

Community and Enterprise Resources
Executive Director Michael McGlynn
Planning and Economic Development

Kenneth Martin
Block Architects Ltd
28 Flexspace
Bellshill Industrial Estate
Belgrave Street
Bellshill
ML4 3NP

Our Ref: P/19/1089
Your Ref:
If calling ask for: Ian Hamilton
Date: 4 March 2020

Dear Sir/Madam

Issue of decision – compliance with conditions

Proposal: Erection of three detached dwellinghouses and associated parking
Site address: Land 38M Nne Of 56 Braidwood Road, Braidwood Road, Braidwood,
Carluke, South Lanarkshire, ,
Application no: P/19/1089

I am pleased to enclose the decision notice relating to the above mentioned application which was recently approved by the Council, subject to conditions. Please note that the Council does not issue paper plans with the decision notice. The application is granted in accordance with the plans and any other documentation listed in the conditions imposed on the accompanying decision notice and which can be viewed using the Council's online planning application search at www.southlanarkshire.gov.uk

Please check the decision notice carefully for any conditions imposed on the consent which require the submission and approval of details **before works start on site**. It is most important that these are dealt with **before** work on the development begins. If the development starts without complying with these 'pre-commencement' conditions, it may be rendered unlawful. Enforcement action may also be taken if conditions or details are not submitted and approved by the Council, if you are required to do so.

I would also advise you that under the Planning etc (Scotland) Act 2006, once you have decided the date that you will start work on the development, you must inform the Council of that date as soon as possible. This ensures that the Council is aware that the development is due to begin and can follow up on any suspensive conditions attached to the planning permission as mentioned above. If you do not notify the Council, that is a breach of planning control and action may be taken against you. I enclose a 'Notification of initiation of development' for you to submit when you are ready to begin work. Similarly, you require to notify us when the development has been completed and a 'Notification of completion of development' is also attached for this purpose.

Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Email ian.hamilton@southlanarkshire.gov.uk Phone: 01698 455174



If you have any queries regarding the conditions which have been imposed, or the procedures associated with the notification of initiation of development or completion of development notices, then please contact the officer named above.

The Planning Service is undertaking a Customer Satisfaction Survey in order to obtain feedback about how we can best improve our Service to reflect the needs of our customers. The link to the survey can be found here:

If you were the applicant: <http://tinyurl.com/nrtgmy6>

If you were the agent: <http://tinyurl.com/od26p6g>

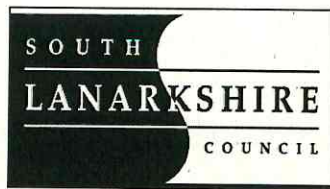
We would be grateful if you would take a few minutes to answer the questions in the survey based on your experience of dealing with the Planning Service in the past 12 months. We value your opinion and your comments will help us to enhance areas where we are performing well, but will also show us where there are areas of the service that need to be improved.

I do hope you can take part in this Customer Survey and look forward to receiving your comments in the near future. If you prefer to complete a paper version of the survey, please contact us by telephone on 0303 123 1015 quoting the application number. We will send you a copy of the survey and a pre-paid envelope to return it.

Yours faithfully

Head of Planning and Economic Development

Enc:



Application No
P/19/1089

Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006

To :

**RCK Developments Ltd
Flexspace
30 Belgrave Street
Bellshill
ML4 3NP**

Per : **Kenneth Martin**

**28 Flexspace
Bellshill Industrial Estate
Belgrave Street
Bellshill
ML4 3NP**

With reference to your application received on 12.07.2019 for planning permission under the above mentioned Act :

Description of proposed development :

Erection of three detached dwellinghouses and associated parking

Site location :

Land 38M Nne Of 56 Braidwood Road
Braidwood Road
Braidwood
Carluke
South Lanarkshire

SOUTH LANARKSHIRE COUNCIL in exercise of their powers under the above mentioned Act hereby:

GRANT CONDITIONAL PLANNING PERMISSION

for the above development in accordance with the plan(s) specified in this decision notice and the particulars given in the application, subject to any condition(s) listed overleaf in the paper apart. Any condition(s) are imposed by the Council for the reasons detailed.

Date: 4th March 2020

Head of Planning and Economic Development

This permission does not grant any consent for the development that may be required under other legislation, e.g. Building Warrant or Roads Construction Consent.

South Lanarkshire Council

**Community and Enterprise Resources
Planning and Economic Development**

South Lanarkshire Council

Grant planning permission

Paper apart - Application number: P/19/1089

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 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.

