2021

Mrs Linda Harwood, 45 Royal Gardens, Bothwell, G71 8BU	02.05.2021
Yasmin Ismail, 85 The Fairways, Bothwell, G71 8PB	17.05.2021
Mr Roger Scott, 6 Downfield Gardens, Bothwell, G71 8UW	17.05.2021
John Anderson, 15 Killermont Meadows, Bothwell, G71 8EG	17.05.2021
Helen Mitchell, 42 Royal Gardens, Bothwell, G71 8SY	17.05.2021
Linda Cunningham, 30 Elmwood Court, Bothwell, G71 8SW	13.05.2021
Debra Campagne, 5 Silverwells Drive, Bothwell, G71 8FF	13.05.2021
Fiona Loughrey, 87 The Fairways, Bothwell, G71 8PB	13.05.2021
Kathleen Darroch, 89 The Fairways, Bothwell, G71 8PB	13.05.2021
Mr John Seaton, 14 Gales Park, Bothwell, G71 8TS	02.05.2021
Mr Calum Macintyre, 7 Grieve Croft, Bothwell, G71 8LU	26.04.2021
M Cowan, 15 Elmwood Court, Bothwell, G71 8SW	14.05.2021
Mr Richard Fowler, 8 Silverwells Crescent, Bothwell, G71 8SE	03.05.2021
Mrs Linda Carrol, 14 Rosemount Meadows, Bothwell, G71 8EL	03.05.2021
Mrs Jane Cooper, 4 Muirfield Meadows, Bothwell, G71 8NT	18.05.2021
Mr Jamie Struth, 62 Clyde Avenue, Bothwell, G71 8DU	09.05.2021
Mrs Kathleen Mallin, 11 The Fairways, Bothwell, G71 8PB	10.05.2021
Mr David Cooper, 4 Muirfield Meadows, Bothwell, G71 8NT	18.05.2021
Mr Poli, 96 The Fairways, Bothwell, G71 8PB	11.05.2021
Mrs Poli, 96 The Park, The Fairways, Bothwell, G71 8PF	11.05.2021
Mrs Devlin, 34 Elmwood Court, Bothwell, G71 8SW	11.05.2021
Mr John McCartney, 14 Elmwood Court, Bothwell, G71 8SW	11.05.2021
Niall Gibson, 5 Barrie Avenue, Bothwell, G71 8FA	11.05.2021
Carol Lee, 8 Carnoustie Court, Bothwell	26.05.2021

Contact for further information

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

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

Phone: 01698 454970

Email: james.watters@southlanarkshire.gov.uk

Conditions and reasons

01. That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

02. That, unless otherwise agreed in writing with the Council as Planning Authority, all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority. Existing trees to be retained must be protected in accordance with methods as set out in BS5837/2012 during and until completion of all site operations and building works.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

03. That, unless otherwise agreed in writing with the Council as Planning Authority, before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained 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 before the development hereby approved is brought into use, details of the storage and collection of waste arising from the development shall be submitted to and approved by the Council as Planning Authority. The storage and waste collection scheme shall be implemented before the development is brought into use and shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason: To minimise nuisance, littering and pest problems to nearby occupants.

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

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

06. That, unless otherwise agreed in writing with the Council as Planning Authority, no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

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

07. That, unless agreed in writing with the Council as Planning Authority, no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

08. That prior to works commencing on site, unless otherwise agreed in writing with the Council as Planning Authority, a Flood Risk/Drainage Assessment is to be carried out in accordance with the latest industry guidance listed within the Council's Developer Design Guidance Note dated May 2020 (attached). This assessment should also give consideration to surface water management during the construction period to reduce any risk of flooding to and from the site.

Reason: To ensure that the proposal does not give any flood risk concerns.

09. That prior to works commencing on site the applicant shall submit a Traffic Management Plan (TMP) to the Council as Planning and Roads Authority for written approval. This should provide details of access and parking provision for staff and visitors, intended working hours, how deliveries of materials will be managed and stored arrangements for road cleaning. The plan should also detail how any of these measures may change as the site is developed. Once approved the development shall proceed at all times in accordance with the approved TMP.

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

10. That prior to works 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 Roads Authority.

Reason: In the interests of road and public safety.

11. That prior to commencing on site the applicant shall submit, for the written approval of the Council as Roads Authority, details of pedestrian crossing locations, speed reduction measures and associated traffic signage. Thereafter, the approved measures shall be implemented on site to the satisfaction of the Council as Roads Authority.

Reason: These details have not been submitted or approved.

12. That before the development hereby approved is brought into use the applicant shall produce a Nursery Travel Plan (NTP) to encourage greater use of sustainable travel and reduce reliance on private car trips for nursery children and staff.

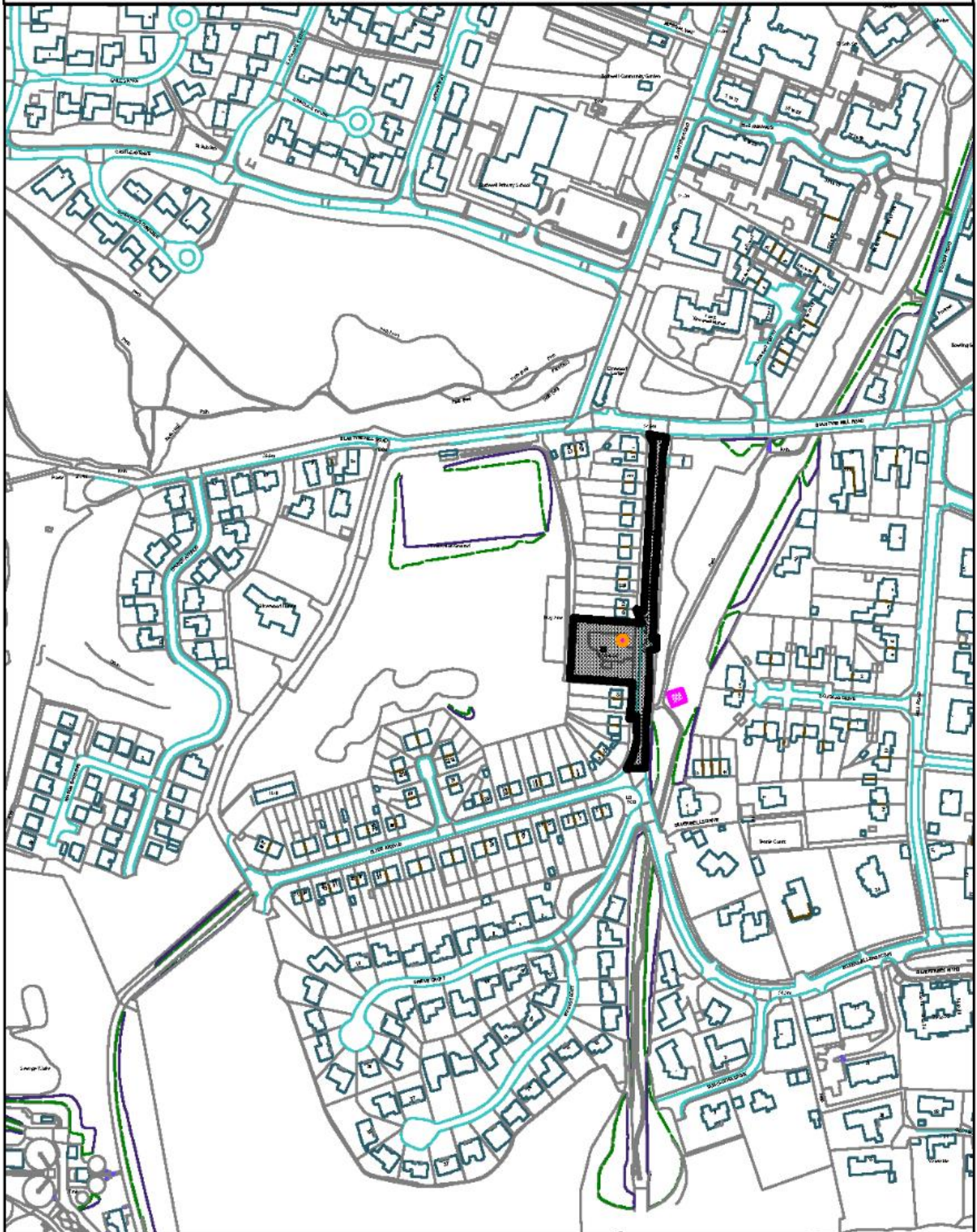
Reasons: These details have not been submitted or approved.

13. That, unless otherwise agreed in writing with the Council as Planning Authority, facilities shall be made for the future provision of electrical charging points adjacent to the proposed parking spaces. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

P/20/1365

Land 30M North of 21 Clyde Terrace



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Scale:
1:3,500
Date:
26/02/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

4

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

Application no.	P/20/0023
Planning proposal:	Erection of 190 dwellinghouses with associated roads, drainage, landscaping and open space

1 Summary application information

Application type:	Detailed planning application
Applicant:	Walker Group (Scotland) Limited
Location:	Land 360M NNE of Hallside Manse Manse Brae Cambuslang Glasgow 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) Planning Committee has delegated powers to determine this application.
- (2) If planning consent is granted, the decision notice should be withheld until a Planning Obligation in respect of a financial contribution for the improvement/upgrading of educational, community facilities and off-site affordable housing provision in the area has been concluded between the applicant and the Council.

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

All reasonable legal costs incurred by the Council in association with the above section 75 Obligation shall be borne by the developers.

3 Other information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2**
 - Policy 1 Spatial Strategy
 - Policy 2 Climate change
 - Policy 3 General Urban Areas
 - Policy 5 Development Management and Placemaking
 - Policy 7 Community Infrastructure Assessment
 - Policy 11 Housing
 - Policy 12 Affordable Housing
 - Policy 13 Green Network and Greenspace
 - Policy 14 Natural and Historic Environment
 - Policy 15 Travel and Transport
 - Policy 16 Water Environment and Flooding
 - Policy DM1 New Development Design
 - Policy DM16 Foul Drainage and Sewerage
 - Policy NHE9 Protected Species
 - Policy NHE18 Walking, Cycling and Riding Routes
 - Policy SDCC2 Flood risk
 - Policy SDCC3 Sustainable Drainage Systems

- ◆ **Representation(s):**
 - ▶ 176 Objection Letters
 - ▶ 1 Support Letters
 - ▶ 2 Comment Letters

- ◆ **Consultation(s):**
 - Roads and Transportation (Development Management)
 - Environmental Services
 - Roads Flood Risk Management
 - Scottish Water
 - West of Scotland Archaeology Service
 - SEPA West Region
 - SP Energy Network
 - Countryside and Greenspace
 - Community Services
 - Education School Modernisation Team
 - Housing Planning Consultations
 - Health and Safety Executive (HSE)
 - Halfway Community Council
 - The Coal Authority Planning and Local Authority Liaison Dept

Planning Application Report

1 Application Site

- 1.1 This application site relates to open grassland, which is located to the east of Drumsagard Road in Cambuslang. The site rises from west to east along Hamilton Road. The site is approximately 18.3 hectares in area, is bounded to the west by Drumsagard village, to the south by Hamilton Road and to the north and east by open space / farmland. To the north is Hallside Road and a recently constructed housing estate.
- 1.2 A watercourse and an area of mature hedging runs along the south-western boundary of the site. The site is at present mature grassland. A wide plantation of trees runs along the eastern boundary. The site is largely rectangular in shape. A high-pressure gas pipeline runs through the middle of the site on a south-west and north-east axis.

2 Proposal(s)

- 2.1 The applicants propose the erection of 190 dwellings (semi-detached and dwellings) over two distinct areas with an emergency vehicle access point, SUDs area, play area, open space and other informal open spaces and footpath links. The developed site will be approximately 14.3ha with an additional 4ha of tree planting on the eastern boundary. This tree covered area will not be developed. The site will be split between two clearly defined portions of the site to the north (135) and south (55).
- 2.2 The development will be accessed via a main entrance from Hamilton Road to the south. The main open space and play area will be provided in the middle of the site between the two housing areas. The SUDs basins will be in the north-west and south-west corner of the site. New footpath links will be provided throughout the site and many of these will connect into existing paths. In addition, a proposed play area will be sited centrally. All the dwellings will be two storeys and will be finished externally with modern materials including brick and roughcast walls, concrete roof tiles and uPVC windows.
- 2.3 The development is classified as a 'Major' development under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and was the subject of pre-application consultation, including a public exhibition held in the Hub, Halfway, Cambuslang, close to the site on 22 and 23 May 2019. A number of documents have been provided in support of the application, namely a Pre-application Consultation Report, Flood Risk Assessment, Transport Assessment, Phase 1 Habitat Survey, Tree Survey, Archaeological Report, Site Investigation Report and a Design and Access Statement. At the pre-application stage the applicants submitted a screening opinion to enquire if an Environmental Impact Assessment (EIA) was required. The Council confirmed in June 2019 that whilst an EIA would not be required, the reports identified above would be required.

3 Background

3.1 Local Plan Status

- 3.1.1 In determining this planning application, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan 2.
- 3.1.2 In land use terms, the application site is identified within the adopted SLLDP2, as being within both a general residential area (Policy 3) and as forming part of the Council's housing land supply (Policy 11). As with all planning application, Policy 2 – Climate Change is relevant in this instance. The site is zoned for housing in the Local Development Plan to provide housing land as per policy 11. As part of the zoning, any

application requires to meet a number of criteria such as provision of a robust settlement edge with clearly defined buffer zone, affordable housing and a contribution towards local facilities. The site is also identified as Green Network (Policy 13). Policy 5 requires that new proposals should not adversely impact on the amenity and character of such areas. In terms of those sites identified as part of the Council's housing land supply (Policy 11), their development for residential purposes is supported (subject to compliance with normal development management criteria), as this will assist the Council in meeting its housing needs. Policy 13 advises that any development proposals should safeguard the local green network and that its protection and enhancement will be a core component of any masterplan.

3.1.3 With regard to normal development management criteria a number of other policies within the adopted SLLDP2 are considered appropriate to the determination of this application, namely Policy 5 - Development Management and Placemaking, Policy 7 - Community Infrastructure Assessment, Policy 12 - Affordable Housing and Housing Choice, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding and Policy DM1 New Development Design. In addition, policies NHE9, NHE18, SDCC2 and SDCC3 are also relevant covering the natural environment, ecology, water and flooding respectively.

3.1.4 The aim of these policies and guidance is to seek well designed development which is located in appropriate locations, appropriately serviced and result in no significant adverse impact. In addition, the Council has prepared a Residential Design Guide. The aim of the associated policies and guidance is to seek well designed development which is located in appropriate locations and is appropriately serviced. An assessment of the proposal against these specific policies is contained in Section 6 of this report.

3.2 **Relevant Government Advice/Policy**

3.2.1 The Scottish Planning Policy (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements.

3.3 **Planning Background**

3.3.1 Whilst no previous planning applications have been received for the site, it has been zoned for housing in relevant local plans/local development plans since 2009.

4 **Consultation(s)**

4.1 **Roads and Transportation Services (Flood Risk Management Section)** - advise conditions should be attached in relation to the implementation of a Sustainable Drainage Design designed and independently checked in accordance with the Council's SUDS Design Criteria Guidance. In terms of flood risk, a Flood Risk / Drainage assessment (FRA) was requested and submitted.

Response: Conditions have been added in this respect.

4.2 **Scottish Water** – no response to date.

Response: Noted. A condition will be attached to ensure adequate provision of water and sewerage infrastructure.

4.3 **SP Energy Network** – no response to date.

Response: Noted.

- 4.4 **The Coal Authority** – no objections to the proposed development.
Response: Noted.
- 4.5 **SEPA** – SEPA initially objected to the proposal due to potential flood risk. However, having received further information from the developer's flood consulting engineers, SEPA is now satisfied with the proposed flood risk measures and have withdrawn their objection subject to conditions relating to SUDs provision.
Response: Noted. This condition would be attached to any consent issued.
- 4.6 **Roads and Transportation Services (Development Management)** – no objections to the proposals following submission of appropriate details in terms of junction improvements, traffic calming, roads construction, parking, visibility and drainage.
Response: Noted. Conditions will be attached to any consent granted in respect of these issues and others such as the provision of a Traffic Management Plan (TMP), cycle/emergency access and residential travel pack.
- 4.7 **Education Resources - School Modernisation Team** – no objections subject to the developer providing a financial contribution for education accommodation in the local area.
Response: Noted. Planning permission will not be issued until an appropriate obligation under Section 75 of the Planning Act, and / or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards education accommodation.
- 4.8 **Environmental Services** – no objections subject to the provision and implementation of a remediation plan as per recommended in the site investigation submitted by the applicant.
Response:
- 4.9 **Community Services** – request a commuted sum towards the provision of community facilities.
Response: Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and / or other appropriate agreement, has been concluded between the Council and the applicants.
- 4.10 **Housing and Technical Resources** – request a commuted sum towards the provision of affordable housing off site.
Response: Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and / or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that an appropriate commuted sum is provided for off-site affordable housing.
- 4.11 **Countryside and Greenspace** – no objections to the proposed development subject to the provision of a landscaping masterplan.
Response: Noted. This requirement has been conditioned.
- 4.12 **West of Scotland Archaeology Service (WOSAS)** – no objections subject to a condition relating to the provision of an archaeological watching brief.
Response: Noted. This condition has been attached.
- 4.13 **Health and Safety Executive (HSE)** - do not advise against, on safety grounds, the granting of planning permission in this case.
Response: Noted.

4.14 **Halfway Community Council** – object to the proposal on the following grounds:

- ◆ Health and safety concerns in relation to the proposal to build around high-pressure Main Gas Pipe which runs through and at the back of the proposed development
- ◆ Increase in house numbers from Pre-Application Consultation stage
- ◆ Increased pollution/ Concerns in relation to the extraction of whatever has been dumped on part of this site previously due to its close proximity to the previous Steel Works
- ◆ No community facilities in vicinity
- ◆ Development is on skyline
- ◆ Disruption from construction traffic/ Insufficient roads infrastructure/ Major concerns in relation to flood risk
- ◆ The Scottish government is currently proposing some urgent changes to Scottish Planning Policies relating to Housing Land. This site is one such example and any development should be halted immediately/ The development of this proposed site would adversely impact on 2 of the 6 SLSGN areas specifically 1 Cathkin/ Dechmont corridor and 4 Uddingston Clyde/Rotten Calder corridor which performs an important function separating the communities of Uddingston, Cambuslang and Blantyre/ Communities are losing their identities
- ◆ This site also importantly contains established strategic recreation routes/ The access and protection provided by open space would be greatly reduced/ Concerns re the loss of the hedgerow and trees/ The wildlife will also be disturbed yet again from its natural habitat

Response: Noted. The Health and Safety Executive (HSE) has confirmed that they have no objections to the granting of planning permission. All digging works around the pipeline will be carried out by hand.

Proposals are permitted to change between the Pre-Application stage to the application stage provided the principle of the development remains. A full assessment has been made of the development on the basis of 190 dwellings being proposed.

Environmental Services have not objected to the proposal in terms of pollution - the site is sustainable and easily accessible from public transport, both train and bus. In addition, the site will be appropriately remediated, where required, prior to any houses being developed.

The applicant will be making a financial contribution towards community facilities in the locality. In addition, contributions will be made towards education facilities and off-site affordable housing to be provided in the local housing area.

The development will be designed to meet the change in level from west to east and houses have been orientated to take account of this. There are no front gardens facing onto rear gardens. This will also be supplemented by new planting.

Roads and Transportation Services are satisfied with the existing roads infrastructure and some improvements will be made, particularly with a view to the new access from Hamilton Road. Roads and Transportation Services (Flood Risk Management) and SEPA have assessed the proposal and have advised a number of conditions should be attached in relation to the proposed SUDs scheme. The site will have drainage infrastructure designed to deal with the water and will thereafter be appropriately maintained. A traffic management plan (TMP) will require to be agreed between the applicant and the Roads Service to ensure all construction vehicles follow an agreed route ensuring safety to residents.

The site is identified as Housing Land in the adopted South Lanarkshire Local Development Plan 2 having previously been identified in the South Lanarkshire Local Development Plan (2015) and in the previous South Lanarkshire Local Plan (2009). These plans are ultimately derived from the Scottish Planning Policy (SPP) and the Council is required to identify land for housing to meet housing land supply targets. As a result, the site does not extend into the green belt and the boundary of Cambuslang will be suitably maintained.

Access into green space will be enhanced with new footpaths and a number of routes will be maintained. Whilst some hedgerows will be removed, these will be off set with new planting. An ecological survey was carried out prior to the application being submitted. A badger sett was identified at the survey stage. The applicants are providing new badger setts to take account of this. The setts have been in situ for some time and their locations were agreed with Scottish Natural Heritage and the principle accepted by Scottish Badgers. Notwithstanding this, the site will be re-surveyed prior to development commencing and any works required, as a result of this, will be carried out as appropriate.

5 Representation(s)

5.1 Following neighbour notification and the application being advertised in the Rutherglen Reformer in respect of non-notification of neighbours and development contrary to the development plan, 176 letters of objection have been received. Included in the letters of objection are letters from Margaret Ferrier MP, Claire Haughey MSP, James Kelly MSP, Councillor Katy Loudon and Councillor Alistair Fulton. The points raised are summarised as follows:-

- (a) **The development is proposed on greenfield land, bringing development further into the countryside and it will have an adverse impact on the range of wildlife which use the field. What measures are being taken to ensure all wildlife is cared for?**

Response: The site is identified as Housing Land in the adopted South Lanarkshire Local Development Plan 2 having previously been identified in the South Lanarkshire Local Development Plan (2015) and in the previous South Lanarkshire Local Plan (2009). As a result, the site has been identified for housing since its inclusion in the 2009 South Lanarkshire Local Plan. An area to the east of the site contains existing structural planting and this will remain undeveloped. Some hedgerows and trees will be removed on the western boundary, however there will be a scheme of re-planting. A Phase 1 Habitat Survey has been undertaken and confirms that the site contains a number of badger setts. These setts will be closed off and new setts will be formed within the tree belt on the east. The Council's Countryside and Greenspace have confirmed that they are satisfied with the ecological survey. Notwithstanding this the site will be re-surveyed prior to any development commencing.

- (b) **Concerns over drainage and flooding issues in relation to the proposed development and the implications for existing neighbouring properties and streets to the west of the proposed development. The site has a history of flooding.**

Response: Roads and Transportation Services (Flood Risk Management) and SEPA have assessed the proposal and have advised a number of conditions should be attached in relation to the proposed SUDs scheme. The applicant has submitted a detailed drainage impact assessment and the site will have drainage infrastructure designed to deal with the water and will thereafter be appropriately maintained.

- (c) **The proposed development would have an adverse impact in terms of road safety. There is a history of traffic congestion and accidents in the locality and the proposal will make this worse. The site lacks the necessary infrastructure for increased traffic levels.**

Response: Roads and Transportation Services have assessed the proposal and have no objection subject to a number of conditions. In addition, the site has been designed to aid traffic movement and access to public transport. A new access will be provided from Hamilton Road and this will require an improvement to Hamilton Road, to ensure that an appropriate waiting area is formed to allow safe access. This work will be carried out by the applicant and the proposal has been accepted by Roads and Transportation Services. These include improved cycle infrastructure and increased pedestrian infrastructure (with street lighting).

- (d) **The scale of the proposed development and the slope of the land will result in overlooking. A number of houses are proposed on the skyline and there are instances of front gardens facing onto rear gardens.**

Response: The development meets with all the requirements set out in the Residential Design Guide. The distance between new dwellings to existing dwellings, and the position and orientation of dwellings is such that there is not considered to be any unacceptable impacts in terms of overlooking, privacy and loss of light. The development will be designed to meet the change in level from west to east and houses have been orientated to take account of this. There are no front gardens facing onto rear gardens. The closest new house to an existing house is 20 metres, however, the constitutes a gable end facing on to a rear elevation. The closest directly facing windows of any proposed plot is 27 metres, well in excess of the required 20 metres. This will also be supplemented by new planting.

- (e) **The proposal will place an enormous strain on community facilities which are already struggling to cope. There are an insufficient number of GP surgeries and dental surgeries to cope with the demand. Where are the police services? Will the developer's substantial profits be re-invested in the local community? There is a lack of shopping provision in the locality.**

Response: As per policy 7, as a result of the development, the applicants will be making contributions towards off-site affordable housing, education and community facilities. In addition, off-site road works will be undertaken by the applicants. The NHS and Police are consulted as part of the local development plan process. There is shopping provision close by in Drumsagard and a new substantial retail area is proposed in Newton to the north-west of the site which is likely to be operational prior to this development being completed.

- (f) **There are not enough parking spaces at Newton or Cambuslang train stations.**

Response: The application site is well served by bus routes on Hamilton Road and on Hallside Boulevard and is within walking distance of Newton Train Station. In addition, the car park at Newton station has recently been extended and a new park and ride facility is currently under construction at Cambuslang station.

- (g) **Concerns over the proximity of the high-pressure gas pipeline which runs through the site. Assurance should be given that no excavators are used around the pipeline.**

Response: The HSE has confirmed that they do not advise against the granting of planning permission on the basis of the proposal's proximity to the pipeline. In addition, the development has been designed to ensure that no houses are

constructed over the pipeline or are within a distance deemed to be unsafe. All digging works around the pipeline will be carried out by hand.

- (h) **The development will have a detrimental impact on neighbouring properties due to noise, construction traffic and dust.**

Response: Conditions have been attached to ensure that all construction vehicles operate as per an approved traffic management plan. In addition, dust mitigation will be applied. There are accepted hours of operation when it comes to construction and these are generally 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays.

- (i) **Cambuslang's pollution levels are already unacceptably high.**

Response: Environmental Services have not objected in this regard. The site is sustainable in that it is accessible by public transport and will have a number of eco-friendly aspects as per SUDs, electric vehicle charging points and good footpath connections.

- (j) **The development will result in Cambuslang losing its identity as has already happened with a number of other communities.**

Response: The site remains the last remaining site on the eastern boundary of Cambuslang. The eastern boundary is heavily landscaped, and the development will not extend beyond this. This allows for a clearly identifiable boundary, not just to the site but to the town of Cambuslang.

- (k) **Concerns over the lack of education facilities. Schools are full before they are open, and pupils are required to be bussed outwith Cambuslang to Uddingston. Ward 14 (Cambuslang East) badly needs a secondary school.**

Response: The School Modernisation Service has advised that there is sufficient capacity in all the relevant schools and nurseries, albeit with extensions and reconfigurations. These changes will be paid for by the developer through the Community Infrastructure system. Notwithstanding this, extensions are proposed at Newton Farm Primary School and a number of new nurseries have been constructed in the vicinity.

- (l) **The applicant has increased the number of houses proposed since their Pre-Application Consultation (PAC) exercise.**

Response: Whilst this is the case, the proposal has been well designed in relation to the size of the site. This has resulted in new properties being sited a good distance away from existing houses and has managed to retain an extensive area of open space both formal and informal.

- (m) **The site was previously a landfill site. There are concerns over what has been dumped there historically given its proximity to the former steel works site. Proposals have previously been refused on the site.**

Response: The site has been subject to an extensive site investigation and will be subject to appropriate remediation prior to any construction. No previous applications have been refused for the site.

- (n) **Noise associated with the pumping stations in relation to water/sewerage.**

Response: The applicants are no longer proposing pumping stations in close proximity to any existing houses.

- (o) **There is a lack of community facilities such as leisure facilities. Without these, there is the threat of anti-social behaviour.**
Response: As part of the community infrastructure process, the applicant will be making a financial contribution towards such facilities. The Council will manage these funds appropriately moving forward.
- (p) **Confirmation is required that no access will be taken into the site from Drumsagard.**
Response: There is no vehicular access proposed from Drumsagard as the site will have its own access from Hamilton Road. A cycle and emergency vehicle access will be formed to the north of the site on Hallside Road; however, this will be designed to ensure no vehicular access for civilian vehicles.
- (q) **Housebuilders in other developments previously advised that no further building would take place in the vicinity. The proposal will result in depreciation of existing properties adjacent.**
Response: These are not a material planning considerations.
- (r) **There is no evidence of any planting along the western boundary of the site and the existing houses in Drumsagard. This will create privacy and noise issues.**
Response: Planting is proposed on the western boundary of the site where the proposed housing is closer to the existing houses in Drumsagard.
- (s) **There is a soakaway from a septic tank located in the field which serves properties in Manse Brae which may need to be re-sited.**
Response: Noted. This is a matter between the applicant and the residents. Notwithstanding this, this matter has been raised with the developer.
- (t) **Where is the broadband fibre to the premises plans to facilitate modern living?**
Response: A condition has been attached to ensure the provision of appropriate digital infrastructure within the development.
- (u) **There is no affordable housing within the plans.**
Response: The developer will be making a financial contribution towards the provision of off-site affordable housing within the local housing area. This will be delivered by either the Council or a Registered Social Landlord (RSL).
- (v) **Manse Road is narrow and was not improved as a result of previous developments.**
Response: Manse Road will not be used as an access in this instance. Only pedestrian access will be available from the site into Manse Road.
- (w) **There are a number of other priorities for the Council rather than approving houses at this location.**
Response: This is not a material planning consideration. The Council are legally required to determine planning applications and are also required to meet housing land supply targets set by the Scottish Government.
- (x) **The application will provide badly needed houses which will have a positive impact on the local economy.**
Response: Noted. The application complies with the adopted local development plan.

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

6 Assessment and Conclusions

6.1 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise.

6.2 The applicants propose the erection of a residential development of 190 dwellinghouses, associated landscaping and access. The determining issue in this instance is whether the proposal accords with local plan policy, its impact on amenity and road safety matters.

6.3 Scottish Planning Policy (SPP) highlights that development proposals which accord with up-to-date plans should be considered acceptable in principle. The application site has been in the development plan (South Lanarkshire Local Plan 2009 and South Lanarkshire Local Development Plan 2015) as a housing site and, therefore, raises no issues in this regard. It is, therefore, considered that the proposal is in accordance with national planning policy.

6.4 With regard to the adopted South Lanarkshire Local Development Plan 2 (SLLDP2), the application site, as stated above, is identified as being both a proposed housing site (Policy 11) and located within a general residential area where Policy 3 applies. As with all applications, it requires to be assessed in terms of Climate Change where policy 2 is relevant. It is considered to be in accordance with the overarching principles relating to climate change issues as set out in Policy 2. The site is sustainable in terms of access to retail, public transport and will retain a substantial area of open space. In addition, a condition has been attached to the consent issued requiring the provision of electric charging points for motor vehicles within the site and the site will utilise a Sustainable Urban Drainage system (SUDs). As such, the view is taken that the proposed development accords with the provisions of Policy 2 of the Local Development Plan.

6.5 Part of the site is existing structural planting within the green belt to the east, which will not be developed. In addition, the new access from Hamilton Road to the south goes through an area of green belt but will also not be developed. As a result of this, the application was advertised as being contrary to the development plan; however, following a full assessment, it is considered that the proposal fully complies with the development plan. Whilst residential development of the site is acceptable in principle, the proposal must be subject to compliance with normal development management criteria in relation to design, siting, impact on amenity and provision of infrastructure. The site is also identified as a Green Network area (Policy 13). The loss of such areas is generally not supported; however, partial loss is considered where positive management of open space is proposed. The proposed development includes landscape buffers, enhanced planting and open space provision and this will be maintained as part of a landscaping masterplan. The site is considered acceptable in terms of these principal land use designations with the adopted SLLDP2.

6.6 The issues considered relevant from a development management perspective, are set out within Section 3.1 above. Principally, these policies seek to ensure that any development within an area which is predominantly residential in character does not adversely impact on the amenity of such areas, that any such proposal can be adequately served by appropriate services and has been designed in a manner which takes cognisance of appropriate guidance. The overall design and layout are considered to provide a high-quality residential area which complies with the relevant planning policies. A sizeable area of open space is being retained within an area of

structure planting to the east. Moreover, a significant amount of buffer planting will remain on the eastern boundary. I am, therefore, satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance. The layout complies with the Council's approved Residential Design Guide in terms of window-to-window distances, plot size and permeability.

- 6.7 Given the site's location it is considered that the site can be appropriately serviced in terms of water and sewerage. No objections have been received from consultees in this regard. The site has been assessed by SEPA and the Council's Flood Risk Management Team who are satisfied subject to a number of conditions in relation to the proposed SUDs scheme, the level of treatment proposed and maintenance. In addition, the development will require to comply with the Council's sustainable drainage criteria and associated requirements. This can be achieved through the use of appropriately worded conditions. The proposal is, therefore, acceptable when assessed against policies SDCC2 and SDCC3 of the adopted local development plan.
- 6.8 Policy 14 - Natural and Historic Environment requires that the Council assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. Whilst this proposal will result in the development of a Green Network Area, I am satisfied that the proposed development has been designed in such a manner that takes cognisance of the surrounding area and integrates well with the adjacent footpath network and amenity areas which accords with Policy NHE18 - Walking, Cycling and Riding Routes of the adopted plan. In addition, the applicants have made provision for new badger setts following the recommendations of the submitted ecological survey. Notwithstanding this, the site will be resurveyed again for ecological purposes prior to any development commencing.
- 6.9 With regard to road safety, Policy 15 - Travel and Transport - requires all new development proposals to consider the resulting impacts of traffic growth. The site has been fully assessed by Roads and Transportation Services who have offered no objections, subject to conditions. Through the development, the applicants are proposing a number of improvements such as the provision of new footpaths, street lighting, and will provide an updated access into the site from the south on Hamilton Road and a pedestrian/cycle access to the north onto Hallside Road, all of which have been agreed with Roads and Transportation Services. The proposal can, therefore, be considered acceptable in transportation terms.
- 6.10 The Council's adopted policy on Community Infrastructure Assessment (Policy 7) advises that a financial contribution from the developer will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. Through an assessment of the proposals, it is considered that contributions would be required in terms of the impact on educational and community facilities. This can be achieved through a legal agreement, or other appropriate means. Furthermore, the Council expects developers to contribute to meeting affordable housing needs across South Lanarkshire (Policy 12 - Affordable Housing and Housing Choice applies). The applicants are in agreement to making such a contribution for off-site affordable housing within the local housing area and this will be achieved through a legal agreement or other appropriate means. The proposal therefore complies with Policies 7 and 12.

- 6.11 55 letters of representation, 2 letters of comment and 1 letter of support have been received together with a petition with 121 signatures in respect of the proposal which have been addressed in Section 5 above. The requirements of the statutory consultees can be addressed through the use of conditions, where appropriate.
- 6.12 In summary, it is considered that the application conforms to both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. A small portion of the site is located within an existing area of structural landscaping to the east and adjacent to the access to the south. Given this, the site was advertised as Development Contrary to the Development Plan. However, as no part of this area will be developed I would, the proposal fully complies with the South Lanarkshire Local Development Plan 2.
- 6.13 I therefore raise no objection to the application and recommend that planning permission be granted subject to the conditions listed. However, consent should be withheld until the conclusion of the Section 75 Obligation, or other appropriate means, to ensure the submission of financial contributions towards education, roads and public transport infrastructure, affordable housing provision and community facilities.

7 Reasons for Decision

- 7.1 The proposal complies with policies 1, 2, 3, 5, 7, 11, 12, 13, 14, 15, 16, DM1, DM16, NHE9, NHE18, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 28 May 2021

Previous references

- ◆ None

List of background papers

▶ Application form	
▶ Application plans	
▶ South Lanarkshire Local Development Plan 2 (adopted 2021)	
▶ Neighbour notification letter dated 15.01.2021	
▶ Consultations	
Roads Development Management Team	27.05.2020
Environmental Services	21.04.2021
Roads Flood Risk Management	07.04.2020
Scottish Water	29.01.2020
West of Scotland Archaeology Service	31.01.2020
SEPA West Region	11.02.2020
Countryside and Greenspace	22.01.2020
Community Services	18.06.2020
Education School Modernisation Team	27.01.2020

Housing Planning Consultations	29.01.2020
Health and Safety Executive (HSE)	26.01.2020
Halfway Community Council	07.09.2020
The Coal Authority Planning and Local Authority Liaison Dept	20.01.2020
► Representations	Dated:
Miss Anne-Marie Greig, 49 Redwood Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 7FZ	30.01.2020
Margaret And Heather Montgomery, 2 Redwood Way, Cambuslang, G72 7FS	03.02.2020
Janis Orr, Received Via E-mail	05.02.2020
Mrs Kirsten Brown, 14 Magnolia Terrace, Cambuslang, Glasgow, South Lanarkshire, G72 7PA	04.02.2020
Mr Stephen Burns, 69 Walnut Gate, Cambuslang, Glasgow, South Lanarkshire, G72 7FG	05.02.2020
Mrs Alison Kennedy, 6 Magnolia Terrace, Cambuslang, Glasgow, South Lanarkshire, G72 7PA	05.02.2020
Mrs Leslie Love, 93 Alder Gate, Cambuslang, Glasgow, South Lanarkshire, G72 7ZF	16.01.2020
Mrs Lynsey Gifford, 17 Blackthorn Wynd, Cambuslang, Glasgow, South Lanarkshire, G72 7TY	05.02.2020
Elaine Smith, 17 Maple Crescent, Drumsagard, Cambuslang, G72 7NN	24.01.2020
Fraser Stevenson, 60 Redwood Crescent, Cambuslang, G72 7FZ	19.02.2020
Ray Dobson, Via Email	19.02.2020
Miss Karen Mooney, Via Email	19.02.2020
Agnes Orr,	24.02.2020
Jamie Keeling,	24.02.2020
David Gilbey,	24.02.2020
Mrs Gillian Mooney, 16 Fieldmouse Way, Cambuslang, Glasgow, South Lanarkshire, G72 6AP	26.02.2020
Megan Orr, Received Via E-mail	27.02.2020
Mrs Jenkins,	28.02.2020
Mr Paul Barrett, 12 Blackthorn Wynd, Cambuslang, Glasgow, South Lanarkshire, G72 7TY	27.01.2020

Ms Carol Spiers, 47 Redwood Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 7FZ	27.01.2020
Ms Gillian Smith, 31 Craigallian Avenue, Cambuslang, Glasgow, South Lanarkshire, G72 8RP	30.01.2020
Mrs Lorraine McMonagle, 54 Walnut Gate, Cambuslang, Glasgow, South Lanarkshire, G72 7FH	27.02.2020
Mr Stephen Murtagh, 1 Spruce Way, Cambuslang, Glasgow, South Lanarkshire, G72 7FR	20.01.2020
Councillor Alistair Fulton,	06.02.2020
MSP James Kelly, Member of The Scottish Parliament for The Glasgow Region (Scottish Labour Party), 423 Paisley Road West, Glasgow, G51 1PZ	06.02.2020
Anne Haveron, Received Via Email	06.02.2020
Councillor Katy Loudon, Received Via Email	06.02.2020
Rachael Durkin, Received Via Email	19.02.2020
MSP Clare Haughey, 85 Main Street, Rutherglen, G73 2JQ	10.02.2020
Miss Lesley Morris, 9 Mulberry Wynd, Cambuslang, Glasgow, South Lanarkshire, G72 7NR	05.02.2020
Mrs Gemma Barrett, 12 Blackthorn Wynd, Cambuslang, Glasgow, South Lanarkshire, G72 7TY	25.01.2020
Stuart Orr, 57 Magnolia Drive, Cambuslang, Glasgow, South Lanarkshire, G72 7NP	28.02.2020
Mr Steven Brown, 14 Magnolia Terrace, Cambuslang, Glasgow, South Lanarkshire, G72 7PA	04.02.2020
Derek Malley, 56 Redwood Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 7FZ	03.02.2020
Colin Roberts & Kate Eunson, 57 Walnut Gate, Cambuslang, Glasgow, South Lanarkshire, G72 7FG	28.02.2020
Alasdair W Reid, 49 Walnut Gate, Cambuslang, Glasgow, G72 7FG	23.01.2020
Mark Mair, 53 Spruce Drive, Cambuslang, Glasgow, South Lanarkshire, G72 7FW	24.02.2020
Margaret Porter, 51 Walnut Gate, Cambuslang, Glasgow, South Lanarkshire, G72 7FG	27.02.2020
Mr Gary Robertson, 55 Walnut Gate, Cambuslang, Glasgow, South Lanarkshire, G72 7FG	26.02.2020 26.02.2020

Mrs Mary Brown, 39 Magnolia Drive, Cambuslang, Glasgow, South Lanarkshire, G72 7NP	15.01.2020
Mr David Poynts, 49 Acacia Way, Cambuslang, Glasgow, South Lanarkshire, G72 7ZY	22.01.2020
Mr Daniel Winterburn, 38 Maple Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 7NN	04.02.2020
Mr Andrew Laing, 49 Redwood Crescent, Cambuslang, Glasgow, South Lanarkshire, G72 7FZ	05.02.2020
Mrs Susanne Plunkett, 55 Oak Wynd, Cambuslang, Glasgow, South Lanarkshire, G72 7GS	05.02.2020
Mr Gavin Kennedy, 6 Magnolia Terrace, Cambuslang, Glasgow, South Lanarkshire, G72 7PA	05.02.2020
Mrs Elizabeth Gray, 49 Lilac Wynd, Cambuslang, Glasgow, South Lanarkshire, G72 7GH	05.02.2020
Mr Stephen Towill, 17 Gilbertfield Road, Cambuslang, G72 8XB	24.02.2020
Serena Higgins, 96A Redwood Crescent, Cambuslang, G72 7FZ	26.03.2020
Mr James Hannaway, 46 Spruce Drive, Cambuslang, Glasgow, South Lanarkshire, G72 7FW	04.03.2020
Mr And Mrs Jenkins, 6 Daisy Drive, Newton Farm, Cambuslang, G72 6WW	17.03.2020
Janis Orr, Received Via E-mail	22.04.2020
Mr And Mrs Iain Maclean, 28 Magnolia Terrace, Cambuslang, G72 7PA	07.04.2020
George Stewart,	02.03.2020
Mr And Mrs Iain Maclean,	07.04.2020
MP Margaret Ferrier,	11.03.2020
Jane Welsh,	17.03.2020
Thomas Welsh,	17.03.2020
Miss Amina Abid, 30 Wellside Drive, Cambuslang, G728TA	01.05.2020

Contact for further information

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455048

Email: iain.morton@southlanarkshire.gov.uk

Conditions and reasons

01. That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees and other landscape features within the site.

02. That before any work commences on the site, a landscaping masterplan 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.

