



## Planning Applications Committee

Report by Executive Director of Neighbourhoods, Regeneration and Sustainability

Contact: Neil Rutherford Phone: 0141 287 6055

Item 1

2nd November 2021

**Application Type** Planning Permission in Principle  
**Recommendation** Grant Subject to Condition(s) and S75

<b>Application</b>	<a href="#">17/02961/DC</a>	<b>Date Valid</b>	15.11.2017
<b>Site Address</b>	Land adjacent to River Road/Kenmuir Road/ Clydeford Road Glasgow		
<b>Proposal</b>	Erection of residential development and associated works, including highway improvements (Environmental Impact Assessment): Potentially Contrary to IPG6 Green Belt and Green Network and SG7 Natural Environment of the Glasgow City Development Plan.		
<b>Applicant</b>	AS Carmyle Limited And New City Vision (Carmyle) Limited 13 Newton Place Glasgow G3 7PR	<b>Agent</b>	McInally Associates 16 Robertson Street Glasgow
<b>Ward No(s)</b>	19, Shettleston	<b>Community Council</b>	02_058, Carmyle
<b>Conservation Area</b>		<b>Listed</b>	
<b>Advert Type</b>	Environmental Assessment  Potentially Contrary to Development Plan	<b>Published</b>	1 December 2017; October 2018 & February 2019
<b>City Plan</b>			

### Representations/Consultations

#### Consultations

Coal Authority – No objections subject to a condition covering the need to submit intrusive site investigation works and the implementation of any required remedial works

Historic Environment Scotland – No objections

Forestry and Land Scotland – No objections in principle subject to conditions ensuring the preparation and implementation of a compensatory planting plan

Scottish Water – No objections subject to an Advisory Note informing the applicant of regulatory standing requirements

SEPA – No objections subject to clarification at the MSC stage of a number of issues, especially details of the compensatory storage, flood protection measures and modelling to confirm the impact on river levels and any required mitigation measures, which are all covered by a planning condition

NatureScot – No objections; Advisory Note containing standard Standing Advice on development affecting protected species and comments on the Baggie Minnow SINC

SP Energy Networks – No objections; Advisory Note concerning the presence of High Voltage Cables and Over Head-Line Apparatus within the application site

SportScotland – No objection subject to a condition providing for a replacement pitch on site

Transport Scotland – No objections subject to conditions concerning the landscape and perimeter treatment along the M74 boundary and prohibiting any drainage connections to the trunk road network

West of Scotland Archaeological Service – No objections subject to a condition covering the implementation of a suitable programme of archaeological works and written scheme of archaeological investigation.

## **Representations**

The application has been advertised in the Evening Times in December 2017, October 2018 and February 2019, reflecting the submission of the application, lodging of the Environmental Impact Assessment and subsequent Addendum. It has generated 73 letters of representation, including objections from John Mason MSP, Councillors Thomas Kerr, David Linden and Michelle Fern. The grounds of objection may be summarised as follows:

1. The former farmland should be considered green belt and the proposed development is contrary to green belt policy in the CDP.
2. The proposal is contrary to SPP and NPF3 because the proposed development does not consider place, or the needs of people before development.
3. The proposal will result in the loss of green open space at Orchard Park and New Park, which is contrary to CDP6/IPG6 Green Belt and Green Network.
4. The road access through the Baggie Minnow, which is a CSINC, will result in the loss of biodiversity, contrary to CDP7/SG7.
5. The proposal will result in the loss of wildlife and protected species, which will be detrimental to natural habitats and contrary to CDP7/SG7.
6. The increased traffic and noise will adversely affect residential amenity.
7. The road network cannot cope with the additional traffic and the development will result in congestion and issues with road safety.
8. The proposed development would be detrimental to noise and air pollution and lighting.
9. The proposal will result in the loss of Orchard Park a valued public open space, which was gifted to the people of Carmyle.
10. The proposed road from Clydeford Road will be submerged during a flood event, contrary to CDP8/SG8, which will also have adverse implications for maintenance and upkeep.
11. The proposed road from Clydeford Road will adversely impact on the operation of the Carmyle Bowling Club and nearby pub.
12. The proposed development will result in the loss of the footpath/cycle path along the Clyde.
13. The application site is used for recreational purposes and this will be lost to housing.

14. There is no guarantee that the new residents will use the existing local facilities in Carmyle and there is a risk that these new residents will make the existing community uneasy and ruin the village atmosphere of Carmyle.
15. The proposed development will put unnecessary pressure on local shops, schools, surgeries and public transport, which will not cope with the increase in population.
16. Montrose Avenue is not suitable for use as an access road to the proposed development.
17. Kenmuir Road is not a public road and a single access is not suitable for 420 houses.
18. River Road is not suitable to access the site and is not wide enough to provide a road with adequate width to cater for a footpath/cycle route.
19. The construction activity will be detrimental to residential amenity.
20. The site is not suitable to build upon because of it is at risk to flooding, especially the access road at River Road, and poor ground conditions.
21. The proposal does not take account of the landfill operation at Greenoakhill.
22. The development will result in youths loitering in the street and lead to social problems.
23. There was insufficient consultation with the Carmyle residents, which should have been more extensive.
24. The proposal does not contain sufficient information to allow residents to make an informed decision.
25. There is a lack of clarity over the new facilities and the community benefits have not been defined.
26. The proposal will result in a drop result in house prices in Carmyle.
27. The proposed development does not include any compensation.
28. The proposal does not benefit the community of Carmyle, only the financial gain of the developer.
29. The proposal will result in increased dog fouling because it destroys special bins and removes green space used by dog walkers, contrary to Council policy.
30. The proposal does not take account of CDP1 Placemaking.
31. The proposal will result in the loss of a significant number of trees adjacent New Park, which is contrary to CDP7/SG7.
32. The proposal should be accompanied by an Environmental Impact Assessment and Transport Assessment.
33. The submitted Environmental Assessment is deficient and does not address all matters needing to be assessed in order to reach a decision.

## **Site and Description**

### **Site**

The application site is located in Carmyle on the eastern edge of the main Glasgow urban area, approximately 5 miles from the city centre.

The site itself comprises land to the east, south and west of Carmyle. The western section of the site, adjacent to Clydeford Road, contains the Baggie Minnow Pond. Extending east, the site includes the Orchard Park and extends further east along Kenmuir Road to the largest extent of land and the development platform, on the eastern edge of the Glasgow urban area. The site itself is greenfield in nature and is mostly unused and degraded land almost wholly overgrown with grassland, scrub and woodland. There are a number of more substantial trees close to the eastern edge of the site.