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

05. Prior to the commencement of the development hereby approved (including any demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Council as Planning Authority. Specific issues to be dealt with in the TPP and AMS:
- a) Location and installation of services/ utilities/ drainage.
 - b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
 - c) Details of construction within the RPA or that may impact on the retained trees.
 - d) A full specification for the installation of boundary treatment works.
 - e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
 - f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
 - g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Veteran and ancient tree protection and management.

The development shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

06. All trees to be removed must be replaced by trees of a similar species at the locus to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

07. That subsequent to the roads within the application site having been formed to basecourse level and the dwellinghouses set out in the site, a further evaluation of the remaining trees within the site shall be undertaken by the developers in conjunction with representatives of the Council; that no trees within the site, other than those necessary for the said road construction and dwellinghouses shall be felled, lopped or topped until the aforementioned evaluation has been undertaken and the written approval of the Council as Planning Authority has been given for the further felling, lopping or topping of trees and that the terms of this condition shall apply to any additional trees to be retained.

Reason: To safeguard the amenity of the area.

08. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a woodland management plan shall be submitted to, and approved in writing by the Council as Planning Authority. The management plan should be prepared by a qualified and experienced forestry or arboricultural consultant and should include the following elements:
- a) a statement of the overall design vision for the woodland and for individual trees retained as part of the development - including amenity classification, nature conservation value and accessibility.
 - b) type and frequency of management operations to achieve and sustain canopy, understorey and ground cover, and to provide reinstatement including planting where tree loss or vandalism occurs.
 - c) frequency of safety inspections, which should be at least three yearly in areas of high risk, less often in lower risk areas
 - d) confirmation that the tree pruning work is carried out by suitably qualified and insured tree contractors to British Standard 3998 (2010).
 - e) special measures relating to Protected Species or habitats, e.g. intensive operations to avoid March - June nesting season or flowering period.
 - f) inspection for pests, vermin and diseases and proposed remedial measures.
 - g) recommendations relating to how trees within the immediate vicinity of properties or within private areas are to be protected, such that these are retained without the loss of their canopy or value as habitat.

h) confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions.

Reason: To ensure that woodland areas are satisfactorily safeguarded, managed and maintained in the long term /in perpetuity in the interest of nature conservation and the visual amenity of the area.

09. That prior to the completion of the development hereby permitted, the woodland maintenance and management scheme approved under the terms of Condition 08 above, shall be in operation.

Reason: To ensure the protection and maintenance of the existing woodland within the area.

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

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

11. 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 the following signed appendices : 1 'Sustainable drainage design compliance certificate' , 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus' . 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.

12. That before the development hereby approved is brought into use, 9 metre wide dropped kerb vehicular crossings, with heel kerbs installed to the rear of the footway to delineate the extent of public adoption, shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

13. That before the development hereby approved is completed or brought into use the first 2 metres of the driveways from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

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

14. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular accesses 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.

15. That before the development hereby approved is completed or brought into use, 3 no. parking spaces (3.0m x 6.0m modules) per houseplot 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.

16. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

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

17. That before, during and after construction, recommendations in the Preliminary Ecological Assessment (Applied Ecology Ltd, December 2018) including pre-start surveys of ground flora, badgers and otter, shall be fully complied with.

Reason: In the interests of wildlife.

18. That the side living/kitchen/dining area window on the south elevations of the dwellings hereby approved shall be glazed in obscure glass and thereafter shall be maintained as such to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity and privacy of nearby occupants.

Reason(s) for decision

The proposal will have no adverse impact on residential amenity or landscape character and raises no nature conservation or road safety concerns. The development complies with Policies 2, 4, 6, 15, DM1, NHE 13 and NHE14 of the adopted South Lanarkshire Local Development Plan together with the relevant Supplementary Guidance.

Notes to applicant

Application number: P/19/1089

Important

The following notes do not form a statutory part of this decision notice. However, it is recommended that you study them closely as they contain information which guides you to other relevant matters that may assist in ensuring that the development is properly carried out.