03. That the landscaping masterplan scheme required by condition 2 above 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.

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

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

05. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

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

06. 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 , 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.

07. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: To safeguard the residential amenity of the area.

08. That before any of the dwellinghouses hereby approved are occupied, details of the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority. Thereafter, prior to the occupation of any dwelling, the approved scheme shall be implemented and thereafter maintained to the satisfaction of 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.

09. 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.

10. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 requirements (Appendices 1,2,3,4 & 5).

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.

11. That the development hereby approved shall not commence until surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 10 above.

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.

12. (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.
- (b) On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.
- (c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

13. Prior to the occupation of each dwellinghouse on the site, the occupier shall be provided with a Travel Information Pack covering public transport and active travel options to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

14. That prior to commencing works on site the developer shall submit, for the written approval of the Council as Roads Authority, a Traffic Management Plan (TMP) which shall include construction traffic access/egress arrangements and routes from suitable 'A' Class roads. The TMP should include information such as, but not limited to, construction access routes to/from the site, wheel washing facilities, site car parking for operatives/visitors and any temporary site access arrangements. Once approved, all works shall be undertaken in accordance with the TMP. No construction traffic access shall be permitted on routes not agreed with the Council as Planning Authority as written through the TMP.

Reason: In the interest of road safety

15. That prior to any work commencing on site, site results of the extended Phase 1 habitat survey should be updated with a further walkover survey to determine whether there have been any changes in habitats or occupancy by protected species.

Reason: To ensure that any ecological species on site are protected and suitable mitigation measures are put in place.

16. That no development shall take place 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 order to safeguard any archaeological items of interest or finds.

17. That unless otherwise agreed, the cycle track link/emergency access shown on drawing no. WGHE-CT-01 shall be in situ and available for use prior to the occupation of the first dwellinghouse hereby approved.

Response: In the interests of road and public safety.

18. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

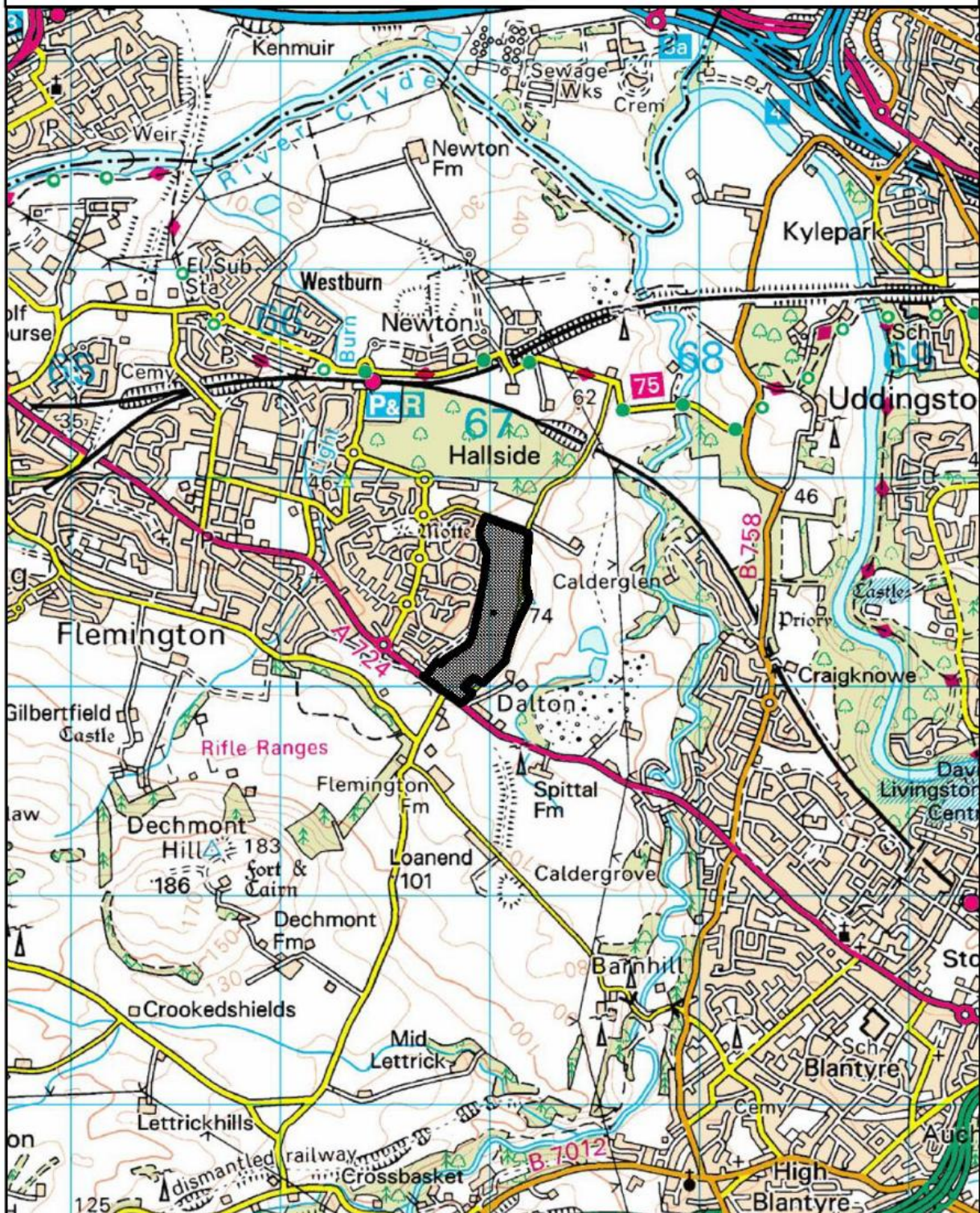
Reason: To ensure the provision of appropriate facilities on site.

19. 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.

P/20/0023

Land 360M NNE of hallside Manse, Manse Brae, Cambuslang



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Scale:
1:25,000
Date:
15/04/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

5

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

Application no.	P/20/1492
Planning proposal:	Erection of 75 two storey dwellings with associated landscaping, roads and infrastructure (approval of matters specified in conditions 2, 4, 8 and 19 for application CR/09/0139)

1 Summary application information

Application type: Approval of matters specified in conditions

Applicant: Taylor Wimpey West Scotland
 Location: Newton Farm Development - Area 2K
 Harvester Avenue
 Cambuslang
 Glasgow
 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 Committee has delegated powers to determine this application.

3 Other information

- ♦ Applicant's Agent:
- ♦ Council Area/Ward: 14 Cambuslang East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2**
 Policy 1 Spatial Strategy
 Policy 2 Climate change
 Policy 3 General Urban Areas
 Policy 5 Development Management and Placemaking
 Policy 7 Community Infrastructure Assessment
 Policy 11 Housing
 Policy 12 Affordable Housing
 Policy 15 Travel and Transport
 Policy 16 Water Environment and Flooding

Policy 17 Waste
 Policy DM1 New Development Design
 Policy DM15 Water Supply
 Policy DM16 Foul Drainage and Sewerage
 Policy SDCC2 Flood risk
 Policy SDCC3 Sustainable Drainage Systems

◆ **Representation(s):**

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

◆ **Consultation(s):**

Halfway Community Council

Roads Development Management Team

Environmental Services

Scottish Water

Roads Flood Risk Management

SEPA Flooding

Planning Application Report

1 Application Site

- 1.1 The site, which extends to 2 ha (20,000 sq metres), is part of the larger Phase 2 site of 128 hectares, located to the north-west of the village of Newton. It is bounded to the north, north-east and east by the remainder of Phase 2 of the Newton Community Growth Area (CGA) and the south-east by Phase 1. In addition, to the south of the site is the area set aside for the new retail area within the CGA.
- 1.2 The application site consists of a relatively flat area of ground and is situated to the west of the proposed arterial road which is currently being constructed as part of the overall CGA masterplan. Approximately 1100 houses have already been approved as part of Phase 2 of the Newton CGA with approximately 600 having already been constructed. The entire CGA will consist of approximately 2,200 houses (Phase 1 – 800 and Phase 2 – 1400).

2 Proposal(s)

- 2.1 The applicants propose the erection of 75 dwellinghouses with associated landscaping roads and drainage. As required by the masterplan, the development will incorporate the principles of Sustainable Urban Drainage (SUDs) with drainage ponds located to the north of the site close to the River Clyde, within a proposed riverside park. A number of supporting documents including a Design and Access Statement, Habitat Survey, Dust Management report, Flood Risk Assessment and Ground Survey have previously been submitted as part of the Planning Permission in Principle (PPP) consent granted in 2014. The layout of the site will follow the principles of 'Designing Streets' which gives pedestrians priority over vehicles. The site will be accessed from the new arterial road to the east (which is currently under construction). The application is to discharge various conditions imposed on planning permission in principle application CR/09/0139 for the development of Newton Community Growth Area. Condition 2 specifies that all relevant matters such as layout, siting, design, landscaping, drainage etc. are submitted to and approved by the Planning Authority. The other conditions to be discharged specify in more detail what information requires to be submitted to deal with the relevant matters listed in condition 2.

3 Background

3.1 Local Plan Status

- 3.1.1 In determining this planning application the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (2021).
- 3.1.2 In this instance the relevant policies are 1 – Spatial Strategy, 2 – Climate Change, 3 – General Urban Area/Settlements 5 – Development Management and Placemaking, 7 – Community Infrastructure Assessment, 11 – Housing Land, 12 – Affordable Housing, 15 - Travel and Transportation, 16 Water Environment and Flooding and 17 Waste. A number of additional policies in relation to flooding, waste and design are also relevant.

3.2 Relevant Government Advice/Policy

- 3.2.1 Scottish Planning Policy (SPP) 2020 advises that proposals that accord with up-to-date plans should be considered acceptable in principle. In terms of residential development, the SPP advises that the planning system should enable the

development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements. The Council must also maintain a five-year supply of effective housing land.

3.3 **Planning History**

- 3.3.1 Planning permission in principle was granted for the site in September 2014 (CR/09/0139). The first 5 pods (2A-E) were granted as per Approval of Matters Specified in Conditions on 28 January 2015 (CR/14/0155). Pods 2A-2D have since been completed and the applicant is also currently constructing pods 2I and 2J.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management)** – no objections subject to conditions relating to visibility, parking and drainage.

Response: Noted. Appropriate conditions will be added to any consent issued.

- 4.2 **Environmental Services** – have no objections, subject to conditions and advice notes being attached in respect of contaminated land site investigation, construction noise and dust management and monitoring.

Response: Noted. Appropriate conditions and informatives will be added to any consent issued.

- 4.3 **Halfway Community Council** – no response to date.

Response: Noted.

- 4.4 **Scottish Water** – no objections

Response: Noted

- 4.5 **SEPA West Region** – no objections. The applicant shall ensure that they comply with the conditions of the PPP in terms of surface water drainage. The site will be designed to incorporate the SUDs scheme designed for the CGA.

Response: Noted. These conditions have been attached.

- 4.6 **Roads and Transportation Services (Flood Risk Management)** – no objections subject to conditions related to the provision of a SUDs drainage system.

Response: Noted. The site will be designed to incorporate the SUDs scheme designed for the CGA.

5 **Representation(s)**

- 5.1 Statutory notification was undertaken and the proposals advertised in the Rutherglen Reformer for the non-notification of neighbours. No letters of representation have been received.

6 **Assessment and Conclusions**

- 6.1 The determining issue in this instance is the proposal's compliance with local development plan policy and any other material considerations. In this instance the adopted South Lanarkshire Local Development Plan 2 (2021) supports the use of the site as a Community Growth Area for residential development. Thus in general land use and policy terms the principle of the development is acceptable.

- 6.2 This application is for the matters specified in condition as per application CR/09/0139. In this regard, the principle of residential development has been firmly established by approval of planning permission in principle (PPP). This was granted in September 2014 following Committee approval on 14 December 2010. Consequently, this application deals with the approval of the matters conditioned in the PPP.
- 6.3 The new Community Growth Area (CGA) is based around a new distributor / spine road which forms a loop through the site linking the development to the wider road network. This road has planning permission and has been constructed along to the end of Pod 2E. The remainder of the road, which will run along the front of the site, has commenced construction and will shortly connect with Grayline Avenue to the South. Future applications will be forthcoming for additional housing pods in due course. As per Policy 7 – Community Infrastructure Assessment – the CGA will deliver a number of improvements through planning obligations. These include affordable housing, open space and road improvements. The relevant Section 75 agreement has already delivered a new primary school and community facility. In addition, the CGA will provide two new roundabouts which will be constructed – one at the junction of Westburn Road and Westburn Drive which is now constructed and the other at the junction of Calder Road and Blantyre Farm Road which will commence construction shortly. The policy, therefore, complies with Policy 7 in relation to Community Infrastructure.
- 6.4 With regard to the adopted South Lanarkshire Local Development Plan 2 (SLLDP2), the application site, as stated above, is identified as being both a proposed housing site (Policy 11) and located within a general residential area where Policy 3 applies. As with all applications, it requires to be assessed in terms of Climate Change where policy 2 is relevant. It is considered to be in accordance with the overarching principles relating to climate change issues as set out in Policy 2. The site is sustainable in terms of access to retail, public transport and will have access to a substantial area of open space. In addition, a condition has been attached to the consent issued requiring the provision of electric charging points for motor vehicles within the site and the site will utilise a Sustainable Urban Drainage system (SUDs). As such, the view is taken that the proposed development accords with the provisions of Policy 2 of the Local Development Plan.
- 6.5 This application is for 75 dwellinghouses to the south-west of the masterplan site. The site will offer a mix of 4 different house types consisting of 3 bed detached and 2 and 3 bed semi-detached and terraced to provide for varying demand. In terms of the Council's Residential Design Guide (2011), each property/plot can meet the requirements in terms of window-to-window distances, plot ratio and parking requirements. The pods will provide irregular road layouts to increase pedestrian safety. In this regard, I am, therefore, satisfied that the proposal meets the aims of policies 3, 5 and DM1.
- 6.6 The development will ensure that the Council meets its housing land supply requirements and thus the proposed development will accord with local plan policy 12 – Housing Land. Subsequent applications will follow in the future to deal with the remaining matters such as housing and retail. In addition, the site increases access to the open space which is a fundamental part of the aim of the CGA.

6.7 Roads and Transportation Services have advised they are satisfied with the internal road and footpath layout of the proposed development which has taken account of the guidance from the Scottish Government as set out in Designing Streets. In addition, no other consultees have raised any objections. Conditions will be attached related to SUDs drainage, remediation of land and construction traffic. I am therefore satisfied that the proposals comply with the relevant policies relating to water, drainage and waste.

6.8 In light of the above, it is concluded that the proposed development accords with all the relevant policies of the adopted South Lanarkshire Local Development Plan 2. It is, therefore, recommended that the relevant conditions outlined above can be discharged, subject to the additional conditions listed.

7 Reasons for Decision

7.1 The proposed development accords with policies 1, 2, 3, 5, 7, 11, 12, 15, 16, 17, DM1, DM15, DM16, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Date: 20 May 2021

Previous References

- ◆ Planning Committee – 14 December 2010

List of Background Papers

▶ Application form	
▶ Application plans	
▶ South Lanarkshire Local Development Plan 2 (adopted 2021)	
▶ Neighbour notification letter dated 18 November 2020	
▶ Consultations	
Community Services	15.12.2020
Roads Development Management Team	30.03.2021
Environmental Services	19.11.2020
Scottish Water	19.11.2020
SEPA Flooding	27.11.2020
Roads Flood Risk Management	30.03.2021

Contact for further information

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455048

Email: iain.morton@southlanarkshire.gov.uk

Conditions and reasons

01. That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

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

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

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

Reason: In the interests of amenity.

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

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

05. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: These details have not been submitted or approved.

06. 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 6 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

07. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

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

08. That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: These details have not been submitted or approved.

09. 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.

10. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

11. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.

Reason: In order to retain effective planning control.

12. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

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

13. That should more than 6 months elapse from the date of the protected species survey and the commencement of works, a further survey shall be carried out and no work shall commence until the applicant receives written confirmation from the Council as Planning Authority.

Reason: In order to safeguard protected species.

14. That prior to development commencing, detail of the construction phasing and all construction access routes shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: In the interests of public safety.

15. That the construction phasing and access arrangements required by 14 above shall be adhered to at all times unless otherwise agreed in writing by the Council as Planning Authority.

Reason: In the interests of public safety.

16. That all new residents within the approved site shall be issued by the developer with a Residential Travel Pack.

Reason: To encourage walking/cycling.

17. That the first 2 metres of driveways must be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the driveway and entering the carriageway.

Reason: In the interests of road safety.

18. That footpaths from the dwellings that cross a service strip must be constructed as per the dropped kerb specification for the driveways.

Reason: In the interests of road safety.

19. That prior to commencing works on site the developer shall submit, for the written approval of the Council as Roads Authority, a Traffic Management Plan (TMP) which shall include construction traffic access/egress arrangements and routes. The TMP should include information such as, but not limited to, construction access routes to / from the site, wheel washing facilities, site car parking for operatives/visitors and any temporary site access arrangements. Once approved, all works shall be undertaken in accordance with the TMP. No construction traffic access shall be permitted on routes not agreed with the Council as Planning Authority as written through the TMP.

Reason: In the interest of road safety.

20. (a) The applicant shall be required to undertake a comprehensive site investigation, carried out to the appropriate Phase level, to be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:-
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
- (c) If the risk assessment identifies any unacceptable risks, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

21. 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.

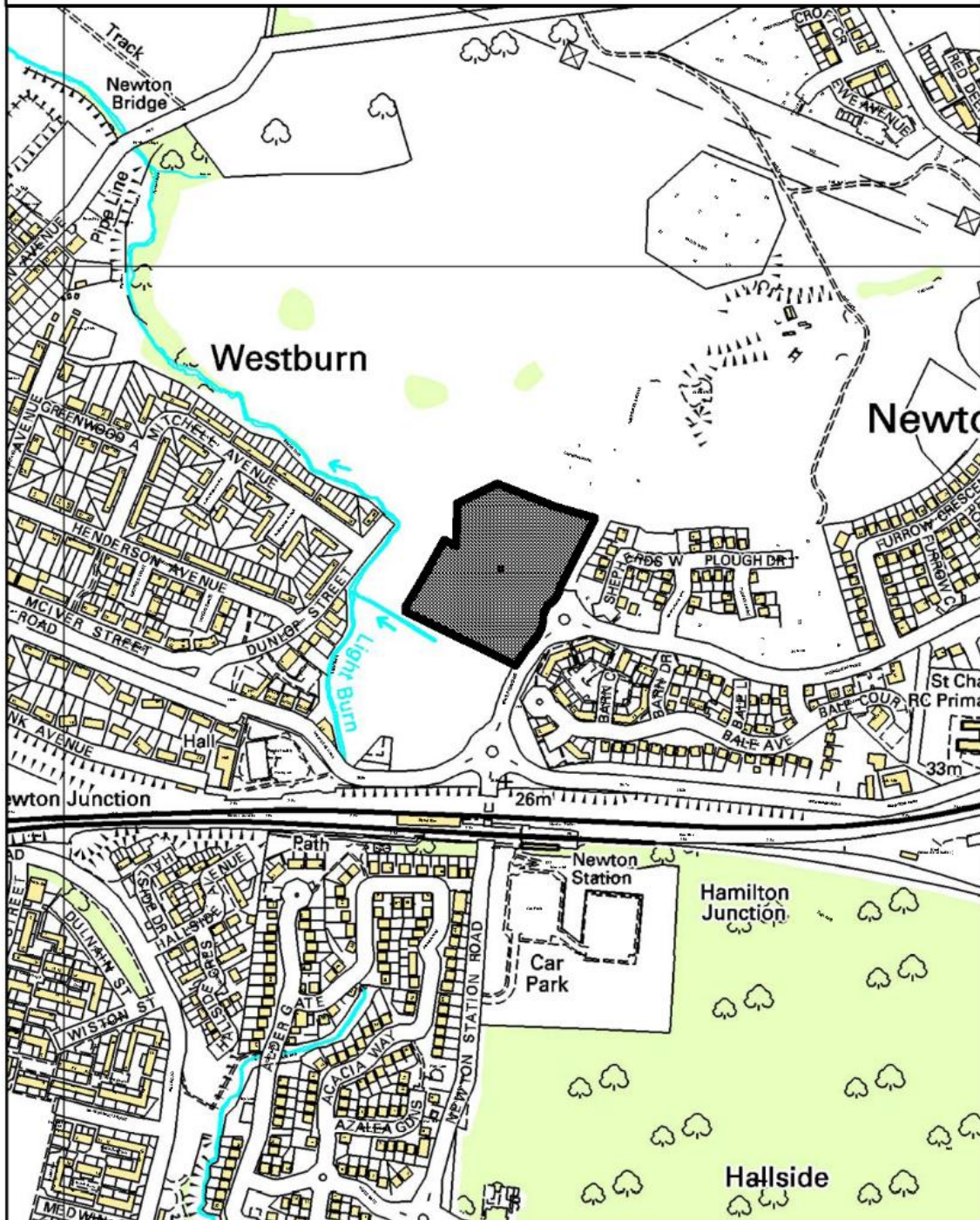
Reason: To ensure the provision of digital infrastructure to serve the development.

22. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

P/20/1492

Newton Farm Development Area 2K, Harvester Avenue, Cambuslang



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Scale:
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Date:
14/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

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

Application no.	P/20/0731
Planning proposal:	Siting of two temporary storage containers for a period of 1 year (in retrospect)

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Harpreet Rai
Location:	117 Cedar Drive East Kilbride G75 9HZ

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: N/A
- ◆ Council Area/Ward: 09 East Kilbride
- ◆ Policy Reference(s): **South Lanarkshire Development Plan 2 (2021)**
Policy 2: Climate change
Policy 3: General urban areas and settlements
Policy 5: Development management and placemaking
Policy 14: Natural and historic environment
Policy DM1: New development design

◆ **Representation(s):**

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

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Licensing

Planning Application Report

1 Application Site

- 1.1 The report relates to two temporary storage containers that have been sited to the side of an existing convenience store at 117 Cedar Drive, East Kilbride. The application site is located within Greenhills and is bounded by housing to the west and south. To the north the site is bounded by footpaths and open space and to the east by St Andrew's Methodist Church. The area is residential in nature with a mix of housing nearby. The closest residential properties are located to the west of the proposal and these are single storey terraced properties that have rear gardens that back on to the application site.

2 Proposal(s)

- 2.1 The application seeks retrospective planning permission for the retention of two storage containers. The first storage container is located on the service access to the shop. The container is 9.75m x 3m in size and is 2.7m in height. It is metal grey with access at the side of the container. The second storage container is sited within the service yard of the shop and is positioned beside the boundary of the rear gardens of adjacent housing. It is 2.7m x 6.3m in size and 2.7m in height. The container is metal blue and access to it is to the front of the container.
- 2.2 The applicant has indicated that the storage units are required as a result of the COVID-19 pandemic to allow storage for additional inventory. A separate application for an extension to the shop was granted planning permission on 19 May 2021 (P/20/1080).

3 Background

- 3.1. The South Lanarkshire Local Development Plan 2 (SLLDP2) was adopted by the Council on 9 April 2021. The application site is on land identified as general urban within SLLDP2 and the proposal should be assessed against the following policies:

- ◆ Policy 2: Climate change
- ◆ Policy 3: General urban areas and settlements
- ◆ Policy 5: Development management and placemaking
- ◆ Policy 14: Natural and historic environment
- ◆ Policy DM1: New development design

3.2 Planning History

- 3.2.1 A separate retrospective planning application was also lodged at the time of this application for a snack van within the shop's parking area at the front of the shop (Planning Ref. P/20/0730). This planning application was refused consent under the Council's delegated powers on 5 March 2021. Enforcement action is being pursued separately to ensure the removal of this structure.
- 3.2.2 In addition, a planning application for a single storey front, side and rear extension to the shop, including the repositioning of an ATM (Planning Ref. P/20/1080) was granted permission under delegated powers on 19 May 2021.

4. Consultations

- 4.1 **Roads and Transportation Services** – note that the containers are located within an area that is currently used for service vehicles and that they are required due to the COVID-19 pandemic. In these circumstances, it is considered that the location of the containers is acceptable so long as they are for a temporary period.

Response: Noted. Roads and Transportation Service's requirements will be fully considered in the Assessment and Conclusion section below.

- 4.2 **Environmental Services** – have no objections to the proposal.

Response: Noted.

- 4.3 **Licensing** – Have stated that the storage of alcohol in the storage containers does not require an alcohol licence. Complaints were received regarding the sale of alcohol from one of the containers during the summer of 2020. Following an investigation, that activity has now ceased. The shop has a valid alcohol licence and the sale of takeaway beer from the shop is allowed under that licence.

Response: Noted.

5 Representation(s)

- 5.1 Statutory Neighbour Notification was undertaken and the retrospective development advertised in the local press for the Non notification of neighbours. As a result, 18 letters of objection and 1 letter of comment were received.

- 5.2 The grounds of representation can be summarised as follows:-

- a) **The increased volume of traffic associated with the shop is causing concern with regards to road safety.**

Response: Noted. Roads and Transportation Services have been consulted and their response is considered in the assessment and conclusion section below. However, they have no concerns in relation to traffic generated by this particular proposal.

- b) **Parking spaces will be lost at the shop, causing parking overspill onto neighbouring streets / increased volumes of traffic making parking difficult.**

Response: No parking spaces have been lost because of the proposal. Roads and Transportation Services have been consulted and their response is considered in the assessment and conclusion section below.

- c) **The largest container blocks part of the access road to my house.**

Response: The access road to the shop's service yard is a private access and forms part of the curtilage of the application site. Vehicular access from the objector's rear garden onto the service road is, therefore, a private legal matter that requires to be resolved between the objector and the applicant. Notwithstanding, it is noted that the applicant seeks temporary consent for this retrospective development in order to store stock as a result of the COVID-19 pandemic. Therefore, should this planning application be approved, this would not be a permanent development and would not prevent this arrangement being brought back into use in the future subject to the private legal issues being resolved.

- d) **The siting of the containers is creating a blind spot for drivers and pedestrians crossing the road.**
Response: Roads and Transportation Services have been consulted and their response is considered in the assessment and conclusion section below.
- e) **The containers take up space where delivery vans should unload. Delivery vans are currently unloading on the road, which is creating a hazard for pedestrians crossing the road near the shop.**
Response: Noted. Roads and Transportation Services have been consulted and their response is considered in the assessment and conclusion section below.
- f) **The storage containers are large and unsightly and make the street look like an industrial area. They are not suitable in a residential area.**
Response: Noted. The design and impact of the proposal is considered in the assessment and conclusion section below.
- g) **The shop is selling increasing levels of alcohol.**
Response: Licencing Services have confirmed that the shop has a valid alcohol licence and is permitted to sell alcohol. This application relates to the siting of two storage containers and alcohol is not being sold from them.
- h) **The shop owner is selling alcohol from the storage containers.**
Response: Noted. Licencing Standards investigated the sale of alcohol outside the shop and this matter has been resolved.
- i) **The shop container is being used to store extra stock for the shop.**
Response: Noted.
- j) **The largest container seems to be having a lot of work undertaken if it is only to be used as a storage container.**
Response: If planning permission is granted a planning condition can be added to limit the use of the container to the storage of stock only.
- k) **The containers will result in an increase in litter, noise and anti-social behaviour including vandalism.**
Response: The containers are for the purpose of storing stock and are required for a temporary period. A planning condition can be imposed to ensure bins and waste packaging are stored within the shop's service yard. It is not considered that this retrospective proposal would cause levels of anti-social behaviour that would warrant refusal of this planning application. Notwithstanding, should planning permission be granted it would be for a temporary period of a year.
- l) **The sale of alcohol is resulting in groups of people gathering, which is disturbing neighbouring residents and can be intimidating.**
Response: The proposal is for two storage containers. Issues regarding the sale of alcohol from the shop and the impact described are not a planning matter.

- m) **The interior of the shop is over-stocked, and it is difficult to socially distance.**
Response: This concern has been raised with Environmental Services.
- n) **Shop owner is dumping pallets and waste bins outside my gate.**
Response: This matter can be controlled by planning condition to ensure waste bins and waste packaging materials are retained within the enclosed service area. The issue of leaving pallets on the public footway has been reported to Environmental Services.
- o) **The bins cannot be kept in the gated area of the shop, they are left out and when full, can cause a lot of littering.**
Response: This matter can be controlled by planning condition to ensure waste bins and waste packaging materials are retained within the enclosed service area. The matter of littering has been referred to Environmental Services.
- p) **All flora and fauna should be protected from this development.**
Response: Noted. Given the minor nature of the works it is not considered that this retrospective proposal would be detrimental to any flora or fauna.

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

6 Assessment and Conclusions

- 6.1 Retrospective planning permission is sought for the siting of two temporary storage containers for an existing shop at 117 Cedar Drive, East Kilbride. 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 including the impact on amenity and road safety.
- 6.2 In the adopted South Lanarkshire Local Development Plan 2 (SLLDP2), the application site is designated as being within a general urban area within which Policy 3 advises developments which would be detrimental to the amenity of residents and the wider community or to the character of the surrounding area will not be permitted. Developments, particularly 'bad neighbour' uses which by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety will not be permitted if they are detrimental to the amenity of residents. Each proposal will be judged on its own merits with particular consideration given to the impact on the amenity of the area, proposed servicing and parking arrangements and where appropriate an assessment of the contribution of the proposal to meet an identified local need.
- 6.3 Policy 2 - Climate change of SLLDP2 requires new development where possible to seek to minimize and mitigate against the effects of climate change. The retrospective proposals do not involve any large scale or permanent construction and therefore do not have a detrimental impact upon the water and soils environment nor biodiversity and air quality. It is, therefore, considered to be in accordance with this policy.
- 6.4 Policy 5 - Development management and placemaking of SLLDP2 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 Policy DM1 – Design.

- 6.5 Policy 114 - Natural and Historic Environment of SLLDP2 provides the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment.
- 6.6 Drawing these policies together the containers are associated with a convenience store that is long established within the area and are required for storage for a temporary period while the applicant progresses proposals to extend the shop to create additional storage space. The principle of the development is, therefore, acceptable in land use terms, however, the appropriateness of retaining them even on a temporary basis must also be assessed in relation to the impact on amenity and road safety. It is noted that, the two containers are located in close proximity to the rear gardens of a row of terraced housing. It is recognised that this will have an impact on residential amenity in the area. However, it is noted that, these houses are already located adjacent to the shop's existing service yard. In addition, they are single story in height and are separated from the service yard by a 2m high screen fence. The impact on their amenity is, therefore, acceptable. The containers are for storage purposes only and were required on a temporary basis in order to provide additional inventory as a result of the COVID-19 pandemic. One of the containers is located within the service yard and the other one on the side of the access to the yard space. Environmental Services were consulted on the planning application and had no objections to the development. It is, therefore, considered that any additional noise or disturbance would not be sufficient to justify refusal of the planning application given the site's existing purpose and as the containers will not be sited permanently.
- 6.7 In terms of visual impact and impact on street scene, it is noted that, whilst the container within the service yard is largely screened by the existing boundary treatment for the yard, the container sited on the access to the service area is not screened and can be viewed from the public road. However, it is noted that it is grey in appearance, less than 3 metres in height and temporary in nature. The proposal's impact on visual amenity is, therefore, considered acceptable on this basis.
- 6.8 It is noted that, the container sited on the access to the service yard is infringing on vehicular movement to the service area and is opposite the rear access gates to one of the adjacent residential properties. However, as this is on to the applicant's private access, this is a separate legal matter between the objector and the applicant. Roads and Transportation Services have not objected to the retrospective proposal but have stated that this is on the basis that the development is allowed on a temporary basis. It is considered given the COVID-19 pandemic is still ongoing and a decision is still to be made in respect of the applicant's proposed extension to the shop that a temporary period of a year would be appropriate.
- 6.9 In terms of consultation no objections were received from any of the consultees. 18 letters of objection were received in relation to this planning application, however, it is not considered that the concerns raised justify refusal of the planning application given the containers will be sited for a temporary period and are required to meet the demands of the shop that provides a service to the local community.

6.10 In conclusion, it is considered that the retrospective proposal is acceptable given its purpose and temporary nature. It is, therefore, recommended that planning permission is granted for a temporary period of a year.

7 Reason for Decision

7.1 The retrospective development is acceptable given its purpose and temporary nature and is in accordance with Policies 2, 3, 5, 14 and DM1 of the South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 27 May 2021

Previous References

- ◆ Planning Ref. P/20/0730
- ◆ Planning Ref. P/20/1080

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 22.06.2020

- ▶ Consultations
 - Roads Development Management Team 23.06.2020
 - Environmental Services 25.06.2020
 - Licensing 21.01.2021

- ▶ Representations
 - Mr Numberone Uncleisme 16.07.2020
 - Gordon Clark 30.06.2020
 - Ms Gayle MacLean, 46 Owen Ave, East Kilbride, G75 9AJ 13.07.2020
 - Mrs Jacqueline Hughes, 91 Cedar Court, Greenhills, East Kilbride, G75 9HR 25.06.2020
 - Anne Wallace, 11 Cypress Crescent, East Kilbride, Glasgow, South Lanarkshire, G75 9HX 25.06.2020

Miriam Jacobson, 4 Cypress Crescent, East Kilbride, Glasgow, South Lanarkshire, G75 9HX	07.07.2020
Victoria Rathmill	07.07.2020
C Stevenson	07.07.2020
Mr J E Allan, 94 Franklin Place, East Kilbride, Glasgow, South Lanarkshire, G75 8LS	15.07.2020
Mrs S Sinclair, 2 Spruce Grove, East Kilbride, Glasgow, South Lanarkshire, G75 9LU	15.07.2020
Mrs June Nicholson, 17 Cypress Crescent, East Kilbride, G75 9HX	30.06.2020
Aileen O'Neill	30.06.2020
Kath Shanks, St Andrew's Methodist Church, Cedar Drive, East Kilbride, G75 9HZ	21.07.2020
Gordon Clark, 111 Cedar Drive, East Kilbride, Glasgow, South Lanarkshire, G75 9HZ	30.06.2020
Mrs Mary Hughes, 92 Spruce Grove, East Kilbride, G75 9LU	06.07.2020
Alison Irvine, 26 St Andrews Court, East Kilbride, Glasgow, South Lanarkshire, G75 9LN	07.07.2020
Mr Ross Mitchell, 7 Spruce Grove, East Kilbride, G75 9LU	11.07.2020
Mrs Christine Cameron, 13 Cypress Crescent, East Kilbride, Glasgow, G75 9HX	16.07.2020
Mr Brian Hughes, 91 Cedar Court, Greenhills, East Kilbride, G75 9HR	16.07.2020

Contact for further information

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

Byron Sharp, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455273

Email: byron.sharp@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/20/0731

Conditions and reasons

1. The storage containers are to be used only for the purpose of storing stock for the shop.

Reason: To protect residential amenity.

2. The temporary consent hereby granted will expire on 8 June 2022. Thereafter the storage containers will be removed from the site.

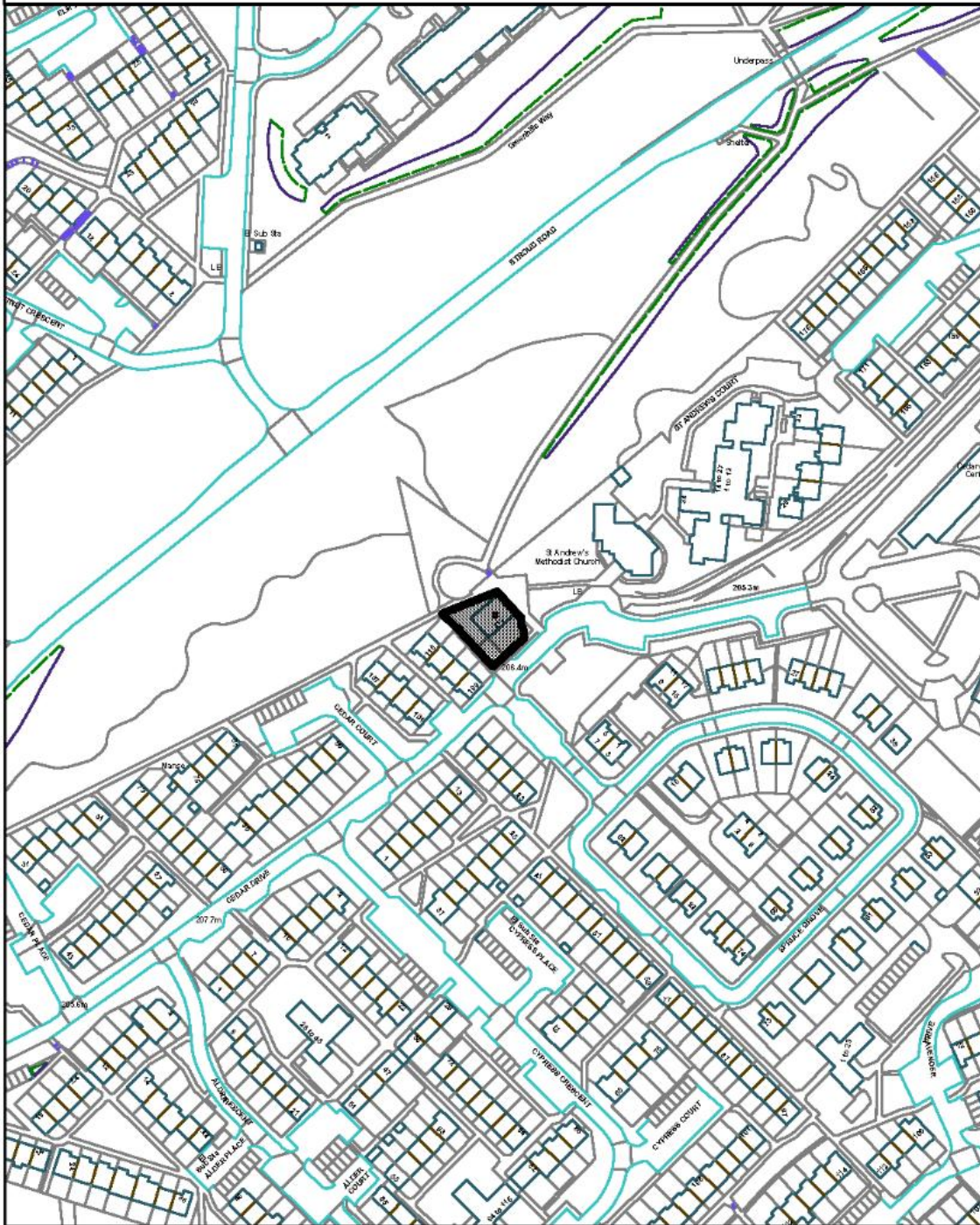
Reason: To protect residential amenity.

3. Bins and waste packaging materials must be stored within the shop's enclosed service area to the satisfaction of the Council.

Reason: To protect residential amenity.

P/20/0731

117 Cedar Drive



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26/02/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

7

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

Application no.	P/21/0511
Planning proposal:	Erection of 7 classrooms, 2 storey extension to existing north-east gable of existing school

1 Summary application information

Application type:	Detailed planning application
Applicant:	South Lanarkshire Council
Location:	Newton Farm Primary School Harvester Avenue Cambuslang G72 6AA

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: Gordon Henderson
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2**
Policy 1 – Spatial Strategy
Policy 2 – Climate Change
Policy 3 – General Urban Area/Settlements
Policy 5 – Development Management and Place Making
Policy 7 – Community Infrastructure Assessment
Policy DM1 - New Development Design

◆ **Representation(s):**

▶	1	Objection Letters
▶	2	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Halfway Community Council

Roads Development Management Team

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The existing school site, which extends to approximately 3 hectares (3,000 square metres), is part of the larger Phase 2 Newton Community Growth Area (CGA) site of 128 hectares. It is located to the north-west of the original village of Newton.
- 1.2 The existing school site is located on the eastern side of Harvester Avenue. The existing school building, which has a floor space of 3,200sqm, was granted planning permission in 2015 and subsequently opened in August 2017. It has an associated car park, MUGA pitch, community wing and 3G community pitch. The school site is surrounded by new residential development which was recently approved following the granting of the Newton Community Growth Area masterplan in 2014.

2 Proposal(s)

- 2.1 This proposal consists of the erection of an extension to the north-eastern gable of the existing school to provide seven additional classrooms, one additional needs (AN) room with associated corridors, stairwells and toilets and a new head teacher's room. The extension will be two storey, with three classrooms and the AN room on the ground floor and three classrooms on the upper floor. In addition, the extension will be the same height as the existing building and will extend the building by 20 metres into an area of the playground, whilst maintaining the existing depth of 30sqm. The extension will be finished in facing brick to match the existing building. The existing car park and access from Harvester Avenue will be maintained. The proposal will supply the necessary floor space required for the catchment area.

3 Background

3.1 Local Plan Status

- 3.1.1 South Lanarkshire Local Development Plan 2 (adopted) identifies the site as being within Newton Community Growth Area and, therefore, part of the Community Growth Area. With regard to this proposal, Policies 1 – Spatial Strategy, Policy 2 – Climate Change, 3 – General Urban Area / Settlements, 5 – Development Management and Place Making and 7 – Community Infrastructure Assessment are all relevant.

3.2 Planning Background

- 3.2.1 Planning permission in principle was granted in September 2014 for a mixed-use development, including residential, community facilities, open space, distributor road, primary school and neighbourhood retail centre for the Newton Masterplan site (CR/09/0139). Planning permission for the erection of the new primary school, nursery and community facility with floodlit 3G pitch and associated car parking was granted by Planning Committee on 8 September 2015 (CR/15/0104).