The derelict remains of a former farm steading are found on the north-east corner of the site and the New Park is also included in the site. A former railway line also traverses part of the site. Whilst ground levels vary considerably the topography generally falls south towards the River Clyde. The River Clyde forms the site's southern boundary and there is a recently planted area of young trees to the east. The M74 motorway forms the northern site boundary.

## **Description and Proposal**

Planning Permission in Principle has been submitted to develop the land adjacent River Road and Kenmuir Road for a proposed residential development. The site itself is extensive and the development area comprises approximately 21 hectares. The indicative layout submitted in support of the application shows the site accommodating 420 houses albeit that the final details would be revealed and determined at the detailed application stage.

Vehicular access involves the creation of a fourth arm to the existing roundabout on the A763 Clydeford Road and the formation of a new length of road to link with River Road at a point to the west of the bowling green. This requires an engineered embankment approximately 450 meters in length. The existing road network will be upgraded between the bowling club and junction with Carmyle Avenue. Access to the housing site itself would be then taken from a single point at the eastern end of River Road at its junction with Estate Road, thereafter following an existing track that runs below a disused railway bridge into the main body of the site. There is a potential emergency access only point available at Montrose Avenue and because of the single access, a site capacity of 300 is conditioned.

In line with the approach taken to the release of housing sites within Community Growth Areas, the planning application also includes a proposal to provide and improve community infrastructure for Carmyle.

These improvements have been identified following discussions with the local community and with the agreement of the Community Council and were authorised by the City Administration Committee on 30<sup>th</sup> September 2021. The following community benefits have been agreed:

- Two new MUGA pitches, to include floodlighting and changing facilities;
- Expansion of the local Community Centre with provision for two additional rooms for community use;
- Expansion of the school capacity to include up to three new classrooms and two additional nursery classes.

These improvements will be funded via a Section 75 legal agreement to accompany the planning application, which will require a developer contribution of £11,000 per unit on subsequent reserved matters applications for housing, which is also index-linked in order to ensure that value is maintained over time.

During the processing of the planning application, various elements of the proposal have been deleted, most notably the access option through Orchard Park and the proposed housing north of the Baggie Minnow Pond.

## **Planning History**

The proposal was subject of pre-consultation with the community and a Proposal of Application Notice (17/01132/DC) was submitted in May 2017 and approved; the accompanying Pre-Application Consultation report submitted in support of the application details the publicity undertaken.

Prior to submission of the planning application, the applicant submitted a Scoping Opinion (18/00095/SCO) under Regulation 17 of the Environmental Impact Assessment (Scotland) Regulations 2017, which informed the approach to the EIA and this was approved by the Council in 2018. The EIA itself was submitted in August 2018 and an Addendum to the EIA in February 2019 to fully assess the impact of the road access options.

Concerning the history of the site, it is identified for housing in the Baillieston, Broomhouse and Carmyle (BBC) Masterplan, which the Council approved in 2009 and this is addressed later in the report. An application for Planning Permission in Principle (14/00350/DC) and subsequent Appeal to the Scottish Ministers were refused in 2015.

That application differed from the proposal under consideration in that the site was accessed from the existing road network and that the extent of the development platform was restricted to land to the east of the former disused railway line and isolated from the existing built-up area. The reasons for refusal and the appeal being dismissed were concerned with the site's poor connectivity and permeability because of its separation from Carmyle, which would not create a safe and welcoming environment. In addition, the proposal failed to present a coherent plan for the funding and delivery of community infrastructure. Consequently, the proposal did not meet important sustainable development objectives.

## **Policies**

### **Glasgow and Clyde Valley Strategic Development Plan (Clydeplan) 2017**

Spatial Development Strategy  
Policy 7 Joint Action Towards the Delivery of New Homes  
Policy 8 Housing Land Requirements

### **Glasgow City Development Plan 2017:**

CDP1/SG1 The Placemaking Principle  
CDP2 Sustainable Spatial Strategy  
CDP5/SG5 Resource Management  
CDP6/IPG6 Green Belt and Green Network  
CDP7/SG7 Natural Environment  
CDP8/SG8 Water Environment  
CDP10 Meeting Housing Needs  
CDP11/SG/ Sustainable Transport  
CDP12/IPG12 Delivering Development

## **SPECIFIED MATTERS**

Planning legislation requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

### **A. Summary of the main issues raised where the following were submitted or carried out**

#### **i. an environmental statement**

An EIA has been undertaken to assess the potential impact of the proposed residential development on the environment. The EIA has contributed to the design of the proposed development and resulted in design changes in recognition of the environmental sensitivities. For instance, the access option through Orchard Park has been deleted from the proposed development, as has the residential proposed north of the Baggie Minnow Pond.

The EIA approach has been developed through consultation with the statutory organisations and the public, which provides a robust evaluation. The most significant potential effects have been identified and include the impact on the Baggie Minnow Pond, as well as the effect on landscape features throughout the application site. Mitigation measures have been recommended to ensure that the residual effects will not be significant. These include the extension of the existing of the existing woodland along the northern edge of the housing site, formation of green corridors and networks and linear parks. The mitigation measures are included as planning conditions.

#### **ii. an appropriate assessment under the Conservation (Natural Habitats etc) Regulations 1994**

In support of the application, the applicant has submitted and updated protected species surveys for bats and otters during the processing of the application, as per the said 1994 Regulations and 2007 Amendments. The results of these studies are discussed later in the report, under CDP7/SG7 Natural Environment.

### iii. a Design and Access Statement

A Design and Access Statement has not been submitted and is not required for a planning permission in principle application

### iv. any other report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding).

In support of the application the following reports have been submitted: Coal Mining Risk Assessment, Flood Risk Assessment and Drainage Strategy, Landscape Masterplan Report, Planning Statement and Transport Assessment. These are discussed in the relevant section in this report.

### B. Summary of the terms of any planning agreement

The application includes a S75 legal agreement requiring the financial contribution of £11,000 per residential unit (index-linked) to be imposed on subsequent reserved matters applications. This will go towards the provision of new and improved community infrastructure, namely:

- Two new MUGA pitches, to include floodlighting and changing facilities;
- Expansion of the local Community Centre with provision for two additional rooms for community use;
- Expansion of the school capacity to include up to three new classrooms and two additional nursery classes.