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
18-063-GA 105	F	Approved
18-063-GA 106	C	Approved
18-063-GA 107	C	Approved
18-063-GA 108	B	Approved
18-063-GA 109		Approved
18-063-GA 110		Approved
18-063-GA 104	C	Approved

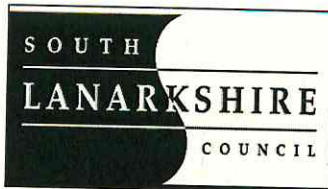
02. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).)
03. Failure to comply with the conditions imposed on this planning permission can result in the planning authority serving a Breach of Condition Notice and/or Enforcement Notice. If any of the requirements set out in these notices are not then complied with, a fixed penalty notice may be served seeking the payment of the sum specified in the penalty notice to the Planning Authority. The sum will be as set by The Town and Country Planning (Amount of Fixed Penalty) (Scotland) Regulations 2000.
04. The person carrying out the development must give advance notice in writing to the planning authority of the date when it intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action [See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)].
05. As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position [See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)].
06. A road opening permit is required before any construction commences on site. Please contact the Council's Roads and Transportation Services for further details.
07. The applicant is advised that all works carried out on site must be carried out in accordance with BS 5228 Parts 1-4 1997, 'Noise control on construction and open sites'. The applicant is further advised that audible construction activities should be limited to: Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. The applicant is advised that Environmental Services may consider formally imposing these hours of operation by way of statutory notice should complaints

be received relating to audible construction activity outwith these recommended hours and should such complaints be deemed justifiable by Officers from this Service. Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Montrose House, Montrose Crescent, Hamilton, ML3 6LB.

08. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

09. The developer is responsible for any alterations required to statutory undertaker's apparatus.
10. Any detritus material carried from the site on to the public road network shall be cleared by the applicant on a daily basis.
11. Any relocation or alteration to the public street lighting must be carried out at the applicant's expense and to South Lanarkshire Councils street lighting requirements.
12. A drainage system capable of preventing any water flowing onto the public road or into the site from the public road or surrounding land to be provided and maintained at the developer's expense.



The Town and Country Planning (Scotland) Act 1997
Town and Country Planning (Development
Management Procedure) (Scotland) Regulations 2013

Notification of initiation of development (regulation 40)

This notice must be submitted to the Council before you intend to start work which has planning permission. Failure to do so is a breach of planning control under S123(1) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

Please check your planning permission carefully for any conditions imposed which require the submission and approval of details before works start on site. You must ensure that these are dealt with before work on the development begins. If the development starts without complying with these 'pre-commencement' conditions, it may be rendered unlawful.

Please complete the form and return it to Planning and Economic Development, South Lanarkshire Council, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB or email planning@southlanarkshire.gov.uk

Planning application reference number

P/19/1089

Date of decision notice

04.03.2020

Name and address of person carrying out development

Land 38M Nne Of 56 Braidwood Road
Braidwood Road
Braidwood
Carluke
South Lanarkshire

Is the above person the owner of all the land to which the development relates?

Yes

No

If not, please provide the name and address of the owner

Is any person being contacted to oversee carrying out of the development on site?

Yes

No

If yes, please provide the name and contact details for that person

Description of development

Erection of three detached dwellinghouses and associated parking

Site location

Land 38M Nne Of 56 Braidwood Road
Braidwood Road
Braidwood
Carluke
South Lanarkshire

Intended date of initiation of development

Signed (agent/developer*)

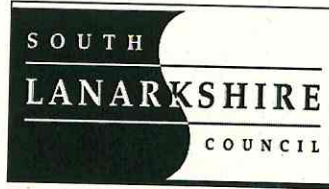
Date

Contact details:

Planning and Economic Development
Montrose House
154 Montrose Crescent
Hamilton ML3 6LB

Email: ian.hamilton@southlanarkshire.gov.uk Phone: 01698 455174

Web: www.southlanarkshire.gov.uk



The Town and Country Planning (Scotland) Act 1997

Notification of completion of development

This notice must be submitted to the Council as soon as is practicable after completion of the work which has planning permission. If the planning permission is for a phased development, notice of the completion of each phase must be notified to the Council. As soon as the development (or phase of development) is completed, please complete the form and return it to:

Planning and Economic Development, South Lanarkshire Council, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB or email planning@southlanarkshire.gov.uk Tel: 0303 123 1015, selecting option 7.

Planning application reference number

P/19/1089

Date decision notice issued

04.03.2020

Name and address of person carrying out development

Land 38M Nne Of 56 Braidwood Road
Braidwood Road
Braidwood
Carluke

Description of development

Erection of three detached dwellinghouses and associated parking

Site location

Land 38M Nne Of 56 Braidwood Road
Braidwood Road
Braidwood
Carluke
South Lanarkshire

Date of completion

Signed (agent/developer*)

Date