4 Consultation(s)

- 4.1 **Environmental Services** – no objections subject to the imposition of a condition relating to dust management.

Response: Noted. This condition will be attached to any consent issued.

- 4.2 **Roads and Transportation Services (Development Management)** – no objections subject to conditions relating to a Traffic Management Plan (TMP), dropped kerbs and a dilapidation survey being attached.

Response: Noted. These conditions will be attached to any consent issued.

- 4.3 **Halfway Community Council** – raise concerns regarding the lack of outdoor space available following the addition of new classrooms, concerns that the additional classrooms are not sufficient to meet current and future demand and concern over the lack of high school provision.

Response: Following the construction of the extension, a sizeable playground area will be maintained (approximately 5000sqm) together with the maintenance of the Multi Use Games Area (MUGA). The Council's Education Resources has confirmed that the additional classroom space will supply the necessary floor space required for the catchment area. In addition, they have confirmed that there is sufficient high school provision for the catchment area. Education Resources have confirmed that are looking to undertake a catchment review to ensure there is appropriate capacity in all schools.

5 Representation(s)

- 5.1 Following statutory neighbour notification, 2 letters of support and 1 letter of representation have been received. The points raised are summarised as follows:-

Objection

- (a) **Concerns by how close the new section will now be in relation to the houses on Bramble Wynd.**

Response: The new extension will be slightly closer to the properties to the north and east on Bramble Wynd. However, the building will still be in excess of 40 metres from the properties to the north and in excess of 60 metres to the properties to the east.

- (b) **The school in the evening when closed creates a lot of unnecessary light pollution. Would be interested to know what action the council can take to reduce unnecessary light coming from the school in the late evening especially if extension approved.**

Response: This matter has been raised with the applicant. Whilst there will be some security lighting required at night, the majority of the lights in the school will be turned off.

- (c) **The amount of rubbish currently being created around the area (walkway between Bramble Wynd and small pitch) increasing the school capacity will only have further impact on the amount of rubbish created.**

Response: This matter has been brought to the attention of the applicants. The school has waste collection facilities in line with the Council requirements.

- (d) **What action would be taken to reduce increased noise level with build and increased school capacity?**

Response: The majority of the noise would be limited to drop-off/collection and play/lunchtime. In addition, the majority of the playground is located a suitable distance from the nearest house. Should noise become excessive then Environmental Services would liaise with the school to ensure appropriate management measures are undertaken.

Support

- (a) **Fully support this planning request for an extension to Newton Farm Primary School. Demand for places has greatly exceeded those available very quickly. It is very important considering the number of children still moving into the area with the number of houses being built. Most houses here are family homes of 3 & 4 bedrooms purchased by people who already have school age families or are planning/expecting them, and the provision of additional school and nursery places should be treated as a high priority.**

Response: Noted. The school was originally designed with the ability to be extended should it be required.

These letters are available for inspection on the Council's planning portal.

6 Assessment and Conclusions

- 6.1 The main issue for consideration in the assessment of this application is how the proposal relates to the relevant policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this instance, policies 1- Spatial Strategy, 2 – Climate Change, 3 – General Urban Area / Settlement 5 – Development Management and Place Making, 7 – Community Infrastructure Assessment and DM1 – New Development Design are all relevant.
- 6.2 The adopted Local Plan identifies Newton as a Community Growth Area as per Policy 1 –Spatial Strategy. This policy also identifies the Schools Modernisation programme as a key component of the strategy and this proposal clearly complies with this policy. Policy 7 – Community Infrastructure Assessment – states that capital projects requiring works or facilities to proceed should access financial contributions which are appropriately assessed. In this instance, the school has been partly funded by the principal house builder within the Newton Farm Development. In this regard, I am satisfied that the proposal complies with this policy.
- 6.3 As with all applications, it requires to be assessed in terms of Climate Change where policy 2 is relevant. It is considered to be in accordance with the overarching principles relating to climate change issues as set out in Policy 2. The site is sustainable in terms of footpath connection, bus connection and will have access to a substantial area of open space. In addition, a condition has been attached to the consent issued requiring the provision of electric charging points for motor vehicles within the site and the site will utilise the existing Sustainable Urban Drainage system (SUDs). As such, the view is taken that the proposed development accords with the provisions of Policy 2 of the Local Development Plan.
- 6.4 The site is located within the Community Growth Area and, specifically, part of the overall residential area. In this regard, Policy 3 – General Urban Area/settlements supports non-residential uses within residential areas where there is no demonstrable harm to the residential amenity. The school has been in situ now for nearly four years and is well established within the CGA. The Roads and Transportation Service are satisfied with the existing parking and drop-off facilities within the school grounds reducing the need for vehicles to park in the surrounding streets. As such, the proposal is considered to be in accordance with Policy 3 of the Local Development Plan as it will not have any adverse impact on residential amenity.

- 6.5 Policy 5 – Development Management has similar aims to Policy 3 in that it states that all proposals require to take account of their surroundings and ensure that there is no detrimental impact to any adjacent uses. As noted above, the school is established and is now surrounded by residential properties. The school layout and design (original and extended) are influenced by the housing which surrounds this site. The extension is effectively a replica of the existing north-east gable and will be the same height, width and length to the existing building. In addition, the building will be finished in matching materials – namely facing brick wall and aluminium roof. The extension will be well set back from the existing houses adjacent, and the new building will not result in any overshadowing or overlooking. A substantial area of playground will be maintained together with a grassed area with informal play equipment and the existing MUGA pitch to the north-east corner of the site. I am therefore satisfied that the proposal complies with 5 of the adopted local development plan.
- 6.6 Policy DM1 of the adopted Local Development Plan states that any new development will require to promote quality and sustainability in its design and layout and should enhance or make a positive contribution to the character of the environment in which it is located. The proposed development includes a sustainable urban drainage scheme, and it will have a conventional heating system. As described above, the design of the development is considered acceptable and the proposal, therefore, complies with policies 1, 2, 3, 5, 7 and DM1 of the adopted local development plan 2. In relation to amenity impacts, I am satisfied that the proposal will not have an adverse impact on the amenity and will complement the existing school.
- 6.7 In summary, the development is considered acceptable in planning terms. The proposal builds on the aims of the Newton Masterplan area. Additional school floorspace will be a major asset to the local community. Given the above, I would recommend that the proposal is granted.

7 Reasons for Decision

- 7.1 The proposal complies with policies 1, 2, 3, 5, 7 and DM1 of the adopted South Lanarkshire Local Development Plan 2.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Date: 28 May 2021

Previous References

- ◆ CR/15/0104
- ◆ CR/09/0139

List of Background Papers

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

Consultations

Halfway Community Council	05.05.2021
Roads Development Management Team	19.05.2021
Environmental Services	10.05.2021

► Representations	Dated:
Alyson Rodger, 23 Fieldmouse Way, Cambuslang, G72 6AP	12.04.2021
Mrs Laura Hodge, 27 Badger Wynd, Cambuslang, G72 6an	05.04.2021
Mr Brian Greene, 30 Bramble Wynd, Glasgow, G72 6WU	20.04.2021

Contact for further information

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455048
Email: iain.morton@southlanarkshire.gov.uk

Conditions and reasons

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

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

02. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

03. 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.

04. That prior to commencement of works on site the applicant shall submit, for the written approval of the Council as Planning Authority, a Traffic Management Plan to include details of construction access, related staff/construction parking, wheel washing arrangements and timing of deliveries to avoid the school/nursery peak periods.

Reason: In the interest of road safety.

05. That prior to commencement of works on site the applicant shall submit, for the written approval of the Council as Roads Authority, proposals for the introduction of a new dropped kerb pedestrian crossing point at the vehicular site access. Once approved the dropped kerb crossing point shall be implemented on site in accordance with the approved drawings and specification and to the satisfaction of the Council as Roads Authority.

Reason: in the interests of road and public safety.

06. That prior to commencing on site the applicant shall undertake a joint dilapidation survey of Harvester Avenue and shall submit 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 Roads Authority.

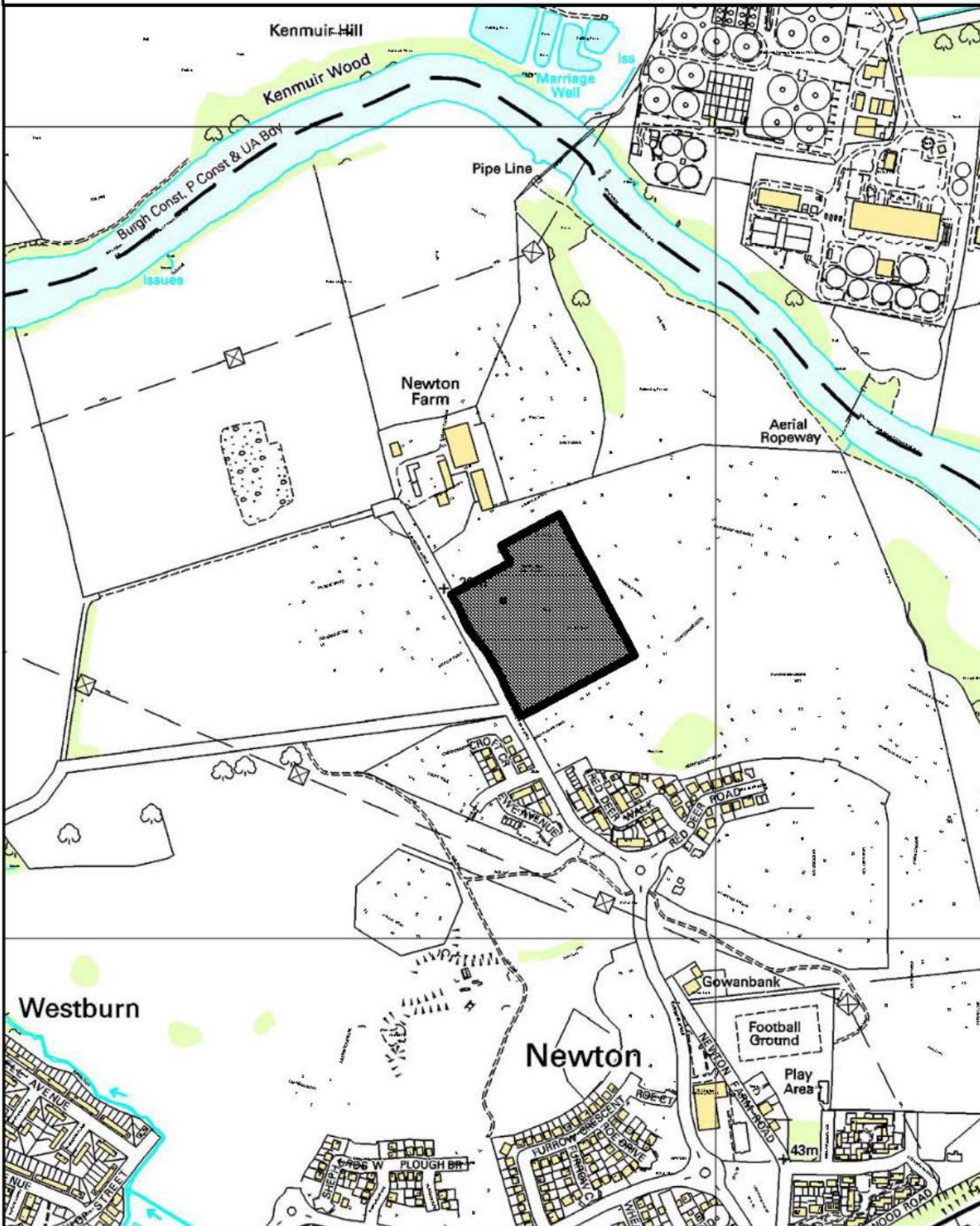
Reason: In the interests of road safety.

07. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

P/21/0511

Newton Farm Primary School



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19/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

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

Application no.	P/21/0074
Planning proposal:	Installation and display of LED panel display on retail unit (retrospective)

1 Summary application information

Application type: Advertisement application

Applicant: Mr Wilson Rae
Location: 30 West Port
Lanark
ML11 9HE

2 Recommendation(s)

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

(1) Grant advertisement consent (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: Michelle Armitage
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Development Plan 2 (2021)**
Policy 2: Climate change
Policy 3: General urban areas and settlements
Policy 5: Development management and placemaking
Policy 14: Natural and historic environment
Policy DM10: Advertisement Displays

◆ Representation(s):

▶	7	Objection Letters
▶	6	Support Letters
▶	0	Comment Letter

♦ **Consultation(s):**

Roads Development Management Team

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The report relates to the installation of an illuminated advertising panel that has been displayed on the fascia of a convenience store at 30 West Port, Lanark. The convenience store, KeyStore More, is a single storey flat roof building that sits immediately adjacent to a petrol filling station forecourt which is available 24 hours via unmanned pumps. The two businesses share the same vehicular access and exit from the site. The site sits parallel to the A73 which is the main road through the town leading to Lanark Town centre. The site is bounded by trees to the north and houses to the east, west and south (on the opposite side of the A73). The surrounding area is predominantly residential in nature. The application site sits immediately outwith Lanark Conservation Area.

2 Proposal(s)

- 2.1 The application seeks retrospective advertisement consent for the installation and display of an illuminated advertising panel. The panel is installed on the fascia of the convenience store facing onto the petrol station forecourt and south-west along the A73. LED lighting is incorporated into the black aluminium panel enabling the display of different and alternating adverts. It measures 3 metres wide, 1 metre in height and has a depth of 0.18 metres.
- 2.2 A report on this application was presented to the Planning Committee on 11 May 2021 with a recommendation to grant consent. Committee resolved to defer a decision on the application to allow for further information to be submitted to consider the luminance levels proposed in one of the suggested conditions and ensure these would be controlled.

3 Background

3.1 Local Development Plan Status

- 3.1.1 The application site is on land identified as general urban within the adopted South Lanarkshire Local Development Plan2 (SLLDP2) and the proposal should be assessed against the following policies:

- ◆ Policy 2: Climate change
- ◆ Policy 3: General urban areas and settlements
- ◆ Policy 5: Development management and placemaking
- ◆ Policy 14: Natural and historic environment
- ◆ Policy DM10: Advertisement Displays

3.2 Planning History

- 3.2.1 Retrospective planning permission and advertising consent was sought for the installation of an ATM and illuminated surround on the external wall of the convenience store, located adjacent to the petrol station at 30 West Port, Lanark. (Planning Reference P/20/0257 and P/20/0258). Both applications were approved in July 2020.
- 3.2.2 An application to vary condition 2 of planning consent CL/11/0479 to extend the opening hours of the convenience store to 24 hours Monday to Sunday (Planning Reference CL/17/0193) was refused in July 2017. A subsequent application to vary condition No.2 of planning consent CL/11/0479 to extend the opening hours of the convenience store to Monday to Friday 05:00 - 23:00, Saturday 06:00 - 23:00 and Sunday 07:00 - 23:00 was approved in January 2019 (Planning Reference CL/18/0025).

4. Consultations

- 4.1 **Roads and Transportation Services** – have no objections to the proposal.
Response: Noted.
- 4.2 **Environmental Services** – have no objections to the proposal subject to the following conditions:

- The maximum permitted luminance of the display shall be 600 cd/m² during daylight and 300 cd/m² during low light.
- The proposed display must not cause light nuisance to any existing residential properties.
- If the display is confirmed by the Council to have a negative impact on any individual residential property then it must be switched off between the hours of 8pm and 8am.

The conditioned limits are sourced from the Institute of Lighting Professionals Professional Lighting Guide, with these limits being typical for a relatively suburban environment.

Response: Noted. If planning permission is granted conditions to reflect the above would be added to the decision notice.

5 Representation(s)

5.1 Neighbour notification is not required to be carried out on applications for advertisement consent. Nevertheless 7 letters of objection and 6 letters of support were received.

5.2 The grounds of representation can be summarised as follows:-

a) Neighbour notifications letter were not received.

Response: Neighbour notification is not a statutory requirement for advertisement consent, therefore, such letters were not issued.

b) The panel faces onto nearby residential properties.

Response: Although located within a predominantly residential area, the panel does not directly face onto any houses.

c) The advertisement is very distracting to road users, drawing the attention of drivers and cyclists away from pedestrians and vehicles on a busy and congested road. It is an unsafe and unacceptable hazard.

Response: Roads and Transportation Services have been consulted and did not object to the proposal. They have no concerns regarding the impact of the advertising panel on public safety.

d) The display is an incongruous addition and is detrimental to the established character of the neighbourhood. It is entirely inappropriate for what is an established residential area.

Response: Noted. The design and impact of the proposal is considered in the assessment and conclusion section below.

e) The advertisement operates for 24 hours a day. The projecting light and flashing causes unacceptable intrusion. It is a general nuisance throughout the day and disturbs my sleep at night.

Response: Noted. The design and impact of the proposal is considered in the assessment and conclusion section below.

f) The prominence of the flashing becomes more intense in late afternoon and evening when dark outside.

Response: Noted. The design and impact of the proposal is considered in the assessment and conclusion section below.

- g) We question the requirement for a flashing advertisement in an area where such displays do not usually feature.**

Response: The lack of applications to display similar advertisement panels elsewhere is not a material consideration.

- h) This type of advertising panel should only display adverts related to items sold within the premises it is installed.**

Response: Planning legislation and guidance does not seek to control what is advertised on a sign.

- i) The shop is located very close to a conservation area and listed buildings.**

Response: The application poses no harm to the special architectural or historic interest of nearby listed buildings or conservation area.

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

6 Assessment and Conclusions

6.1 Retrospective advertisement consent is sought for the installation of an illuminated panel that has been displayed on the fascia of petrol station convenience store at 30 West Port, Lanark. 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 South Lanarkshire Local Development Plan 2 (SLLDP2). In determining the acceptability of an advertisement display, each case will be assessed against its impact on amenity and public safety as stated in The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

6.2 In the South Lanarkshire Local Development Plan 2 (2021), the application site is designated as being within a general urban area within which Policy 3 advises developments which would be detrimental to the amenity of residents and the wider community or to the character of the surrounding area will not be permitted. Developments particularly 'bad neighbour' uses which by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety will not be permitted if they are detrimental to the amenity of residents. Each proposal will be judged on its own merits with particular consideration given to the impact on the amenity of the area, proposed servicing and parking arrangements and, where appropriate, an assessment of the contribution of the proposal to meet an identified local need.

6.3 Policy 2 - Climate change of SLLDP2 requires new development where possible to seek to minimise and mitigate against the effects of climate change. The retrospective proposal relates to a small sign attached to an existing building and therefore does not raise any issues in respect of this policy. It is, therefore, considered to be in accordance with this policy.

6.4 Policy 5 of SLLDP2 - Development management and placemaking of SLLDP2 states that proposals should be well designed and integrated with the local area. New development should have no unacceptable significant adverse impacts on the local community and the environment. This advice is supported within Development Management, Placemaking and Design (Volume 2) under Policy DM10 – Advertisement Displays. This states an advertisement should have no adverse impact on the general character of the area; it should be of an appropriate size, scale, position, design and material; it should have no adverse impact on the amenity of nearby residents by virtue of light or noise pollution; and have no adverse impact on public safety by virtue of causing distraction, confusion, or creating a hazard to pedestrians, cyclists or drivers.

- 6.5 Policy 14 - Natural and Historic Environment of SLLDP2 provides the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment.
- 6.6 The advertising panel is visible on approach to the site when travelling east along the A73. Its size and scale are proportionate to the convenience store to which it is attached. The panel's design and material, including the LED lighting, is appropriate for the convenience store's commercial setting. In terms of visual impact, it does not over-dominate its immediate context nor the wider residential streetscape. As the proposal does not detrimentally affect the general character of the area, its impact on visual amenity is, therefore, considered acceptable.
- 6.7 Digital advertising has the potential to impact public safety by virtue of causing distraction, confusion or creating a hazard to pedestrians, cyclists, or drivers. Taking this into consideration, Roads and Transportation Services were consulted on the retrospective application and provided no objections to the proposal. The effect of the advertising panel, including its alternating and illuminated content, therefore, does not give rise to an adverse impact on public safety.
- 6.8 The panel is installed on the fascia of the convenience store and faces onto the petrol station forecourt and south-west along the A73. Its position does not directly face towards any residential properties on the opposite side of the A73. In addition, there are existing trees in the front gardens of these properties which screen the houses from the surrounding area. Concerns regarding the level of luminance permeating into nearby homes from the panel's LED lighting have been raised previously with the Council. In response, the Night Time Team from Environmental Services investigated in September 2020 by visiting a property opposite the shop. It was determined that the level of light from the display did not constitute a Statutory Nuisance (as with curtains drawn and / or blinds closed the light did not interfere with the enjoyment of the living room or bedrooms).
- 6.9 At this time the panel did not utilise a light sensor to control its brightness likely explaining the lighting levels then experienced by local residents. The applicant has since installed a light sensor to the panel to control its brightness according to the ambient light conditions and to ensure the brightness does not exceed the threshold values suggested by Environmental Services. The luminance thresholds (600 cd/m² during daylight and 300 cd/m² during low light) are set remotely using a photo electric cell and is controlled remotely by the signage provider. The applicant will not be able to adjust the luminance without coding being provided by the agent. Scanlite operates this approach to ensure clients cannot adjust the brightness of their own displays which may contradict planning consent. In addition, they have confirmed that between the hours of 10pm and 6am in summer the display will only show the time on a black background and that during winter months this will be amended from 9pm to 6am. Furthermore, the display will be dimmed to 200 cd/m² between the hours 6am – 8am and 8pm – 10pm. Given there is now a light sensor installed on the display, the level of brightness will be controlled. Provided the conditions are adhered to, the panel will have no significant adverse impact on the amenity of nearby resident by virtue of light pollution. The luminance will only be so bright as is necessary to be visible and legible over the ambient light conditions.
- 6.10 For the above reasons, it is therefore considered that the retrospective proposal is not contrary to Policies 2, 3, 5, 14 and DM10 of LDP2.
- 6.11 7 letters of objection were received in relation to this advertisement consent. It is not considered that the concerns raised, relating to visual amenity or public safety, justify refusal of the application. Concerns regarding residential amenity, specifically previous luminance experienced by nearby residents, have been addressed and explained above. The use of a light sensor on the advertising panel and the addition of planning conditions,

relating to the panel's brightness and any light nuisance that may arise, justifies the application's approval.

- 6.12 In conclusion, it is considered that the proposals comply with the adopted South Lanarkshire Local Development Plan 2 and, therefore, it is recommended that retrospective planning permission is granted.

7 Reason for Decision

- 7.1 The retrospective development is in accordance with Policies 2, 3, 5, 14 and DM10 of the South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 19 May 2021

Previous References

- ◆ P/20/0257
- ◆ P/20/0258
- ◆ CL/18/0025
- ◆ CL/17/0193
- ◆ Planning Committee – 11 May 2021

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Proposed South Lanarkshire Development Plan 2

- ▶ Consultations

Roads Development Management Team 28.01.2021

Environmental Services 26.03.2021

- ▶ Representations

Objections

Mr David Woodhams, 28 Westport Lanark ML11 9HD 27.01.2021

07.02.2021

26.02.2021

Marie and Ian Darroch, 47 Westport, Lanark ML11 9HE 25.02.2021

Mrs Rebecca McMorrow, 49 Westport Lanark ML11 9HE 03.02.2021

Mrs Moreen Cromwell, 6 Lake Avenue 6 Lake Avenue Lanark ML11 9BQ 02.02.2021

Shepherd and Wedderburn LLP on behalf of Marie and Ian Darroch 04.02.2021

Support

Mr Graeme Winning, 18 Woodlea Lanark ML11 9SY	22.02.2021
Mr Graeme McLeish, 37-39 Wellgate Lanark ML11 9DS	15.02.2021
Keystore More, 30 Westport Lanark ML11 9HE	16.02.2021
Mrs Kathryn Neil, 224 Queensferry Road Edinburgh EH4 2BN	16.02.2021
Mrs Jacqueline Glen, 15 Bannatyne Street Lanark ML11 7JY	16.02.2021
Mrs Ann Mackenzie, 40 Carnwath Road Forth Lanark ML11 8EY	17.02.2021

Contact for further information

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

Holly Brown, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455656
Email: holly.brown@southlanarkshire.gov.uk

Conditions and reasons

1. The maximum permitted luminance of the display shall be 600 cd/m² during daylight and 300 cd/m² during low light.

Reason: To protect residential amenity.

2. At the reasonable request of the Planning Authority and following a complaint to it relating to light pollution from the signage hereby approved, the operator of the convenience store shall appoint an independent lighting consultant to measure the level of light at the affected property to which the complaint related. Where in the opinion of the Planning Authority, acting reasonably, it is found there is statutory light pollution the developer shall carry out mitigation measures to remediate the breach so caused. Details of any such mitigation measures required are to be submitted to the Planning Authority for prior approval.

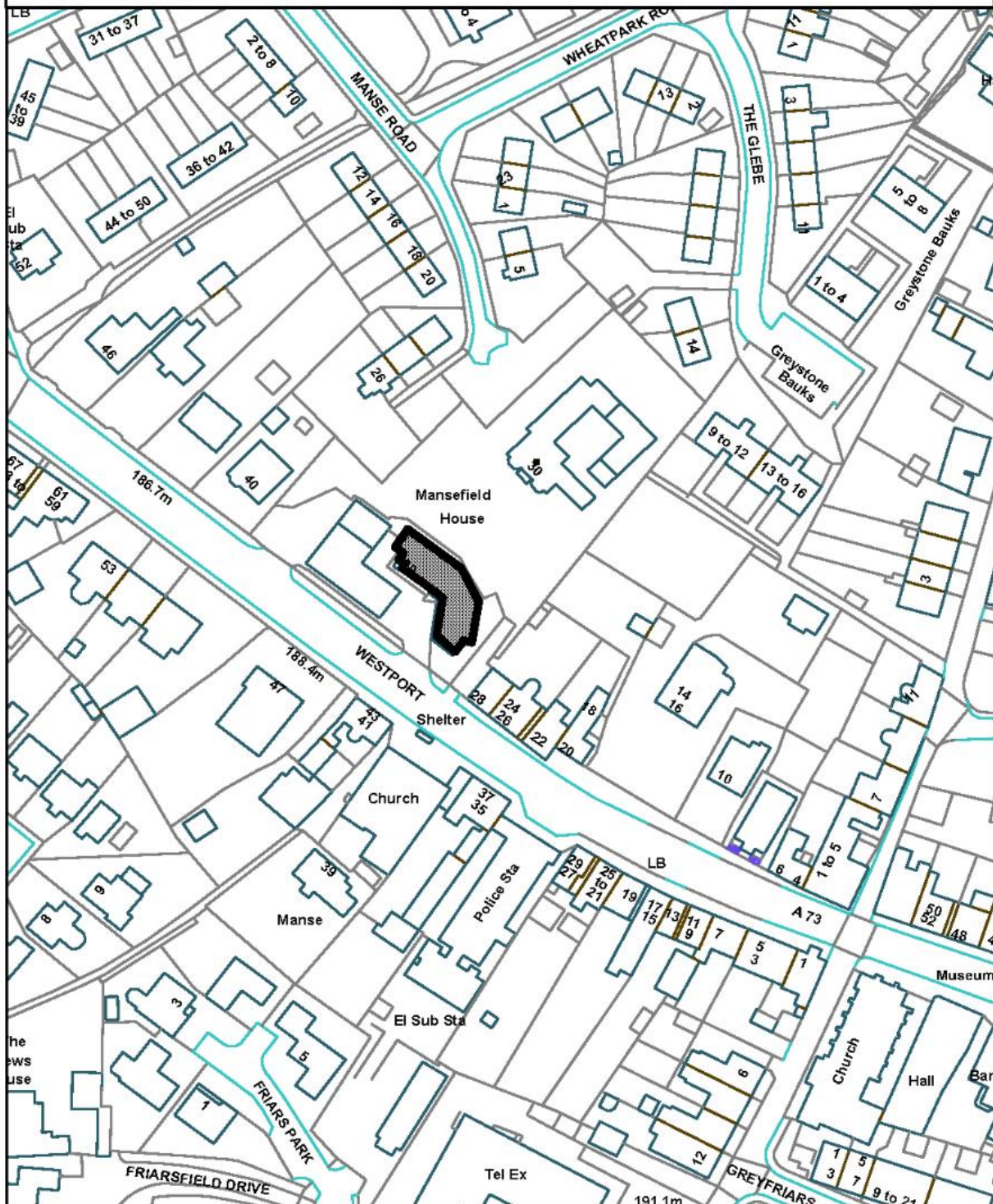
Reason: To protect residential amenity.

3. If the display is confirmed by the Council to have a negative impact on any individual residential property then it must be switched off between the hours of 8pm and 8am until the mitigation measures required by condition 2 above have been implemented.

Reason: To protect residential amenity.

P/21/0074

30 Westport, Lanark ML11 9HE



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Scale:
1:1,250
Date:
15/04/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

9

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

Application no.	P/21/0037
Planning proposal:	Proposal to erect 227 new dwellings including any associated infrastructure and landscaping (approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of EK/09/0218).

1 Summary application information

Application type:	Approval of matters specified in conditions.
Applicant:	Taylor Wimpey West Scotland
Location:	Land 150M NNW of Newhouse Farm Jackton Road Jackton South Lanarkshire

2 Recommendation(s)

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

(1) Grant matters specified in 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:
- ◆ Council Area/Ward: 06 East Kilbride South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
 - Policy 1 - Spatial Strategy
 - Policy 2 – Climate change
 - Policy 5 – Development Management and Placemaking
 - Policy 7- Community infrastructure assessment
 - Policy 11 – Housing
 - Policy 12 – Affordable housing
 - Policy 13 – Green Network and Greenspace
 - Policy 16 – Water Environment and Flooding
 - Policy SDCC2 – Flood Risk
 - Policy SDCC3 – Sustainable Drainage Systems
 - Policy DM1 – New Development Design

◆ **Representation(s):**

▶	6	Objection Letters
▶	0	Support Letters
▶	3	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

West of Scotland Archaeology Service

SEPA Flooding

SP Energy Network

Countryside and Greenspace

Jackton and Thorntonhall Community Council

Planning Application Report

1 Application Site

- 1.1 This planning application relates to a proposed residential development of 227 units on land situated within the East Kilbride Community Growth Area (CGA). The site lies north of Newhouse Farm and to the north east of Jackton Road, off Eaglesham Road and north of Jackton Road on the southern edge of East Kilbride. The site lies on the western edge of the masterplan approved as part of Planning Permission in Principle application EK/09/0218 for a “mixed use development comprising residential, retail and education uses and associated engineering works for site infrastructure, new access and distributor road, formation of open space framework with landscaping work.”
- 1.2 The site is primarily agricultural land. The site has varied topography and generally rises from Jackton Road in the west to the centre of the site then falls away to the north east. The site is bounded to the west by Jackton Road, to the south by Newhouse Farm and to the north and east by areas of the CGA that are, as yet, undeveloped. The spine road to the north east of the site is under construction. A number of existing out buildings at Newhouse Farm are proposed to be demolished as part of the proposal. The main farmhouse buildings to the south of the site will remain. The application site covers an area of approximately 7.5 hectares.

2 Proposal(s)

- 2.1 The application seeks to discharge various conditions imposed on Planning Permission in Principle application EK/09/0218 for the development of East Kilbride Community Growth Area. Condition 1 specifies that all relevant matters such as layout, siting, design, landscaping, drainage etc are submitted to and approved by the Planning Authority. The other conditions to be discharged specify in further detail what information requires to be submitted to deal with the relevant matters listed in Condition 1.
- 2.2 The proposed residential development of 227 dwellinghouse consists of a mix of 2, 3 and 4 bedroomed houses, comprising of 90 detached, 100 semi-detached and 37 terraced houses. The development would be accessed via two separate spur roads which would link to the spine road at two roundabouts. Pedestrian links to the spine road, further phases of development within the CGA area and to Jackton Road would also be provided, in line with the principles established in the masterplan. The proposal includes landscaping, along the spine road, in the south east adjacent to Newhouse Farm and the south west along Jackton Road. The proposal has been broadly designed in accordance with Designing Streets principles and includes a variety of surface materials differentiating between parts of the proposed layout and with dwellings fronting the spine road.
- 2.3 The applicant has submitted a number of documents in support of the application including: Design and Access Statement, Ecology Update, Landscape Maintenance Plan, Habitat and Greenspace Management Plan, Landscape Specification, Site Investigation Report and an Updated Flood Risk Assessment.

3 Background

3.1 Local Plan Status

- 3.1.1 In land use terms, the site is identified within the adopted South Lanarkshire Local Development Plan 2 2021 (LDP) as forming part of the designated East Kilbride Community Growth Area (Policy 1 - Spatial Strategy) and is allocated as a Proposed Housing Site (Policy 11 - Housing Land). Appendix 3 (Development priorities), relative to Policy 1, sets out the requirements for the CGA in greater detail.

3.1.2 In addition to the above policy designation, which provides the overarching local plan policy direction for the CGA, the proposed development is affected by a number of additional policies within the Local Plan, as follows:-

- Policy 2 – Climate change
- Policy 5 – Development management and placemaking
- Policy 6 – Community infrastructure assessment
- Policy 12 – Affordable housing
- Policy 13 – Green network and greenspace
- Policy 16 – Water environment and flooding
- Policy SDCC2 – Flood Risk
- Policy SDCC3 – Sustainable Drainage Systems
- Policy DM1 – New Development Design

3.2 **Relevant Government Advice/Policy**

3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP introduces a presumption in favour of development that contributes to sustainable development. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements. The Council must also maintain a five-year supply of effective housing land.

3.3 **Planning Background**

3.3.1 Planning Permission in Principle (EK/09/0218) for the wider East Kilbride Community Growth Area was approved at Planning Committee on 26 June 2018, subject to the conclusion of a Section 75 Legal Agreement in respect primarily of financial contributions towards infrastructure affected by the development. Following signing of the agreement, the planning permission was subsequently issued on 3 October 2019. This application relates to part of Phase 2 of the CGA development and is located adjacent of the proposed school site and south of the proposed central amenity area.

4 **Consultation(s)**

4.1 **Roads Development Management Team** – following discussions with the applicant and the submission of additional details, Roads and Transportation Services have advised that they have no objections, subject to compliance with conditions and roads construction consent requirements.

Response: Noted. Appropriate conditions and advisory notes can be added to any consent granted.

4.2 **Roads and Transportation Services (Flood Risk Management Team)** – advised that they have no objections subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems and flood risk and the design of retaining walls.

Response: Noted. Appropriate conditions can be attached to any consent granted.

- 4.3 **Environmental Services** – offered no objections subject to conditions relating to dust control and management on site and storage and of refuse.
Response: Noted. Appropriate conditions can be added to any planning permission issued.
- 4.4 **SEPA** – No response to date however the proposal is consistent with the principles set out in the Masterplan application where SEPA raised no objections. Roads Flood Risk Management Team have assessed the proposal, as set out above, and raised no objections subject to conditions.
Response: Noted. Appropriate conditions can be attached to any consent issued.
- 4.5 **Scottish Water** – offered no objections to the proposed development.
Response: Noted.
- 4.6 **SP Energy Networks** – Initially objected to the proposed development due to the possible impact in respect of High Voltage Overhead lines running through the site. Since that time works have been carried out to divert the overhead lines underground which SPEN have confirmed would remove the objection.
Response: Noted.
- 4.7 **West of Scotland Archaeology Service** – offered no objections but have noted that a condition was imposed on EK/09/0218 requiring archaeological investigations to be carried out.
Response: Noted. Condition 23 of EK/09/0218, which requires the submission and implementation of a program of archaeological works, remains applicable to this development.
- 4.8 **Countryside and Greenspace** – offered no objections to the proposed development and confirmed that the proposed landscaping scheme is acceptable.
Response: Noted.
- 4.9 **Jackton and Thorntonhall Community Council** – Object to the proposed development on the following grounds:-
- The proposed capacity of the site is higher than that identified in the approved Masterplan at 227 units, 39% higher than the indicative capacity of 115units. The resulting density is higher than that proposed in the Masterplan and higher than the Masterplan Development Framework description for this area of the CGA which specifies lower density development.
 - The proposed perimeter planting belts are too narrow and may lead to planting being removed by future homeowners to preserve their views. Lowering the development density would allow a broader planting belt along Jackton Road forming a clear and defensible settlement edge.
 - Insufficient information and documents have been submitted to allow the determination of this application.
 - Scottish Power Energy Networks (SPEN) have objected to the application in respect of overhead power lines and the proposal requires to be amended to address these concerns.
 - Scottish Water raised concerns over the capacity of the waste water system and the impact on Scottish Water assets. The proposal requires to be amended to address these concerns.
- Response:** Noted. The site is considered to be suitable for the proposed capacity and density of development and the proposal is considered to be consistent with the overall Masterplan. The proposed planting buffer along Jackton Road is considered to be consistent with the approved Masterplan.

A number of supporting documents have been submitted which are set out in Section 2.3 above. Scottish Power Energy Networks (SPEN) initially objected to the proposed development due to the possible impact in respect of High Voltage Overhead lines running through the site. Since that time works have been carried out to divert the overhead lines underground which SPEN have confirmed would remove the objection. Scottish Water raised no objections to the proposed development and the comments relate to the requirement for the applicant to obtain the formal approval of Scottish Water once planning consent has been granted at the time of connection.

5 Representation(s)

5.1 Statutory notification was undertaken and the proposals advertised in the local press for non-notification of neighbours. Following this, 6 letters of objection and 3 letters of comment were received. The issues raised in all representations can be summarised as follows:

- (a) **The proposed development is over development of the site. The proposed capacity of the site is higher than that identified in the approved Masterplan and the resulting density is too high**

Response: The site is considered to be suitable for the proposed capacity and density of development and the proposal is considered to be consistent with the overall Masterplan.

- (b) **There is an over provision of terraced houses which are set in blocks. There should be more 4 or 5 bedroomed houses to provide choice and a better environment.**

Response: The proposed layout is considered to provide a wide range of housing types ranging from smaller 2 bed terraced properties to larger 4 bed detached properties.

- (c) **The proposed parking layout and design is poor, particularly close to the entrances to the site which will result in on street parking and road safety issues. The proposed design where parking is located in front of integral garages creates an overcrowded environment. There are no dedicated visitor parking areas.**

Response: Roads and Transportation Services raised no objections to the proposed layout which complies with the current parking provision standards. Since the original submission the parking layout and plot layout has been amended to address the issue on plots adjacent to the entrance and reduced the number of dwellings. The site is considered to be suitable for the proposed capacity and density of development.

- (d) **The proposed layout is poor in respect of footpath design, with insufficient links to the bus stops on the spine road and to Jackton Road to encourage walking.**

Response: Roads and Transportation Services raised no objections to the proposed layout which complies with the current standards for footways. Since the original submission the layout has been amended in respect of footway provision, adding footways and a link to Jackton Road.

- (e) **There is a lack of greenspace in the proposed development to provide opportunities for play and exercise and limited cycle and walking routes.**

Response: The proposed development is part of the wider Masterplan development which provides greenspace and walking and cycling routes across the CGA. An additional link through to Jackton Road has been added to provide opportunities for walking and cycling access to the wider area.

- (f) **The proposed landscape planting buffer along Jackton Road is limited in depth / width. The number of trees proposed along the boundary should be increased to provide a strong Green Belt boundary and screening for Newhouse Farmhouse Listed Building. Is the proposed hedge in addition to the existing hedge along Jackton Road.**

Response: The proposed landscape buffer is considered to be consistent with the approved landscaping masterplan for the East Kilbride CGA which includes large areas of additional planting, including additional tree planting in the form of a 6m wide landscape buffer along Jackton Road. Due to the requirement to divert existing overhead high voltage power lines across the wider CGA site, a relatively small number of trees along Jackton Road have been felled and the existing hedge removed. However, extra heavy standard replacement trees, will be planted as soon as possible, which is estimated to be November this year. The proposal includes the planting of a new hedge, set back from the road, to the rear of the new housing, as part of the proposed landscape buffer. The existing trees within the grounds of Newhouse Farm are out with the application site, however, a buffer of trees is proposed to the north east of the remaining farmhouse as part of the wider CGA landscape proposal.

- (g) **Is the historic farmhouse at Newhouse Farm which is a Listed Building to be retained?**

Response: Although a number of the agricultural buildings are to be removed to the north of the farmhouse, the farmhouse buildings which are Listed Buildings are to be retained.

- (h) **There is a need to ensure that there is no additional water run off as a result of the development on Jackton Road and the Lawside access.**

Response: Roads and Transportation Services raised no objections to the proposal in respect of drainage and the applicant has provided acceptable site drainage plans. A condition can also be attached in respect of ensuring that there is no run off onto the public road.

- (i) **Measures should be taken to limit the potential light pollution from the development which affects nocturnal wildlife in the area.**

Response: The normal street lighting is proposed within the built area. No lighting is proposed along the rural edge of the development where wildlife could be disturbed.

- (j) **Flora, fauna and various species requires to be protected throughout the development process.**

Response: The applicants have submitted an Ecology Update Report and a Habitat and Greenspace Management Plan which address a number of issues in respect of the protection of flora and fauna. A number of planning conditions also aim to protect the environment and habitats during and after construction of the development.

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

6 Assessment and Conclusions

6.1 The applicant, Taylor Wimpey West Scotland, seeks consent for the erection of 227 residential dwellings with associated infrastructure and landscaping on land forming part of the East Kilbride Community Growth Area (CGA). The site benefits from planning permission in principle (EK/09/0218). As such, the principle of the development has already been established and this assessment relates to the details of the housing layout and associated works. Section 25 of the Town and Country

Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local development plan policy.