### C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable the Ministers to give directions:

- i. **with regard to Environmental Impact Assessment Regulations (Regulation 30)** – not applicable
- ii. **1. requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)** – not applicable
- 2. restricting the grant of planning permission** – not applicable
- iii. **1. requiring the Council to consider imposing a condition specified by the Ministers** – not applicable
- 2. requiring the Council not to grant planning permission without satisfying Ministers that the Council has considered to the condition that it will either be imposed or need not be imposed** – not applicable

## ASSESSMENT and CONCLUSIONS

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that where an application is made under the Planning Act, it shall be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The two main issues to consider in the assessment of this application are:

1. whether the proposal accords with the development plan; and
2. whether material considerations have been satisfactorily addressed.

The development plan comprises the approved Glasgow and Clyde Valley Strategic Development Plan (SDP) (Clydeplan), which was Adopted in 2017 and the Adopted Glasgow City Development Plan (CDP), including its Supplementary Guidance, also Adopted in 2017.

### Glasgow and Clyde Valley Strategic Development Plan

The Glasgow and Clyde Valley Joint Structure Plan Alteration (2006) first identified 13 Community Growth Areas (CGAs) across the region to deliver new housing and help longer term community regeneration and growth. The Baillieston, Broomhouse and Carmyle (BBC) area was identified as a CGA within the 2006 plan and the application site was included within the CGA.

The Spatial Vision and the Spatial Development Strategy contained in the Glasgow and Clyde Valley SDP (2012) continued to support the role of the CGAs in delivering and meeting housing growth and the need for additional development land outwith urban regeneration and renewal areas. Clydeplan (2017), the current Adopted version of the SDP, acknowledges that the CGAs remain relevant and are still an important component of the Spatial Development Strategy, which are also now acknowledged in National Planning Framework 3. It is also acknowledged from the housing supply figures in the plan that housing output from CGAs is an essential part of the delivery of new homes (Policy 7) and meeting housing land requirements and demand across the strategic plan area (Policy 8).

Consequently, there is SDP support for the principle of new housing development in the CGA. However, this support is qualified and individual proposals must also support the requirements for community infrastructure and meet the Council's CDP requirements.

### **Glasgow City Development Plan**

With regard to the CDP the following policies apply:

#### **CDP1/SG1 The Placemaking Principle – Placemaking**

This policy aims to improve the quality of development by promoting a design-led approach in Glasgow. This will contribute towards the creation of successful places by protecting and improving the quality of environment, respecting the historic and natural environment and ensuring that new development achieves the highest sustainability levels.

In order to be successful, Scottish Planning Policy identifies six qualities of place that new development should aspire to achieving. These are: it is distinctive; it is safe and pleasant; it is easy to move around and beyond; it is welcoming; it is adaptable and resource efficient. These aspirations are included in CDP1 and SG1 provides detailed design guidance on residential, amenity and sustainability in order to achieve the aims of Placemaking.

**Comment:** The proposed development at Carmyle has been underpinned by masterplanning. Firstly, the Council approved the BBC masterplan in 2009 and in support of the current application, a landscape masterplan has been submitted. The landscape strategy features biodiversity measures, such as green corridors, linear parks and open space, which helps to integrate the proposed development with the existing settlement. In addition, the applicant has also undertaken additional consultation with the community in order to identify suitable community infrastructure, or benefits, which are summarised earlier in the report.

Whilst an indicative layout has been submitted, a detailed design has not been provided because the application is in Principle, rather than Full Planning Permission. Issues such as urban form, design and layout will be reserved to the detailed stage. Notwithstanding, sufficient detail has been provided to demonstrate that key placemaking aspirations will be met. For instance, the layout now includes the land between the existing edge of Carmyle and the former railway line. This was excluded from the previous application and the Reporter in his Appeal decision letter criticised the placemaking merits of that approach. The Reporter considered that the development of the site in isolation worked against successful integration and connectivity, which is an important part of the CGA concept from its origins in 2006 to the current CDP. The current proposal has no physical or visual separation from the adjacent housing area and has taken a holistic approach to the development of the site, which should ensure good linkages with the existing community and a more sustainable development. This also complies with the vision included in the BBC CGA masterplan.

In view of the size of the site, location and the indicative drawing submitted in support of the application, it is considered that the proposed development has the potential to meet the placemaking requirements of SG1 concerning residential, especially those elements relating to layouts and density. Consequently, subject to suitable conditions addressing these issues, the proposal should provide an attractive residential environment.

The proposed development should not adversely impact on the environment because of the mitigation included in the landscape masterplan, nor result in the deterioration of air quality or increase in noise levels. Indeed, in support of the application, the EIA addresses the impact of both air quality and noise. There are no significant effects predicted for local air quality due to the increase in traffic emissions, or from the development area, and no mitigation measures are required, which is agreed by Environmental Health.

However, the proposed access road will result in significant adverse noise effects due to noise from road traffic on the streets of Carmyle and within the homes of the proposed development. Mitigation measures will be required to minimise noise and Environmental Health has no objections to this approach, subject to a condition ensuring that mitigation will be addressed at the detailed stage. In view of this, it is considered that the impacts on amenity are not significant and comply with the terms set out in SG1 Amenity.

In view of the above, it is considered that the proposed development does not conflict with placemaking aspirations of CDP1 Placemaking, or associated Supplementary Guidance.

### **CDP2 Sustainable Spatial Strategy**

CDP2 aims to influence the location and form of development to create a compact city form, which supports sustainable development. In so doing the Plan aims to focus on the regeneration and development of the existing urban area. It will also help to ensure that the city is well positioned to meet the challenges of a changing climate and economy and to build a resilient physical and social environment which helps retain investment and promotes an improved quality of life.

**Comment:** The proposal is included as a housing site in the Glasgow CDP and has been assessed against relevant Supplementary Guidance. It also complies with the Glasgow and Clyde Valley SDP and NPF3. In addition it responds to the approved BBC Masterplan and an indicative landscape masterplan has been submitted in support of the proposal. It is therefore considered that the proposal with its strong emphasis on placemaking and sustainability, as described earlier under CDP1 Placemaking, complies with the terms as set out in CDP2.

### **CDP5/SG5 Resource Management**

Under the terms of this policy and relevant to this application, SG5 aims to promote energy efficient design and to ensure that new development incorporates low and zero carbon generating technologies. This can be done through careful siting, layout and design and by making the best use of energy efficient materials and construction techniques. A Statement of Energy is required for all development proposals, which demonstrates how energy reductions and appropriate sustainability levels are achieved.

**Comment:** The application is in Principle and these matters are not addressed at this stage. A planning condition is included, thus ensuring that such matters are addressed at the detailed stage.

### **CDP6/IPG6 Green Belt and Green Network**

Under CDP6, policy aims to protect and enhance the Green Network and link habitats and provide for the delivery of multi-functional open space in support of development. Open space forms a key component of this Network and the terms of CDP6 set out a strong presumption in favour of retaining parks, amenity space, green corridors, natural/semi-natural greenspace and sports areas.

**Comment:** Under the category of open space defined in IPG6, the application site includes the former railway line and River Clyde Green Corridors, two sports areas and amenity greenspace to the east of the existing settlement of Carmyle and natural/semi-natural greenspace (open water).

The proposed development may result in the loss of two blaes pitches and amenity greenspace behind Estate Road and Montrose Avenue, including New Park. Notwithstanding, there are some circumstances where IPG6 permits development on open space. In particular, where development complies with an approved masterplan that provides for a redistribution of open space, which is delivered in line with IPG6 and provides equivalent or enhanced functionality.

Whilst the Council approved masterplan showed an indicative redistribution of open space, the Landscape Masterplan submitted in support of the application illustrates this further and introduces new open space areas. These include a large central park at the site entrance, which will have a more formal feel with varied planting, enclosed areas, playground, and another park to the north of the site which will be more informal. The masterplan also includes linear parks, or green corridors, such as the former railway line and these will connect to woodland corridors and the River Clyde. The two blaes pitches will be replaced and provided within the application site if these areas are developed for housing and this is the subject of a suitable condition. For the avoidance of doubt, this does not replace the MUGAs that form part of the community benefit.



All of the parks, linear green spaces and other open spaces, such as play facilities, will require to comply with CDP6, CDP7 and the Open Space Strategy, in terms of green network connectivity, layout, quality and open space provision and these requirements are the subject of condition. On this basis, the proposal would comply with the terms set out in the Council approved masterplan and the redistribution of open space with the terms set out in CDP6 Green Belt and Green Network and the Open Space Strategy.

### **CDP7/SG7 Natural Environment**

Local authorities have a duty to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004 and an obligation to protect certain habitats and species. Under the terms of this CDP7 and relevant Supplementary Guidance, new development should not have an unacceptable effect on areas designated for their landscape importance, or habitats and species protected by law. The Council also expects that compensatory planting will be provided for the loss of trees, or woodland.

**Comment:** The River Clyde, adjacent the site, is the most important habitat feature either in or nearby the application site, which also incorporates a City-Wide SINC and Green Corridor. The site also includes the Baggie Minnow Pond, comprising swamp/wetland, which supports palmate newts and is designated a Local-SINC. The remainder of the site is characterised by a mix of grasslands, with tree lines and woodland, which is a Council priority habitat included in the LBAP.

The Environmental Statement assesses the impact upon these habitats and species and describes mitigation measures to reduce effects. The proposed development will result in the loss of some grassland, woodland and scrub habitats. The access road from Clydeford Road abuts in places the River Clyde CW-SINC and traverses the Baggie Minnow Pond L-SINC. Whilst there is a risk that construction activities could temporarily disturb the bankside habitat, standard pollution prevention measures should prevent pollution and this is covered in a planning condition requiring a Construction Environment Management Plan, which will specify the required mitigation. The remainder of the proposed development will be carried out above the flood line and the ecological edge will be kept as a natural landscape with no impact on the biodiversity of the River Clyde Corridor. Notwithstanding, there will be a permanent loss of a small part of the River Clyde CW-SINC and part of the Baggie Minnow Pond L-SINC. The development also potentially severs habitat connectivity between the Pond from the River Clyde to the detriment of the newt population and biodiversity.

However, the CDP also stipulates that development may be supported, even where it adversely affects a SINC, where there are clear economic and social benefits to be gained from a development, which are of city-wide importance. In this case, the proposed development will result in the delivery of a strategic housing site, which is identified in the CDP and will contribute to meeting housing needs. A range of community benefits are also included in the proposal to improve the social and physical infrastructure of residents in Carmyle. In addition, it will also result in removing some traffic out of Carmyle village and assist in easing congestion in the village centre with the road access coming from Clydeford Road, rather than using the existing road network. This was also a key element of the BBC Masterplan as approved by Council. It is considered that these benefits are of both city-wide and local importance, outweighing the conservation interest of the site, which is of the lowest value to the city.

In addition, in response to the biodiversity concerns, the applicant has positioned the road well away from the actual pond, the key feature of the Bagie Minnow L-SINC. The road design itself will also include amphibian tunnels and suitable fencing to allow the movement of water and wildlife through this part of the site. A subsidiary SUDS filtration pond to the north of the road will also prevent any water directly entering the pond. Consequently, the proposal will have no detriment to the newt population and will be designed in accordance with CDP7/SG7 in promoting best practice in allowing the maintenance of habitat connections. In addition, a Habitat Management Plan, Compensatory Planting Plan and Landscape Masterplan provide for significant biodiversity improvements, which can be considered as being suitable mitigation elsewhere within the application site. Therefore, the proposed development addresses the loss of the SINC and is considered compliant with the framework for development as set out in CDP7.

The extent of woodland loss is approximately 35% relative to existing cover within the development platform. In particular, there is the loss of 3,400 square metres of broadleaved woodland at the Baggie Minnow L-SINC. Notwithstanding, the woodland of greatest value is associated with the former railway and this will be retained and bolstered with more planting. Although the remaining woodland is not of significant ecological value and no Tree Preservation Orders are affected, tree surveys will be required at the detailed stage of the submission.

Forestry Scotland supports the proposed development subject to the submission at the detailed stage of a Compensatory Planting Plan, identifying the location of planting, species and density, which is

covered by a condition. It is considered therefore that the proposed compensatory planting within the application site will provide suitable mitigation and that the proposal complies with the Trees, Woodlands and Hedgerows section of SG7 Natural Environment.

The EIA also assessed the impacts on protected species and specific Species Protection Plans were also submitted for both bats and otters in support of the application, which have been updated in response to comments from SNH. The trees and structures with roosting potential are predominantly found around Kenmuir Farm and along the River Clyde, as well as the mature trees on the disused railway. Otters also use the stretch of the River Clyde adjacent to the application site. In order to prevent any significant impact on bats and otters, updated Species Protection Plans, including mitigation strategies, will be required at the detailed stage, as well as updated surveys for other species, and this is covered by a planning condition and advisory note. Planning conditions will also require that a Habitat Management Plan will be submitted at the detailed stage and this will promote ecological zones and incorporate measures to control non-native species, and ensure that the removal of vegetation will take place outside of the bird breeding season. It is considered therefore that subject to suitable conditions incorporating appropriate mitigation, the proposed development should not have an adverse impact on protected species and is compliant with the Protected Species section of SG7 Natural Environment.