- 6.2 The adopted South Lanarkshire Local Development Plan 2 (LDP) identifies the site, in land use terms, as being within a Community Growth Area (as defined by Policy 1 – Spatial strategy). The site is also allocated as proposed housing land (Policy 11 – Housing land) to reflect the designation of the CGA. It is, therefore, noted that the principle of housing development on this site is supported by Policies 1 and 11 of the adopted LDP. In respect of Policy 6 (Community Infrastructure Assessment), it is noted that the legal agreement associated with planning permission EK/09/0218 sets out the requirement for developer contributions applicable to this site to cover infrastructure impacts associated with education, roads and transportation, affordable housing and community facilities. The proposed development under consideration does not include any on-site affordable housing provision, however, the provision of affordable housing associated with the CGA has been dealt with holistically as part of the approved Masterplan and the legal agreement associated with EK/09/0218. This approach has been agreed with Housing Services and, as such, the proposal is considered to be in accordance with Policy 12 (Affordable Housing and Housing Choice) of the LDP.
- 6.3 It is considered that the submitted layout (in the context of the wider masterplan and identified developer contribution requirements) has addressed the amenity, play provision and community facility requirements identified within the Council's Residential Design Guide. The educational and transportation related requirements associated with this proposal have also been assessed on a cumulative basis, across the CGA as a whole, as part of planning permission EK/09/0218. Taking the above into account, it is considered that the proposal is acceptable with regard to the requirements of Policy 6 of the LDP.
- 6.4 In terms of the detail of the proposal, Policy 5 of the LDP states that all planning applications should take fully into account the local context and built form, while Policy 2 seeks to ensure that proposed developments, where possible, seek to minimise and mitigate against the effects of climate change. Furthermore, any proposal should not result in significant adverse environmental or amenity impacts. Further guidance on design matters is contained in the Council's Residential Design Guide (2011). In terms of the submitted layout, it is noted that the proposal is for 227 residential properties, served by two access roads linking the development with the main spine road through the CGA site. The proposed mix of house styles, external materials, size of properties and development layout (including connections) are considered to be acceptable and in compliance with the principles of the approved Masterplan. Additionally, it is noted that the development is consistent with the Masterplan and does not restrict the adjacent areas of development including the site for the proposed school to the north. It is noted that the proposals incorporate appropriate design features, including variation of surface materials, a permeable layout and junction treatment to slow traffic. In general, the layout has been designed to provide attractive streets and to ensure that public areas and connections are overlooked by dwellings to encourage pedestrian movement and the design ensures that dwellings front on to the spine road to create an appropriate street scape.
- 6.5 With regard to potential amenity and road safety impacts, following discussion with the Planning Service, the layout has been adjusted slightly to ensure that the proposed parking and access specifications are in compliance with the Council's standards and

to ensure that sufficient pedestrian connectivity is provided throughout the development. Given the above, it is considered that there would be no significant road safety impacts and, additionally, it is considered that there would not be any significant impact on the amenity enjoyed by adjacent properties as a result of the development, as proposed. Taking all relevant matters into account, it is considered that the proposal is in compliance with Policies 2, 5 and DM1 of the LDP. In terms of flood risk and impact on the water environment (Policies 16, SDCC2 and SDCC3 of the LDP), it is noted that the proposal includes sustainable drainage features. In this regard, it is noted that no objections have been received from the Council's Flood Risk Management team, subject to conditions which would be attached to the consent issued.

- 6.6 The application site also lies partially in an area designated as green network, where Policy 13 (Green Network and Greenspace) of the LDP applies. This policy seeks to safeguard the local green network and identify opportunities for enhancement and / or extension to contribute towards objectives including promoting active travel, placemaking and supporting biodiversity. In this regard, it is noted that the majority of the proposed development will be on agricultural grazing land. A landscape buffer will be provided along the Jackton Road boundary which will maintain the green Network links through the CGA and the wider rural area beyond the site. Given the above, it is considered that the proposal would not result in a significant change to quality or volume of green network land on the site and that access to a connected green network would be available for residents, in compliance with Policy 13 of the LDP.
- 6.7 In summary, it is noted that the principle of residential development of this site is supported by development plan policies and the existing Planning Permission in Principle consent, including the Masterplan associated with the site. Furthermore, given that the proposal will not result in adverse amenity, environmental or safety impacts, it is considered that the proposed development is in compliance with Policies 1, 2, 5, 6, 11, 12, 13, 16, SDCC2, SDCC3 and DM1 of the adopted South Lanarkshire Local Development Plan 2 (2021). It is, therefore, recommended that the relevant conditions outlined above can be discharged, subject to the additional conditions listed.

7 Reasons for Decision

- 7.1 The proposal would have no significant adverse impact on amenity, public safety or the local environment and complies with the provisions of Policies 1, 2, 5, 6, 11, 12, 13, 16, SDCC2, SDCC3 and DM1 of the adopted South Lanarkshire Local Development Plan 2 (2021).

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Date: 28 May 2021

Previous References

- ◆ Planning Consent EK/09/0218

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 20.01.2021

►	Consultations	
	Roads Development Management Team	04.03.2021 & 25.05.2021
	Environmental Services	17.02.2021
	Roads Flood Risk Management	24.05.2021
	Scottish Water	01.02.2021
	West Of Scotland Archaeology Service	28.01.2021
	SP Energy Network	21.01.2021
	Countryside and Greenspace	26.04.2021 & 12.05.2021
	Jackton And Thorntonhall Community Council	19.02.2021
►	Representations	Dated:
	Ms Lynn Reid, 82 Glen Tennet, East Kilbride, Glasgow, South Lanarkshire, G74 3UY	09.02.2021
	Mrs Gail Smith, Lawside, Jackton Road, East Kilbride, G75 8RR	09.02.2021
	Lynn Reid, Received Via Email	10.02.2021
	Mr J E Allan, 94 Franklin Place, East Kilbride, G75 8LS	10.02.2021
	G Tierney, Received Via Email	16.02.2021
	Mr Alistair Stewart, Newhouse of Jackton, Near East Kilbride, Glasgow, G75 8RR	19.02.2021
	Mr Ritchie Gilchrist, South Craighall, Jackton Road, Glasgow, G758RR	18.02.2021
	Mr Edward Dantzic, North Craighall, Jackton Road, Jackton, G75 8RR	18.02.2021
	Ms Audrey Scott, 14/3, Manor Place, Edinburgh, EH3 7DD	12.04.2021

Contact for further information

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

Morag Neill, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455053
Email: morag.neill@southlanarkshire.gov.uk

Conditions and reasons

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

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

02. 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.

03. That the landscaping scheme as shown on the approved Landscaping Scheme "Soft Landscaping Design Sheets 1 to 4" 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 the 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.

04. That the recommendations and procedures set out in the "Habitat and Greenspace Management Plan" submitted in support of the proposed development, produced by JDC ecology and dated April 2021 shall be adhered to at all times on site to the satisfaction of the Council as Planning Authority.

Reason: To ensure the appropriate protection and management of species and green spaces within the site.

05. 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.

06. Prior to development commencing on site, a dust management and monitoring scheme shall be submitted to and approved 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. Monitoring

results shall be readily available to Officers of the Council investigating adverse comments.

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

07. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 requirements (Appendices 1, 2 & 5).

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

08. That the development hereby approved shall not commence until surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 7 above.

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

09. That, before the development hereby approved is completed or brought into use, at all road junctions a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

10. That, before the development hereby approved is completed or brought into use, at all driveway accesses a visibility splay of 2 metres by 20 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

11. That, before the development hereby approved is completed or brought into use, at all driveway accesses a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

12. That, before any dwellinghouse hereby approved is completed or brought into use, the parking spaces associated with the dwellinghouse shall be put in place to the specification and satisfaction of the Council as Roads and Planning Authority in accordance with the approved plans and shall thereafter be maintained to the satisfaction of the Council.

Reason: In the interests of road safety.

13. That, before any dwellinghouse within the development hereby approved is completed or brought into use, the first two metres of the associated driveway shall be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the carriageway and entering the driveway, to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

14. That, prior to the occupation of any of plots 72 to 78 of the development as shown on the approved plans, a remote footpath link from the proposed development to Jackton Road shall be provided in accordance with the details shown on the approved drawings. At its junction with Jackton Road a footway, 2m in length, either side of the footpath and a pedestrian barrier shall be provided. Where the required footpath connects the development to Jackton Road, a visibility splay of 2m x 35m (measured from the edge of the carriageway) shall be provided. Within these splays nothing over 900mm in height, i.e. trees, shrubs walls etc. is permitted. All of the above shall be provided and thereafter maintained to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

15. That unless otherwise agreed in writing with the Planning Authority, all construction vehicles associated with the development hereby approved shall access the site from the spine road only.

Reason: In the interests of road safety.

16. That, during the construction phase associated with the development hereby approved:

- appropriate cleaning systems shall be put in place within the site to ensure mud and debris is not deposited on the public road.
- appropriate wheel wash facilities/road cleaning regime shall be provided.
- all vehicles shall be able to access and exit the site in forward gears, therefore a turning area shall be provided
- sufficient parking shall be provided within the site boundary to accommodate all site staff/operatives parking requirements.

Before the commencement of works on site full details and plans detailing the above requirements shall be submitted to and approved by the Council as Roads and Planning Authority. Thereafter, the approved details shall be implemented on site to the satisfaction of the Council throughout the construction phase.

Reason: In the interests of road safety.

17. That, before the development hereby approved is completed or brought into use, an appropriate system of site drainage shall be provided to the specification and satisfaction of the Council as Roads and Planning Authority to prevent surface water flowing onto the public road.

Reason: In the interests of road safety.

18. That, prior to the occupation of any of plots beyond plots 157 & 209, of the development as shown on the approved plans, if there is no eastern access from the roundabout at plots 184 & 185, a turning area will be required to be provided to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

19. Prior to development commencing on site, full engineering drawings of all retaining walls, including drainage details, shall be submitted to and approved in writing by the Council as Planning Authority. The retaining walls shall thereafter be constructed in accordance with the approved details to the satisfaction of the Council as Planning Authority.

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

20. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

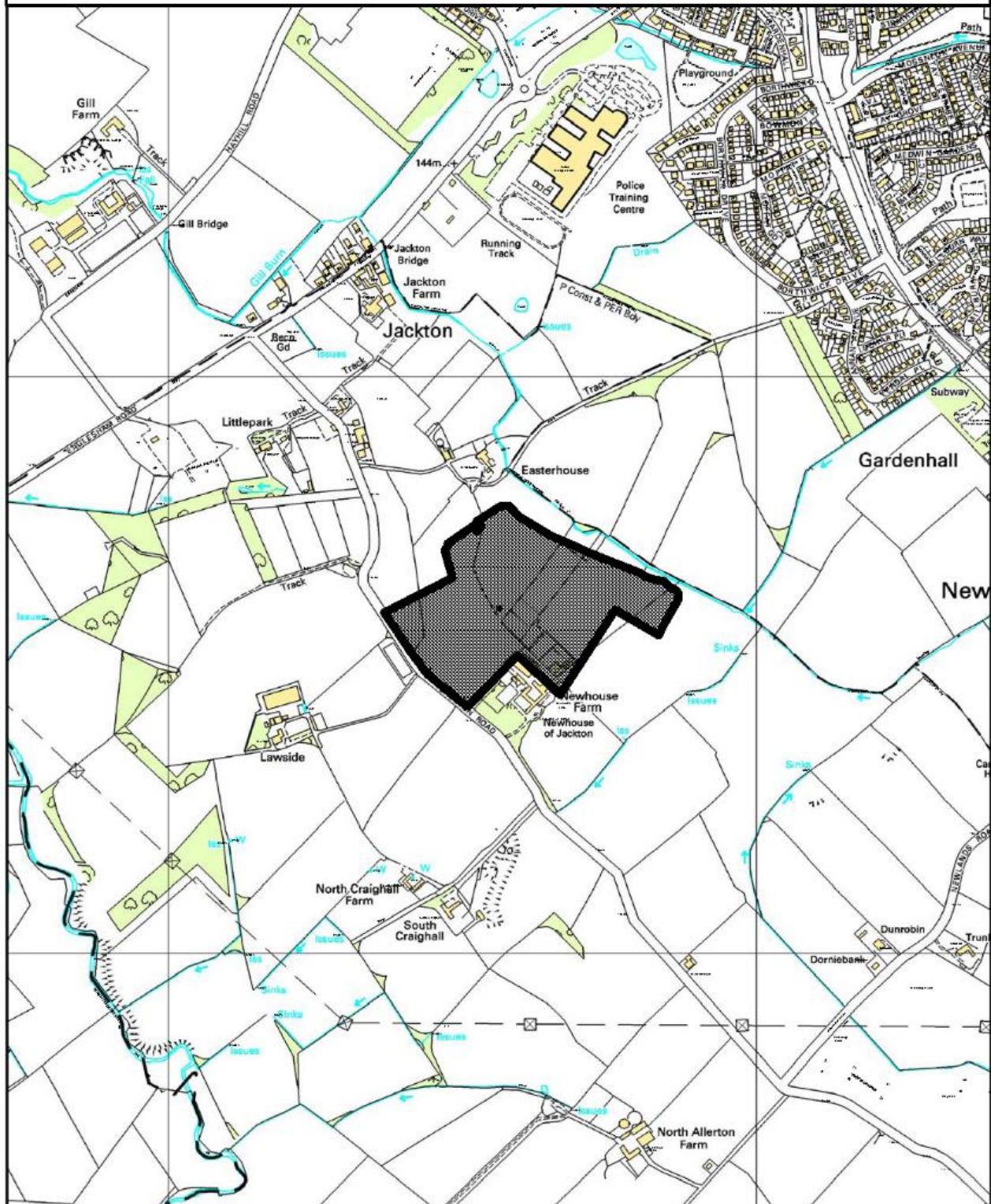
Reason: To ensure the provision of a satisfactory sewerage system.

21. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

P/21/0037

Land 150m NNW of Newhouse Farm, Jackton Road, Jackton



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Scale:
1:8,000
Date:
13/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

10

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

Application no.	P/21/0310
Planning proposal:	Erection of 131 no. dwellings with associated infrastructure and landscaping (approval of matters specified in conditions 1 (a to r), 2, 3, 4, 6, 8, 9, 10, 12 and 16 of EK/09/0218)

1 Summary application information

Application type:	Approval of matters specified in conditions
Applicant:	Miller Homes
Location:	Land 120M North of Newlandscroft Jackton Road Jackton Glasgow South Lanarkshire

2 Recommendation(s)

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

(1) Grant matters specified in 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:
- ◆ Council Area/Ward: 06 East Kilbride South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
 - Policy 1 - Spatial Strategy
 - Policy 2 – Climate change
 - Policy 5 – Development Management and Placemaking
 - Policy 7- Community infrastructure assessment
 - Policy 11 – Housing
 - Policy 12 – Affordable housing
 - Policy 13 – Green Network and Greenspace
 - Policy 16 – Water Environment and Flooding
 - Policy DM1 – New Development Design
 - Policy SDCC2 – Flood Risk
 - Policy SDCC3 – Sustainable Drainage Systems

◆ **Representation(s):**

▶	1	Objection Letters
▶	0	Support Letters
▶	2	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads Flood Risk Management

Scottish Water

Roads Development Management Team

West of Scotland Archaeology Service

SEPA Flooding

SP Energy Network

Countryside and Greenspace

Jackton and Thorntonhall Community Council

Planning Application Report

1 Application Site

- 1.1 This application relates to a proposed residential development of 131 dwellings on land located within the Community Growth Area (CGA) in East Kilbride. The site lies on the southern edge of the masterplan site approved under EK/09/0218; a Planning Permission in Principle application for a mixed-use development comprising residential, retail and education uses and associated engineering works for site infrastructure, new access and distributor road, formation of open space framework with landscaping work. The application site extends to approximately 4.7 hectares and is allocated as Area 1F (Phase 1) of the overall masterplan site.
- 1.2 The site will be accessed off junctions formed from the new spine road serving the masterplan area. The site will be bounded to the north, south and east by other residential developments within the masterplan site, and to the west by agricultural land. It is noted that there is an existing residential property known as Newlandscroft, off Jackton Road, on the southern side of the site which will be bound on three sides by this development site. The site is primarily grassland used for sheep grazing and contains intact hedgerows to the east and south of the site and a number of trees along the north and western boundaries.

2 Proposal(s)

- 2.1 This application seeks to discharge various conditions imposed on Planning Permission in Principle application EK/09/0218 for the development of East Kilbride Community Growth Area. Condition 1 specifies that all relevant matters such as layout, siting, design, landscaping, drainage etc are submitted to and approved by the Planning Authority. The other conditions to be discharged specify in further detail what information requires to be submitted to deal with the relevant matters listed in Condition 1.
- 2.2 The proposed residential development would be accessed via two vehicular access points from the new spine road. Pedestrian links to further phases of development within the CGA area, to the new spine road and to Jackton Road would also be provided, in line with the principles established in the masterplan. The proposal includes landscaping and a SUDS pond to serve the development. It is noted that the SUDS pond is to the north west of the main application site area. The proposal has been broadly designed in accordance with Designing Streets principles and includes a variety of proposed materials.

3 Background

3.1 Local Plan Status

- 3.1.1 In terms of land use, the site is identified within the South Lanarkshire Local Development Plan 2 (SLLDP2) (Adopted 2021) as forming part of the designated East Kilbride Community Growth Area and is allocated as a Proposed Housing site. As such, the following policies are all relevant to the assessment of this development:-

- Policy 1 - Spatial Strategy
- Policy 2 – Climate change
- Policy 5 – Development Management and Placemaking
- Policy 7- Community infrastructure assessment
- Policy 11 – Housing
- Policy 12 – Affordable housing
- Policy 13 – Green Network and Greenspace
- Policy 16 – Water Environment and Flooding
- Policy DM1 – New Development Design

- Policy SDCC2 – Flood Risk
- Policy SDCC3 – Sustainable Drainage Systems

3.2 **Relevant Government Advice/Policy**

3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP introduces a presumption in favour of development that contributes to sustainable development. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements. The Council must also maintain a five-year supply of effective housing land.

3.3 **Planning Background**

3.3.1 Planning application EK/09/0218 was originally approved by the Planning Committee in December 2011, subject to the conclusion of a legal agreement to cover matters relating primarily to developer contributions. A revised masterplan was submitted in October 2016 and subsequently approved by the Planning Committee in June 2018, subject to the conclusion of a legal agreement. This legal agreement has now been concluded and registered allowing planning permission EK/09/0218 to be issued in October 2019.

4 **Consultation(s)**

4.1 **Roads Development Management section** – no objections subject to conditions relating to visibility, parking and drainage.

Response: Noted. Appropriate conditions can be attached to any consent issued.

4.2 **Roads Flooding section** – no objections subject to conditions related to the provision of a SUDs drainage system.

Response: Noted. Appropriate conditions can be attached to any consent issued.

4.3 **Environmental Services** - no objections subject to conditions and advisory notes being attached in respect of residential waste control, dust mitigation and monitoring and construction noise.

Response: Noted. Appropriate conditions and advisory notes can be attached to any consent issued.

4.4 **Countryside and Greenspace** – no response received to date.

Response: Noted.

4.5 **Scottish Water** – no response received to date.

Response: Noted.

4.6 **WOSAS** – no objections to the proposal as review of the archaeological site investigation provided by the applicant confirmed no significant findings.

Response: Noted.

4.7 **SP Energy Networks** – no objections to the proposal.

Response: Noted.

- 4.8 **SEPA Flooding** – no response received to date. The proposal is consistent with the principles set out in the Masterplan application where SEPA raised no objections. Roads Flood Risk Management Team have assessed the proposal as set out above and raised no objections subject to conditions.

Response: Noted. Appropriate conditions can be attached to any consent issued.

- 4.9 **Jackson and Thorntonhall Community Council** – no response received to date.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was also advertised in the local press for neighbour notification purposes. Following this, three letters of representation have been received, the points of which are summarised below:-

- a) **The proposed residential development will overlook the existing property at Newlandscroft resulting in a loss of privacy. It will also result in a loss of light into the existing property.**

Response: Whilst it is noted the property at Newlandscroft will be bound on three sides by the proposed development, I am satisfied the proposed properties are sufficient distance from this property to ensure no loss of privacy and no overshadowing. Furthermore, the proposed layout includes a strip of land between the existing dwelling and proposed properties that would be soft landscaped. In addition, there will be a 1.8 metre high timber fence separating the development and the existing property.

- b) **This development will result in severe noise and disturbance over a long period of time.**

Response: It is acknowledged that there will be some level of noise and disruption during construction, however, this is not a valid reason for refusal of the application. Should consent be granted, any decision issued will include advisory notes on acceptable working hours as stipulated by Environmental Services.

- c) **There is currently a septic tank situated in the field adjacent to Newlandscroft. This appears to be located within the front garden of one of the adjacent properties. The current landowner has responsibility for its upkeep and maintenance, therefore, how will this be maintained if permission is granted?**

Response: Miller Homes have checked the title deeds and advised that the owner of Newlandscroft benefits from a Servitude for the property for a septic tank to be located at this position along with the associated pipework. Miller Homes have noted from the site layout that the tank is located within the landscape buffer to be formed near the property owned by Lynch Homes. They have also confirmed having checked the title deeds that the septic tank requires to be maintained by the owner of Newlandscroft. As such, this is a legal matter that the owner of the property will require to discuss with Lynch Homes.

- d) **The existing property at Newlandscroft has an oil tank for storing fuel. At present, access to this is via the side of the property where the suppliers run the hose over the adjacent field. The plans show screening around the existing property however access to the side of the property needs to be maintained so fuel can continue to be delivered.**

Response: As noted above, Miller Homes have reviewed the title deeds and confirmed there is no right of access specified for the owner of Newlandscroft to utilise any part of the site for the delivery of fuel. They have suggested that

any agreement to date has been informal and will require to be addressed through a separate legal agreement between the parties involved.

- e) **There are plans to connect an underground electric cable to the property at Newlandscroft. The cable is to be laid in the area of the current sewer drainage to the septic tank. Any contractors need to be made aware of this.**

Response: Whilst not a Planning matter, this information has been passed to Miller Homes for information.

- f) **The applicant should ensure that all wildlife, flora and fauna that may be on the site are given full protection under current legislation. The applicant, developer and contractors must all be made aware of their responsibilities.**

Response: The applicant has submitted an ecological constraints survey of the site which also included a preliminary roost assessment for bats. It was concluded that the site has suitability for bats, badgers and nesting birds and as such the findings of this report include a number of recommendations that should be carried out should permission be granted. As such, an appropriate condition can be attached to any consent issued.

- g) **There should be a footpath linking the development and the country lane beyond at plots 20 and 43. Plots 109 and 111 have no footpath link to the main road.**

Response: As part of the masterplan to the site, a pedestrian path link behind plots 45 to 56 will be implemented to form a link between the spine road and Jackton Road. It is noted that since the initial submission, the site layout has been reconfigured and an additional link put in adjacent to plots 45 and 46. In addition, there is a proposed link to the adjacent housing site on the opposite side of the development next to plots 10 and 13. As such, it is considered adequate pedestrian links have been provided.

- h) **Plots 14-20 are very car dominated, Plots 124 to 125 are cut off from the rest of the street scene, Plots 59, 60 and 62 have no direct link to the adjacent bus stop.**

Response: Plots 14 to 20 are terraced dwellings therefore parking laid out in this manner to serve these properties is considered acceptable. Plots 124 to 125 are located off their own access which is considered acceptable. There is no requirement for plots 59, 60 and 62 to have a direct access to the adjacent bus stop.

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

6 Assessment and Conclusions

6.1 Miller Homes seek consent for the erection of 131 dwellings with associated infrastructure and landscaping on land forming part of the East Kilbride Community Growth Area (CGA). As detailed above, the site benefits from Planning Permission in Principle EK/09/0218, therefore, the principle of the development, including access from the new spine road, has already been established and this assessment relates to the details of the housing layout and associated works. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. Therefore, the determining issue in the assessment of this proposal is its compliance with local development plan policy and any other material considerations.

- 6.2 In this case, the Adopted South Lanarkshire Local Development Plan 2 (2021) identifies the site as being within a community growth area as defined by Policy 1 – Spatial Strategy. The site is also allocated as proposed housing land (Policy 11 – Housing) to reflect the designation of the CGA. Therefore, in general land use and policy terms, the principle of the development is acceptable.
- 6.3 In respect of Policy 7 - Community Infrastructure Assessment, it is noted that the legal agreement associated with planning permission EK/09/0218 sets out the requirement for developer contributions applicable to this site to cover infrastructure impacts associated with education, roads and transportation, affordable housing and community facilities. The proposed development under consideration does not include any on-site affordable housing provision, however, the provision of affordable housing associated with the CGA has been dealt with as part of the approved masterplan and the legal agreement associated with EK/09/0218. This approach has been agreed with Housing Services and, as such, the proposal is considered to be in accordance with Policy 12 - Affordable Housing of the SLLDP2.
- 6.4 Policy 5 – Development Management and Placemaking advises that to ensure all developments take account of the principles of sustainable development, all proposals require to be well designed and integrated with the local area. Policy 2 – Climate Change also seeks to ensure that developments seek to minimise and mitigate against the effects of climate change and that development does not result in any significant environmental or amenity impacts. Policy DM1 – New Development Design also requires development to promote quality and sustainability in design and layout. The Council's Residential Development Guide (RDG) (2011) is also relevant and provides guidance on the design and layout of new housing developments.
- 6.5 As such, the application for 131 dwellinghouses with associated works will include a mix of 14 no. house types consisting of 3, 4 and 5 bed detached and terraced properties served by two accesses from the new spine road. In terms of the policies above and the Council's RDG, the proposed mix of house types, materials, size of properties and development layout are considered to be acceptable and in compliance with the principles of the approved masterplan. Furthermore, the plots can meet the requirements in terms of window to window distances, plot ratio and parking requirements of the RDG. In addition, it is considered that the proposed development would integrate with other residential developments in the vicinity and would not result in any adverse visual or landscape impacts.
- 6.6 In terms of road safety impacts, the site layout has been designed to ensure the parking and access specifications are in compliance with the Council's standards and to ensure adequate pedestrian connectivity is provided throughout the development with access to adjacent developments in accordance with the masterplan. As such, the Council's Roads and Transportation Development Management section have confirmed their satisfaction with the layout subject to the attachment of conditions. In terms of flood risk and impact on the water environment (Policy 16 – Water Environment and Flooding) the proposal includes sustainable drainage features. In this regard, it is noted that no objections have been received from the Council's Roads Flood Risk Management team subject to the attachment of conditions. Should permission be granted appropriate Roads conditions would be attached to the consent issued.
- 6.7 The application site also lies partially in an area designated as green network, where Policy 13 - Green Network and Greenspace applies. This policy seeks to safeguard the local green network and identify opportunities for enhancement and/or extension to contribute towards objectives including promoting active travel, placemaking and

supporting biodiversity. In this regard, it is noted that the majority of the proposed development will be on agricultural grazing land, with tree loss minimised primarily to field boundaries. Whilst there is no designated open space / plays areas within the application site boundary, the site adjoins an area that will have both these facilities. Furthermore, the site is not far from the large centrally located greenspace approved as part of the overall masterplan layout. As such, it is considered that the proposal would not result in a significant loss of green network land and that access to a connected green network would be available for residents, in compliance with Policy 13 of the LDP2.

- 6.8 As part of the application submission, the applicant has provided an ecological constraints survey of the site which included a preliminary bat roost assessment. It was concluded that the site has suitability for bats, badgers and nesting birds, therefore, the findings of this report include a number of recommendations that should be carried out should permission be granted. As such, an appropriate condition would be attached to any consent issued.
- 6.9 In conclusion, the principle of residential development of this site is supported by the appropriate local plan policies and the existing Planning Permission in Principle associated with the site. The proposal will have no adverse impacts on amenity, road safety, or environmental impacts and as such it is considered the proposal complies with Policies 1, 2, 5, 7, 11, 12, 13 and 16 of the Adopted South Lanarkshire Local Development Plan 2 (2021), as detailed above. It is, therefore, recommended that the relevant conditions outlined above can be discharged, subject to the additional conditions listed.

7 Reasons for Decision

- 7.1 The proposal would have no significant adverse impact on amenity, public safety or the local environment and complies with the provisions of Policies 1, 2, 5, 7, 11, 12, 13, 16 and DM1 of the South Lanarkshire Local Development Plan 2 (Adopted 2021).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 28 May 2021

Previous References

- ◆ None

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated – 07.04.2021

- ▶ Consultations

Environmental Services

05.05.2021

Roads Flood Risk Management

Scottish Water

Roads Development Management Team	
West of Scotland Archaeology Service	19.04.2021
SEPA Flooding	
SP Energy Network	14.04.2021
Countryside and Greenspace	
Jackton and Thorntonhall Community Council	

► Representations	Dated:
Mr J E Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS	28.04.2021
Ms Lynn Reid, 82 Glen Tennet, East Kilbride, Glasgow, South Lanarkshire, G74 3UY	20.04.2021
Mr Robert Stevenson, Newlandscroft, Jackton, East Kilbride, Glasgow, G75 8RR	27.04.2021

Contact for further information

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

Julie Pepper, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
 Phone: 01698 455046
 Email: julie.pepper@southlanarkshire.gov.uk

Conditions and reasons

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

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

02. 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.

03. That before any of the dwellinghouses hereby approved are occupied, the approved details for the storage and collection of refuse within the development shall be provided in accordance with the approved scheme and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure that adequate refuse arrangements are provided.

04. 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.

05. Prior to development commencing on site, a dust management and monitoring scheme shall be submitted to and approved 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. Monitoring results shall be readily available to Officers of the Council investigating adverse comments.

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

06. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 requirements (Appendices 1,2,3,4 & 5).

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.

07. That the development hereby approved shall not commence until surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 6 above.

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

08. That the recommendations and procedures set out in the Ecological Constraints Survey & Preliminary Bat Roost Assessment submitted in support of the proposed development, produced by Wild Surveys Ltd and dated 25 March 2021 shall be adhered to at all times on site to the satisfaction of the Council as Planning Authority.

Reason: To ensure the appropriate protection and management of species within the site.

09. 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.

10. That before any work commences on the site, a scheme of landscaping for the area shaded green bounding the existing property known as Newlandscroft, 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 at this part of the site.

11. That, before the development hereby approved is completed or brought into use, at all road junctions a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

12. That, before the development hereby approved is completed or brought into use, at all driveway accesses a visibility splay of 2 metres by 20 metres measured from the road channel shall be provided on both sides of the vehicular access if traffic calming features are provided, otherwise a visibility splay of 2 metres by 35 metres will be required, and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

13. That, before the development hereby approved is completed or brought into use, at all driveway accesses a pedestrian visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

14. That, before any dwellinghouse hereby approved is completed or brought into use, the parking spaces associated with the dwellinghouse shall be put in place to the specification and satisfaction of the Council as Roads and Planning Authority in accordance with the approved plans and shall thereafter be maintained to the satisfaction of the Council.

Reason: In the interests of road safety.

15. That, before any dwellinghouse within the development hereby approved is completed or brought into use, the first two metres of the associated driveway shall be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the carriageway and entering the driveway, to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

16. The gradient of any driveway hereby approved shall not exceed 10%.

Reason: In the interests of road safety.

17. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority. Thereafter the scheme shall be implemented and maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

18. That prior to any works associated with the construction of the development commencing, a Construction Traffic Management Plan shall be submitted to the Council as Roads and Planning Authority for approval. This shall include:-

1. A programme for starting on site.
2. All construction vehicles associated with this development should access the site from the new spine road.
3. Details of wheel washing/ road cleaning regime to ensure mud and debris is not deposited on the public road.
4. A plan showing that all vehicles should be able to access and exit the site in forward gears, therefore a turning area must be provided.
5. A plan showing the turning area and location and number of spaces for site staff / operatives

Reason: In the interests of traffic and public safety.

19. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

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

20. That unless otherwise agreed in writing with the Planning Authority, all construction vehicles associated with the development hereby approved shall access the site from the spine road only.

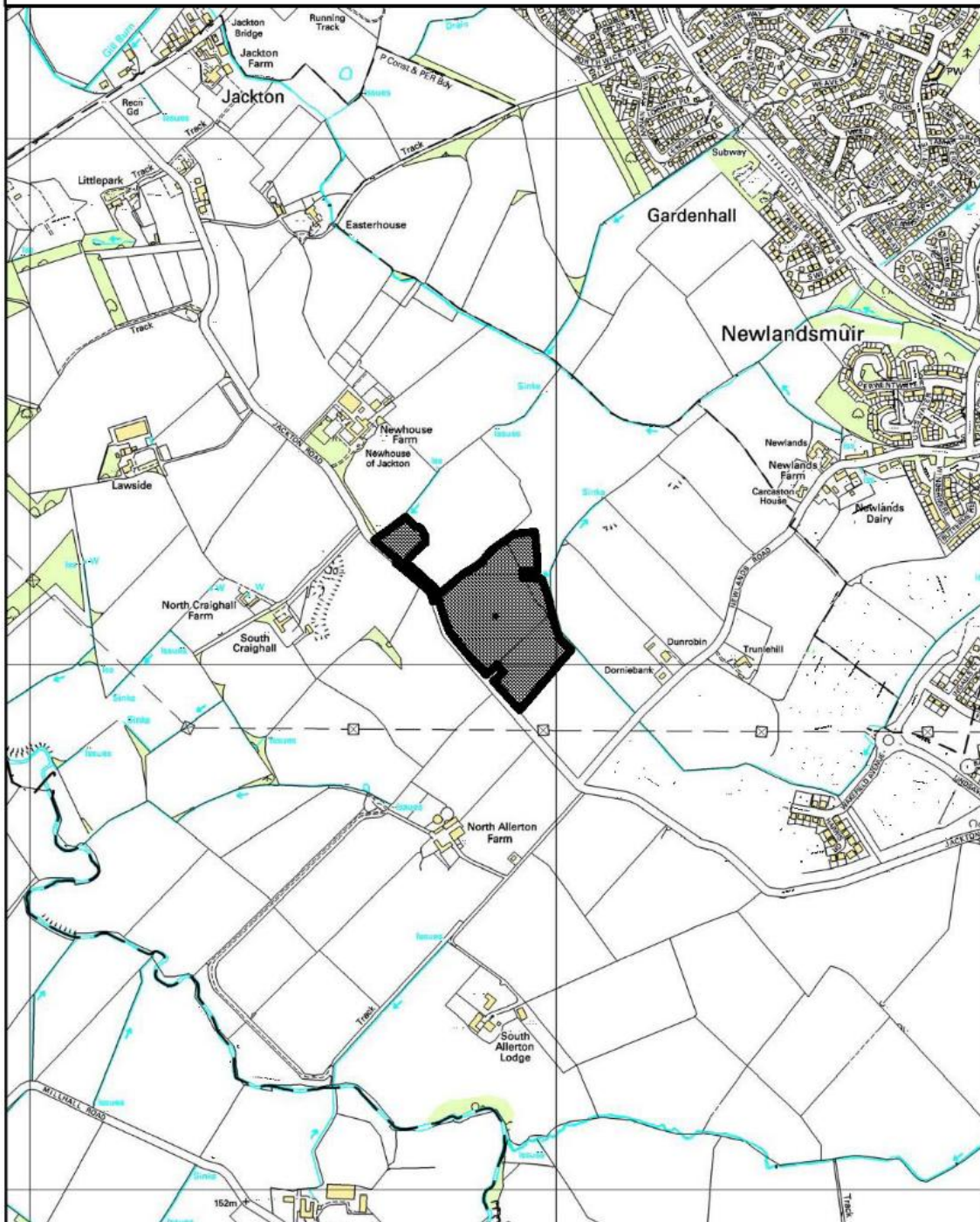
Reason: In the interests of road safety.

21. That, prior to the occupation of any of plots 11 to 13, 44 to 46 and 56 to 58 of the development as shown on the approved plans, a remote footpath link to the satisfaction of the Planning Authority from the proposed development to the site boundary shall be provided in accordance with the details shown on the approved drawings.

Reason: In the interests of public safety.

P/21/0310

Land 120M North of Newlandscroft, Jackton Road, Jackton



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Scale:
1:10,000
Date:
14/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

11

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

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

1 Summary application information

Application type:	Approval of matters specified in conditions
Applicant:	Robertson Living
Location:	Land 90M ESE of 24 Simpson Drive Strutherhill Larkhall South Lanarkshire

2 Recommendation(s)

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

- (1) Grant matters specified in conditions (subject to conditions) based on conditions attached.

2.2 Other actions/notes

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

3 Other information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy 1 - Spatial Strategy
Policy 2 - Climate Change
Policy 5 - Development Management and Place Making
Policy 7 - Community Infrastructure Assessment
Policy 11 - Housing Land
Policy 13 - Green Network and Greenspace
Policy 14 - Natural and Historic Environment
Policy 15 - Travel and Transport
Policy 16 - Water Environment and Flooding
Policy DM1 - New Development Design

Residential Design Guide (2011)

◆ **Representation(s):**

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

◆ **Consultation(s):**

Countryside and Greenspace

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

Community and Enterprise Resources (CER) Play Provision Community Contributions

Education Resources School Modernisation Team

Larkhall Community Council

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located at the edge of the Strutherhill Industrial Estate off Carlisle Road, to the south of Larkhall town centre. The site is currently vacant, comprising large areas of hardstanding, grass and scrub, and was previously occupied by the former DAKS Simpson warehouse. The site is irregular in shape, it is mostly flat with localised mounds of rubble and subsoil and it extends to approximately 5 hectares. The site is bounded to the north and east by open grassland, to the south by industrial buildings and to the west by a mixture of housing, including recently constructed dwellings within the former DAKS Simpson site, a sewage works and Strutherhill.

2 Proposal(s)

- 2.1 This is an application for the approval of matters specified in conditions of planning permission in principle HM/17/0167 for residential development. The matters specified in conditions relate to the design and layout of the site, site investigation and remediation, dust mitigation measures, noise assessment, flood risk and surface water drainage, equipped play provision, traffic signal modelling, access arrangements, footway and cycleway connections through the site, car parking and ecology.
- 2.2 In terms of the proposed design and layout of the site the applicant seeks approval for the erection of 128 dwellinghouses with associated roads, landscaping, SUDS and a noise attenuation bund. The proposed development would comprise a mixture of 106 detached and 22 semi-detached three and four bedroom dwellings. The proposed houses would be two storeys in height and would be finished with concrete roof tiles, rendered walls and UPVC windows and doors. Car parking within the development would be located on driveways located to the front and side of the dwellings with 2 parking spaces incorporated for the three bedroom dwellings and 3 parking spaces for those dwellings with four bedrooms. The layout incorporates two main areas of amenity open space within the eastern and western areas of the site including a SUDS Basin. A four metre high acoustic barrier comprising of an earth bund and a timber fence above is proposed along the main section of the southern boundary of the site facing onto Borland Drive and the adjacent industrial estate.
- 2.3 A Noise Impact Assessment, Ecological Assessment, Site Investigation Report and Remediation Strategy, Flood Risk Assessment, Environmental Impacts Plan, Landscape Proposals, Transport Assessment and Road Safety Audit were submitted with the application as supporting documents.

3 Background

3.1 Local Plan Background

- 3.1.1 The application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The site is also covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2 in addition to the Residential Design Guide (2011). The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 **Relevant Government Advice / Policy**

3.2.1 In terms of residential development, Scottish Planning Policy (SPP) requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

3.2.2 Designing Streets – A Policy Statement for Scotland was introduced in March 2010 and marks the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.

3.3 **Planning Background**

3.3.1 Planning Permission in Principle was granted to Patersons of Greenoakhill Ltd on 4 July 2019 for residential development with landscaping and associated works within the former DAKS Simpson site (HM/17/0167). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate community facilities either on site or off and the provision of affordable housing on site or by way of a commuted sum.

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

3.3.3 Planning Permission in Principle was granted to Patersons Property Investment Partnership LLP on 6 May 2015 for a proposed residential and commercial development within the application site (HM/13/0269). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and / or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum.

4 **Consultation(s)**

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

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

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

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

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

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

Response:- Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the heading Non-Notification of Neighbours in the Hamilton Advertiser. Two letters of representation were received in relation to the application. The grounds of representation are summarised below:

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

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

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

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

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

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

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

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

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

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

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

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

6 Assessment and Conclusions

- 6.1 The application is for the approval of matters specified in conditions of planning permission in principle HM/17/0167 for residential development. The matters specified in conditions relate to the design and layout of the site, site investigation and remediation, dust mitigation measures, noise assessment, flood risk and surface water drainage, equipped play provision, traffic signal modelling, access arrangements, footway and cycleway connections through the site, car parking and ecology. In terms of the proposed design and layout of the site, the applicant seeks approval for the erection of 128 dwellinghouses with associated roads, landscaping, SUDS and noise attenuation bund. The determining issues in consideration of this application are its compliance with national and local plan policy and the proposal's impact on the amenity of adjacent properties and on the local road network.

- 6.2 In terms of national planning policy, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity. Designing Streets – A Policy Statement for Scotland supports Designing Places and encourages a move away from a standardised engineering approach to streets and promotes quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.
- 6.3 In general land use and policy terms the principle of residential development at this location has previously been assessed and approved under the application for planning permission in principle (HM/17/0167). In this instance, the proposal involves the re-use of a previously developed site which would have a positive impact on the built and natural environment. The proposal also promotes development in a sustainable location which would be accessible by public transport, with bus routes located on the adjacent Strutherhill and in terms of permeability the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.4 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan 2. The site is also covered by the Green Network. The relevant policies in terms of the assessment of the application are Policy 1 - Spatial Strategy, Policy 2 - Climate Change, Policy 5 - Development Management and Place Making, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing Land, Policy 13 - Green Network and Greenspace, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport, Policy 16 - Water Environment and Flooding, Policy DM1 - New Development Design, Policy DM15 - Water Supply, Policy SDCC2 - Flood Risk and Policy SDCC3 - Sustainable Drainage Systems of the adopted South Lanarkshire Local Development Plan 2 in addition to the Residential Design Guide (2011).
- 6.5 As the application site is designated for residential use under the terms of Policy 11 and the site benefits from the planning permission in principle granted for residential development under application HM/17/0167, the proposal raises no policy issues and, therefore, conforms with this policy.
- 6.6 Policies 1 and 2 encourage sustainable economic growth and regeneration, a move towards a low carbon economy, the protection of the natural and historic environment and mitigation against the impacts of climate change. In line with these policies, the proposal involves the redevelopment of a previously developed site which is located in a sustainable location within Larkhall and where the principle of residential use is considered to be acceptable. The site benefits from opportunities for trips by public transport with bus routes located on the adjacent Strutherhill and the development would be well integrated into existing walking and cycling networks. The site is also located within an acceptable distance to commercial services such as retail, leisure, schools, health care etc. The proposed development offers an opportunity to enhance the built environment in the immediate area and it is considered that the redevelopment of the site would result in an attractive and vibrant addition to neighbouring development. Areas of landscaping are proposed within the development which would provide opportunities for enhanced biodiversity and leisure

within the site and the surrounding area. Furthermore, the houses within the development would be designed to the latest technical standards in terms of insulation, air tightness and energy ratings. It is, therefore, considered that the proposal meets the terms of the above policies.