### **CDP8/SG8 Water Environment**

Under the terms of CDP8 and associated Supplementary Guidance, all proposals for development are required to make satisfactory provision for SUDS and to safeguard the development from risk of flooding. In addition, proposals for new development should ensure that it does not adversely impact on the water environment, does not increase the probability of flooding elsewhere and does not interfere with the storage capacity of the flood plain. In addition, all development should meet the requirements of the Flood Risk Management (Scotland) Act 2009 and SPP.

**Comment:** In support of the application, a Flood Risk Assessment and Drainage Impact Assessment and associated self-certification/indemnity documentation have been submitted. The report identifies areas of land within the development area adjacent to the River Clyde as being at risk of fluvial flooding and no residential development will be allowed within these flood areas. In addition, a suitable freeboard allowance will be incorporated above the predicted flood levels to ensure minimum finished floor levels within the development platform.

Parts of the access road from Clydeford Road to River Road are under a 1-in-200- year flood event and would be submerged during such an event. The CDP and SPP stipulate that housing development and essential infrastructure be set at the 1-in-200-year level and be designed to remain operational during a flood event. As already noted, the dwellings are protected to the required standard and during such flood events an alternative access and egress to the proposed development is available using the existing road network. Under such circumstances the road is not considered essential infrastructure. SEPA has not expressed any reservations on this matter. It should also be noted that the access was also included in the approved BBC masterplan.

It is envisaged that there will be a series of surface water drainage networks serving the proposed development and that surface water run-off will receive treatment prior to discharge to the water environment through a series of SUDS features. Surface water flows will then discharge to the River Clyde in line with Council requirements. Whilst the details submitted are adequate for the purposes of an application in Principle, further details of the flooding and drainage measures will be required at the detailed stage in order to demonstrate compliance with CDP8 Water Environment. Notwithstanding, the proposed development should not represent an increased flood risk to the River Clyde catchment.

The proposed development will result in the loss of 2,200 cubic metres floodplain storage. However, the area to the north of the proposed road off Clydeford Road has potential to provide compensatory flood storage during a flood event; some compensatory storage of 3,600 cubic metres is possible. In view of this, SEPA is satisfied that adequate compensatory storage is available and that further details will be submitted to demonstrate this at the detailed stage.

### **CDP9/SG9 Built Environment**

CDP9 and associated Supplementary Guidance aims to ensure the appropriate protection, enhancement and management of Glasgow's heritage assets in line with SPP/Scottish Historic Environment policy.

**Comment:** The proposed development falls within an area of some archaeological sensitivity based

on the presence of recorded sites and finds of various periods in the surrounding landscape. The application site includes substantial greenfield areas, which have not previously been developed, as well as other areas that have experienced some ground disturbance, including former mine workings, railways and quarrying. Indeed, the greenfield area requires to be evaluated in the first instance to assess the likely buried archaeology surviving across the area. This matter and any subsequent works that may be required can be handled by a planning condition, thus ensuring that the proposed development will not have an adverse effect on the historic environment.

### **CDP10 Meeting Housing Needs**

The Scottish Government is committed to increasing the supply of new housing to accommodate housing and population growth and emphasises that the planning system has a key role in delivering new housing. CDP10 Meeting Housing Needs aims to ensure that a five-year supply of effective housing land is maintained at all times and to deliver land for housing as set out in the Schedule of Housing Sites, which forms part of the CDP. Whilst part of the site is included in the Schedule of Housing Sites (H088) the proposed development includes more development land for residential immediately to the east of Carmyle, between the settlement boundary and former railway line.

**Comment:** The majority of the application site, east of the former railway line, is identified for residential in the CDP and the principle of housing on that part of the site accords with the City Plan, subject to compliance with the development plan. The land not identified in the CDP, west of the former railway line, is included in the BBC Council approved masterplan. Furthermore, the Reporter concluded in the planning appeal, mentioned earlier under Planning History, that this land was required to facilitate integration with the existing community of Carmyle and necessary to include for development in order to meet placemaking aspirations, described earlier in this report under the Placemaking Principle. In view of the above, it is considered therefore that the proposal is compliant with the terms of CDP10 Meeting Housing Need.

### **CDP11/SG11 Sustainable Transport**

CDP11 seeks to safeguard former rail formations. In addition, under the terms of CDP11 and associated Supplementary Guidance, new developments require to promote and facilitate walking and cycling, including the provision of cycle parking and promoting outdoor access rights and making direct connections to the walking and cycling network. Development proposals should also expect to minimise the visual appearance of on-street parking and include charging points for electric vehicles. The design of new residential areas shall be informed by the Council's Design Guide New Residential Areas.

**Comment:** The Carmyle-Newton Chord former railway line traverses the site, which is identified as a rail formation in the CDP. In accordance with policy, the proposed development safeguards the former formation for a pedestrian/cycle route, which will be delivered as part of the detailed design. In order to meet Transport Planning's road requirements, the access to the site at Kenmuir Road requires the removal of the retaining features of the former bridge and re-grading of the embankment associated with the Chord. In order to safeguard the route, details of suitable replacement rail infrastructure demonstrating that the Carmyle-Newton Chord is not jeopardised is covered by a planning condition. Issues concerning cycle and vehicle parking, vehicle-charging and connectivity and travel plans will be addressed at the detailed stage. In view of the above, it is considered that the proposal is compliant with CDP11 Sustainable Transport.

### **CDP12/IPG12 Delivering Development**

CDP12 aims to ensure that development provides infrastructure facilities that are necessary to mitigate the impacts of development. In this instance, contributions would be restricted to open space of appropriate quality, quantity and accessibility.

**Comment:** The on-site amenity provision requirements are determined by the number of units and bedspaces included within a development. A detailed design has not been provided because the application is in Principle and such information will be required at the detailed stage. The issue concerning community benefits does not form part of CDP12 Delivering Development and this matter is addressed via a separate S75 Agreement, as described earlier under Specified Matters.

### **Other Matters**

With respect to the letters of representation described earlier the following comments are offered:

1. The site is not identified for Green Belt in the CDP. Most of the development platform is included as a housing site under CDP10 Meeting Housing Needs.
2. The SPP acknowledges that CGAs remain relevant and important components of growth, which is also acknowledged in NPF3. Placemaking has been considered and is addressed in the relevant section earlier in the report.
3. The proposal has been revised and the access road no longer traverses Orchard Park, which is not affected by the proposed development. Indeed, the landscape masterplan incorporates improvements to the park. Whilst New Park to the east of Carmyle is included in the development, this complies with the approved BBC masterplan and with the findings in the Reporter's decision letter on the previous planning application. It was held that this land was necessary in order to better integrate the proposed development with the existing community. In addition, the proposal includes new parkland, open space and green corridors in order to compensate for the loss of New Park. In view of the above it is considered that the proposal does not conflict with CDP6/IPG6 Green Belt and Open Space.
4. The loss of parts of the Baggie Minnow L-SINC is unfortunate but necessary to facilitate access. This is included in the approved BBC masterplan and seen as essential to avoid issues with congestion and traffic safety in the centre of Carmyle. In addition, the road is positioned well away from the pond, which is the most important feature of the pond. Planning conditions to allow the free passage of wildlife between the River Corridor and the pond and to enhance biodiversity elsewhere within the application site are included in the proposal. Notwithstanding, the loss of the L-SINC can be justified and considered as an exception in view of the economic and socio benefits and the overriding need to provide new housing in accordance with CDP10 meeting housing needs.
5. The applicant has submitted and updated protected species protection plans for bats and otters, as required by NRS Biodiversity. No other protected species will be affected by the proposed development. The ES also includes mitigation measures to safeguard other wildlife and to enhance biodiversity, which will be included as planning conditions to be addressed at the detailed stage. It is considered that the proposal will not adversely impact on wildlife. Further surveys will be required before works commence on site.
6. Whilst it is acknowledged that the proposal will result in an increase in traffic and associated noise, Environmental Health has no objections, subject to mitigation measures to minimise noise being included at the detailed stage of submission. In addition, the access road no longer runs through Orchard Park, but is taken from Clydeford Road to River Road in order to avoid properties and the impact of traffic on Carmyle residents.
7. The access road now runs from Clydeford Road in order to avoid traffic being routed through Carmyle. Transport Planning has no objections subject to conditions over road design into the site, which will comply with the Design Guide New Residential Areas. There are no significant adverse effects for air quality and light emissions will be controlled by a standard planning condition. Environmental Health has no objections.
8. There are no significant adverse effects for air quality and light emissions will be controlled by a standard planning condition. Environmental Health has no objections.
9. The proposed access no longer goes through Orchard Park.
10. During flood events an alternative access and egress will be available using the existing road network. Under such circumstances, the stretch of road prone to flooding is not considered essential infrastructure.
11. Access to the bowling club and pub will be protected through the Roads Construction Consent, River Road is an adopted road and will remain so.
12. The extension to River Road will incorporate a widened footway on the south side to accommodate cyclists and pedestrians providing safe passage to this walkway, as at present they walk on the road as it is closed to vehicle traffic.

13. Although the site is used for recreational purposes, most of the development area is identified in the CDP for housing. The proposal will also create new parks and green spaces, which will be linked by green corridors. It is considered that this more than compensates for the loss of the existing area.
14. The issue over new residents, either deciding to use local facilities or not, or making existing residents feel uneasy is not a planning matter.
15. One of the driving forces behind CGAs was to bolster local communities and support local services. The CDP makes no requirement to assess proposals against their impact on schools or surgeries. Notwithstanding, there is existing and future capacity at Carmyle Primary School and the other primary schools in the Carmyle catchment area. This also applies to Bannerman High School and the site also feeds into Trinity High in South Lanarkshire. The Community Benefit also provides for improved provision within school catchment areas. Whilst no information is to hand on the capacities of surgeries it is noted that there are seven practices within 2.5km of the site. In terms of private retailers and bus operators, opportunities may arise to respond to the increase in population by increasing provision and capacity in the area.
16. Montrose Avenue is a potential access for emergency vehicles only, rather than a full access point to the site. This is still to be fully demonstrated as suitable and a planning condition requires the submission of more information with respect to this. Notwithstanding, the emergency access has no bearing on the unit numbers (300 in this instance) from a single access.
17. Transport Planning has no objections to the proposed access subject to Kenmuir Road being upgraded to a public road and designed in accordance with the Design Guide New Residential Areas. The consequence of only having one access is that the site capacity is restricted to 300 houses.
18. Transport Planning has no objections over the use of River Road subject to it being upgraded to a public road and designed in accordance with the Design Guide New Residential Areas.
19. The impact of construction activity is limited and inevitable as part of the development process. Whilst this is not material, planning conditions will require a Construction Environment Management Plan, which will seek to minimise the impact on residential amenity.
20. The development platform excludes the area of the site prone to flooding and because of the existing alternative road access during flood events, the access road from Clydeford Road is not considered essential infrastructure. The ground conditions will be addressed by planning conditions, which will require suitable treatment to accommodate residential development.
21. The application site is greater than 250 metres from the SEPA permit area at Greenoakhill landfill site and therefore compliant with the thresholds specified in CDP SG5.
22. Loitering of youths, litter and any resultant social problems are not planning matters.
23. The proposal has met the consultation requirements as set out in planning legislation. In particular, the proposed development was subject to pre-consultation with the community and PAN (17/01132/DC). The accompanying PAC report submitted in support of application details the consultation measures undertaken.
24. The application type is for Planning Permission in Principle and the submission requirements are not as detailed as those applying to applications for Full Planning Permission. Notwithstanding, sufficient information has been lodged to assess the broad outline of the proposal.
25. Following consultation with the local community and agreement of the local Community Council, the City Administration Committee has agreed the provision of community benefits. These are described earlier in the report.
26. House prices are a non-material planning consideration.
27. The Landscape Masterplan submitted in support of the proposed development includes compensation for the loss of open space and biodiversity.
28. The private interests and moral considerations concerning profits from development are non-material planning considerations. The community benefits outlined earlier in the report have been

worked-up in conjunction with the Community Council and are considered to benefit the Carmyle residents.