- 6.7 In terms of the detailed design of the development, Policies 5 and DM1 generally require new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. In this instance, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide particularly in relation to window to window distances, garden depths, amenity open space and car parking. The proposed two storey houses are of modern design with a suitably high standard of external finishing materials and it is considered that the development will be in keeping with the existing residential development in the surrounding area. The proposed access arrangements have been assessed and are considered to be acceptable by the Council's Roads and Transportation Service. In view of the above, it is considered that the proposal would relate satisfactorily to adjacent residential development in terms of its scale, design and materials and that the character and amenity of the area would not be impaired by reason of traffic generation, parking or visual intrusion. The proposal represents a sensitive re-use of a largely untidy site and it is considered that the re-development of the site would improve the visual and environmental quality of the area. The proposal is, therefore, considered to be in accordance with the terms of Policies 5 and DM1.
- 6.8 With regard to Policy 7, the Section 75 Obligation associated with the previously approved planning permission in principle (HM/17/0167) requires the applicant to pay financial contributions at appropriate stages of the development towards the provision of additional nursery, primary and secondary education accommodation as appropriate and the provision of community facilities. The required contributions would be made in line with the terms of the above Obligation, therefore, the proposal meets the terms of Policy 7.
- 6.9 The application site is covered by the Green Network and Policy 13 states that development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:-
- i placemaking,
 - ii mitigating greenhouse gases,
 - iii supporting biodiversity,
 - iv enhancing health and quality of life,
 - v providing water management including flood storage, and buffer strips,
 - vi providing areas for leisure activity, and
 - vii promoting active travel.
- 6.10 In addition to the above, Policy 14 states that the Council will assess all development proposals in terms of their impact on the natural and historic environment, including biodiversity, geodiversity, landscape and townscape.
- 6.11 The submitted Ecological Assessment has been assessed and is considered to be acceptable. The assessment concludes that the development of the site would result in the loss of very low value semi-natural habitat with minimal adverse impact on biodiversity from the loss of unexceptional habitats and it is anticipated there would be a minor biodiversity benefit as a consequence of habitat diversification arising from the development. There would be no impact on badger populations, but precautionary

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

- 6.12 Policy 15 seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In this regard, the site is accessible by public transport with bus routes located on the adjacent Strutherhill. In terms of permeability, the development would be well integrated into existing walking and cycling networks. Furthermore, Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. It is, therefore, considered that the proposal complies with Policy 15.
- 6.13 The proposal has been assessed by the relevant consultees in terms of Policies 16, DM15, SDCC2 and SDCC3. With regard to flooding and surface water drainage, no adverse comments were raised by Roads and Transportation Services subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of the standard self-certification documents. Scottish Water have also confirmed that they have no objections to the application and any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of the above policies.
- 6.14 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. It is therefore recommended that the application be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 1, 2, 5, 7, 11, 13, 14, 15, 16, DM1, DM15, SDCC2 and SDCC3 of the adopted South Lanarkshire Local Development Plan 2 (2021).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 1 June 2021

Previous References

- ◆ HM/17/0167
- ◆ HM/17/0484
- ◆ HM/13/0269

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Residential Design Guide (2011)
- ▶ Neighbour notification letter dated 27.11. 2020
- ▶ Press Advertisement, Hamilton Advertiser 10.12.2020

- ▶ Consultations
 - Countryside and Greenspace 10.02.2021
&
10.05.2021
 - Roads Development Management Team 15.04.2021
&
20.05.2021
 - Environmental Services 06.01.21,
01.02.2021,
11.05.2021
 - Roads Flood Risk Management 11.05.2021
&
27.05.2021
 - Scottish Water 03.12.2020
 - CER Play Provision Community Contributions 15.12.2020
 - Education Resources School Modernisation Team 07.01.2021
- ▶ Representations
 - Mr Steve Macaulay, 17 Middleton Avenue, Strutherhill
Industrial Estate, Larkhall, South Lanarkshire, ML9 2TL Dated:
22.12.2020
 - Ms Lynn Reid, 82 Glen Tennet, East Kilbride, Glasgow,
South Lanarkshire, G74 3UY 10.02.2021

Contact for further information

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 453657
Email: jim.blake@southlanarkshire.gov.uk

Conditions and reasons

01. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved in writing by the Council as Planning Authority.

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

02. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 1, shall be erected and thereafter maintained to the satisfaction of the Council.

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

03. That notwithstanding the terms of Condition 1 above, before development starts, details of all boundary treatment(s) shall be submitted to and approved in writing by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

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

04. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved in writing by the Council as Planning Authority.

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

05. That unless otherwise agreed, before development starts, full details of the design and location of any fence enclosing the proposed SUDS Facility shall be submitted to and approved in writing by the Council as Planning Authority. Thereafter, the fence shall be erected and maintained to the Council's satisfaction.

Reason: In order to retain effective planning control.

06. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road with the exception of a metre high facing brick or roughcast wall built to match the facing brick or roughcast on the existing house, and before the development starts, samples of the facing materials to be used on the wall shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: To safeguard the residential amenity of the area.

07. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved in writing by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

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

08. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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

09. That details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

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

10. That unless otherwise agreed in writing, all open pipes shall be closed-up at the end of each working day and trenches shall be covered or a ramp provided to permit animals that fall in a means of exit and to prevent animals becoming trapped. Chemicals and materials shall be stored securely to the satisfaction of the Council.

Reason: In order to retain effective planning control.

11. That unless otherwise agreed in writing, site clearance works shall be undertaken outside the bird nesting season March to August.

Reason: In order to retain effective planning control.

12. That the mitigation measures included in the submitted Noise Impact Assessment (Technical Report No. R-8664-LH2-RGM) dated 15 February 2021 shall be implemented prior to the development being brought into use and shall be maintained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Reason: To minimise noise disturbance.

13. (a) Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.

- (b) On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.
- (c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.

- 14. That prior to any development taking place on site, a scheme of intrusive site investigation works shall be submitted to and approved in writing by the Council as Planning Authority. The submission shall include a report of findings arising from the intrusive site investigations, including the results of any gas monitoring, and a scheme of remedial works for the Council's approval in consultation with The Coal Authority.

Reason: To ensure the safety and stability of the proposed development.

- 15. In the event that the site investigations required under Condition 14 above confirm the need for remedial works the required remedial works shall be undertaken prior to any dwellings being occupied to the Council's satisfaction.

Reason: To ensure the safety and stability of the proposed development.

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

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

- 17. That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.

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

- 18. That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

- 19. That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority.

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

20. That before any work commences on site, full details of the proposed pedestrian/cycle connection into the Donaldson Road public park, including method of implementation, shall be submitted to and approved in writing by the Council as Planning Authority. Thereafter, the approved works shall be implemented to the Council's satisfaction.

Reason: These details have not been submitted or approved.

21. That the first 2 metres (minimum) length of the parking bays and the private accesses shall be surfaced across their full width to the satisfaction of the Council as Planning and Roads Authority. No surface water shall egress from the parking bays, or from the private accesses, out onto the adoptable road.

Reason: To prevent deleterious material being carried onto the highway.

22. That pedestrian/vehicle inter-visibility splays of 2.4m x 2.4m, measured from the heel of the footway/grass verge, shall be provided at all driveways. Nothing higher than 0.9m shall be established within these splays.

Reason: In the interests of public safety.

23. That before any work commences on site, a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Council as Planning and Roads Authority. Once approved, the TMP shall be implemented on site and monitored to the Council's satisfaction. The TMP shall include wheel washing facilities and on-site parking facilities for staff and visitors.

Reason: These details have not been submitted or approved.

24. That prior to the occupation of the 1st dwellinghouse details of a welcome pack shall be submitted to and approved in writing by the Council as Planning and Roads Authority to encourage sustainable travel to and from the development and thereafter shall be distributed to all future house purchasers/residents.

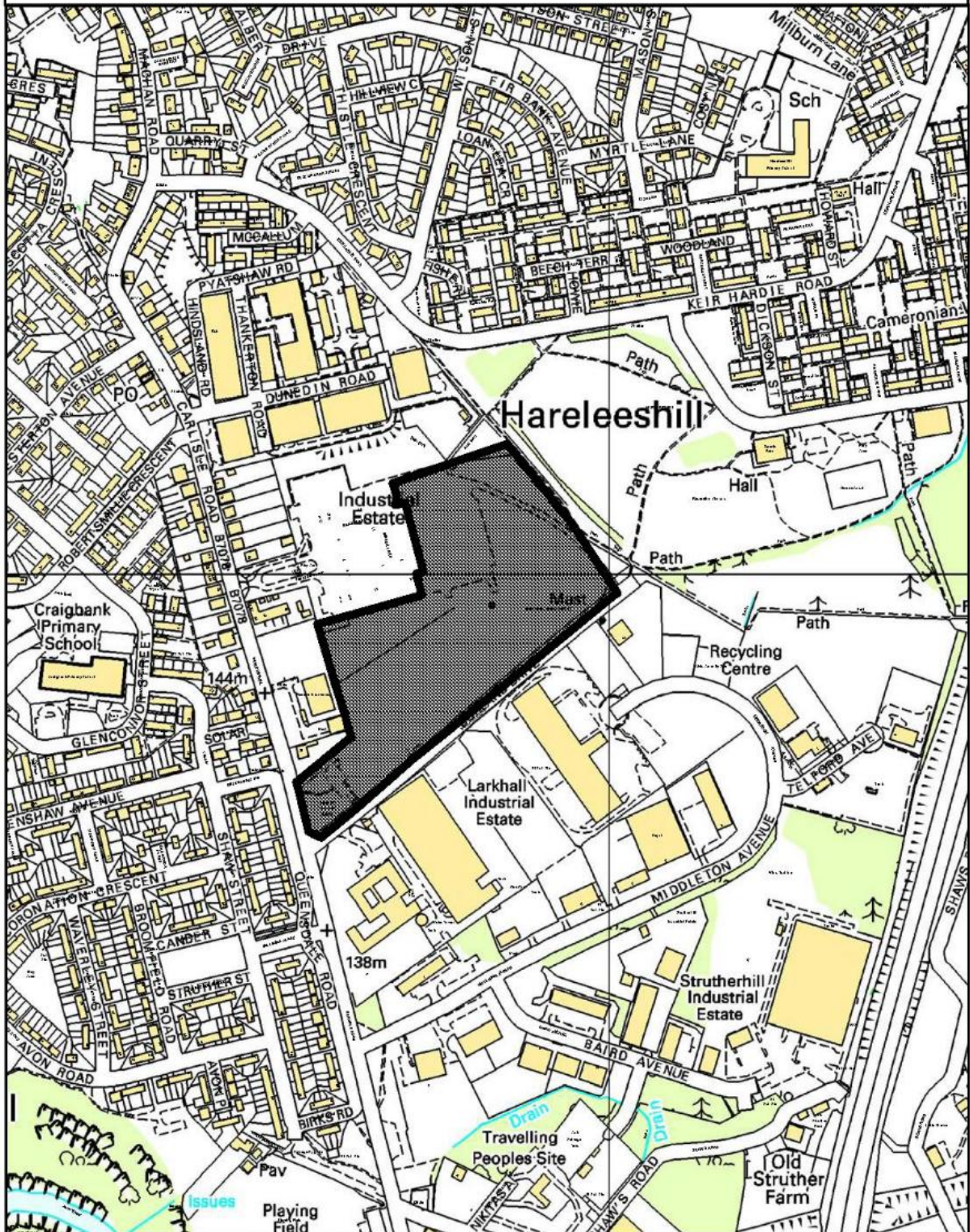
Reason: To encourage sustainable travel to and from the development.

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

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

P/20/1667

Land 90m ESE of 24 Simpson Drive



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



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

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

Application no.	P/21/0282
Planning proposal:	Erection and operation of windfarm consisting of 14 turbines up to a maximum height to blade tip of 180m (Consultation from Scottish Ministers under S36 of the Electricity Act 1989)

1 Summary application information

Application type:	Electricity notification S36 application
Applicant:	EDF Renewables
Location:	Heathland Wind Farm A706 From Forth to Northern Boundary Wilsontown Lanark South Lanarkshire

2 Recommendation(s)

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

- (1) that the Scottish Government be informed that South Lanarkshire Council has no objection to the proposed erection of 14 wind turbines up to a maximum height to blade tip of 180m and associated infrastructure under Section 36 of the Electricity Act 1989; and
- (2) that the Head of Planning and Economic Development be authorised to undertake any discussions in relation to further agreements of conditions and planning obligations if required, with the Scottish Government.

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) The Scottish Government is also advised that approval should be subject to the conclusion of a legal agreement(s) covering:-
 - Community Contribution Payments
 - The funding of a Planning Monitoring Officer
 - Control over turbine transportation and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements

The applicant will be responsible for meeting the Council's reasonably incurred legal expenses in respect of the legal agreement and restoration guarantee quantum.

3 Other information

- ◆ Applicant's Agent: Arcus
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Development Plan 2 (2021)**

Policy 1 Spatial Strategy
Policy 2 Climate Change
Policy 14 Natural and Historic Environment
Policy 15 Travel and Transport
Policy 16 Water Environment and Flooding
Policy 18 Renewable Energy

SDCC2 Flood Risk
NHE2 Archaeological Sites and Monuments
NHE3 Listed Buildings
NHE4 Gardens and Designed Landscapes
NHE5 Historic Battlefields
NHE6 Conservation Areas
NHE8 National Nature Reserves and Sites of Special Scientific Interests
NHE9 Protected Species
NHE11 Peatland and Carbon Rich Soils
NHE12 Water Environment and Biodiversity
NHE16 Landscape
NHE18 Walking, Cycling and Riding Routes
NHE20 Biodiversity
RE1 Renewable Energy

Supporting Planning Guidance Renewable Energy

- ◆ **Representation(s):**
 - ▶ 0 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comment Letters

- ◆ **Consultation(s):**
 - Carluke Community Council
 - Tarbrax Community Council
 - West of Scotland Archaeology Service
 - Roads Flood Risk Management
 - Roads Transportation Services Bridges Structures Section
 - Countryside and Greenspace
 - Roads Development Management Team
 - Environmental Services
 - Community and Enterprise Resources Play Provision Community Contributions

Planning Application Report

1 Application Site

- 1.1 The application site is an approximate 831ha area of commercial forestry (Heathland Forest). The application site lies within the administrative boundaries of both South Lanarkshire Council and West Lothian Council. Approximately two thirds of the site is within South Lanarkshire Council's boundary.
- 1.2 The application site is located approximately 0.8km to the south-west of the settlement of Wilsontown and 1.5km northeast of the village of Forth. The South Lanarkshire portion of the site is located within the Plateau Moorland Landscape Character Type (LCT) and specifically the Plateau Moorland Forestry subtype of this LCT.
- 1.3 The A706 public road runs along the west of the site boundary and it is proposed to take access directly from this road. There are no public roads within the application site. There are also no private access roads within the application site with the nearest property being located some 200m from the southern boundary

2 Proposal(s)

- 2.1 An application has been made to the Scottish Government under Section 36 of the Electricity Act 1989 for the erection of 14 wind turbines (with a maximum height of 180m to blade tip) and associated infrastructure with a 30 year operating lifespan. The proposals represent an amendment to a previous consent issued by the Scottish Government for the erection of 17 turbines at a height of 132m. The current proposals comprise the following components:-
 - Fourteen turbines with eleven at 180m tall (to blade tip) wind turbines and three turbines at 150m tall (to blade tip)
 - Crane hardstanding areas adjacent to each turbine
 - On site access tracks between turbines
 - Substation and compound
 - Electrical infrastructure including temporary (7 years) anemometer mast (up to 90m in height) and transmission cabling
 - Borrow pits (up to two)
 - On site energy / battery storage facility
- 2.2 The installed turbine generation capacity of the proposals would be approximately 80MW in total. Four of the proposed turbines (T7, T8, T9 and T10) are located within the administrative boundary of West Lothian and these all have a proposed height of 180m to blade tip. The remaining ten turbines are wholly located within the administrative boundary of South Lanarkshire Council. Three of these proposed turbines (T1, T2 and T3) are located furthest west within the site boundary and the height proposed for these three turbines is up to 150m to blade tip. The remaining seven turbines within the South Lanarkshire boundary (T4, T5, T6, T11, T12, T13 and T14) have proposed maximum heights of 180m to blade tip.
- 2.3 As the proposals relate to a wind farm with an electrical generating capacity of over 50MW the application is made under Section 36 of the Electricity Act, 1989. Unlike an application for planning permission, the S36 application is made to the Scottish Government who are the Consenting Authority with South Lanarkshire Council being a Statutory Consultee as part of the assessment process.

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. NPF3 also notes in paragraph 3.8 "We want to meet at least 30% of overall energy demand from renewables by 2020".
- 3.1.2 Scottish Planning Policy (SPP) December 2020, aligns itself with NPF3 and one of its policy principles states that "This SPP introduces a presumption in favour of sustainable development". At paragraph 28, SPP states that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost." The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph 169).
- 3.1.3 The Scottish Government's Onshore Wind Policy Statement (December 2017) sets out the considered views of Scottish Ministers, following consultation, with regard to onshore wind energy and how renewable technology continues to evolve. Paragraph 25 acknowledges "the way in which wind turbine technology and design is evolving, and fully supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse impacts".
- 3.1.4 All national policy and advice is considered in detail in section 6 of this report.

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) Onshore Wind Spatial Framework (paragraphs 7.8 and 7.9). The Onshore Wind Spatial Framework is aligned to increasing energy efficiency and reducing carbon emissions. Diagram 6 identifies areas within the city region that are likely to be most appropriate for onshore wind farm development. Policy 10 Onshore Energy requires proposals to accord with local development plans.
- 3.2.2 On 17 August 2020, the Directorate for Planning and Environmental Appeals issued its report of the Examination of South Lanarkshire Local Development Plan 2 2021 (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. SLLDP2 was formally adopted on 9 April 2021 and now supersedes the former Local Development Plan. For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the newly adopted SLLDP2.

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

Volume 1

- Policy 1 Spatial Strategy
- Policy 2 Climate Change
- Policy 14 Natural and Historic Environment
- Policy 15 Travel and Transport
- Policy 16 Water Environment and Flooding
- Policy 18 Renewable Energy

Volume 2

- SDCC2 Flood Risk
- NHE2 Archaeological Sites and Monuments
- NHE3 Listed Buildings
- NHE4 Gardens and Designed Landscapes
- NHE5 Historic Battlefields
- NHE6 Conservation Areas
- NHE8 National Nature Reserves and Sites of Special Scientific Interests
- NHE9 Protected Species
- NHE11 Peatland and Carbon Rich Soils
- NHE12 Water Environment and Biodiversity
- NHE16 Landscape
- NHE18 Walking, Cycling and Riding Routes
- NHE20 Biodiversity
- RE1 Renewable Energy

Supporting Planning Guidance: Renewable Energy

- 3.2.5 All these policies and guidance are examined in the assessment and conclusions section of this report. It should be noted that, given SLLDP2 is now the Council's most up to date policy position, it is the principle material consideration for the Council when assessing applications of this nature under Section 36 of the Electricity Act.

3.3 **Planning Background**

- 3.3.1 The current application site benefits from an extant consent (ECU Ref: EC00003124) under Section 36 of the Electricity Act for a development comprising 17 wind turbines at a height of 132m to tip (hereon referred to as the Original Consent). This Original Consent has not been commenced yet but is extant for a further 2 years (October 2023) to be implemented. The Original Consent could not be constructed if these current proposals are also consented. The Original Consent has a generating capacity of 68MW over a 25 year period.
- 3.3.2 As with these current proposals, the Original Consent is located within the Administrative Boundary of both South Lanarkshire Council and West Lothian Council. The Planning Committee of 29 November 2016 (SLC Planning Ref: CL/16/0049) agreed to a consultation response to the ECU of no objection subject to conditions.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management)** – no objection subject to conditions requiring the further approval of a Traffic Management Plan, site security gate, wheelwashing facility and site entrance hardstanding, parking provision, site signage, an Abnormal Load Route Assessment, details of any material leaving the site and a full Safety Audit. The Traffic Management Plan is to be written following

consultation with the Council's Roads and Transportation Services, Police Scotland and the Council's Access Officer and shall also include a Travel Plan. A Section 96 legal agreement is also required as part of any consent.

Response: Noted, any consultation response to the Scottish Government stating no objection would recommend the above conditions to be attached to any consent, if issued. The Section 96 legal agreement would be encapsulated within the heads of terms of the legal agreement that forms part of the recommendation.

- 4.2 **Countryside and Greenspace** – no objection to the proposals but note that there is no mention of measures to ensure that any temporary storage of peat is not done in a way to ensure that it would not dry out or for structure loss. Welcome the proposed Habitat Management Plan (HMP) and expect to review it once completed.

Response: Noted and further approval of peat management and the HMP form conditions within the recommendation made as part of the response to the Scottish Government.

- 4.3 **West of Scotland Archaeology Service (WOSAS)** – agree with the methodology and conclusions set out within the Cultural Heritage Chapter of the Environmental Impact Assessment (EIA) Report

Response: Noted, any consultation response to the Scottish Government stating no objection would be predicated on the basis of conditions requiring the implementation of all mitigation measures as set out within the EIA Report.

- 4.4 **Environmental Services** – have no objections to the proposals subject to noise limits being placed on the proposals to protect the amenity of residential properties in the area. The limits are based on the Noise Assessment carried out within the applicant's EIA Report and are, therefore, considered achievable throughout the lifetime of the wind farm.

Response: Noted and the recommended conditions relating to noise levels form part of the recommendation to the Scottish Government.

- 4.5 The following consultees had no comments to make on the proposals:-

Carluke Community Council
Tarbrax Community Council
Roads Flood Risk Team
Roads Transportation Services Bridges Structures Section
Community and Enterprise Resources Community Contributions

5 Representation(s)

- 5.1 Statutory advertisement of the application was undertaken by the applicant in February 2021.
- 5.2 No letters of representation have been received by the Council following this advertisement.

6 Assessment and Conclusions

- 6.1 This application has been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 as it is development comprising a wind farm with a generating capacity of over 50MW. In this instance, South Lanarkshire Council is a Consultee to the application process and is not the Consenting Authority. 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 instance, the application is made under the Electricity Act 1989 and not the Planning Act and, therefore, the Development Plan does not have

the primacy it normally would for planning decisions but it is still an important material consideration in this instance and forms the basis for the Council's assessment and consultation response. In addition, the principle of windfarm development in this location has been established by the earlier consent issued by the Scottish Government.

- 6.2 In terms of National Planning Policy and Guidance, NPF3 notes in paragraph 3.8 that the Government seeks to meet at least 30% of overall energy demand from renewables by 2020.
- 6.3 The Scottish Government's Onshore Wind Policy Statement (December 2017) sets out the considered views of Scottish Ministers, following consultation, with regard to onshore wind energy and how renewable technology continues to evolve. Paragraph 25 acknowledges "the way in which wind turbine technology and design is evolving, and fully supports the delivery of large wind turbines in landscapes judged to be capable of accommodating them without significant adverse impacts".
- 6.4 SPP Policy Principles (page 9) states that "This SPP introduces a presumption in favour of sustainable development". At paragraph 28, SPP states that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost." The SPP also identifies a number of considerations to be taken into account when determining energy infrastructure developments including net economic benefit, the contribution to renewable energy targets, cumulative impacts, visual impacts, residential amenity, and landscape and visual impacts (paragraph 169).
- 6.5 It is considered appropriate to set out an assessment of the proposal against the current SPP. The preparation of a Spatial Framework requires the approach set out in Table 1 of the SPP to be followed. This categorises areas into their distinct groups. In Group 1 areas (National Parks and National Scenic Areas), wind farms will not be acceptable. Group 2 is used to identify areas of significant protection. This includes areas described as 'community separation for consideration of visual impact' and is relevant to this proposal. SPP indicates that this represents an area not exceeding 2km around settlements. This distance, however, is to be determined by the planning authority based on landform and other features which restrict views out from the settlement. In this instance, there is one settlement within 2km of the site. The settlement of Wilsontown is 1.9km from the nearest turbine, although it is considered that, given the distance is only 0.1km off the 2km threshold and Wilsontown is over 2km away from the other 13 turbines that, in this instance, it can be considered appropriate to not limit the application site to this Group 2 category of protection solely. Group 3 identifies 'areas with potential for wind farm development'. These are described as locations in which the acceptability of wind farms is subject to detailed consideration against criteria and SPP sets out 19 considerations to be taken into account when assessing wind farm developments. These include landscape and visual impact, cumulative impact, net economic impact and contribution of the development to renewable energy generation targets. These considerations are fully assessed below at sections 6.6 onwards of this report. Paragraph 170 of SPP states that "Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities." Taking into account the above and for the reasons set out in sections 6.6 onwards, it is considered the proposed development accords with SPP.

- 6.6 The proposed development requires to be considered against the approved Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP) Onshore Wind Spatial Framework (paragraphs 7.8 and 7.9). The Onshore Wind Spatial Framework is aligned to increasing energy efficiency and reducing carbon emissions; Diagram 6 identifies areas within the city region that are likely to be most appropriate for onshore wind farm development. The methodology used in devising the Onshore Wind Spatial Framework is set out in Part Two of Background Report 10 Low and Zero Carbon Generating Technologies. At section 15.10, the background report acknowledges that wind turbine development is likely to be acceptable subject to detailed consideration against local policy criteria and that potential wind farm development should not be viewed in isolation. It goes on to state that developers and interested parties must refer to any local guidance made available by the local planning authority including local development plans and supplementary guidance, and landscape capacity studies. Policy 10 Onshore Energy of GCVSDP requires proposals to accord with local development plans. With regard to this proposal, it is noted that the South Lanarkshire portion of the site is located within the Areas with Potential for Wind Farm Development identified in Diagram 6 of Clydeplan. The proposed development by its nature contributes to developing low carbon energy. The visual, landscape and cumulative impact of the proposal is assessed below and concludes that there would not be an adverse effect. Consequently, it is considered that the proposal accords with Policy 10 of Clydeplan.
- 6.7 Turning to local planning policy in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2), the overall strategic vision is 'to promote the continued growth and regeneration of South Lanarkshire by seeking sustainable economic and social development within a low carbon economy whilst protecting and enhancing the environment.' Policy 1 Spatial Strategy states, inter alia, that supporting renewable energy developments in appropriate locations is one of a number of ways the strategic vision of the Plan will be met. Given the extant consent for windfarm development at this location it is considered that, in principle, a scheme of 14 turbines with a capacity of 80MW accords with this strategic vision subject to a detailed assessment of the proposal in relation to policy specific criteria as carried out below.
- 6.8 Policy 2: Climate Change, seeks to minimise and mitigate against the effects of climate change by a number of criteria. Not all of the criteria are relevant and those that are include (3) utilising renewable energy sources; (6) having no significant adverse impacts on the water and soils environment, air quality, biodiversity (including Natura 2000 sites and protected species), blue / green networks and identify opportunities for enhancement of the natural heritage; and (13) avoid or minimise disturbance of carbon-rich soils. The proposed wind farm proposals would have a generating capacity of some 80MW together with the potential for additional battery storage capacity and, therefore, in line with Government targets on renewable energy generation, it is considered that the proposal complies with Policy 2 subject to a detailed assessment of the proposals in relation to the specific criteria (6 and 13). This is addressed further under the criteria specific policies as below.
- 6.9 Policy 4: Green Belt and Rural Area states that the Green Belt and rural area functions primarily for agricultural, forestry, recreation and other uses appropriate for the countryside. Policy 4 does not specify renewable energy as a specific use in the countryside but supports development that cannot be accommodated within an urban settlement. It is considered that, this scale of renewable energy would be a form of development that could not be accommodated within an urban settlement and is, therefore, an appropriate rural use. Policy 4 further states that the scale of renewable energy will be governed by considerations set out in Policy 18 – Renewable Energy.

It is, therefore, considered that subject to a successful assessment against Policy 18, the proposals are not contrary to the strategic aims of Policy 4.

- 6.10 Policy 18: Renewable Energy states applications for renewable energy infrastructure developments will be supported subject to an assessment against the principles set out in the 2014 SPP, in particular, the considerations set out at paragraph 169 and, additionally, for onshore wind developments of 15 metres or greater in height, the terms of Table 7.2 of SLLDP2. Table 7.2 sets out the Spatial Framework for Wind Energy and applies to all wind energy developments of 15 metres or greater in height. The spatial framework identifies those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities. It sets out three groupings in relation to wind energy development. These are as follows:-
- Group 1: Areas where wind farms will not be acceptable
 - Group 2: Areas of significant protection
 - Group 3: Areas with potential for wind farm development
- 6.11 Group 1 areas comprise of National Parks and National Scenic Areas (NSA). There are no National Parks or NSA that will be affected by the proposed development and, therefore, the proposals are not located within a group 1 area.
- 6.12 Group 2 Areas of significant protection; SPP and SG10 recognise the need for significant protection of particular areas which include:-
- National and international designations
 - Other nationally important mapped environmental interests
 - Community separation for consideration of visual impact
- 6.13 Group 2 area interests also apply to other policy criteria in relation to the natural and built environment. In relation to this, a full assessment of all international, national and local designated assets is, therefore, carried out in relation to Policy 14 below and includes assets such as listed buildings and the water environment which are not classed as Group 2 Areas of significant protection in the spatial framework for onshore wind but are, however, detailed policy considerations.
- 6.14 Policy 14: Natural and Historic Environment and its associated SLLDP2 Volume 2 Natural and Historic Environment (NHE) policies provide the context for assessing all development proposals in terms of their effect on the character and amenity of the natural and built environment. It seeks to protect important natural and historic sites and features as listed in Table 6.1 of the SLLDP2 from adverse impacts resulting from development, including cumulative impacts. The policy categorises each of the natural and historic environment designations within three distinct groups and are assessed in turn below.
- 6.15 Category 1 areas are international designations and include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (Natura 2000 sites). Policy 14 states that development will only be permitted where an appropriate assessment of the proposal demonstrates that it will not adversely affect the integrity of the site following the implementation of any mitigation measures. The application site is not located within any SPA or SACs. There are no SPAs within 10km of the application site. Braehead Moss SAC is located 3.1km south of the application site. The qualifying interests of this SAC is for its active raised bogs and not for any habitat provision for protected species. It is, therefore, considered that a separation distance of 3.1km would ensure that the proposals would have no impact upon this bogland.

- 6.16 Policy 14 states that in Category 2 (National Designation) areas, development will be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised following the implementation of any mitigation measures. Any significant adverse effects must be clearly outweighed by social or economic benefits of national importance. The Category 2 national designations are considered in turn below taking account of further policy criteria provided in the NHE Policies within SLLDP2 Volume 2.
- 6.17 National Designations include several historical assets and they are set out below in relation to their own specific policy:-
- Policy NHE 2 Archaeological Sites and Monuments states that developments which have an adverse effect on scheduled monuments, or their settings, shall not be permitted unless there are exceptional circumstances
 - Policy NHE 3 Listed buildings requires that development affecting a listed building or its setting must seek to prevent unnecessary loss or damage to its historic structure and not diminish its interest
 - Policy NHE 4 Gardens and designed landscapes aims to protect the quality and historic integrity of designed landscapes and avoid damage to their special character
 - Policy NHE 5 Historic battlefields requires development to take cognisance of the battlefield and demonstrate how the development will protect, conserve or, where appropriate, enhance the key landscape characteristics and special qualities of the site
- 6.18 There are no listed buildings, Inventory Gardens and Designed Landscapes (GDL) or Historic Battlefields within the application site. There is one Scheduled Monument (Wilsontown Ironworks) which is located on the south western fringe of the application site. The turbines have been designed to be stepped as far away from this Scheduled Monument to minimise any impact they may have on the integrity of this historic asset. It is considered that, whilst there may be a visual impact on the setting of this Scheduled Monument, it would not be to a degree that would significantly impact the integrity of the setting of the Ironworks. West of Scotland Archaeological Services (WoSAS) have not raised any objections in relation to this, or any other historic asset as part of their consultation response. It is, therefore, considered that the positioning of the turbines doesn't have an adverse impact on the scheduled monument. There are thirty three other Scheduled Monuments within 10km of the proposed development but only five are located within 5km of the proposed development and as with Wilsontown Ironworks, it is considered that the proposals would not have a significantly detrimental impact upon their integrity. There are no A Listed buildings or Garden and Designed Landscapes within 5km of the application site. It is considered that the proposals are located within a commercial forest that separates and, therefore, differentiates them from the setting of any of these historic assets. It is, therefore, considered that the proposals accord with the relevant policy criteria in policies NHE 2 - 5 in this instance. It should be noted that, Historic Environment Scotland are also a consultee to this application and have provided a response of no objection to the Scottish Government in relation to the proposals impact in relation to national, historic assets.
- 6.19 The remaining, relevant national designations within Policy 14 Category 2 are Sites of Special Scientific Interest (SSSI), priority peatland and the Water Environment.

- 6.20 Policy NHE 8 states that development which affects a Site of Special Scientific Interest (SSSI) / National Nature Reserve will only be permitted where an appraisal has demonstrated a) the objectives of designation and the overall integrity of the area will not be compromised or b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
- 6.21 Braehead Moss SSSI is located 3.1km to the south of the application site. As well as being an SSSI, it is also a SAC and, as noted in 6.15 above, it is considered that the proposals would not have any impact on the qualifying interest of this site that is designated for its active bog rather than for any protected species.
- 6.22 Cobbinshaw Moss SSSI is located 3.3km east of the application site and similar to Braehead Moss is designated due to its blanket bog and, therefore, it is considered to also be at an adequate distance from the application site. Skolie Burn SSSI in West Lothian is 2.4km north east of the application site and is designated for its grassland. It is not considered likely that the proposals would impact upon the SSSI but given it is fully in West Lothian Council's administrative boundary, any detailed assessment would not be required by South Lanarkshire Council.
- 6.23 Cobbinshaw Reservoir SSSI is located 2km east of the application site and is designated for its open water transition fen that is popular with wildfowl. It is considered that, given the type of bird species found at this site and the separation distance of 2km with intervening woodland there is no likely notable environmental connection between this SSSI and the application site. It is also noted that the RSPB has responded with a response of no objection to the proposals. Nature Scot will also be providing a response with further detailed advice on ornithological and ecological matters. The Original Consent was also not considered to have any impact or environmental connection to this SSSI.
- 6.24 Policy NHE11 Peatland and Carbon Rich Soils seeks to protect peatland from adverse impacts resulting from development. Peat probing surveys have been carried out across the site with the majority of the site (79%) recording peat depths of under a metre. The turbine layout has been designed that all turbines are located on areas where peat is under a metre. The only turbine that could not be located on shallow peat was T3. It is considered that, given only one turbine would be located within peat over a depth of a metre there is not a significant impact upon the peatland. A Peatland Management Plan is proposed, if approval is granted and this forms one of the recommended conditions as part of the consultation response. It should be noted that, both SEPA and Nature Scot are separate consultees to this Section 36 application and as part of their responses to the Scottish Government, peat management would be addressed.
- 6.25 Policy NHE12 Water Environment and Biodiversity states development proposals should protect and where possible, enhance the water environment. This Policy should also be read in tandem with Policy 16 Water Environment and Flooding and Volume 2 Policy SDCC2 Flood Risk. These Policies state that any development proposal which will have a significant adverse impact on the water environment will not be permitted. The water environment is made up of groundwater, surface water and watercourses. The EIA Report contains a chapter on hydrology and hydrogeology that concludes that the proposals will have a minimal impact upon the water environment. Mitigation measures are proposed to further minimise the development's impact and this includes following a Water and Construction Environmental Management Plan (WCEMP) to ensure no oils or other potential pollutants during the construction phase are spilled and enter watercourses. Other mitigation includes surface draining for the areas of

hardstanding to direct surface water into the surrounding water table. The application area is not identified as being at the risk of flooding. It is considered that the proposals will have a limited impact upon the water environment and that the mitigation measures proposed are suitable. It should also be noted that, separately, SEPA will be providing further detailed advice on the water environment to the Scottish Government in their consultation response.

- 6.26 In terms of category 3 areas, Policy 14 sets out natural and historic assets at a local level and these are taken in turn below.
- 6.27 In relation to Non-Scheduled archaeological sites, Category B and C Listed Buildings and Conservation Areas, the relevant policy criteria is as follows:-
- Policy NHE 2 in relation to non-scheduled archaeological sites and monuments requires these assets to be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications.
 - Policy NHE 3 Listed buildings requires that development affecting a listed building or its setting must seek to prevent unnecessary loss or damage to its historic structure and ensure that proposals will not diminish its interest.
 - Policy NHE 6 Conservation Areas requires proposals to be considered in light of their effect on the character and appearance of the conservation area.
- 6.28 As noted in 6.18, it is considered that the proposals would not have any impact on A listed buildings. In relation to B and C category listed buildings, again there are none within the application site. There are seven B listed buildings and one C listed building within 5km of the proposed development. The nearest ones, Cleugh House (C Listed) and the Dovecot at Cleugh House (B Listed), are 1.4km and 1.3km respectively south of the application site. This distance from the proposed application site is considered adequate in ensuring that the setting of these, or any of the other more distant historic assets, are not adversely affected by the proposals. The Carnwath Conservation Area is approximately 9.5km from the site and it is, again, considered that this distance from the proposed turbines would ensure there is no impact on this conservation area.
- 6.29 In relation to non-scheduled archaeological sites, a desk-based assessment has been carried out which identifies 29 non-designated heritage assets within the boundary of the application site. The majority of these relate to past agricultural activity or mining within the area and that they would be of low archaeological interest. Two, however, do relate to prehistoric flint finds and, therefore, there is potential for the area to produce archaeological material relating to this period of pre-history but that it is moderately low given the sites use for commercial forestry and, therefore, there is no proposed archaeological mitigation for the site with the exception of ensuring that one of the on-site heritage features, a former mine shaft, which is located near the proposed location of T2 will be protected from development when constructing this turbine. WoSAS are content with this mitigation and had no further comments or recommendations to make.
- 6.30 Policy 14 includes Special Landscape Areas within its category 3 (Local designations). Volume 2 Policy NHE16 Landscape requires development to maintain and enhance SLAs and the wider landscape. The Pentlands Hills and Black Mount SLA is the nearest designated landscape to the application site and lies within 10km east of the site boundary. This SLA is designated for its wild, undeveloped character and its panoramic views over central Scotland as well as the setting the (Pentland Hills) hills provide in views from elsewhere, the dramatic topography in contrast with the lower-

lying surroundings and their opportunities for recreation. It is considered that the proposals are adequately separated from this SLA so as not to affect these designated characteristics. Whilst the proposed development would be visible from this SLA, it would be read in the context of other development, including wind farms and urban settlements. The proposed turbines would not be of a scale that they would impinge on the apparent wildness of this SLA and again there would be an adequate separation to ensure they would not be visually linked to the SLA. A Landscape and Visual Impact Assessment (LVIA) was carried out for the proposals and formed part of the EIA Report. The SLA has been recognised in the LVIA and taken into consideration when assessing the sensitivity of the landscape character and visual amenity. The LVIA considers that the proposals whilst being visible from the SLA would not encroach upon the character of the SLA. It is, therefore, considered that the integrity of the SLA's character is not compromised by the wind farm development and the special nature of the valley is maintained. Further landscape and visual impact assessment is carried out in further detail below.

- 6.31 The remaining relevant category 3 interests are core paths and Rights of Way. Policy NHE18 Walking, Cycling and Riding Routes requires the safeguarding of existing and proposed routes within the Council's Core Paths Plan. The EIA Report states that developing a public access strategy for the site to allow recreational access through the site is one of the environmental commitments of the scheme. The proposals do not affect any core paths or right of ways during operation and any walking routes will be diverted during the construction period for health and safety. It is, therefore, considered that the proposals are acceptable in relation to public access. A condition requiring approval of an Access Management Plan forms part of the recommended response to the Scottish Government.
- 6.32 Whilst not specifically included in categories 1, 2 or 3, protected species are a natural asset within the Policy 14 criteria. Policy NHE9 further supports Policy 14 by stating that new development must demonstrate that it would not have an adverse impact upon protected species. Policy NHE20 expands on this theme by expecting new development to not have an adverse impact upon the biodiversity of an area and should consider opportunities to contribute positively to biodiversity conservation and enhancement.
- 6.33 Protected species surveys have been carried out as part of the EIA Report which state that the development would not have a significant impact upon protected species and habitats. The majority of the habitat is commercial forestry and is, therefore, considered to be of low conservation value. The EIA Report does recommend a Habitat Management Plan be implemented as part of the proposals. It is considered that, whilst the habitat within the application site is relatively poor in ecological terms, there are always potential habitat enhancement measures that can be implemented as part of the scheme and it is expected that these would form part of any subsequent Habitat Management Plan.
- 6.34 It is therefore considered that, following the above consideration in relation to designations, that the proposals meet the relevant policy criteria in this instance. As noted at 6.10 above, Policy 18 Renewable Energy sets out a spatial framework for Wind Energy. In this instance, in view of the assessment from 6.12 onwards in relation to national and international designations it is considered that, whilst located in proximity to some of these designations, they are not considered to have a detrimental impact upon them. Overall, therefore, it is concluded the aims of Policy 14 are met.