29. The proposed development includes a new park, amenity space and green corridors in order to link these areas with the existing and proposed development and more than makes up for the loss of green space and provides opportunities for dog walkers.
30. The proposed development complies with Placemaking Principles and this is described earlier in the Assessment/Conclusions section under the assessment against CDP1/SG1 Placemaking Principle.
31. The trees to be removed are not covered by a Tree Preservation Order. Forestry Scotland has no objections against the removal of these trees, subject to the submission of a compensatory planting plan at the detailed stage, which is subject to a planning condition.
32. The proposed development was the subject of an Environmental Impact Assessment. A Transport Assessment has also been submitted in support of the application.
33. There is no prescribed form of environmental statement. The submitted statement however includes specified information about the physical characteristics of the proposed development and the land-use requirements of the construction and operational phases. This also takes into account the environmental effects of the development. Measures are also specified to prevent, reduce or offset these effects. It is considered therefore that the environmental statement complies with the relevant Environmental Assessment Regulations.

## **CONCLUSION**

In view of the foregoing, the proposed development is acceptable in land use terms. Most of the housing site is identified in the Schedule of Housing Sites included in CDP10 Meeting Housing Needs. The remainder of the development platform is included within the approved BBC masterplan and is compliant with the Reporters decision on the previously dismissed Appeal, which criticised the proposal on placemaking grounds for the omission of this area. Due consideration has been given to the impact on the Baggie Minnow L-SINC from the perspective of the effects on the natural environment and water environment. These can be justified against the terms of the CDP, SPP and the already approved masterplan, which includes the access road from Clydeford Road traversing this area. The Council has agreed the terms of the community benefit, which is the subject of a separate S75 legal agreement. Therefore, it is considered that the proposed development complies with the development plan and that planning permission be granted, subject to conditions and the S75 legal agreement.

## **Conditions and Reasons**

1. The development of the site shown in location plan 1143-5302 Revision A shall not be begun until an application for the following matters has been submitted to and approved by the planning authority by the issuing of a decision notice:
  - a. A layout of the development of the site along with the siting of buildings, design and external appearance of buildings, landscaping, on-site parking and means of access to the site. Parking and access means inclusive access for pedestrians, cycles and motor vehicles. All details shall show that the development accords with the Design Guide New Residential Areas.
  - b. Existing and proposed site levels, levels of all accesses and finished floor levels, cross-sections and details of retaining walls.
  - c. A detailed design of the access road from Clydeford Road to River Road. This shall include a cycle/footpath and incorporate measures such as amphibian tunnels to allow the safe and unimpeded access by wildlife through the site and shall be implemented prior to the occupation of the houses, unless otherwise agreed in writing by the planning authority.
  - d. A detailed design of the access road from River Road to the site. For the avoidance of doubt, River Road shall be 6.5 metres minimum width to the east of the existing bus terminus and include the formation of off-carriageway parking bays on River Road and extend the widened

footway on the south side of River Road to the junction with Carmyle Avenue. Access from Kenmuir Road to the residential site shall be 7.3 metres width with footways, unless otherwise agreed in writing by the planning authority. A footway on the south side of the existing section of River Road to the Clyde Walkway shall also be provided.

- e. A detailed design of the emergency access road and a programme of implementation, unless otherwise agreed by the planning authority. For the avoidance of doubt, this shall be designed for the use of emergency vehicles only.
- f. Details of passive EV parking, vehicle and cycle parking, travel plans. All details shall show that the development accords with the terms set out in CDP11 Sustainable Transport and associated Supplementary Guidance.
- g. Details of the barrier proposals along the trunk road boundary.
- h. A final drainage design including SUDS features, supporting calculations, outfall structures, flooding mitigation measures which shall demonstrate compliance with the terms of CDP8 Water Environment and associated Supplementary Guidance. For the avoidance of doubt, there shall be no drainage connections to the trunk road drainage system.
- i. A drainage management plan and emergency spillage action plan for any works within 50 metres of freshwater sources. All details shall show that the development does not result in water pollution.
- j. A compensatory storage strategy, as outlined in the pre-planning submission of 16th July 2020, including an appropriate planning drawing, and subsidiary SUDS filtration pond to the north of the proposed road.
- k. A Construction Environmental Management Plan which shall include proposals for the assessment and mitigation of pollution associated with construction phases. This shall include measures to minimise vibration and noise associated with traffic impacts, protect water courses and incorporate the items listed in the Environmental Statement sections 8.5-38 Mitigation Measures Ecology and Ornithology and Appendix 6.3 Dust Risk Assessment and Mitigation Measures.
- l. Details of refuse and recycling storage areas and bins.
- m. A noise survey demonstrating the impact of road traffic noise on the development using the principles set out in "Calculation of Road Traffic Noise" (DoE/Welsh Office, HMSO, 1988) and potential rail noise associated with the Carmyle-Newton Chord as set out in "Calculation of Railway Noise" (DOT, HMSO, 1995). The survey shall identify the Noise Exposure Category specified in Planning Advice Note PAN 56 Planning and Noise within which the development will fall. Where mitigation measures are required to achieve internal noise levels, with windows closed, of 45 dB(A) daytime and 35 dB(A) night time when measured as LAeqT, these shall be specified in the survey report and included in the site layout.
- n. A vibration survey demonstrating the potential impact of future rail traffic vibration associated with the Carmyle-Newton Chord on the development and carried out by a method agreed by the planning authority. Where any adverse impacts are identified, a scheme which demonstrates that the construction and design of any dwelling will ensure that it will not be adversely affected by excessive magnitudes of vibration from rail traffic movements as detailed in BS6472:1992, "Evaluation of Human Exposure to Vibration in Buildings, (1 Hertz to 80 Hertz)" shall be submitted together with the survey report.
- o. A comprehensive site investigation report in accordance with current and recognised codes of practice such as British Standards Institution "The investigation of potentially contaminated sites – Code of Practice" and BS ISO 18400 Series of Standards. The investigation reports shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN33 Development of Contaminated Land.

Where a risk assessment identifies any unacceptable risk or risks, a remediation strategy shall be prepared that sets out all the measures necessary to bring the site to a condition suitable for the intended use and must be agreed with the planning authority in writing prior to work

starting on the development. The remediation strategy shall also include a timetable and phasing plan where relevant.