- 6.35 The final qualifying criteria of being located within a Group 2 categorisation (Areas of Significant Protection) is applicable only if proposals are located within 2km of any city, town or village. Whilst the settlement of Wilsontown is within 2km of the application boundary this relates to the red line boundary for the whole site. In reality, Wilsontown is only located within 2km of one of the proposed turbines and at a distance of 1.9km from it. Given that thirteen of the fourteen turbines are outwith 2km of Wilsontown with one only being 0.1km off this threshold it is, therefore, considered that the application site is generally located within a Group 3 (Areas with potential for wind farm development) categorisation that the spatial framework states wind farms are likely to be acceptable subject to detailed consideration against identified policy criteria.
- 6.36 Policy 18 is an overarching renewable policy and, therefore, defers the detailed, development management consideration to the Assessment Checklist for Renewable Energy Proposals contained within SLLDP2 Volume 2. Volume 2 Policy RE1 Renewable Energy outlines the considerations, criteria and guidance that must be taken into account for all renewable energy proposals. These are the Assessment Checklist contained with Appendix 1 of SLLDP 2, Volume 2, the Supporting Planning Guidance on Renewable Energy, the South Lanarkshire Landscape capacity for wind energy 2016 (as amended by the Tall Wind Turbines Guidance 2019) and other relevant SLLDP2 Policies. All the RE1 above referenced criteria and guidance have been included in the following Assessment Checklist and are referenced where appropriate. As previously noted, the Council is only a consultee in the assessment of this application and, therefore, only the relevant criteria is assessed. Other criteria that relate to the remit of other consultees such as the Civil Aviation Authority, Ministry of Defence etc, therefore, do not form part of this assessment as they will be providing their own responses to the Scottish Government.
- 6.37 The relevant SLLDP2 Volume 2 Appendix criteria are taken in turn as follows:-
- 6.38 Impact on international and national designations.
National and international designations have been previously assessed at paragraphs 6.12 to 6.34 and it is considered that there are no adverse effects on national and international designations.
- 6.39 Impact on carbon rich soils, deep peat and priority peatland habitat (CPP).
This has previously been assessed in paragraph 6.24.
- 6.40 Community separation for consideration of visual impact.
As noted in 6.35 there is one turbine within 1.9km of a community. The visual impact of the turbines is assessed as part of the landscape and visual impact assessment in paragraphs 6.45 to 6.54 below.
- 6.41 Economic benefits.
This includes local and community socio-economic benefits such as employment, associated business and supply chain opportunities. Section 16 of the EIA Report presents an assessment of the socio-economic impact of the proposed development. It concludes that the proposed development has the opportunity to deliver a range of positive economic impacts through construction and operation. Reference is also made to the making of community benefit payments based on electricity generated if the wind farm becomes operational.
- 6.42 The scale of contribution to renewable energy generation targets and effects on greenhouse gas emissions.
It is considered that, the generating capacity of the proposed wind farm (80MW) with potential additional battery storage represents a significant renewable energy project

which would contribute to Scotland's renewable energy targets. It is noted that, the current proposals would have an increase in generating capacity of 12MW more than the Original Consent.

6.43 Effect on the natural heritage, including birds - Table 7 criteria 7a) South Lanarkshire Local Biodiversity Strategy, Local nature conservation designations, bird sensitivity, protected species and bats.

This consideration has been carried out at 6.32 to 6.33 above. It is considered that, subject to the mitigation described in the EIA and the implementation of a Habitat Management Plan, the proposed development accords with the consideration set out in Table 7.1 criteria 7 a) of the Checklist and SPP regarding effects on the natural heritage, including birds. Nature Scot will also be providing detailed advice on protected species and ornithology as part of their consultation response.

6.44 Effect on the natural heritage, including birds – Table 7 criteria 7b) Habitat Management Plans (HMP).

As noted above, it is considered appropriate to recommend the implementation of a HMP as part of any consent.

6.45 Landscape and visual impacts

It is considered that landscape designations, character and capacity are key considerations in considering the impact of wind farm and wind turbine proposals. The Council's landscape technical studies provide a comprehensive baseline for the assessment of wind farm and wind turbine proposals in South Lanarkshire. First, the impact on landscape designation and character, and the capacity of the landscape to accommodate the proposed development is assessed below. Landscape impact is in essence an assessment of whether a landscape and its character is susceptible to development or not. Secondly, the visual impact is assessed followed by the impact on visual residential amenity. Visual impact is therefore, in essence, a development's impact in relation to how it impacts upon receptors. SPP makes reference to wild land which is a consideration when assessing landscape impacts. There are no areas of designated wild land within South Lanarkshire. A Landscape and Visual Impact Assessment was carried out and submitted within Chapter 6 of the EIA Report. The landscape and visual assessment also takes into account cumulative impacts in terms of other neighbouring wind farm developments.

6.46 The application site is located within the Plateau Moorland Landscape Character Type (LCT) and specifically the Plateau Moorland Forestry subtype of this LCT, as defined in the South Lanarkshire Landscape Character Assessment 2010 (LCA). The key characteristics of the Plateau Moorland LCT are its large scale, undulating upland landscape. The Plateau Moorland Forestry subtype's key characteristic in relation to its distinction from Plateau Moorland is that it is a landscape influenced by the presence of forestry. South Lanarkshire's Landscape Capacity for Wind Turbines 2016 provides guidance on the individual and cumulative landscape impact of wind farm and wind turbine developments in the moorlands.

6.47 The Plateau Moorland and its subtype's are landscapes characterised by large areas with a wide horizontal scale with uniform land cover and few obvious scale indicators except for wind farms. As the area is close to settlements with existing lighting from roads, traffic and houses there is a limited feeling of wildness. This limited feeling of wildness, therefore, allows the area to be suitable for wind farm development as it is not a blank landscape. The wideness of the landscape allows it to be able to accommodate large scale wind farm developments without it being overpowering.

- 6.48 The application site is located within an area that is identified as having high capacity for wind turbines at a scale of 150m to 250m within the Tall Turbine Addendum, 2019 to the South Lanarkshire Landscape Capacity Study (hereon referred to as the Addendum).
- 6.49 This Addendum seeks to inform developers of areas within South Lanarkshire where turbines over 150 metres may be appropriate. It identifies areas into 4 categories of capacity, High, Medium, Low and None. It should be noted that, the majority of South Lanarkshire is identified as None in relation to capacity. The capacity study is a high level, strategic document and whilst trying to inform developers of the more suitable locations, each site's context and the nature of the proposals have to be fully taken into account when making assessments. The Addendum also contains further, more LCT specific advice to again help inform developers in relation to siting tall turbines. The Addendum provides guidance for siting turbines of 150 to 200 metres in the Plateau Moorland LCT (and its forestry subtype). It states that, due to the LCT's large area and wide horizontal landscape it is capable of absorbing large scale wind development. The Addendum notes that all the areas in the LCT suitable for large scale wind farm development already host substantial wind energy developments and new proposals could, therefore, be read as extensions to existing wind farms on the central plateau. It is considered that, in this instance, the Original Consent would have been one of the existing wind farm developments considered as existing in the Addendum as it had been consented at the time of the Addendum's analysis. Therefore, the Original Consent site is effectively a gap site in relation to assessing whether an amended scheme could in effect replace this wind farm. It is considered that the site is therefore one where large-scale wind turbines could sit comfortably without appearing to be a continuous extension of any other wind farm development as well as being in a landscape that has the capacity for heights of 150 and 180 metres.
- 6.50 It is also considered that the turbines would rise out of the existing forestry which would initially soften their appearance on the landscape at a low level. Whilst the current forestry is not permanent as it will mature and be felled, it is unlikely that the land would be used for anything other than forestry and, therefore, another cycle of trees would be planted which would again start to provide this softening effect over the long term.
- 6.51 Due to height the turbines would require aviation lighting. An assessment of the lighting was included as part of the LVIA and a lighting scheme is proposed within Chapter 14 Aviation and Telecommunications of the EIA Report. It is considered that proposals are not introducing night time lighting into an area designated as being a 'dark sky' landscape and the nearby urban settlements and roads already introduce lighting into the wider area as do neighbouring wind farms. Therefore, it is considered that the proposed lighting would not be detrimental to the surrounding area and its requirement for aviation safety would balance any minimal, additional visual impact the lighting may have on the area.
- 6.52 In terms of other cumulative visual impacts, it is considered that the design of the proposals and the scale of the turbines would minimise them looking out of place in relation to the other turbine proposals in the area but with adequate separation from them to ensure they are not read in tandem with neighbouring wind farms to ensure there is not a large visible barrier of wind development within the landscape.
- 6.53 As part of the LVIA carried out within the EIA Report, a Residential Visual Amenity Study (RVAS) was included. The RVAS identified 61 individual properties within 2km of the proposed turbines. Of the 61 properties, 45 properties were assessed as experiencing low or lower magnitude of change from the proposals which in essence results in these properties experiencing no potential for "living conditions" to be

affected and therefore these properties have been removed from any further RVAS. The remaining 16 properties have been assessed as having medium or higher magnitude of change from the proposals. Each property has been individually assessed in relation to the significance of this potential magnitude of change and it is considered that all 16 properties, whilst experiencing a magnitude of change from the proposed turbines it would not be of a significance that would impact on “living conditions”. The nearest property to the turbines is 1.1km away and this separation distance is considered adequate in ensuring that whilst there may be a change in views, the properties outlooks are not adversely affected and dominated by the turbines. The turbines would also be located within an area with existing wind farm development and would, therefore, not involve the introduction of this form of development on the visual landscape. The spacing of the turbines also ensures that they do not form a visual barrier. It is, therefore, considered that the distance between communities is acceptable in this instance and that, whilst the turbines would have a visual impact, it is one that is not of a significance to be considered detrimental to the visual amenity of the area.

6.54 Impacts on communities and individual dwellings, including visual impact, noise and shadow flicker.

The impact of the proposed development on communities and individual dwellings requires to be assessed in relation to criteria 10 of the Assessment Checklist. Criteria 10 contains 3 considerations which are residential visual amenity, noise and shadow flicker. It is considered that residential visual amenity has been assessed in paragraph 6.53 above.

6.55 The impact on communities and individual dwellings in respect to shadow flicker and noise require to be assessed. A full noise assessment has been submitted as part of the EIA Report (Chapter 13). The assessment demonstrates that acceptable noise emission limits can be met. Environmental Services raise no issues with the assessment and recommend that an appropriate condition can be attached which require the noise limits to be validated, if consent is granted to ensure the required levels are met. In addition, Environmental Services recommend as part of this condition a requirement of a procedure in the event of there being a noise complaint from the proposed development that requires addressing. Shadow flicker is assessed in Chapter 18 of the EIA Report. The shadow flicker analysis within this Chapter of the EIA report modelled potential shadow flicker based on 10 rotor diameters from each of the proposed turbines. Four receptors were located within the 10 rotor diameter study zone. The results of the flicker analysis showed there was only potential for one of these receptors to encounter shadow flicker. This receptor was assessed as likely to experience a worst case scenario of shadow flicker of 40 hours per year but as the sun does not shine all year round this is predicted as likely being an average of 14 hours a year. Environmental Services have not raised any concerns in relation to the shadow flicker assessment. It is, therefore, considered that there are no receptors affected to a detrimental degree by potential shadow flicker from the proposals.

6.56 Impact on Public Access.

This consideration has been assessed in 6.31 above.

6.57 Impacts on the historic environment.

This consideration has been assessed in 6.18 and 6.28 to 6.29 above.

6.58 Impacts on tourism and recreation.

The EIA Report assesses the likely effects of the proposals on tourism and recreation in Chapter 16. The assessment in the EIA Report concludes the proposed development would not generate any significant adverse effect on any of the tourist and recreational assets. There are a number of walking routes within the area, however, it is considered that due to the existing wind farms in the area that there is already a high expectancy for walkers or cyclists visiting the area to see a wind farm. Therefore, the proposals are not considered to be significant in this respect. Overall, the effects are considered not to be significant on tourism and recreation.

6.59 Impact on road traffic and on trunk roads.

The EIA Report in Chapter 12 provides an analysis of the proposals with respect to the potential impact it may have on the road network. The proposed route for turbine delivery from the King George V Dock in Glasgow is via the M8, then the A899 at Junction 3 Livingston, then the A71, A704, A706 and then direct into the site access. Roads and Transportation Services have no objections to the proposals subject to conditions as outlined within 4.1 above. These conditions form part of the recommended response to the Scottish Government.

6.60 Impacts on hydrology, water environment and flood risk

These considerations have been assessed in 6.25 above.

6.61 Decommissioning and restoration.

This consideration requires a plan for decommissioning and restoration of the proposed development to be robust, and any consent granted will require a decommissioning and restoration condition attached. The EIA Report sets out a brief summary of the decommissioning proposals which includes all components being removed from site and the top 1m of each turbine base would be removed and back filled with soil or peat. The tracks would remain in situ for use for forestry or recreation. It is, therefore, considered as part of any response to the Scottish Government that, if consent is granted, conditions shall be attached requiring that a decommissioning and restoration plan and to secure a decommissioning bond that satisfies the Council's requirements.

6.62 Energy storage.

The proposed development contains on site battery storage as part of the scheme which would allow for energy generation by the wind farm even when the grid has no capacity.

6.63 Site decommissioning and restoration bond.

As noted at paragraph 6.61 above, it would be a requirement of any consent that decommissioning and a restoration bond or financial guarantee should be put in place to meet all the expected costs of the proposed decommissioning and restoration phase. The bond or guarantee will have to satisfy the Council's criteria.

6.64 Forestry and woodland removal.

The majority of the site is a commercial forest that, therefore, has only a certain lifespan until being felled. To accommodate the turbines and their bases approximately 49.90ha of productive forestry will be removed of forestry and will require to be felled however, 49.90ha of offsite compensatory planting is proposed as part of the scheme. It is considered that the commercial nature of the forestry proposals are acceptable in this instance. It is also noted that Scottish Forestry will also be consulted by the Scottish Government as part of the proposals.

6.65 Impact on Prime Agricultural Land.

There is no Prime Agricultural Land within the application site.

6.66 Borrow pits.

Assessment Checklist Criteria 24 requires borrow pits associated with windfarms to comply with the requirements in paragraph 243 of SPP. Paragraph 243 of SPP states that borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries and that if they are acceptable, they should be restored following the construction period of the wind farm. Borrow pits are proposed for the construction of the wind farm. In this instance, the remoteness of the application site does add an economic and environmental cost to the project in terms of lorry distances. It is, therefore, considered that borrow pits would be acceptable in this instance. A condition requiring a restoration plan for any borrow pit would form part of any response to the Scottish Government.

6.67 Environmental Protection

Assessment Checklist Criteria 25 requires that all appropriate authorisations or licences under current environmental protection regimes must be obtained. Developers are required to ensure there is no impact on waste water and / or water assets which are above and / or underground in the area that may be affected by the proposed development. It is noted that SEPA will be providing a detailed consultation response to the Scottish Government including comments on Environmental Protection. The Council will, however, be responding requesting that a condition requiring the submission and approval by the Planning Authority, in consultation with SEPA and NatureScot, of a Construction Environmental Management Plan (CEMP) which includes a site specific Construction Method Statement, Site Waste Management Plan (SWMP), Pollution Prevention Plan and surface water management plan be attached to the consent, if granted.

6.68 Mitigation

Assessment Checklist Criteria 27 requires the developer to demonstrate that appropriate mitigation measures will be applied. As referenced throughout the report, the application was submitted with a robust EIA Report containing appropriate mitigation measures and environmental commitments (Chapter 19). The response to the Scottish Government will recommend the implementation of all the mitigation measures as outlined within Chapter 19 of the EIA.

6.69 Legal agreement

Assessment Checklist Criteria 28 requires, where appropriate, the Council to enter into a legal agreement to address matters that cannot be controlled by planning condition. In this instance, a legal agreement to secure a community benefit payment (as discussed in paragraph 6.72 below), wear and tear of the public road associated with the turbine delivery and the financial provision for a Planning Monitoring Officer will be required to be entered into if consent is granted.

6.70 Environmental Impact Assessment (EIA)

Assessment Checklist Criteria 29 requires all applications for all renewable energy developments which fall within the scope of the Environmental Assessment Legislation to be accompanied by an Environmental Statement. As noted, throughout Section 6 of this report, an Environmental Impact Assessment Report accompanied the Section 36 application submission.

6.71 It is, therefore, considered that the proposals meet the relevant Assessment Checklist Criteria and the relevant Policies of SLLDP2 where appropriate.

- 6.72 SPP states that, where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit. The applicant has confirmed that, should consent for the proposed development be granted and implemented, the applicant would provide a package of community benefit. The level of contribution is not a material consideration in the assessment of the application.

Conclusion

- 6.73 The proposals are for the erection of 11 wind turbines at a height of 180 metres to tip and 3 turbines at a height of 150 metres to tip height and associated infrastructure including battery storage with an electricity generating capacity of over 50MW and, therefore, the application has been made to the Scottish Government under Section 36 of the Electricity Act 1989. South Lanarkshire Council is a statutory consultee as part of a Section 36 application with 10 of the 14 turbines located within the Council's Administrative Boundary.
- 6.74 The application site has an extant consent for 17 turbines at 132m to tip height which would be replaced by the current proposals if consent is granted. The proposed turbines are considered suitable in terms of scale and siting in a landscape of this scale. The design and layout of the turbines and the separation distance and scale of the landscape minimise the visual impact the proposals may have on surrounding settlements and individual receptors. The proposed mitigation measures are considered appropriate subject to being conditioned to any permission. No objections have been received from the Council's consultees.
- 6.75 In view of the above, it is considered that the proposals accord with national, strategic and local planning policy on renewable energy development. It is, therefore, recommended that the Council in its consultation response does not object to the application subject to the conditions listed in the paper apart and the conclusion of a legal agreement to address the matters described on the front page of the report.

7 Reasons for Decision

- 7.1 The proposed seven, 180 metres to tip height and three, 150 metre turbines and associated infrastructure located within the Administrative Boundary of South Lanarkshire are considered acceptable; are not considered to have any significant, adverse impact within the surrounding area; and accord with National Policy and the relevant provisions of the Development Plan and allow a consultation response of no objection being made to the Scottish Government subject to the imposition of the attached, recommended environmental and transportation conditions.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Date: 18 May 2021

Previous References

- ◆ CL/16/0049

List of Background Papers

- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)

► Consultations

West of Scotland Archaeology Service	29.04.2021
Countryside and Greenspace	15.04.2021
Roads Development Management Team	08.03.2021
Environmental Services	23.04.2021

Contact for further information

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

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Conditions and reasons

01. Except as otherwise required by the terms of the section 36 consent and deemed planning permission, the Development shall be undertaken in accordance with the application and the accompanying Environmental Impact Assessment (EIA) Report including all Appendices, dated January 2021, including all mitigation and monitoring measures stated in it, and other documentation lodged in support of the application.

Reason: to ensure that the Development is carried out in accordance with the approved details.

02. No development shall commence unless and until full details of the proposed wind turbines (including, but not limited to, the power rating and sound power levels, the size, type, external finish and colour), any anemometry masts and all associated apparatus have been submitted to and approved in writing by the Planning Authority. The wind turbines shall be constructed and operated in accordance with the approved details and maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned. All wind turbine blades shall rotate in the same direction.

Reason: To ensure that the environmental impacts of the turbines forming part of the Development conform to the impacts assessed in the environmental statement and in the interests of the visual amenity of the area.

03. No development shall commence unless and until a scheme for the working and restoration of each borrow pit has been submitted to, and approved in writing by, the Planning Authority. The scheme shall include:

- (a) a detailed working method statement based on site survey information and ground investigations;
- (b) details of the handling of any overburden (including peat, soil and rock);
- (c) drainage measures, including measures to prevent surrounding areas of peatland, water dependant sensitive habitats and Ground Water Dependent Terrestrial Ecosystems (GWDTE) from drying out;
- (d) a programme of implementation of the works described in the scheme; and
- (e) details of the reinstatement, restoration and aftercare of the borrow pit(s) to be at the end of the construction period, including topographic surveys of pre-construction profiles and details of topographical surveys to be undertaken of the restored borrow pit profiles.

The approved scheme shall be implemented in full.

Reason: To ensure that excavation of materials from the borrow pit(s) is carried out in a manner that minimises the impact on road safety, amenity and the environment, and to secure the restoration of borrow pit(s) at the end of the construction period.

04. No blasting shall take place until such time as a blasting method statement has been submitted to and approved in writing by the Planning Authority.

The method statement shall include details of measures required to minimise the impact of blasting on residential and other noise-sensitive properties in the vicinity of the site. It shall also include the following measures:-

-Blasting shall be carried out using the best practicable means of ensuring that the resultant noise, vibration and air overpressure are minimised;

-Blasting techniques and instantaneous charge levels shall be employed such that the predicted peak particle velocity shall not exceed 6 mm/s in any plane in 95% of all blasts in any one month period, and no individual blast shall exceed a peak particle velocity of 12 mm/s as would be measured on the ground adjacent to any vibration-sensitive building;

-Under normal atmospheric conditions, the peak linear overpressure level shall not exceed 120dB as measured from any neighbouring noise sensitive premises;

-Within the constraints of safe practice, blasting shall be avoided under weather conditions which are likely to direct or focus the blast air overpressure towards neighbouring noise sensitive properties; and

-Blasting shall thereafter be carried out in accordance with the approved method statement, unless otherwise agreed in writing with the Planning Authority.

No blasting shall take place except between the following times:-

10.00 - 12.00 and 14.00 - 16.00-Mondays to Fridays and;
10.00 - 12.00 Saturdays.

For the avoidance of doubt, in any instance where a charge is set and it is expedient under HSE regulations to carry out the blast outwith these times the Council shall be alerted via email no later than 2 hours after the blast.

Reason: To ensure that blasting activity is carried out within defined timescales to control impact on amenity.

05. At least one month prior to the commencement of the development, a guarantee to cover all site restoration and aftercare liabilities imposed on the expiry of this consent will be submitted for the written approval of the planning authority. Such guarantee must:-

- i. be granted in favour of the planning authority
- ii. be granted by a bank or other institution which is of sound financial standing and capable of fulfilling the obligations under the guarantee;
- iii. be for an amount which covers the value of all site restoration and aftercare liabilities as determined by the planning authority at the commencement of development
- iv. contain provisions so that all the site restoration and aftercare liabilities as determined at the commencement of development shall be increased on each fifth anniversary of the date of this consent.
- v. come into effect on or before the date of commencement of development, and expire no earlier than 24 months after the end of the aftercare period.

No work shall begin at the site with the exception of preparatory felling until (1) written approval of the Planning Authority has been given to the terms of such guarantee and (2) thereafter the validly executed guarantee has been delivered to the planning authority.

In the event that the guarantee becomes invalid for any reason, no operations will be carried out on site until a replacement guarantee completed in accordance with the terms of this condition is lodged with the Planning Authority.

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

06. No development shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works ("ECoW") by the Company have been submitted to, and approved in writing by the Planning Authority. The terms of appointment shall:
- (a) impose a duty to monitor compliance with the ecological and hydrological commitments and mitigations measures provided in the EIA Report and other information lodged in support of the application, the Construction and Environmental Management Plan, the Habitat Management Plan approved;
 - (b) require the ECoW to report to the nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity;
 - (c) require the ECoW to submit a monthly report to the Planning Authority summarising works undertaken on site;
 - (d) require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW works at the earliest practical opportunity;
 - (e) Advising the Company on adequate protection of nature conservation interests on the site; and
 - (f) Directing the micro-siting and placement of the turbines and infrastructure. The ECoW shall be appointed on the approved terms throughout the period from Commencement of Development to completion of post construction restoration works.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the construction and restoration phases.

07. No later than eighteen months prior to decommissioning of the Development or the expiry of the section 36 consent (whichever is the earlier), details of the terms of appointment of an ECoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted for the written approval of the Planning Authority.

The ECoW shall be appointed on the approved terms throughout the decommissioning, restoration and aftercare phases of the Development.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the decommissioning, restoration and aftercare phases.

08. No development work shall commence until a Construction Environmental Management Plan (CEMP) including Peat Management Plan and Ground Water and Surface Water Monitoring Plan has been submitted to and approved by the Planning Authority in consultation with SEPA and Nature Scot. The CEMP shall be submitted a

minimum of 2 months prior to works commencing on site and shall incorporate "good practice" methods from the Scottish UK wind farm industry to ensure that environmental impacts are reduced and incorporate all the mitigation measures identified in the EIA Report and Appendices dated November 2020. Thereafter, all the measures described in the approved CEMP shall be implemented within the timescales set out. The method statement shall include the following:-

- a) A plan of the construction operations at an appropriate scale;
- b) A plan to an appropriate scale showing the location of any contractor's site compound and laydown areas required temporarily in connection with the construction of the development.
- c) Method of defining track route and location (track corridors should be pegged out 500 - 1000m in advance of operations);
- d) Track design approach
- e) Maps of tracks indicating double and single tracks and position of passing places.
- f) The full extent of anticipated track 'footprint(s)' including extent of supporting 'geogrid' below roadstone and cabling at the edges of the track
- g) Track construction: Floating track construction over peat >1m deep and gradients of 1:10 or less. Track construction for peat <1m deep, or on gradients of >1:10, cross slopes or other ground unsuitable for floating roads.
- h) Procedures to be followed when, during track construction, it becomes apparent that the chosen route is more unstable or sensitive than was previously concluded, including ceasing work until a solution is identified, informed with reference to advice from ECoW.
- i) Details of peat/soil stripping, storage and re-use. All soils stored on site shall be in accordance with BS3882 and SNH and SEPA guidance.
- j) A management plan for minimising the emission of dust from the construction and operation of the development.
- k) Specifying the means by which material to be used for the development is brought on site unless it has certification from a suitably UKAS accredited laboratory to confirm that the material is not contaminated.
- l) Compliance with the Council's Sustainable Drainage Systems (SuDs) design criteria guidance and inclusive sign off by the relevant parties carrying out the elements of work associated with the design criteria appendices 1 to 4.
- m) A coloured plan showing the sustainable drainage apparatus serving the application site together with the contact name and emergency telephone number of the party responsible for its future maintenance. Details of the future maintenance regime in accordance with the latest Construction Design and Management (CDM) Regulations is to be provided on this drawing.
- n) Peat Management Plan (PMP) - a PMP shall be submitted to and approved by the Planning Authority in consultation with SEPA and Nature Scot and thereafter all work will be carried out in accordance with the plan within the required timescales.
- o) A description of and measures to mitigate impact on surface water courses, hydrology, and private water supplies.
- p) Watercourse crossings should be kept to a minimum to ensure they do not adversely impact on natural flow pathways. These crossings shall be appropriately sized and overland flow routes shall be provided in the event of culvert blockage.
- q) Watercourse crossings should be kept to a minimum to ensure they do not adversely impact on natural flow pathways. These crossings shall be appropriately sized and overland flow routes shall be provided in the event of culvert blockage.

- r) Measures to be taken to ensure that the work does not cause mud, silt, or concrete to be washed away either during the construction stage or as a result of subsequent erosion. Where possible construction works shall avoid road construction during high periods of high rainfall.
- s) Timing and extent of any necessary re-instatement.
- t) Details of the site security gate, wheel wash facility and site entrance hard standing for the written approval of the Planning Authority. All work associated with construction of the access gate, access bell mouth (with associated abnormal load over run area) and wheel wash facility, vehicle parking on site for staff, visitors and deliveries to ensure that all vehicles can manoeuvre within the site and exit in forward gear shall be implemented on site prior to commencement of any internal site works. Details for wheel wash facility to maintain the public road network clear of any mineral/soils throughout the construction period.
- u) Best practice mitigation for pollution prevention and Forest and Water Guidelines published by the Forestry Commission.
- v) Ground Water and Surface Water Monitoring Plan shall be submitted to and approved by the Planning Authority in consultation with SEPA. All works require to be carried out by component qualified professional. The methodology of such monitoring including locations frequency, gathering of information of baseline levels, etc shall be submitted to the planning authority for approval prior to the commencement of works on site. Thereafter, the plan shall be implemented within the timescales set out to the satisfaction of the Planning Authority and the results of such monitoring shall be submitted to the planning authority on a 6 monthly basis, or on request.
- w) A monitoring plan shall be submitted to the planning authority setting out the steps that shall be taken to monitor the environmental effects of the development, including the effects on noise and dust, during the construction phase and the operational phase. The methodology of such monitoring including locations frequency, gathering of information on background levels, etc shall be submitted to the planning authority for approval prior to the commencement of works on site. Thereafter, the plan shall be implemented to the satisfaction of the Planning Authority and the results of such monitoring shall be submitted to the planning authority on a 6 monthly basis, or on request.
- x) a site waste management plan

Reason: To ensure compliance with all commitments made in the Environmental Statement and Supplementary Environmental Information and in order to retain effective planning control.

09. All construction work associated with the development must be carried out in accordance with the current BS 5228, 'Noise control on construction and open sites' and all audible construction activities shall be limited to:

Monday to Friday 7.00am to 7.00pm,
Saturday 7.00am to 1.00pm;

With no audible activity taking place on Sunday, local and national bank holiday. Outwith these periods, works at the site shall be limited to emergency works and dust suppression, unless otherwise approved in writing by the local planning authority. The local planning authority shall be informed in writing of emergency works within three working days of occurrence.

In relation to when borrow pits are operational as approved by condition 3, then the noise levels shall be restricted to 55dB LA eq (1hr) or background LA90 (1hr) + 10dBA, whichever is the lesser and any general construction noise, which is ongoing simultaneously with the Borrow Pit operation, shall be considered as Borrow Pit noise.

Reason: In the interests of local amenity.

10. No work shall start on site until a Traffic Management Plan (TMP) has been submitted for the written approval of the Council, as Planning and Roads Authority. The plans shall be produced in consultation with Roads & Transportation Services, Police Scotland and the Council's Access Officer. Proposals shall include signage at conflicts with the Council's Core Path and Wider Network and arrangements for maintenance of such signage. The plans shall also include but not be limited to:-
- a. The routing of all traffic associated with each phase of the Development (construction, operational and decommissioning) on the local road network. This shall provide the date when the access is no longer required other than for occasional intermittent use by light vans and cars.
 - b. Measures to ensure that the specified routes are adhered to, including monitoring procedures;
 - c. Details of all signage and lining arrangements to be put in place;
 - d. Provisions for emergency vehicle access;
 - e. Wheel washing facilities, site security gate, access hardstanding and bellmouth;
 - f. Site staff car parking;
 - e. Identification of a nominated person to whom any road safety issues can be referred;
 - f. access routes for any turbine erection crane; and
 - g. Details of monitoring and recording the vehicle movements and tonnage to and from site require to be submitted to the Planning Authority monthly or on request.
 - h. Travel Plan

Following approval, the TMP shall be implemented as approved for the lifetime of the consent, hereby approved, unless otherwise agreed in writing by the Council.

Reason: In the interests of road safety.

11. That prior to commencement of works on site the applicant shall submit, for the written approval of the Council as Planning Authority, an Abnormal Load Route Assessment. For the avoidance of doubt this should include proposals for a trial run of abnormal load deliveries. Details of all works and modifications to the Council's local road network associated with this Abnormal Local Route Assessment shall also be submitted for the written approval of the Council as Planning Authority. Following approval of the Abnormal Load Route Assessment and details of any required, associated works, these shall be implemented as approved and maintained as such until all abnormal loads have delivered to the site.

Reason: In the interests of road safety and to ensure that abnormal loads access the site in a safe manner.

12. That no development shall commence until a full Safety Audit, in accordance with the Institute of Highways and Transportation Guidelines, for all infrastructure to be constructed and adopted, or altered, on the public road, is approved by the Planning Authority in consultation with the Roads Authority.

Reason: In the interest of road safety

13. The developer will notify the Council in writing should they propose to remove any excess material from site. Any such notification shall include details of proposed traffic routes and phasing of such operations for the written approval of the Council.

Reason: In the interests of road safety.

14. Prior to commencement of development the developer shall submit a detailed Access Management Plan (AMP) for the written approval of the Planning Authority, and thereafter adhere to and implement the AMP within the timescales set out. The AMP shall be produced in consultation with the Council's Countryside & Greenspace Services. Proposals shall incorporate and identify the Council's Core Path and Wider Network and provide signage where the network identifies links and provide details of any proposed temporary path diversions during construction. No works shall commence on site until such times as the AMP has been approved in writing by the Planning Authority.

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

15. No development shall commence unless and until a Habitat Management Plan (HMP) has been submitted to, and approved in writing by the Planning Authority. The HMP shall set out proposed habitat management of the site during the period of construction, operation, decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of habitat improvements and creation of new habitats to aid biodiversity on site.

The HMP shall include provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. In particular, the approved HMP shall be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted for the written approval of the Planning Authority.

The HMP shall set out details of the implementation of a Habitat Management Group.

Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time) shall be implemented in full and within the timescales set out in the approved HMP.

Reason: In the interests of good land management and the protection of habitats.

16. A Habitat Management Group (HMG) shall be established to oversee the preparation and delivery of the HMP and to review and assess the results from ongoing monitoring. The HMG shall include a representative of South Lanarkshire Council and shall have powers to make reasonable changes to the HMP necessary to deliver its agreed aims, and notwithstanding the above:-
- a) Site clearance activities and where possible, construction, will take place outwith the bird breeding season (March to July inclusive). If site clearance activities commence during this period ECoW supervision is required.
 - b) The HMP will operate for the full lifespan of the wind farm, including decommissioning
 - c) The agreed proposals identified in the HMP will be fully implemented
 - d) Surveillance and monitoring results of species and habitat will be carried out in accordance with the approved plan and be submitted to the HMG in accordance with the timescales set out.

Reason: To safeguard environmental impacts, ecology, species and habitats and maintain effective planning control.

17. Unless otherwise agreed in writing by the Planning Authority, if one or more wind turbines fails to generate electricity for a continuous period of twelve months a scheme setting out how the relevant wind turbine(s) and associated infrastructure will be removed from the site and the ground restored shall be submitted for the written approval of the Planning Authority no later than one month after the date of expiry of the twelve month period.

The approved scheme shall be implemented within six months of the date of its approval, to the satisfaction of the Planning Authority.

Reason: To ensure that any redundant wind turbine(s) are removed from Site, in the interests of safety, amenity and environmental protection.

18. No wind turbines shall be erected unless and until a scheme for aviation lighting for the Development has been submitted to, and approved by, the Planning Authority. The scheme shall include details of any aviation lighting required by Civil Aviation Authority and Ministry of Defence which is to be applied.

No lighting other than that described in the scheme shall be applied, other than that required for health and safety purposes, unless otherwise agreed in writing by the Planning Authority.

The required aviation lighting shall thereafter be maintained as approved for the lifetime of the Development.

The Development shall be operated in accordance with the approved scheme.

Reason: In the interests of aviation safety and visual amenity.

19. No development shall commence unless and until a decommissioning, restoration and aftercare strategy has been submitted to, and approved in writing by, the Planning Authority. The strategy shall outline measures for the decommissioning of the Development and restoration and aftercare of the site, and shall include proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environmental management provisions.

Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

20. The wind turbines shall be decommissioned and cease to generate electricity by no later than the date falling thirty years from the date of Final Commissioning. The total period for restoration of the Site in accordance with this condition shall not exceed three years from the date of Final Commissioning without the prior written approval of the Scottish Ministers in consultation with the Planning Authority.

No later than five years prior to decommissioning of the Development or the expiry of the section 36 consent (whichever is the earlier) a detailed decommissioning, restoration and aftercare plan, based upon the principles of the approved decommissioning, restoration and aftercare strategy (condition 19), shall be submitted for the written approval of the Planning Authority. The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development,

the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

- (a) a site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
- (b) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- (c) a dust management plan;
- (d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;
- (e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
- (f) details of measures for soil storage and management;
- (g) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
- (h) details of measures for sewage disposal and treatment;
- (i) temporary site illumination;
- (j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;
- (k) details of watercourse crossings; and
- (l) a species protection plan based on surveys for protected species (including birds) carried out no longer than eighteen months prior to submission of the plan.

The Development shall be decommissioned, the site restored and aftercare undertaken in accordance with the approved plan, unless and until otherwise agreed in writing in advance with the Planning Authority.

Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

21. In respect of noise, the following shall apply:

1.0 Operational Noise from Wind Farm ETSU-R-97

In keeping with the data submitted within Chapter 13 of the Environmental Impact Assessment Report, January 2021, the following noise limits shall be adhered to-

The cumulative day time noise (7am to 11pm) from the wind turbines must not exceed a noise level of 40dB LA90 (10 min) or background LA90 (10 min) +5dB, whichever is the greater, at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 12 metres per second at 10m height as measured within the site.

The cumulative night time noise (11pm to 7am) from the wind turbines must not exceed a noise level of 43dB LA90 (10 min) or background LA90 (10 min) +5dB, whichever is the greater, at the boundary of the curtilage of any noise sensitive premises at all times at wind speeds of up to 12 metres per second at 10m height as measured within the site.

Should the permitted ETSU-R-97 conditions above be apportioned within the format of the IOA Good Practice Guide Example Condition- the proposed noise limits as detailed within Table 13.15: Proposed Noise Limits for Deemed Planning Permission Condition of the Environmental Impact Assessment, Heathland Wind Farm Environmental Impact Assessment, Chapter 13, Noise, January 2021 the following shall be required.

On selection of the turbine to be deployed details of the proposed mitigation strategy shall be submitted to the Planning Authority with respect to-

- ◆ Mountainblaw Farm the application of any reduced noise operational modes at wind speeds <8 ms-1 270-30 degrees.
- ◆ Longford Farm cottage the application of any reduced noise operational modes at wind speeds < 12 ms-1, 90 - 240 degrees
- ◆ Woodmuir Cottage the application of any reduced noise operational modes at wind speeds < 12 ms-1, 90 - 240 degrees
- ◆ Woodmuir Farm the application of any reduced noise operational modes at wind speeds < 12 ms-1, 90 - 240 degrees.

This shall take cognisance of 115-117 of the Environmental Impact Assessment, Heathland Wind Farm Environmental Impact Assessment, Chapter 13, Noise, January 2021

2.0 Tonal Contribution

Where the tonal noise emitted by the development exceeds the threshold of audibility by between 2dB and 6.5dB or greater, then the acceptable noise specified in condition 38 shall be reduced by the penalty level identified within section 28 of 'The Assessment and Rating of Noise from Wind Farms- ETSU-R-97. The definition of audibility for the purposes of this condition shall be as described in ETSU-R-97. The penalty shall only apply at properties where the tonal noise is measured and shall only relate to the wind speeds at which the tonal noise occurs at.

3.0 Investigation of Complaints

At the reasonable request of the Planning Authority and following a complaint to it relating to noise emissions arising from the operation of the wind farm, the wind farm operator shall appoint an independent noise consultant, whose appointment shall require to be approved by the Planning Authority, to measure the level of noise emission from the wind farm at the property to which the complaint related. The measurement and calculation of noise levels shall be undertaken in accordance with ETSU-R-97 having regard to paragraphs 1 to 3 and 5 to 11 inclusive of the schedule on Pages 95 to 97 inclusive, and Supplementary Guidance Notes to the Planning Obligation pages 99 to 109 of ETSU-R-97. The Planning Authority shall inform the wind farm operator whether the noise giving rise to the complaint contains or is likely to contain a tonal component or an amplitude modulation.

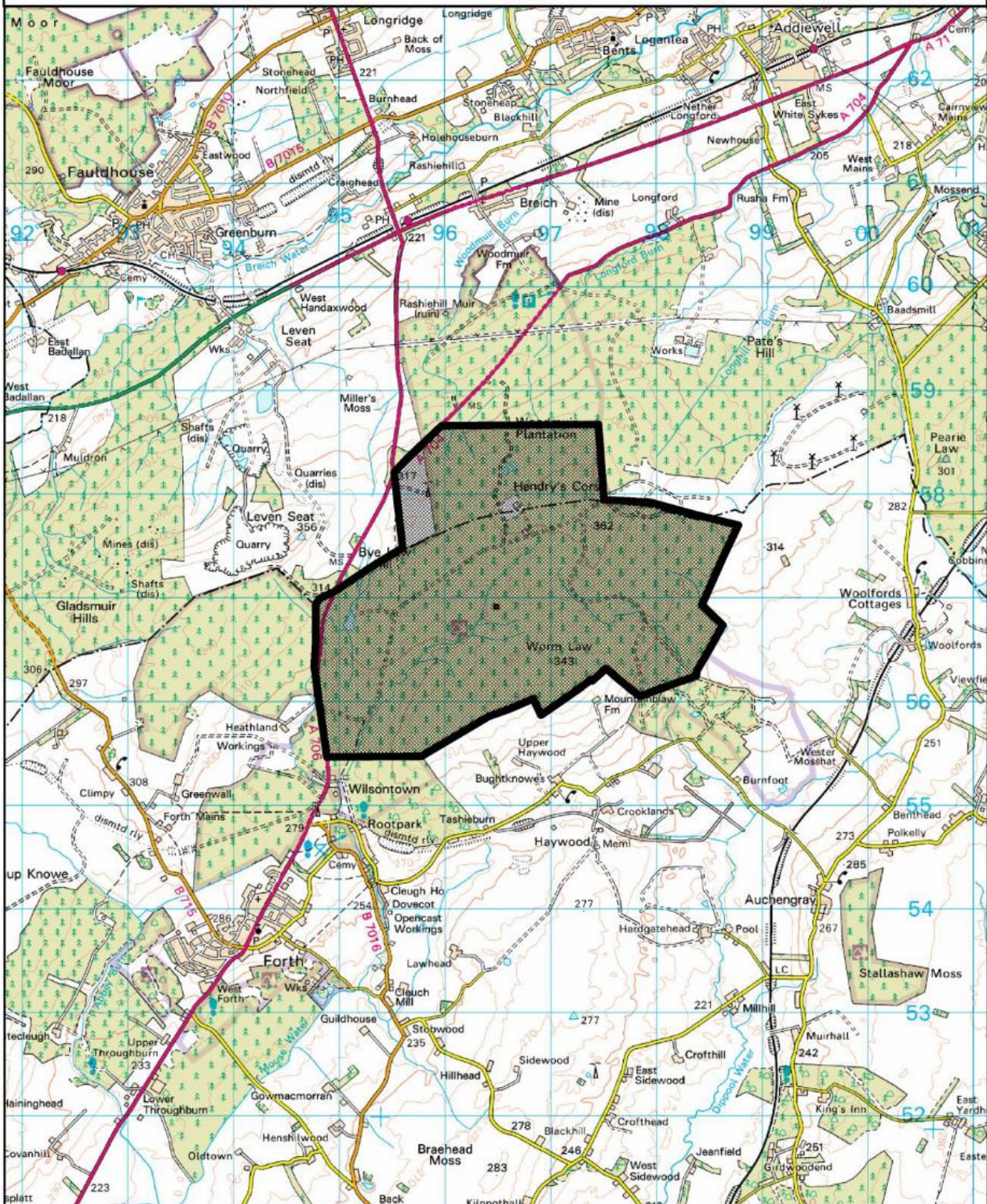
Where an assessment of any noise impact is, in the opinion of the Planning Authority acting reasonably, found to be in breach of the noise limits the developer shall carry out mitigation measures to remediate the breach so caused. Details of any such mitigation measures required are to be submitted to the Planning Authority for prior approval. Within 21 days of a written request by the Local Planning Authority, following a complaint to it from a resident alleging noise disturbance at the dwelling at which they reside and where Excess Amplitude Modulation is considered by the Local

Planning Authority to be present in the noise immissions at the complainant's property, the wind farm operator shall submit a scheme, for the approval of the local planning authority, providing for the further investigation and, as necessary, control of Excess AM. The scheme shall be based on best available techniques and shall be implemented as approved.