- p. A scheme of intrusive site investigation works for mine entries and shallow coal working to establish the exact situation concerning coal mining legacy issues on site. This shall include a scheme of treatment and a scheme of remedial works for mine entries and areas of shallow workings respectively and a layout plan identifying appropriate zones of influence for mine entries and no-build zones.
- q. A plan showing the proposed footpaths and cycle links from the site to existing core paths/rights of way, including links to Carmyle Station and the existing riverside path, and under the M74 to connect with the Greenoakhill Community Woodland. This shall also include the formation of a pedestrian/cycle path along the line of the former railway.
- r. Up-to-date Protected Species Surveys of bats, badgers, great crested newts, otters and water voles and associated Species Protection Plans, which shall include details of mitigation where such measures are required.
- s. A tree survey which shall include an assessment of all trees on site, incorporating information on species, height, canopy spread, base level and condition, and an indication of trees to be retained, including tree protection measures, and those trees which it is intended to remove.
- t. A scheme of landscaping which shall include hard and soft landscaping, replacement tree planting, boundary/perimeter treatments, in particular, along the trunk road boundary, hedgerows and tree planting along the main site access road and the former railway line and the retention and enhancement of existing woodland to the north to form a buffer to the M74, Orchard Park and to the urban edge of east Carmyle. The landscaping scheme shall also include a programme for the implementation/phasing of the landscaping in relation to the construction of the development and details of maintenance arrangements.
- u. A Woodland Management Plan that includes tree protection measures, maintenance schedules, incorporating the responsibilities of relevant parties, for each component of the planting scheme. These measures shall also specify that any trees which die, are removed or become seriously damaged within a period of 10 years from planting shall be replaced.
- v. A Habitat Management Plan, which shall include measures to enhance the nature conservation interest of the site and habitats for wildlife, including the restoration of riparian vegetation, measures to control non-native invasive species, enhance woodland and the creation of natural ecological zones including planting within the floodplain and making the Baggie Minnow Pond and river edge more accessible. The Plan shall include a programme of implementation, monitoring and management.
- w. A Statement of Energy which shall analyse the energy and CO2 savings that can be achieved by utilising energy efficient design, practice and technologies. This shall demonstrate how the development will incorporate low and zero-carbon generating technologies to achieve at least a 20% cut in CO2 emissions and "Gold" sustainability level, or better, as per the Building Standards Technical Handbook Section 7: Sustainability.
- x. A written scheme of archaeological investigations including a programme of archaeological works recording and recovering of any archaeological resources from the development site. This shall be undertaken by a professional archaeological contractor.

**Reason:** The application is in principle only and to comply with section 59(1) of the Town and Country Planning (Scotland) Act 1997 and regulations 12 and 28 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

2. For the avoidance of doubt, the proposed indicative site layout drawing 1143-D102 Revision C is for information purposes only and does not form part of the proposal.

**Reason:** The application is in principle only and to comply with section 59(1) of the Town and Country Planning (Scotland) Act 1997 and regulations 12 and 28 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

3. The development shall include a mix of house types, the majority being non-flatted, and the density shall not exceed 50 dwellings per hectare, or exceed 300 residential units.



**Reason:** As this constitutes the approved development.

4. Notwithstanding the development hereby approved, there shall be no development that impinges upon the solum of the Carmyle-Newton Chord Rail Route and supporting rail infrastructure. Details of any replacement railway infrastructure, such as retaining structures and embankments, to safeguard the Rail Route shall be submitted for the written approval of the planning authority, unless otherwise agreed in writing.

**Reason:** In order to meet the longer-term aspirations for sustainable transport.

5. An area of at least 3,400 sqm (net) shall be earmarked for new afforested land for planting and shown in a Compensatory Planting Plan. This shall show the exact location, species composition, planting density, total area and timescales for delivery. All planting shall comply with the Forestry Standards and include native broadland species only and detail a minimum stocking density of 1,600 per hectare.

**Reason:** In the interests of promoting biodiversity.

6. Notwithstanding the development hereby approved, no residential development shall take place within the functional floodplain (above a level of 13.87 AOD).

**Reason:** In the interests of flood prevention.

7. Finished Floor Levels shall be a minimum of 14.47 AOD and a minimum of 150 mm above finished ground levels unless otherwise agreed in writing by the planning authority.

**Reason:** In the interests of flood prevention.

8. Notwithstanding the development hereby approved, the development shall include the replacement of two pitches if these are the subject of development, measuring 1,400 sq.m (50m x 28m) and 7,260 sq.m (110m x 66m) and be of comparable or greater standard/quality, unless otherwise agreed in writing by the planning authority.

**Reason:** In order to safeguard outdoor sports provision.

9. Notwithstanding the development hereby approved, the site layout shall include parks, linear green spaces and other open space provision, such as play facilities and amenity space. This shall include a large park near the site entrance and a smaller park towards the north of site. All open space provision shall comply with the terms of CDP6 Green Belt and Green Network and CDP7 Natural Environment and associated Supplementary Guidance and the Council's Open Space Strategy Quality and Accessibility Standards.

**Reason:** In order to comply with the Glasgow City Development Plan.

#### **Reason(s) for Granting this Application**

01. The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

#### **Advisory Notes to Applicant**

1. Prior to implementation of this permission, the applicant should contact Development and Regeneration Services (Transport) at an early stage in respect of legislation administered by that Service which is likely to have implications for this development
2. The applicant should consult with Land and Environmental Services (Environmental Health) concerning this proposal in respect of legislation administered by that Service which is likely to affect this development
3. The applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build

or maintain this approved development. Such consent should be obtained prior to the commencement of works on site.

4. The applicant should consult Scottish Water concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development. In particular, sustainable drainage systems (SUDS) should be designed and constructed in accordance with the vestment standards contained in "Sewers for Scotland", 2nd edition 2007. The applicant is advised that, where drainage systems including SUDS are not vested in Scottish Water, it is the applicant's/developer's responsibility to maintain those systems in perpetuity or to make legal arrangements for such maintenance.
5. The applicant should consult SEPA concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development. Details of regulatory requirements and good practice advice can be found on the Regulations Section of SEPA's website.
6. The applicant is advised that any Matters Specified by Conditions application shall also be the subject to an assessment against IPG12 Delivering Development and the relevant open space considerations, which will form the basis of a subsequent legal agreement.
7. The applicant is advised that there are High Voltage Cables and Over Head Line Apparatus within the boundary of the proposed development. SP Distribution reserve the right to protect and/or deviate apparatus/cables at the applicant's expense.

#### **Advisory Notes to Council**

01. The completion of a satisfactory Agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 is a pre-requisite to the issue of planning permission by the planning authority. Please consult the planning authority regarding the detailed terms of the Agreement

for Chief Executive, Glasgow City Council

DC/ NRU/16/08/2021

#### **BACKGROUND PAPERS**

##### **PLEASE NOTE THE FOLLOWING:**

*Any Ordnance Survey mapping included within this report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to license Ordnance Survey mapping/map data for their own use. The OS website can be found at [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)*

*If accessing this report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale.*