Reason: In the interests of residential amenity

P/21/0282

Heathland Wind Farm, A706 from Forth to Northern Boundary, Wilsontown



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Scale:
1:50,000
Date:
14/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

13

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

Application no.	P/20/1788
Planning proposal:	Change of use of part of public house to form beauty salon (class 2), coffee shop (class 3) and hot food takeaway (sui generis)

1 Summary application information

Application type:	Detailed planning application
Applicant:	Kilbride Properties
Location:	The C'mon Inn 56 Alloway Road East Kilbride G74 3SD

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: Constructive Architectural Design Ltd
- ◆ Council Area/Ward: 10 East Kilbride East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy 2 - Climate Change
Policy 3 - General Urban Areas
Policy 5 - Development Management and Placemaking
Policy DM9 – Hot Food Shops

◆ Representation(s):

▶	12	Objection Letters
▶	100	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Environmental Services

Roads and Transportation Services (Development Management)

Planning Application Report

1 Application Site

- 1.1 The application relates to the public house known as the C'mon Inn, located at 56 Alloway Road, East Kilbride. The site, which comprises 335 square metres, forms part of a small grouping of commercial premises which serves the local area. The application site is bounded to the north by Alloway Road, to the west by the public car park which serves the commercial units, to the south by adjacent commercial units and an open space area and to the east by a further area of open space.

2 Proposal(s)

- 2.1 The applicants, Kilbride Properties, seek planning permission to change the use of part of the public house to form a beauty salon (Class 2), a café (Class 3) and a hot food takeaway (a sui generis use). Minor external works would require to be undertaken to facilitate the development but no extension of the existing premises is proposed. The remainder of the existing public house would retain its current use.

3 Background

3.1 Local Plan Status

- 3.1.1 The site is located within the general urban area of East Kilbride as designated by Policy 3 of the South Lanarkshire Local Development Plan 2 (adopted 2021). Policies 2 – Climate Change, 5 – Development Management and Placemaking and DM9 – Hot Food Shops are also of relevance to the application in this instance.

3.2 Planning Background

- 3.2.1 Planning permission was sought in 2013 to change the use of part of the public house to form a hot food takeaway (Planning Ref: EK/13/0045). However, as a result of specific issues relating to the layout and ventilation measures proposed as part of the development, it was deemed necessary for the application to be refused planning consent following consultation with the Council's Environmental Services.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management)** – Noted that the public car park located directly adjacent to the site is of a sufficient size to accommodate the proposed new businesses. As such, they did not offer any objection to the proposed development.

Response: Noted.

- 4.2 **Environmental Services** – Did not raise concerns with regard to the proposed ventilation measures associated with the café or hot food takeaway, subject to final details being submitted and approved through the imposition of conditions to be attached to any consent issued. However, they initially raised concerns that the food preparation area associated with the hot food takeaway may be too small to serve its intended purpose. In order to resolve this issue they required that the proposed café and hot food takeaway be operated as part of the same premises, to ensure that the food preparation area associated with the café could also be utilised to serve the hot food takeaway as necessary.

Response: In response to the issues raised by Environmental Services the applicants advised that they were satisfied for the café and the hot food takeaway to be operated as part of the same premises. In this regard, amended drawings have been submitted showing the two units to be connected internally. The Council's Planning and Environmental Services are satisfied that the issues raised have been satisfactorily dealt with, subject to conditions that would be attached to any consent issued.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised in the East Kilbride News for neighbour notification purposes and due to the scale or nature of the development proposed. 113 letters of representation were received in respect of the application, comprising 12 letters of objection, one letter of comment and 100 letters of support. The points raised have been considered as follows:-

- a) **The proposed takeaway is located too close to an existing takeaway premises and could adversely affect the viability of the existing business.**

Response: It is noted that there is an existing hot food takeaway within the row of commercial units at Alloway Road. However, this is not considered to be a justifiable reason to refuse planning permission for a new proposed hot food shop. It is considered that the proposed business could have a positive impact in terms of providing business opportunity, employment and additional choice to local residents. Ultimately, market forces would determine whether the proposed new hot food shop would be viable at this location.

- b) **The development could result in noise, smell, litter, pollution, underage drinking and anti-social behaviour in the local area, particularly given the extent of opening hours.**

Response: The Council's Environmental Services were consulted in respect of the application but did not offer any objections, subject to conditions relating to matters such as noise, ventilation and waste management which would be attached to any consent issued. It is considered that, subject to adherence to these conditions, the proposed uses can be appropriately operated from the site. It is noted that a number of objectors have raised concerns with regard to issues such as anti-social behaviour and underage drinking associated with the site, however these would be police matters rather than planning matters and should be dealt with by the police as appropriate if any such issues arise.

- c) **The development could create customer traffic, delivery vehicle traffic, car parking and road pollution problems in the local area.**

Response: As part of their consultation response in respect of the application the Council's Roads and Transportation Services noted that the existing car park located adjacent to the site is of a sufficient size to accommodate the proposed additional uses. Furthermore, they did not raise any concerns with regard to traffic levels, road pollution issues or servicing of the property. In addition, as noted above, the Council's Environmental Services did not raise any concerns with regard to pollution from the site. As such, it is not considered appropriate for the proposed development to be refused planning consent for these reasons.

- d) **The site is located too close to residential properties for the uses proposed.**

Response: It is noted that the wider area around the site is predominantly residential in nature, however it is not unusual for residential areas to accommodate relatively small commercial proposals which serve local needs, as is proposed in this instance. Following a detailed assessment of the application, including consultation with internal Council Services as appropriate, it is considered that this is a suitable location for the provision of additional local services and the recommendation is therefore for permission to be granted in this case.

- e) **The development is unnecessary as similar facilities already existing elsewhere in the locality.**

Response: While it is noted that there are larger designated neighbourhood centres in this part of East Kilbride at Calderwood Square and St Leonards Square, Council planning policy also allows for the provision of smaller local commercial locations within residential areas to serve local needs. In this case it is noted that both of these larger commercial centres are located a 20 minute walk from the site at Alloway Road and the commercial row of shops at Alloway Road has served local needs for a significant period of time. As such, it is considered appropriate for these additional uses to be permitted at this established commercial location.

- f) **The development would encourage the consumption of unhealthy junk food.**

Response: While the writer's comments are noted, in planning policy terms it would not be considered appropriate for planning consent to be refused on this basis. It is noted that a variety of hot food options are available within the wider area to provide choice to consumers in this regard.

- g) **More should have been done to notify neighbours of the submission of the planning application, including door to door visits by planning officers to seek the views of local residents.**

Response: Statutory neighbour notification was undertaken in respect of this application and the proposals were also advertised in the local press. It is noted that over 100 representations were received in respect of the application as a result of this. It is not considered appropriate or necessary for further notification of neighbours, such as door to door visits to local residents, to be undertaken in respect of the proposals.

- h) **Some of the letters of support have been submitted by individuals who do not live in close proximity to the site and may have been sent in at the request of the operator of the public house on site.**

Response: It is permissible for any member of the public to comment on any planning application submitted to the Council and each letter of representation submitted requires to be considered on its merits. As such, all of the letters of representation submitted to the Council in respect of this application have been considered as part of the assessment of the application.

- i) **The site could be used as a charity shop instead of the proposed use.**

Response: The Council require to consider any proposal submitted on its merits. In this case, while another use such as a charity shop may be acceptable in principle on the site, the application in this instance relates to the proposed use of the premises as a café, hot food shop and beauticians. Therefore, it is necessary for the proposed uses to be considered in this case. As set out in Section 6 below the view is taken that the proposed uses would be acceptable in planning terms and it is therefore recommended by the Planning Service that permission is granted for the proposed uses on site, subject to the attached conditions.

- j) **It should be ensured that the proposed development does not have an adverse impact on wildlife or protected species.**

Response: As this proposal relates to the change of use of an existing premises and no extension to the premises is proposed, it is considered extremely unlikely that there would be any impact on protected species or other wildlife as a result of this proposed development.

- k) **The proposals would represent a positive development for the area, would offer additional amenities locally, while providing business opportunities and additional employment.**

Response: The comments received in support of the application are noted. As detailed in Section 6 below it is considered that the proposals would be of an overall benefit to the locality and it is therefore recommended that planning permission should be granted for the proposed development.

- l) **The proposed development would offer additional facilities locally, to the benefit of those with disabilities and also to the benefit of the general mental health of local residents given the current circumstances.**

Response: The comments received in support of the application are noted. As detailed in Section 6 below it is considered that the proposals would be of an overall benefit to the locality and it is therefore recommended that planning permission should be granted for the proposed development.

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

6 Assessment and Conclusions

- 6.1 The applicants, Kilbride Properties, seek planning permission to change the use of part of the public house known as the C'mon Inn, located at 56 Alloway Road, East Kilbride, to form a beauty salon (Class 2), a café (Class 3) and a hot food takeaway (a sui generis use). Minor external works would require to be undertaken to facilitate the development but no extension of the existing premises is proposed. The remainder of the existing public house would remain in its current use.
- 6.2 The site is located within the General Urban Area of East Kilbride as designated by Policy 3 – General Urban Areas of the South Lanarkshire Local Development Plan (adopted 2021). Policy 3 states that, within general urban areas, there will be a general presumption in favour of residential uses as well as other uses and services that complement the function of the area. The policy also notes, however, that bad neighbour uses that are considered to have a detrimental effect on the character or amenity of the area should not be supported.
- 6.3 Policies 2 (Climate Change), 5 (Development Management and Placemaking) and DM9 (Hot Food Shops) also provide relevant policy with regard to this proposed change of use. Policies 5 and DM9 both provide development management guidance and seek to ensure that there is no significant impact on the local character or amenity of the area by virtue of issues such as overlooking, overshadowing, environmental or road safety considerations. In addition, Policy DM9 seeks to ensure that an appropriate balance of facilities is maintained and that proposed developments do not result in the loss of existing uses that are beneficial to the local area. Policy 2 seeks to ensure that proposed developments are sustainably located and do not raise any significant issues in respect of climate change matters.
- 6.4 It is noted that the proposals in this instance relate to uses that are compatible with the role of the grouping of commercial premises as a local facility to complement the predominant residential uses in the wider area. As such, the proposed uses are considered to be compatible with the principles of Policy 3.
- 6.5 With regard to specific development management considerations it is noted that one of the uses, specifically the hot food takeaway, would be considered to be a potential “bad neighbour” use. However, it is noted that, in this case, the proposed hot food shop would be sited a reasonable distance from the nearest residential properties and that there is an existing hot food takeaway in operation within the row of commercial

premises at this time which is located closer to the nearest dwellinghouse than the proposed hot food shop. In addition, it is noted that both the Council's Roads and Transportation Services and Environmental Services have confirmed their satisfaction with the development in terms of road and environmental amenity considerations respectively, subject to the imposition of planning conditions as appropriate. As such, the view is taken that the proposed development, including the hot food takeaway, would be compatible with existing uses adjacent to the site and would not have a significant adverse impact on the character or amenity of the local area.

- 6.6 It is further noted that, although the development would result in the public house on site being reduced in size, the facility would remain in situ and as such, would not be lost to accommodate the proposed additional uses. In addition, with regard to sustainability and climate change considerations, it is noted that an existing building located within an established area served by public transport connections would be reused to facilitate the proposed development. It is further noted that the proposed change of use would allow the provision of three additional commercial facilities within walking distance of a large number of residential properties and, therefore, has the potential to create a reduction in car usage in the local area.
- 6.7 Taking all of the above into account, it is considered that the proposed development would be compatible with existing uses within the area, would not be likely to have an unacceptable impact on local character or amenity and would accord with the requirements of Council planning policies relating to climate change considerations. In addition, the proposals would allow the provision of three additional premises within the group of commercial units which would provide additional amenities as well as creating employment opportunities in the local area. As such, it is considered that the proposals are to be welcomed in this instance and comply with the provisions of Policies 2, 3, 5 and DM9 of the South Lanarkshire Local Development Plan (adopted 2021).
- 6.8 Following neighbour notification and advertisement of the application in the local press, 113 letters of representation, including 12 letters of objection, 1 letter of comment and 100 letters of support, were received in respect of the proposed development. The points raised are detailed in Section 5 above. The letters of support and comment have been noted and it is not considered that the points of objection raised merit the refusal of planning permission in this instance.
- 6.9 In summary, following a detailed assessment of the proposals, it is considered that the development would allow the provision of a number of complementary uses within the existing commercial location and would be of an overall benefit to the locality. Subject to conditions that would be attached to any consent issued, it is not considered that there would be any significant adverse impact on the character or amenity of the local area as a result of the development. It is therefore recommended that planning permission is granted for the proposed development, subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposal would not have a significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (Policies 2, 3, 5 and DM9). There are no additional material considerations which would justify refusing to grant consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 28 May 2021

Previous References

♦ EK/13/0045

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 27 January 2021
- ▶ Consultations

Environmental Services 05.05.2021

Roads and Transportation Services (Development Management) 11.02.2021

▶ Representations Dated:

Mr Wah Ching Wan, 52 Alloway Road, East Kilbride, G74 3SD 10.02.2021

Joe Allan, 94 Franklin Place, East Kilbride, G75 8LS 18.02.2021

John Cairns, 8 Durward, Calderwood, East Kilbride, G74 3PB 09.03.2021

Rita Wilson, 32 Mauchline, East Kilbride, G74 3RZ 14.04.2021

Eddie McAlinden, Email Provided 14.04.2021

Linda Brae, 50 Lochlea, Calderwood, East Kilbride 12.04.2021

Mr Ian Hunter, 129 Waverley, East Kilbride, G74 3PD 16.04.2021

Mrs Mary Johnstone, 40, Durward, East Kilbride, G74 3PB 16.04.2021

Mrs Patricia McLauchlin, 80 Phoenix court, East Kilbride, G74 3RB 16.04.2021

Mr Gerry Malone, 3 Gourlay, East Kilbride, G74 3PJ 16.04.2021

Mr Robert Anderson, 60 Lochlea, East Kilbride, G74 3RY 16.04.2021

Miss Heather Whyte, 47 Aikman place, East Kilbride, G74 3JL 16.04.2021

Mrs Marleen McGuire, 10 Waverley, East Kilbride, G74 3PG 16.04.2021

Mr Gerry McGuire, 10 Waverley, East Kilbride, G74 3PF	16.04.2021
Mr Brian Povey, 160 Waverley, East Kilbride, G74 3PE	16.04.2021
Mr Jimmy McKenna, Care of C'mon inn, 56 Alloway Rd, East Kilbride, G74 3SD	16.04.2021
Mr Michael McBrearty, Care of C'mon inn, East Kilbride, G74 3SD	16.04.2021
Mr Graham Smith, 56 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Gary Rooney, 42 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mrs Jane Johnstone, 33 Durward, East Kilbride, G74 3PB	16.04.2021
Miss Roslyn Cleary, 11 Netherlee Place, Cathcart, G44 3YL	16.04.2021
Miss Rhoda Main, 34 Lochlea, East Kilbride, G74 3SD	16.04.2021
Mr Ryan Malone, 47 Aikman place, East Kilbride, G74 3JL	16.04.2021
Mrs Caroline Guenser, 46 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Gavin Cassidy, 7 Coolgardie Green, East Kilbride, G74 3RY	16.04.2021
Mrs Emily Could, 48 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mrs Caroline Rooney, 42 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Liam Kavanagh, 8 Talisman Place, East Kilbride, G74 2QR	16.04.2021
Mr Martin Kane, 16 Craigneathan, East Kilbride, G74 2BG	16.04.2021
Mrs Lorraine Darroch, 54 Kenilworth, East Kilbride, G74 3PG	16.04.2021
Mr Lez Darroch, 54 Kenilworth, East Kilbride, G74 3PG	16.04.2021
Mr Paul McLellan, 23 Dunrobin, East Kilbride, G74 4SU	16.04.2021
Mrs Carol McLellan, 23 Dunrobin, East Kilbride, G74 4SU	16.04.2021
Miss Jackie Kirk, 29 Thornlilee, East Kilbride, G74 4SU	16.04.2021
Mr Craig Hopkins, 40 Mauchline, East Kilbride, G74 3RZ	16.04.2021
Miss Deborah Mulholland, 5 Rockhampton, East Kilbride, G75 8EG	16.04.2021
Mr Ronald Green, 94 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Alan Chalmers, 86 Phoenix Court, East Kilbride, G74 3RB	16.04.2021

Mr Maurice Guenser, 46 Lochlea, East Kilbride, G74 3RY	16.04.2021
Mr Ben Montgomery, 94 Maxwellton Rd, East Kilbride, G74 3LY	16.04.2021
Mr Thomas Donaldson, 103 Glenfeshie, East Kilbride, G74 2BQ	16.04.2021
Mr John Waddell, 38 Kirriemuir, East Kilbride, G74 3PP	16.04.2021
Mr Tony Johnstone, 33 Durward, East Kilbride, G74 3PB	16.04.2021
Mr Robert McLauchlin, 80 Phoenix Court, East Kilbride, G74 3RB	16.04.2021
Mr Mark Montgomery, 94 Maxwellton Rd, East Kilbride, G74 3LY	16.04.2021
Mr Michael McFarlane, 41 Redgrave, East Kilbride, G74 3QY	16.04.2021
Owner/Occupier, Received Via Email	08.03.2021
Jane McKelvie, 42 Mauchline, Calderwood, East Kilbride	08.03.2021
Mr Owen O'Donnell, 47 Redgrave, East Kilbride, G74 3QY	05.05.2021
Mr Philip Thornton, 11 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr Ian Stalker, 13 Abercrombie Cres, East Kilbride, G74 3DH	05.05.2021
Mr David Welsh, 86 Lochlea, East Kilbride, G74 3RT	27.04.2021
Mrs Mary Oliver, 34 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr Ronald Reston, 28 Ferguson Place, East Kilbride, G74	05.05.2021
Mrs Betty Currie, 78 Kirkoswald, Calderwood, East Kilbride, G74 3SJ	20.04.2021
Mrs Marie Povey, 160 Waverley, East Kilbride, G74 3PE	17.04.2021
Mrs Linda O'Brian, 39 Buchandyke, East Kilbride, G74 3BN	22.04.2021
Mr Vincent Foy, 155 Faulkland Drive, East Kilbride, G74	05.05.2021
Mr Raymond O'Brian, 39 Buchandyke, East Kilbride, G74 3BN	22.04.2021
Mrs Gael Johnston, 3 Simpson Drive, East Kilbride, G75 0AZ	22.04.2021
Mr Patrick Devine, 81 Shaftesbury Court, East Kilbride, G74	05.05.2021
Mr Joseph Casey, 55 Lochlea, East Kilbride, G74	05.05.2021

Mrs Mary McCrone, 70 Kenilworth, East Kilbride, G74 3PG	17.04.2021
Mr Craig Donaldson, 196 Stopover, East Kilbride, G74 3HJ	06.05.2021
Mr Thomas Mitchell, 21 Viscount, East Kilbride, G74 4FX	16.04.2021
Mr Steven Stenskie, 38 Cannon Gate, East Kilbride, G74 3NX	05.05.2021
Mr Ewan Robinson, 21 Bruce Terrace, East Kilbride, G75 0PJ	05.05.2021
Miss Gillian Rocks, 22 Pineta Drive, Thorntonview, East Kilbride, G74 5EB	05.05.2021
Mr Steven Green, 3 Trossachs Rd, Cathkin, Glasgow, G73 5LB	05.05.2021
Mr John McCrone, 70 Kenilworth, East Kilbride, G74 3PG	17.04.2021
Mr Kieran Johnston, 3 Simpson Drive, East Kilbride, G75 0AZ	22.04.2021
Mr Christopher Gray, 64 Kirkoswald, East Kilbride, G74 3SJ	22.04.2021
Mr John McNeil, 22 Pineta Drive, Thorntonview, East Kilbride, G74 5EB	05.05.2021
J Gillies, Received Via Email	19.04.2021
Mrs Patricia Thornton, 11 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr Steven Stewart, 36 Neville, East Kilbride, G74 3QU	16.04.2021
Miss Heather McSorley, 64 Kirkoswald, East Kilbride, G74 3SJ	17.04.2021
Miss Hannah Leggat, 63 Sadlers Well Court, East Kilbride, G74 3NG	17.04.2021
Mr Alan Wilson, 66 Lochlea, East Kilbride, G74 3SD	17.04.2021
Mr Garron Haddow, 13 Tarbolton, East Kilbride, G74 3SQ	05.05.2021
Mr Paul Thornton, 56 Robertson Drive, East Kilbride, G74 3FU	05.05.2021
Mr Keith Murray, 147 Warick, East Kilbride, G74 3PZ	05.05.2021
Mr Martin Orchinson, 8 Globe Court, East Kilbride, G74 3RA	05.05.2021
Mr John Could, 154 Park Terrace, East Kilbride, G74 1BW	05.05.2021
Mr Charles Gattens, 53 Pembroke, East Kilbride, G74 3QD	17.04.2021

Mr Scott McLeavy, 133 Waverley, East Kilbride, G74 3PD	05.05.2021
Miss Kirsty McDowall, 21 Viscount Terr, East Kilbride, G74 4FX	16.04.2021
Mr Ross Donovan, 133 Waverley, East Kilbride, G74 3PD	05.05.2021
Mr Steven Walker, 26 Kenilworth, East Kilbride, G74 3PJ	05.05.2021
Mr David Houldsworth, 4 Calderwood Gardens, Calderwood, East Kilbride, G74 3SB	03.05.2021
Mr Keith Currie, 78 Kirkoswald, East Kilbride, G74 3SJ	20.04.2021
Mr George McLellan, 20 Ferguson Place, East Kilbride, G74 3PS	20.04.2021
Mrs Rosie Gillies, 86 Fir drive, East Kilbride, G75 9HB	17.04.2021
Mrs Valerie McSorley, 64 Kirkoswald, East Kilbride, G74 3SJ	19.04.2021
Mrs Kate Rennie, 83 Ivanhoe, East Kilbride, G74 3NY	19.04.2021
Mr Chris McLeish, 44 Tarbolton, East Kilbride, G74 3SQ	19.04.2021
Mr John Cleary, 287 Clarkston Rd, Cathcart, Glasgow, G44 3DT	21.04.2021
Mr Michael McSorley, 64 Kirkoswald, East Kilbride, G74 3SJ	19.04.2021
Mr Robert Bishop, 145 Glenmore, East Kilbride, G74 2AS	27.04.2021
Mr John O'Hara, 40 Old Vic, East Kilbride, G74 3ND	27.04.2021
Mr Daniel Connor, 73 Stratford, East Kilbride, G74 3QJ	27.04.2021
Mr John Livingston, 38 Old Vic Court, East Kilbride, G74 3HJ	27.04.2021
Mr Tony Oliver, 34 Mannering, East Kilbride, G74 3PA	05.05.2021
Mr David Ross, 54 Pembroke, East Kilbride, G74 3QP	05.05.2021
Mr Kevin Deprato, 38 Kirriemuir, East Kilbride, G74 3FP	05.05.2021
Mr Rob Whitfield, 127 Loch Shin, East Kilbride, G74 2DQ	05.05.2021
Mr Paul Murray, 147 Warick, East Kilbride, G74 3PZ	05.05.2021
Miss Emma Wright, 76 Maxwellton, East Kilbride, G74 3DY	05.05.2021
Mr Zander Wilson, 13 Urquart, East Kilbride, G74 4DF	27.04.2021
Mairi-Louise Houldsworth, by e-mail	17.05.2021

Mr Steven Elder, 29 Tarbolton, East Kilbride, G74 3SQ	18.05.2021
Elaine Robertson, by e-mail	18.05.2021
Emma Douglas, by e-mail	12.05.2021

Contact for further information

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455049

Email: declan.king@southlanarkshire.gov.uk

Conditions and reasons

01. Details for the storage and the collection of waste arising from the proposed development shall be submitted to, and approved in writing by the Planning Authority. The agreed details shall be in place prior to the development being brought into use and thereafter be satisfactorily maintained.

Reason: In the interests of amenity.

02. Between the hours of 0800 and 2000 the measured noise rating level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90 (1/2hour)) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 2000 and 0800 the noise rating level emitted from the premises (LAeq (15mins)) shall not exceed the pre-existing background noise level (L A90 (1/2hour)) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

Reason: To safeguard the amenity of the area.

03. Before the cafe or takeaway hereby consented are brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The proposed development shall not be brought into use until the ventilation systems are operational in accordance with the approved details. All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.

The ventilation system shall:-

- a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.
- b) Be constructed to by employing best practical means to minimise noise and vibration transmission via plant and the building structure.
- c) Noise associated with the business shall not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.
- d) The discharge stack shall:
 1. Discharge the extracted air not less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen.
 2. If 1 cannot be complied with for planning reasons, then the extracted air shall be discharged not less than 1m above the roof eaves or dormer window of the building housing the commercial kitchen. Additional control measures may be required.
 3. If 1 or 2 cannot be complied with for planning reasons, then an exceptionally high level of odour control will be required.

Reason: To safeguard the amenity of the area.

04. That the cafe and hot food takeaway hereby approved shall be operated as part of the same premises at all times and no further subdivision of the property, including of the hot food takeaway/cafe, shall take place without the further submission and approval of a planning application to subdivide the premises.

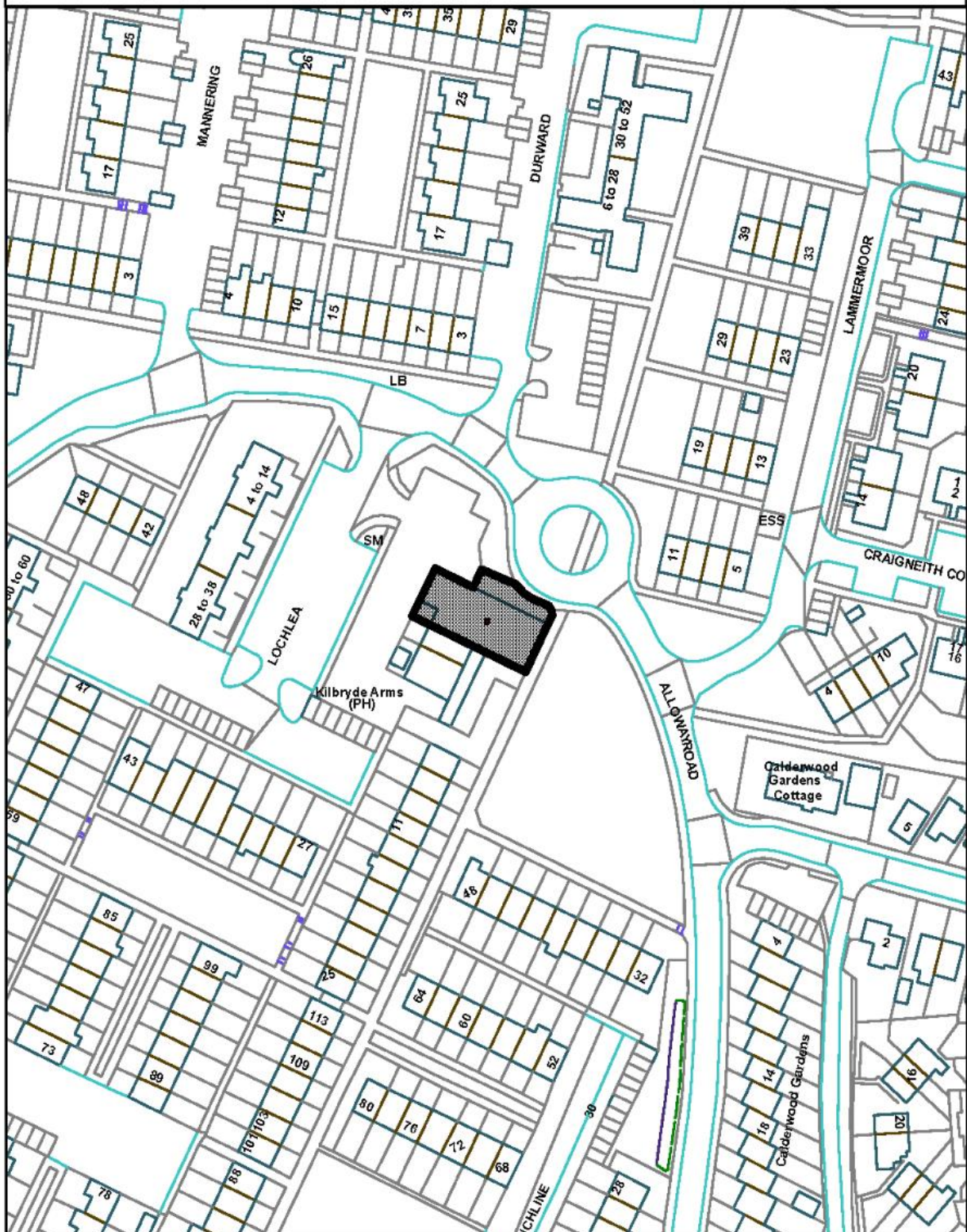
Reason: In the interests of amenity and to retain effective planning control.

05. Prior to the commencement of development on site details of an adequate sized grease traps/interceptors shall be submitted to and approved by the Planning Authority in consultation with Environmental Health and thereafter it shall be installed prior to the developments being operational and maintained thereafter.

Reason: to ensure that waste oil, grease and fat from food premises do not cause damage to the public sewer in the interests of public health and amenity.

P/20/1788

The C'mon Inn, 56 Alloway Road, East Kilbride



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Scale:
1:1,250
Date:
13/05/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

14

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

Subject	Scottish Government Consultation on Proposals for Regulations on Local Place Plans
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1. Purpose of Report

1.1 The purpose of the report is to:-

- advise members on the Scottish Government consultation on Proposals for Regulations on Local Place Plans
- seek approval of the Council's response to the consultation

2. Recommendation(s)

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

- (1) that the wording contained in the appendix to this report be submitted as the Council's response to the Scottish Minister's consultation on Proposals for Regulations on Local Place Plans; and
- (2) that the Head of Planning and Economic Development Services be authorised to make drafting and technical changes to the response prior to its submission.

3. Background

3.1 The Scottish Government's work on reform of the planning system included steps to reduce conflict, improve community engagement and build public trust in planning matters. The Planning (Scotland) Act 2019 received Royal Assent in July 2019 and introduced a number of measures including:-

- The introduction of a definition of the purpose of planning which is "to manage the development and use of land in the long-term public interest". The long-term public interest includes anything contributing to sustainable development or achieving the national outcomes set out in the Community Empowerment Act. The latter point reflects one of the overarching aims of the Government to strengthen links between spatial and community planning
- Enhanced community engagement in the preparation of Local Development Plans (LDP) including direct reference to the requirement to engage with children and young people

- The statutory requirement for a new LDP to take account of the Council's Local Outcome Improvement Plan (the term Community Plan is used in South Lanarkshire)

3.2 More fundamentally, the Act introduces the ability for communities to produce Local Place Plans (LPP) for their places with scope for these plans, or parts of them, to become part of the Local Development Plan for the area. The aim is to significantly increase engagement in development planning by effectively empowering communities to play a proactive role in defining the future of their places by setting out proposals for the use and development of land and buildings. The consultation paper identifies LPPs as offering the opportunity for a community led and, at the same time, collaborative approach to creating great local places. They can support community aspirations for responding to the climate emergency and tackling inequalities. Reference is made to the Place Principle which promotes a shared understanding of place and the need for those responsible for providing services and looking after assets to collaborate with local communities to achieve better outcomes for people and communities. At the same time places all have a direct and significant impact on health and wellbeing.

3.3 The Act provides some high level detail on the preparation of an LPP. They may be prepared by what is described as a community body which can be either a community council or a community controlled body within the definition of the Community Empowerment Act. The LPP has to have regard to both the National Planning Framework (national planning policy) and the LDP. It must also set out reasons for why the local development plan should be amended. An LPP may be prepared at any time; however, the Act requires specifically that, before preparing a local development plan, a planning authority is to invite local communities in its district to prepare local place plans. A community body must comply with any associated regulations before submitting a local place plan and describe how the views of councillors for the area to which the local place plan relates are to be taken into account in the preparation of the local place plan. The community body may submit a local place plan to the planning authority for the district to which the plan relates. When a valid local place plan relating to its district is submitted to them by a community body, a planning authority must include it in its register. A planning authority may decide not to register a local place plan on the basis that it is not valid but it must provide reasons for reaching that view.

4. Consultation on Regulations for Local Place Plans

4.1 The Scottish Government published a consultation on its proposals for the associated regulations on Local Place Plans in March this year to support the implementation of the LPP provisions in the Act. This includes provisions for the content, preparation, submission and registration of LPPs. The consultation paper states that a 'light touch' approach has been developed in order to allow for flexibility to suit local circumstances. At the same time a 'How To' to aid communities develop their plans has been produced by consultants on behalf of the Government, however, this does not form part of the current consultation. The consultation paper includes the following table which highlights how an LPP could be developed.

Stage	Activity
Getting the ball rolling	Involves the community body and others recognising that an LPP may add value to the community. This may be prompted by an invitation from the planning authority, but does not have to be
Preparing the LPP	Involves drawing together the evidence, and includes seeking views of the community on the key issues for the LPP, alongside the requirement to have regard to the LDP and the National Planning Framework (NPF)
Developing proposals	Based on the evidence gathered what are the key issues which should be contained in the LPP
Sense-checking the LPP	Engagement with stakeholders
Submitting the LPP	Finalise the LPP and additional material. Submit to the planning authority
Registering and delivery	Planning authority validation and registering of the LPP. Taken into account when developing the LDP

- 4.2 The proposed response to the consultation is found in the Appendix to the report. One of the main issues is the Government's desire for a light touch approach to the process. While it is recognised that the requirements should be user friendly, avoid unnecessary bureaucracy and not be overly prescriptive, the LPP when registered will have a statutory basis and, therefore, it is considered the overall balance of the process should be reviewed.
- 4.3 Firstly the matters to which an LPP should have regard to beyond the NPF and LDP are very limited and make reference only to a Locality Plan (known as Neighbourhood Plans in South Lanarkshire) where one is in place. This means there would be no reference to the Council Plan or Community Plan or its other plans and strategies nor to those of its Community Planning partners. In addition, it is likely that there will be instances where the area to be covered by an LPP does not correspond with that addressed in a Locality Plan or a LPP may be covered by two or more Locality Plans. A Locality Plan may not even be in place for a proposed LPP area. Furthermore, the Locality Plan may become out of date before the LPP is fully delivered or vice versa. The consultation paper also notes that a range of Community-led Action Plans (CAP) have already been developed prior to the LPP legislation coming into effect. In such cases, where the bodies responsible are different, it is important that the 'community body' developing an LPP collaborates with the body that was responsible for the CAP to avoid conflict between them. In addition, it is considered that guidance should be provided on who would be responsible for conflict resolution within communities.
- 4.4 Another important element will be to address how consultation is to be carried out. Placemaking is at the heart of the Scottish Government's future planning policy development and there are already several tools and guidance available to enable people to consider the quality of their local places. There is reference in the recent NPF4 position statement to embedding the use of the Place Standard tool within the planning process and, therefore, the Regulations should reflect this aspiration given it is already firmly established in community engagement processes. There is no reference to if and how the views of other parties will be sought – this includes landowners who are based outwith the community (especially where the land is already identified for new development in an existing LDP); existing businesses particularly where they are not locally owned; and public authorities. Their engagement and participation in the process is important to ensure the outcomes are delivered.

- 4.5 The Local Place Plan will have a statutory basis alongside the Local Development Plan and, therefore, it is considered that some elements of the consultation process on the latter should form part of the LPP process rather than the light touch approach referred to in the consultation. As a minimum, an advert should be placed in a local newspaper and/or the community bodies website. A public event similar to that required as part of the Pre-Application Consultation on major applications could also be a requirement with a consultation report being submitted with the completed LPP. This would include showing how the community body has taken into account the statutory requirements and addressed any outstanding contrary views.
- 4.6 The success of the Local Place Plan process is significantly dependent on the representativeness of the plan and requiring equality outcomes to be addressed throughout. There should be robust requirements to make sure that any plan the community produces uses good practice. In this respect the National Standards for Community Engagement should be used as a baseline for the consultation process. There should be a minimum proportion of the community that would be covered by the LPP to be involved in the creation and adoption of plans by the community in order to avoid plans being produced in near isolation. Endorsement of the plan by the local community is also crucial. Consideration should be given to the carrying out of a vote on the proposed plan to demonstrate a clear majority of the local stakeholders are in support of the proposals before it is submitted to the Council to register – this should include other parties such as local businesses and landowners. The draft Regulations are also silent on governance of the LPP making process particularly in terms of how it fits into the Council decision making process e.g. should committee approval be sought before the plan is placed on the register.
- 4.7 Other key issues include ensuring resourcing in terms of officer time and financial costs to the Council. There are currently over 30 active community councils within South Lanarkshire while there are other local community groups that do not have that status but could be seeking to prepare a Local Place Plan. The associated How To guide that has been produced in tandem with the consultation highlights a number of parts in the process where officer involvement is highlighted; it is likely this requirement will especially be the case for hard to reach communities. The impact on resources could, therefore, be significant. The management of community expectations will also be an important element.

5. Next Steps

- 5.1 The closing date for the submission of responses to the consultation is 25 June 2021. Scottish Government's current timetable anticipates that, following the completion of the consultation exercise, the Regulations will be laid before Scottish Parliament at the end of 2021 and, thereafter, the provisions of the Act will come into effect. The timetable also intends for Regulations in relation to new style Local Development Plans introduced in the 2019 Act to be approved and take effect in the same period. This will allow LPPs to be able to influence the first round of local development plans in the new system. In advance of this the Planning Service has been developing a closer working partnership with the Council's Community Participation team under the scrutiny of the Community Planning Partnership Board and this work will continue.

6. Employee Implications

- 6.1 The right of community bodies to prepare Local Place Plans is a new statutory duty introduced by the 2019 Act. It is anticipated that additional officer resources will be required to facilitate the process based on the contents of the associated 'How To' guide, however, the extent is unknown at present.

7. Financial Implications

- 7.1 The costs of the preparation and production of the Local Place Plan will be the responsibility of the community body. The Partial Business and Regulatory Impact Assessment included with the consultation highlights that the establishment of a register and map of LPPs will cost £10,000 and £5,000 a year to maintain.

8. Climate Change, Sustainability and Environmental Implications

- 8.1 It is implicit that the principles of placemaking will help address the effects of climate change and the delivery of mitigation measures.

9. Other Implications

- 9.1 The consultation paper seeks stakeholders to submit their views on the document. There would be reputational risk if the Council did not respond.

10. Equality Impact Assessment and Consultation Arrangements

- 10.1 An Equalities Impact Assessment (combining Child Rights and Wellbeing Impact Assessment) has been published alongside the consultation paper.
- 10.2. There is also no requirement to undertake any consultation in terms of the information contained in the report.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

28 May 2021

Link(s) to Council Values/Ambitions/Objectives

- Work with communities and partners to promote high quality, thriving and sustainable communities
- Accountable, effective, efficient and transparent

Previous References

- None

List of Background Papers

- Planning (Scotland) Act 2019
- Scottish Government consultation on Proposals for Regulations on Local Place Plans.

Contact for Further Information

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

Tony Finn, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Ext: 5105 (Tel: 01698 455105)

E-mail: tony.finn@souythlanarkshire.gov.uk

Appendix

Scottish Government Consultation – Proposals for Regulations on Local Place Plans

Preparation of Local Place Plans

1. *Do you agree with the proposal that community bodies should have regard to any Locality Plan that is in place for the area under consideration when preparing their Local Place Plan?*

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

The Scottish Government's reform of the planning system sought to strengthen the contribution planning can make to inclusive growth and empowering communities, including sustaining and supporting communities across Scotland. The Planning (Scotland) Act 2019 establishes a definition for the purpose of planning which includes achieving the national outcomes within the meaning of Part 1 of the Community Empowerment (Scotland) Act 2015. The link between spatial and community planning is therefore implicit. Locality Plans (referred to as Neighbourhood Plans in South Lanarkshire) are intended to set out the priorities in which improvements can be made to achieve local outcomes. It is inevitable that proposals in a Locality Plan will have a spatial dimension (for example new housing, active travel, community facilities) which can be promoted in a Local Place Plan (LPP). It is important that the two documents align and therefore a LPP should have regard to a Locality Plan within the area the subject of the LPP. In addition, this will have the added benefit of ensuring local communities, the community planning partners, and the planning authority all work in collaboration to deliver the local outcomes.

It is likely that there will be instances where the area to be covered by a LPP does not correspond with that addressed in a Locality Plan or a LPP may be covered by two or more Locality Plans. In addition, a Locality Plan may not even be in place for a proposed LPP area. Further the Locality Plan may become out of date before the LPP is fully delivered or vice versa. The Regulations should address this matter.

Finally, the primary legislation and draft regulations do not consider the benefits of combining Locality Plans and LPPs within a single document. This would result in efficiencies by bringing all issues together and reduce duplication as well as confusion over the terminology and different plans. It may be that is a matter for each local authority to consider however guidance on how to address such circumstances would be welcome.

2. *Do you consider that community bodies should have to have regard to other additional matters beyond the Locality Plan when preparing their Local Place Plan?*

- **Yes**
- **No**
- **No view**

Please comment on your answer, giving examples (particularly if you agree)

As noted in the response to Q1 there are likely to be instances where a Locality Plan is not in place for an area proposed to be subject of an LPP. In such cases the LLP should be required to show it accords with the LOIP (referred to as the Community Plan in South Lanarkshire).

The consultation paper states that it is not intended to include other public sector plans, programmes and strategies. as other matters the LPP should have regard to. However, it is considered important that a LPP should align with, at a high level, the Council Plan plus all related relevant strategies; in the case of South Lanarkshire this would include the Local Housing Strategy, Sustainability and Climate Change Strategy, Local Transport Strategy, Good Food Strategy and Open Space Strategy when it is produced. In addition, the LPP should take into account plans and strategies prepared by members of the Community Planning Partnership.

It is hoped that a key driver when developing a LPP will be to address climate change and ensure plans have this theme at the heart of its strategy (this would be in accordance with the recent position statement on NPF4). As an example, a Glasgow City Region Climate Adaptation Strategy has recently been approved which has as one of its guiding principle the need to equip communities to drive forward actions so places are climate ready. This topic should be a standard item in any LPP.

Notwithstanding this it is likely that other plans, programmes and strategies will be at different points in either preparation, review or implementations. In turn this may mean that community bodies may find it difficult to keep up to date. This could possibly something for individual authorities to address e.g., keeping a register of plans etc. This reinforces the desire for early engagement to take place with the Council.

The consultation paper also notes that a range of Community Action Plans (CAP) have already been developed out with the LPP process. In such cases, where the bodies responsible are different, it is important that the 'community body' developing a LPP collaborates with the body that was responsible for the CAP to avoid conflict between them. The Regulations should reflect this issue. In addition, clear guidance should be provided on who would be responsible for resolving such conflicts.

Form and Content of the Local Place Plan

3. *Do you agree with the proposal that an LPP should contain a statement setting out the community's proposals plus a map of the area, setting out the LPP boundary?*

- Yes
- **No**
- No view

Please comment on your answer (particularly if you do not agree)

It is recognised that the ability of community bodies to produce LPPs will vary widely and therefore the intention not to be over prescriptive in the form and content is appropriate. The guidance set out in the associated 'How To' Guide is a good starting point for ensuring the aspirations and implementation of the plan are clearly established.

Nevertheless, it will be important for the Planning Authority and the wider local community covered by a LPP to understand how the proposals and delivery mechanisms were arrived at. This would include reference to any evidence base used to develop the plan. In addition the point at which an LPP is taken into account in preparing the LDP (ie at the evidence report stage or when the proposed LDP is produced) has also to be made clearer. If it the former then guidance has to be provided on the type of evidence that should accompany the submission of an LPP. The timing of the submission of the LPP would also be critical as it would be inappropriate to delay the submission of the evidence report to Scottish Ministers while waiting for LPPS to be produced.

One matter not covered in the consultation is reference to the area that may be covered by a LPP. Clearly the intention of the legislation is to empower communities to engage with the planning system and therefore it is understandable the extent of an LPP area should be a matter for the community body. However, it may be useful to provide guidance on the implications of an area being either too narrowly defined or too extensive to be meaningful. As an example, the Council is in early discussions with a Development Trust who propose to develop a LPP that covers an entire parish – not just the main town but a number of other settlements of varying size and character. Their view is that this

wider area allows the smaller settlements to draw on the experience of a wider pool of resources and source funding that might not otherwise be available. Whether this is appropriate will be a matter for the relevant communities and elected members but the possibility of conflict within a community of this size and nature in such a scenario is evident.

Steps to be taken before preparing the Local Place Plan

4. *Do you think a requirement for the community body to engage and seek the views of people to assist in the preparation of an LPP should be set out in law?*

- **Yes**
- No
- No view

Please comment on your answer

To demonstrate that the proposed LPP represents the views of the local community that it covers it is considered that minimum consultation requirements should be established in the regulations. The reasons for this that are set out in the consultation, i.e., transparency, ensuring the plan is truly representative and that aspirations are captured, are all relevant in this context. This would also reflect the key outcome of the reform of the planning system to empower communities through appropriate engagement. As noted above it is critical however that a conflict resolution mechanism is built into the regulations to address varying views within the community. However, it is not considered appropriate that the Planning Authority would undertake this role.

One important element will be to address how consultation is to be carried out. Placemaking is at the heart of the Scottish Government's future planning policy development. As the consultation paper outlines there are already a number of tools and guidance available to enable people to consider the quality of their local places. There is reference in the NPF4 position statement to embedding the use of the Place Standard tool within the planning process and therefore the Regulations should reflect this aspiration given it is already firmly established in community engagement processes. At the same time it is recognised that the wide variety of other products and technologies can be highlighted in the 'How To' guide rather than making their use a legal requirement.

There is no reference to if and how the views of other parties will be sought – this includes landowners who are based out with the community (especially where the land is already identified for new development in an existing LDP); existing businesses particularly where they are not locally owned; and public authorities. Their engagement and participation in the process is important to ensure the outcomes are delivered.

5. *If a requirement to seek the views of people is put into law, what should any minimum requirement be?*

In addition to the comments in response to Q4, as the LPP will have a statutory basis alongside the LDP it is considered that, to ensure the views of the wider community are captured, the duties prescribed in the 2019 Act in relation to engagement during the preparation of the LDP (e.g., children and young people) are equally relevant. In addition, a participation statement should be made a requirement when the LPP is submitted to the Planning Authority.

Submission of Local Place Plans

6. *Do you agree with the proposal that there should be a minimum statutory requirement on the community body to consult the community once a draft LPP has been prepared and before submitting an LPP?*

- **Yes**
- No
- No view

Please comment on your answer (particularly if you do not agree)

Consultation on a draft LPP is key to ensuring that the views of the wider community have been taken into account and reflect the varying aspirations across the area to be covered by an LPP.

7. *If a requirement to consult across the community on the content of a draft LPP is to be put into law, what should any minimum requirement be?*

The Local Place Plan will have a statutory basis alongside the Local Development Plan and therefore it is considered that some elements of the consultation process on the latter should form part of the LPP process rather than the light touch approach referred to in the consultation. As a minimum an advert should be placed in a local newspaper and/or the community bodies website. A public event similar to that required as part of the Pre-Application Consultation on major applications should also be a requirement with a consultation report being submitted with the completed LPP. This would include showing how the community body has taken into account the statutory requirements and addressed any outstanding contrary views.

The Council considers that success of the Local Place Plan process is significantly dependent on ensuring the representativeness of the plan and requiring equality outcomes to be addressed throughout. There should be robust requirements to make sure that any plan the community produces uses good practice. In this respect the National Standards for Community Engagement should be used as a baseline for the consultation process. There should be a minimum proportion of the community that would be covered by the LPP to be involved in the creation and adoption of plans by the community in order to avoid plans being produced in near isolation.

Endorsement of the plan by the local community is also crucial. Consideration should be given the carrying out of a vote on the proposed plan to demonstrate a clear majority of the local stakeholders are in support of the proposals before it is submitted to the Council to register – this should include other parties including businesses and landowners.

Taking the views of councillors into account

8. *Do you agree with the proposal that the community body should seek the views of ward councillors when preparing the LPP?*

- **Yes**
- **No**
- **No view**

Please comment on your answer - particularly if you do not agree or have a view as to how ward councillors' views should be taken into account or reported?

In order to reflect the views of their constituents it is imperative that elected members have a strong and clear role in the preparation of LPPs. As well as the reasons set out in the consultation paper, councillors can also ensure that the voices of all of the community are heard. Nevertheless, reconciling political views within multiparty wards may be difficult to manage and achieve.

There is no reference in the consultation paper to the decision-making process for a planning authority to agree to register an LPP. In particular, it is not established whether committee approval will be required. If so, this could result in elected members being reluctant to get closely involved in LPP preparation because of concerns over a potential conflict of interest.

Information to submit alongside a local place plan

9. *Do you agree that, alongside the LPP itself, the community body should submit a statement on how it has complied with the legal requirements?*

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

The Council considers that each of the proposed requirements set out in paras 78 and 79 of the consultation paper should be required to be submitted with the LPP. These additional matters should be included in the secondary legislation and not be a matter for the guidance. This includes

- Showing how the LPP complies with statutory requirements
- Demonstrating that the LPP complies with the Local Development Plan/National Planning Framework (and the Locality Plan or LOIP where relevant) and justify a departure where relevant
- As per the response to Q2 above how the LPP accords with the Council Plan and other strategies
- The evidence base used for the preparing the LPP. As a minimum this should be informed by evidence of consultation with and buy in from the local community.
- How the LPP will be delivered – as a minimum this should include the consideration has been given to involving other partners/organisations and potential funding sources in order to avoid community expectations being disproportionately raised

Register and map of Local Place Plans

10. *Do you agree the requirements planning authorities have to keep the register of local place plans should be aligned to the existing arrangements for registers?*

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

This is not considered to be an issue given the current requirements that the Planning Authority has to comply with.

11. *Do you agree that the additional information provided by the community body alongside the LPP should be kept on the register of local place plans?*

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

It is important that all of the information submitted with the LPP is placed on the register to ensure transparency in the plan preparation process and demonstrate the journey made in developing the LPP.

12. *Please provide your views on the level and content of information to be placed on the register.*

See response to Q11 above

Removal of the LPP from the register

13. *Do you agree with the proposal that a planning authority may remove an LPP from the register once it has been taken into account in the LDP, and must do so when requested by the community body that prepared it?*

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

The removal of the LPP from the register will be appropriate once the associated LDP has been adopted. However, the consultation refers to the possibility of planning authorities retaining an LPP should it wish to; if this is to be brought forward in the Regulations then clear guidance is needed to assess such scenarios.

In terms of dealing with requests by the community body to remove from the register care should be taken to ensure this reflects the view of the wider community. There may be circumstances where participants in the community body/elected members change.

There is also no recognition in the consultation to cases where one or more additional community body is established with different aspirations and proposals.

Committee approval?

Making the Local Place Plan map available

14. *Do you agree the requirements planning authorities have for making the map of local place plans available should be aligned to the existing arrangements for registers?*

- **Yes**
- **No**
- **No view**

Please comment on your answer (particularly if you do not agree)

No additional comment

Impact Assessments

- Business and Regulatory Impact Assessment
- Equalities Impact Assessment (combining Child Rights and Wellbeing Impact Assessment)
- Island Communities Impact Assessment

15. *Please give us any views you have on the content of these partial assessments.*

In terms of the Business and Regulatory Impact Assessment the section on the costs associated with the preparation focusses on the impact on the community body preparing the LPP with the only reference to the planning authority being in relation to the setting up of the register. The ability to prepare LPPs is a new one and not currently required to be resourced. The associated 'How To' guide refers to communities working with the planning authority 'throughout' for example ensuring the legal requirements have been met; providing advice on existing detailed policy and a range of information

that may be sought to evidence the plan; and being part of what is described as a steering group. South Lanarkshire currently has 35 active community councils as well as a large number of informal community groupings and development trust and therefore the impact on resources is potentially significant.

16. *Do you have or can you direct us to any information that would assist in finalising these assessments?*

None

- Fairer Scotland Duty
- Strategic Environmental Assessment

17. *Please give us your views on the Fairer Scotland Duty and Strategic Environmental Assessment screening documents and our conclusion that full assessments are not required.*

The Council considers that there will be no significant environmental effects resulting from the preparation and implementation of the proposed regulations. This is particularly so given that LPPs should take account of the LDP, which itself will have been subject to a full and robust SEA.

18. *If you consider that full assessments are required, please suggest any information sources that could help inform these assessments?*

Report

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

Subject:	Planning and Building Standards, Consultation, Communication and Engagement Strategy
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1. Purpose of Report

1.1. The purpose of the report is to:-

- inform the Committee of the development of the Consultation, Communication and Engagement Strategy for Planning and Building Standards

2. Recommendations

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

- (1) that the Planning and Building Standards Consultation, Communication and Engagement Strategy be approved and implemented.

3. Background

- 3.1. The Planning (Scotland) Act 2019 aims to empower communities to make decisions that support and sustain them. The Act introduced a number of changes which will lead to greater community involvement in the planning process. Measures include changes to the way in which communities participate in the planning process and the ability for community bodies to prepare Local Place Plans. The Planning Service is working closely with the Council's Community Participation team to ensure there is synergy in introducing the Act's requirements.
- 3.2. When developing the Local Development Plan for the area, the Council is statutorily required to carry out public consultation and engagement at several stages of the process. The 2019 Act requires the Council to consult and engage much more widely than it currently has. The views of children and young people and the needs and aspirations of local communities will be a particular focus going forward.
- 3.3. The Scottish Government's Digital Strategy for Planning was launched in November 2020 and also seeks to transform the ways in which people can get involved in planning. The Planning and Building Standards Service will seek to develop new approaches to consultation, particularly taking advantage of electronic communication and new technology.

- 3.4. The processing of planning applications includes the statutory requirement for the Council to notify residents in properties that adjoin an application site. This allows those potentially affected by a proposed development to make representations.
- 3.5. Both Planning and Building Standards have achieved Customer Service Excellence (CSE) recognition annually since 2014, CSE is the principal way in which we measure our progress towards achieving optimum customer service for the people and businesses in South Lanarkshire. At the most recent review in January 2021, Planning were awarded 15 'compliance plus' ratings, with three 'partial' compliance rating remaining. At the same time, Building Standards were fully compliant and achieved 12 compliance plus ratings.
- 3.6. In September 2019, Planning and Building Standards hosted an engagement event with developers and agents. One of the key actions from this event was a commitment to produce an annual action plan to set out how the Service would improve and develop engagement with these stakeholders and to address identified issues. Following the annual CSE audits in December 2019 for both Planning and Building Standards, it was recognised that it would be good practice to formalise the annual action plan into a Consultation, Communication and Engagement Strategy that would serve all of our geographical communities and communities of interest.
- 3.7. The first Consultation, Communication and Engagement Strategy for the Service has been in preparation since autumn 2020. A draft of the Strategy was used as evidence for the CSE audits in January 2021. The draft was very well received by the assessor who noted 'it is very encouraging to see the development of the Strategy, which is well designed and fit for purpose' and 'the content of this new document is impressive and designed to steer customer engagement for the future'

4. Consultation, Communication and Engagement Strategy

- 4.1. The goal of Planning and Building Standards is to have good effective and meaningful communication with all our communities and customers. To realise this ambition we aim to:-
 1. Have a coordinated approach to consultation, communication and engagement.
 2. Be inclusive to everyone in our communities.
 3. Improve the capacity of our customers, including local communities to engage fully with us.
 4. Develop our Service using customer feedback on their experience.
- 4.2. The structure of the Planning and Building Standard's Strategy follows that of the corporate Communication Strategy, published in 2019, which sets out how the Council will continually strive for meaningful, two way communications with all residents and other audiences in an increasingly digital world. In keeping with the corporate Strategy, Planning and Building Standards' Strategy is also structured around the five 'As' of Aims, Audiences, Activities, Assets and Analysis with a sixth 'A' of Actions introduced which will set out how we will deliver improved customer experience and satisfaction.
- 4.3. Customer feedback and continuous review of customer service delivery has been used to identify a range of actions to sustain, improve and enhance how the service communicates, consults and engages with customers. The Action Plan is closely

aligned with the requirements of Customer Service Excellence and is set out in four themes:

- **Communication:** verbal, written and personal
- **Accessibility:** approachability and friendliness of staff
- **E-development:** operation of the national e-development portal and SLC Public Access
- **Service quality:** maintain high levels of service quality.

- 4.4. The Strategy will cover a three year period from 2021 – 2024. The Action Plan will be reviewed, updated and reported annually and will cover the lifetime of the Strategy. The Strategy and Action Plan are set out in Appendix 1.

5. Employee Implications

- 5.1. None

6. Financial Implications

- 6.1. None

7. Other Implications

- 7.1. The strategy describes how the Council aims to implement proposals for wider community engagement in relation to its function as the Planning Authority. Failure to do so would result in legislative requirements not being fulfilled.

8. Climate Change, Sustainability and Environmental Implications

- 8.1. A pre-screening statement was prepared and submitted to the statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency) at an early draft stage in accordance with the requirements of the Environmental Assessment (Scotland) Act 2005. It was agreed that the Strategy was unlikely to have significant environmental effects and, therefore, a full Strategic Environmental Assessment was not required.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. An Equalities Impact Assessment Screening was completed for the Strategy. It found that the Strategy would have a positive impact for people and organisations who use the Planning and Building Standards Service. This includes people in protected characteristics groups, as identified in the Equality Act 2010.
- 9.2. Consultation has taken place with agents and developers and with all Planning and Building Standards staff. A presentation on the Strategy has also been delivered to the Access Panel. The feedback received from the consultation process has been useful and has been incorporated into the Strategy and Action Plan which have been strengthened as a result.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

28 May 2021

Link(s) to Council Values/Ambitions/Objectives

- ◆ Focused on people and their needs
- ◆ Working with and respecting others
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self aware and improving
- ◆ Fair, open and sustainable
- ◆ Make communities safer, stronger and sustainable

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

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

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or

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Appendix 1

Planning and Building Standards Consultation, Communication and Engagement Strategy

May 2021

Introduction

Having good, meaningful communication is key to ensuring the effective and efficient delivery of all aspects of a service and for the provision of excellent customer service and satisfaction.

It is important we listen, consult and communicate clearly, openly, accurately and regularly with our communities, agents, developers, partners and colleagues to promote mutual understanding and respect and to ensure we deliver the best possible service to all our customers.

This Consultation, Communication and Engagement Strategy sets out how South Lanarkshire Council's Planning and Building Standards Service will consult, communicate and engage with residents and other audiences who have an interest in planning and building standards work within the area. It covers a three year period from 2021 to 2024.

Our Strategy has been developed within the background of the restrictions necessary as a result of Covid19 which has limited the amount of traditional consultation and engagement we can carry out. At the same time we have developed new methods of keeping in touch with customers and we expect these new ways of working to become established.

Background

South Lanarkshire is one of Scotland's most diverse areas, covering 1,772 square kilometres of land and with a population of about 319,000 people. It has the fifth largest population and is the eleventh largest authority area in Scotland. The authority area spans through central and southern Scotland, straddles the upper reaches of the River Clyde from the City of Glasgow boundary extending into the Southern Uplands at Leadhills. It extends east at Forth and Biggar and west to Thorntonhall and Drumclog. The main towns in South Lanarkshire are Rutherglen, Cambuslang, East Kilbride, Hamilton and Lanark.

South Lanarkshire's Planning and Building Standards (PBS) Service sits within the Planning and Economic Development Service and is part of the wider Community and Enterprise Resource. The Resource includes Roads and Transportation Services, Fleet and Environmental Services Facilities and Waste and Grounds Services.

Following a comprehensive service review, the PBS Service was restructured in August 2020. The work of PBS is undertaken by three teams comprising a Headquarters (HQ) team and two Area Office teams, each led by an Area Manager. This is detailed in the Assets section.

Both Planning and Building Standards have achieved **Customer Service Excellence (CSE)** recognition annually since 2014. CSE is the principal way in which we measure our progress towards achieving optimum customer service for the people and businesses in South Lanarkshire. At the most recent review in January 2021, Planning were awarded 15 'compliance plus' ratings, with three 'partial compliance' ratings remaining. At the same time Building Standards were fully compliant and achieved 12 compliance plus ratings.

New planning legislation was introduced in 2019 with the aim of reforming the planning system, including empowering communities to make decisions that support and sustain them. Measures include changes to the way in which communities participate in the planning process and the ability for community bodies to prepare Local Place Plans.

The Council also has a legal duty to prepare a Local Development Plan for the area. We are required to carry out public consultation and engagement at several stages of the process. We set out how we will do this in the Development Plan Scheme which is updated every year.

The processing of planning applications includes the statutory requirement for the Council to notify residents in properties that adjoin an application site. This allows those potentially affected by a proposed development to make representations. Advice on the grounds for objecting to an application and list of matters that cannot be taken into account is provided on the Council's website and is available [here](#). All comments received are considered when making a decision on an application and may result in changes being made to the proposal. However, an application can be approved if it meets policy even if objections are received. All representations made are summarised and commented upon in the case officer's report. The case officer will be available to explain proposals and decisions made on them.

Equalities

An Equalities Impact Assessment Screening completed for the strategy found that the Strategy would have a positive impact for people and organisations who use the Planning and Building Standards Service. This includes people in protected characteristics groups, as identified in the Equality Act, 2010.

We have consulted with our Access Panel when preparing this Strategy and taken account of their views within both the Strategy and the Action Plan.

Anyone requiring information in another language or format can contact us to discuss how their needs can best be met by emailing equalities@southlanarkshire.gov.uk.

Environment

We prepared and submitted a pre-screening statement for the Strategy at an early draft stage in accordance with the requirements of the Environmental Assessment (Scotland) Act, 2005. The statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency), agreed that the Strategy was unlikely to have significant environmental effects and, therefore, a full Strategic Environmental Assessment was not required.

Strategic context

National

The Planning (Scotland) Act 2019, which received Royal Assent in July 2019, introduces for the first time, a definition of the purpose of the planning system. This includes anything that achieves the national outcomes (within the meaning of Part 1 of the Community Empowerment Act 2015). This means that the needs of all people have to be considered when making decisions and this is particularly important when planning for the places in which people live, work and relax. A number of changes have been introduced by the Act which will lead to greater community involvement in the planning process.

The Local Development Plan sets out the Council's land use strategy for South Lanarkshire. When preparing our new Plan from late 2022, the new Act requires us to consult and engage much more widely than we currently have. The views of children and

young people and the needs and aspirations of local communities especially will be an important part of this. We will also seek to develop new approaches to consultation particularly taking advantage of electronic communication and new technology. A Digital Strategy for Planning was launched by the Scottish Government in November 2020 which will transform the ways in which people can get involved in planning. Our action plan will be developed in response to these changes.

The 2019 Act also introduces the ability of community bodies to prepare a Local Place Plan for their area giving them opportunity to develop proposals for the development and use of land in the place where live by focussing on their aspirations as well as their needs. The Local Place Plans are required to conform to the Local Development Plan. The new Local Development Plan will have to consider any registered Local Place Plans which will enable communities to have a more direct role in the decisions that influence their place. A Local Place Plan also provides a framework for communities to take forward community actions themselves. In advance of this the Planning Service is developing a closer working partnership with the Council's Community Participation team.

Local

The work of the PBS Service is underpinned and guided by the Council's Plan 'Connect' and its vision to 'improve the quality of life of everyone in South Lanarkshire'. Connect establishes five ambitions, three of which have direct relevance with the Planning and Building Standards Service.

These are:

- Promote economic growth and tackle disadvantage
- Make communities safer, stronger and sustainable
- Achieve results through leadership, good governance and organisational effectiveness.

To realise its ambitions, the Council has set out 11 objectives. The PBS Service contributes significantly to the achievement of five of these:

- Improve the availability, quality and access of housing
- Improve the road network, influence improvements in public transport and encourage active travel
- Work with communities and partners to promote high quality, thriving and sustainable communities
- Support the local economy by providing the right conditions for inclusive growth
- Support our communities by tackling disadvantage and deprivation and supporting aspiration.

Resource and service action plans establish a strong link between the Council's strategy and the delivery of services. In the case of the PBS Service, our day to day activities are directed to achieving the following Resource objectives:

- Ensure an adequate supply of housing land is maintained.
- Provide Planning and Buildings Standards services which guide and control physical development and land use in the area.
- Sustain the quality of our town and neighbourhood centres.

- Work with developers and public and private sector partners to deliver the Community Growth Areas City Deal project.
- Provide services which help local communities to become more sustainable.
- Regenerate and bring back into use vacant and derelict and contaminated land.

The corporate Communication Strategy, published in 2019, sets out how the Council will continually strive for meaningful, two way communications with all residents and other audiences in an increasingly digital world. Structured around the five ‘**As**’ of **Aims**, **Audiences**, **Activities**, **Assets** and **Analysis**, the principal purpose of the Strategy is to support the delivery of the Council Plan. This Planning and Building Standards Strategy introduces the sixth ‘**A**’ of **Actions** which will set out how we will deliver improved customer experience and satisfaction.

Aims

The benefits of effective communication for organisations and their customers have long been recognised. Key benefits identified for the Planning and Building Standards Service are:

- **Policy and service planning:** Raises knowledge and understanding of local needs and priorities and helps to ensure resources are better targeted to prevent waste, duplication and fragmentation.
- **Performance management:** Helps to gauge customer experience and perception of the Service and what went well and what could be improved.
- **Service delivery:** Establishes how the Service can be more responsive to the needs of customers and how it can optimise its services in terms of relevance, accessibility, equity, efficiency and effectiveness.

Planning and Building Standards’ goal is to have good, effective and meaningful communication with all our communities and customers. To realise this ambition, we aim to:

1. Have a **co-ordinated approach** to consultation, communication and engagement.
2. Be **inclusive** to everyone in our communities.
3. Improve the **capacity** of our customers, including local communities to engage fully with us.
4. Develop our Service using **customer feedback** on their experience.

Audiences

The Planning and Building Standards Service is responsible for a number of statutory functions. This includes carrying out neighbour notification and other publicity on planning applications and the preparation of the development plan, as well as consultation with key agencies and other Council services. We also aim to engage and communicate with customers on a wide range of matters.

It is essential that the Planning and Building Standards Service has effective communication with all its customers, communities and other stakeholders and particularly with traditional ‘hard to reach’ people. This requires that the appropriate method of consultation, communication and engagement is used to ensure optimal effectiveness.

As a frontline public service, we have a wide range of customers, including those who engage directly with us and those who are impacted on the decisions we take in our plan making and in our planning and building consents processes. Our customers include:

- **Residents** applying for planning permission and building warrants, their **agents** and **representatives**.
- **Developers, landowners** and **planning consultants** applying for planning permission, building warrants or seeking to get sites included in the Local Development Plan.
- **Neighbours**, and in some cases, the **wider community** who may be impacted by proposals contained in planning and building warrant applications or by proposals in the Local Development Plan.
- **Community Councils, community groups and interest groups**.
- **Elected Members**, including Councillors, Members of the Scottish Parliament and Members of the UK Parliament.
- **Community Planning Partners**, other Councils and Government agencies, including, Scottish Environment Protection Agency, Scottish Enterprise and Transport Scotland.
- **Corporate colleagues**, for example, those in housing, roads and economic development.

In terms of plan making, the PBS Service also regularly consults, communicates and engages with this full range of customers at various stages of the plan making process.

Activities

In line with the Council's 'Digital First' approach, the majority of PBS's communications uses digital methods. However, to ensure that all customer groups, including older people, are fully involved and included, traditional methods are still deployed, where appropriate.

The Service uses a wide range of communication methods, principally:

- **Electronic communication:** The majority of written correspondence to and from our customers is by email, as this is quick, cost effective and environmentally friendly. It also provides an audit trail for both us and our customers and facilitates electronic file maintenance. Where required or requested, we are happy to provide information by traditional methods.
- **Website:** The PBS Service has dedicated webpages within the corporate website. We regularly review and update our webpages with information and advice on all aspects of planning and building standards work. Appropriate signposting is also provided to related agencies and work streams.
- **Web portals:** Planning has its own portal, known as Public Access, on the Council website where current planning applications and those that have had a decision can be viewed. Representations can also be made using this facility. Information on planning enforcement notices and planning appeals can be found on the website together with details of building warrant applications.
- **Customer Service Centre:** Customers are able to reach officers by telephone. A duty rota system is in place so that officers are always available to take enquiries.
- **Customer satisfaction surveys:** All customers who apply, object or appeal for planning or building consents are automatically invited to complete a customer satisfaction survey which asks about their experience and how they think the service they receive can be improved. Feedback from these surveys is used to inform service

delivery and development. A link to the surveys is included within all planning staff's email footer.

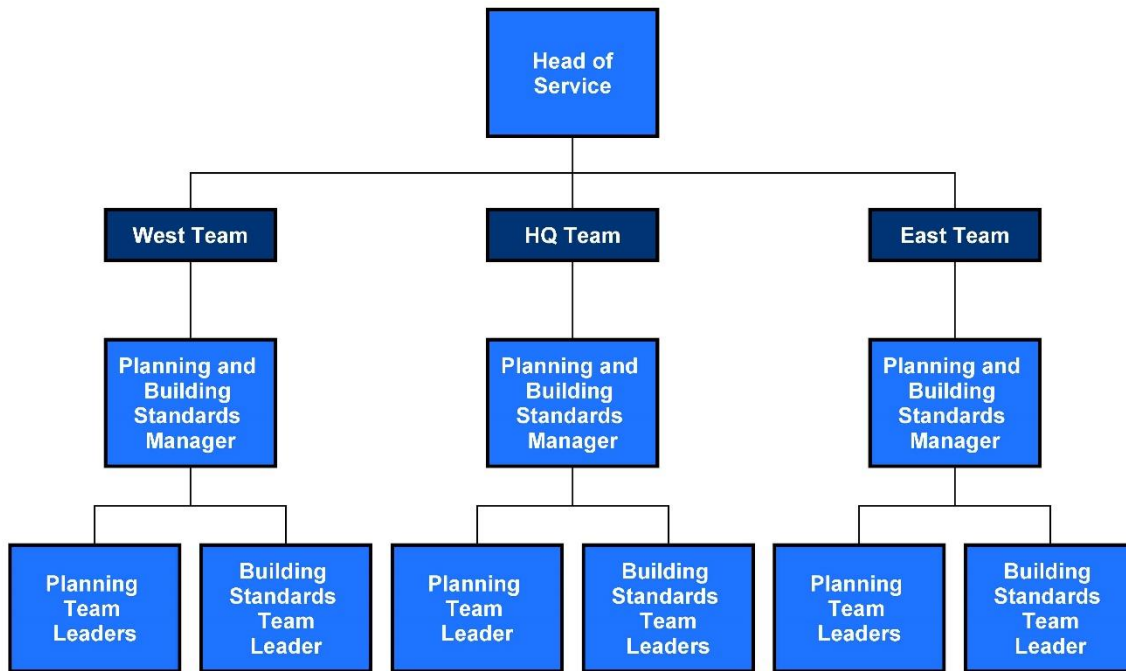
- **Social media:** Working collaboratively with corporate communications, we regularly post updates about our activities on the Council's Twitter and facebook accounts.
- **Focus groups, workshops and events:** Held with particular communities of interest to discuss a wide range of issues. For example, an annual event with agents regarding key changes in planning and building standards legislation and to discuss and provide feedback on customer service experience.
- **Forums and Panels:** The Service is represented on a number of forums and panels led by community and interest groups, covering a wide range of issues within South Lanarkshire.
- **Place Standard Tool:** A recognised method of structuring conversations about the physical and social aspects of place which can be conducted digitally or in a face to face group. The tool has been used by PBS as part of the engagement process for developing the Local Development Plan and to inform other activities. The tool is due to be refreshed in 2021 and forms an important part of the Scottish Government's thinking on how to involve communities.

Assets

Arguably the greatest asset an organisation has is its people and this is undoubtedly the case for Planning and Building Standards. Our staff are highly trained, professional, approachable and committed to providing excellent customer service and care. This is continuously reviewed and monitored at regular 121 meetings and during bi-annual performance appraisal discussions which focus on a behaviours framework. Our staff are encouraged to develop and enhance their skills and knowledge through training, development programmes, continuous professional development, on the job learning and mentoring.

The following table shows the current structure of the Service. It comprises two area teams (East and West) together with a Headquarters team. All three teams are managed by a Planning and Building Standards Manager. Each team has separate Team Leaders covering planning and building standards. The area teams are predominantly responsible for the processing of planning applications and applications for a building warrant together with pre-application discussions. The Headquarters team includes a number of functions including policy development, enforcement, strategic environmental assessment, performance management and technical support, including our GIS mapping function. It also deals with applications for waste management, minerals and renewable energy and the inspection of new development as part of the completion process.

Planning and Building Standards Staff Structure



The Service's building warrant and development management case system and supporting document management system is provided by IDOX. This is the same platform as all local authorities in Scotland which allows for joint working and learning from best practice as well as the option to react quickly to legislative changes. It provides improved functionality and helps to share the cost burden for future development.

The current IDOX Uniform system provides:

- A casework management system for planning applications, planning appeals, Planning Local Review Body cases and enforcement cases.
- A casework management system for building warrants, completion certificates and enforcement cases.
- A link to the Scottish Government e-development portal from which applications for planning and building standards can be made directly to the Uniform system.
- An integrated document management system holding all associated plans and documents relating to planning and building standards casework.
- Public Access – our online service that allows the viewing of documentation and plans relating to planning applications received by the Council. It allows comments to be made to planning applications and provides details of planning appeals and formal enforcement cases. It also provides details of building warrants.

A decision was also taken by the Council to move to a corporate record management system and as such, Planning and Building Standards were one of the first Services to move to the use of Objective Navigator. This holds all our non-casework documentation and allows easy access to and sharing of documents within the Service and across other Council Resources which have implemented the system.

During the Covid19 restrictions all officers have been working from home and continue to be available to customers and partners by email and mobile phone. In addition, extensive use has been made of Microsoft Teams to hold meetings with customers.

Analysis

In order to evaluate the success of our strategy we will conduct and analyse regular customer satisfaction surveys and benchmark our performance with others. We will listen to what our customers and staff tell us about their experience and their views as to how we can improve or enhance our approach.

Customers are able to make comments, compliments or complaints about the service they have received from us. We use this information to try and improve our services to prevent the same issues happening again. Information about our complaints procedures is available on our website and can be accessed [here](#).

Actions

From customer feedback and continuous review of our customer service delivery, we have identified a range of actions to sustain, improve and enhance how we communicate, consult and engage with them. Our Customer Service Action Plan, set out in Appendix 1, will be reviewed, updated and reported annually and will cover the lifetime of this strategy. It is set out in four themes:

- **Communication:** verbal, written and personal
- **Accessibility:** approachability and friendliness of staff
- **E-development:** operation of the national e-development portal and SLC Public Access
- **Service quality:** maintain high levels of service quality.

Planning and Building Standards Consultation, Communication and Engagement Action Plan 2021 – 2022

No.	Action	Date required	Responsibility	CSE Criteria reference
1. Communication – verbal, written and personal				
1.1	Ensure staff are aware of and use customer service standards in relation to responding to customer enquiries by telephone and in writing.	Ongoing	PBS Managers PBS Team Leaders	4 – Delivery
1.2	Provide an electronic newsletter for agents, developers and other targeted customers which includes information and links to relevant information and events on a national, regional and local level. This could also include information about the staff who deliver the service.	Quarterly from March 2021	PBS Managers PBS Team Leaders	3 – Information and Access
1.3	Review and update as required information and advice on the Council's website. Where appropriate, invite agents and developers to review draft information before it is published.	From March 2021	PBS Managers PBS Team Leaders	3 – Information and Access
1.4	Use Council website to carry out public consultation, where appropriate.	Ongoing	PBS Managers PBS Team Leaders	4 – Delivery
1.5	Use social media and Council website to highlight events, for example, hearings and committee meetings and changes in building regulations and planning legislation.	Ongoing	PBS Managers	3 – Information and Access
1.6	After Committee issue standard 'interim letters' to representees advising of the Committee decision subject to a legal obligation or financial contribution which will delay issue of the decision notice.	Ongoing	Planning Managers Support Team	4 – Delivery
1.7	Publish changes in fees following review by the Scottish Government.	As required	PBS Manager HQ	3 – Information and Access

No.	Action	Date required	Responsibility	CSE Criteria reference
1.8	Provide a 'Guide to Planning' for Community Councils including advice on the planning and building standards systems and how we will communicate and consult with them.	June 2021	PBS Manager HQ	3 - Information and Access
1.9	Publish the Development Plan Scheme.	June 2021	PBS Manager HQ	3 - Information and Access
2. Accessibility – approachability and friendliness of staff				
2.1	Advise staff when compliments of their service are received, including nominations to corporate customer service awards, when appropriate.	Ongoing	Head of Service PBS Managers PBS Team Leaders	2 – Culture of the Organisation
2.2	Continue to promote both formal and informal pre-application discussions and site visits between officers and customers.	Ongoing	PBS Managers PBS Team Leaders	4 – Delivery
2.3	New procedure to be rolled out to officers and customers involving standard form for pre-application enquiries and comprehensive pro-forma response.	December 2021	PBS Managers PBS Team Leaders	4 – Delivery
2.4	Ensure all new staff have customer service training as part of their induction.	As required	PBS Managers PBS Team Leaders	5 – Timeliness and Quality of Service
2.5	Deliver a CPD session to all Planning and Building Standards staff on the importance of delivering excellent customer service and meeting or exceeding our Customer Service Standards.	December 2021	PBS Manager PBS Team Leaders	2 - Culture of the Organisation
2.6	Explore opportunities to increase visibility of Planning Officers onsite during construction phase.	September 2021	Planning Managers Planning Team Leaders	2 – Culture of the Organisation
2.7	Prepare and deliver awareness session on the use of the planning portal to the Access Panel.	December 2021	Planning Managers	3 – Information and Access
2.8	Prepare and deliver session to the Access Panel on the planning system.	September 2021	Planning Managers	3 – Information and Access
2.9	Prepare and deliver awareness session on the use of the planning portal to Seniors Together.	October 2021	Planning Managers	3 – Information and Access
2.10	Prepare and deliver session to Seniors Together on the planning system.	October 2021	Planning Managers	3 – Information and Access

No.	Action	Date required	Responsibility	CSE Criteria reference
3. E-development – operation of the national e-development portal and SLC Public Access				
3.1	Continue to signpost to agents, developers and other customer's e-development information and guidance on how to best use the national planning portal, including the uploading and saving of documents.	Ongoing	HQ Manager HQ Team Leader	3 – Information and Access
3.2	Continue to accept paper copies of larger documents as an alternative to using the portal.	Ongoing	BS Team Leaders	1 – Customer Insight
3.3	Provide and regularly review online guidance note on how best to use SLC Public Access.	Ongoing	PBS Managers	3 – Information and Access
3.4	Provide and regularly review simple online guidance on the planning process for the public, ensuring it meets Plain English standard.	Ongoing	Planning Managers	3 – Information and Access
4. Service quality – maintain high levels of service quality				
4.1	Retain and improve Customer Service Excellence accreditation.	Annually	CSE Group	2 – Culture of the Organisation
4.2	Continue to review and analyse annual customer service satisfaction surveys.	Annually	Head of Service PBS Managers CSE Group	5 – Timeliness and Quality of Service
4.3	Provide teams with overview of customer survey findings and facilitate opportunity for staff to discuss and respond.	Annually	PBS Managers PBS Team Leaders CSE Group	2 – Culture of the Organisation
4.4	Organise and facilitate annual agents and developers network event.	Annually	HQ Manager CSE Group	1 – Customer Insight
4.5	Report to agents and developers outcome of customer surveys and update on action plan.	Annually	HQ Manager CSE Group	1 – Customer Insight
4.6	The importance of customer service quality is emphasised in the induction of new staff.	Ongoing	PBS Managers PBS Team Leaders	2 – Culture of the Organisation
4.7	Customer service attitudes, behaviours and actions are discussed with individual officers at their annual Behaviours Framework and Performance Appraisal meeting.	Biannually	PBS Managers PBS Team Leaders	2 - Culture of the Organisation

No.	Action	Date required	Responsibility	CSE Criteria reference
4.8	The availability of a wide range of Customer Service training through our Learn on Line facility is discussed and promoted with individual officers at their annual Behaviours Framework and Performance Appraisal meeting.	Biannually	PBS Managers PBS Team Leaders	2 – Culture of the Organisation
4.9	Review current working practices with Roads and Transportation Services and develop a revised protocol for dealing with application consultation and discharge of conditions.	Ongoing	Head of Planning Planning Managers	4 - Delivery
4.10	Hold a CPD session, jointly with Roads colleagues focusing on improving the customer journey in relation to planning.	By December 2021	Planning Managers Roads Managers	1 - Customer Insight
4.11	Investigate possibility of joint Planning, Building Standards and Roads event.	September 2021	PBS Managers Roads Managers	1 - Customer Insight
4.12	Arrange and facilitate joint Planning, Building Standards and Roads event.	By December 2021	PBS Managers Roads Managers	1 - Customer Insight
4.13	Deliver a programme of CPD sessions for staff on relevant issues to maintain and improve high level of knowledge base.	By December 2021	PBS Managers	5 – Timeliness and Quality of Service
4.14	Consult with staff and customers on the Planning and Building Standards Consultation, Communication Strategy prior to its approval by Committee.	By May 2021	PBS Managers	1 – Customer Insight
4.15	Update and review the Development Management Charter.	September 2021	Planning Managers	5 – Timeliness and Quality of Service

