***N**orth*
***L**anarkshire*
***C**ouncil*

Planning Applications for consideration
of Planning Committee

Committee Date: 14th August 2025

APPLICATIONS FOR PLANNING COMMITTEE

14th August 2025

Page No	Application No	Applicant	Development/Site	Recommendation
8-30	24/00230/PPP	North Lanarkshire Council	Residential Led Mixed Use Development with Associated Access, Open Space, Landscaping, Drainage Features and Associated Infrastructure (in Principle) Land At Palacerigg Road Cumbernauld	Grant
31-37	24/00965/FUL	Mr Scott Forrest	Erection of a Dwelling Land At Baxter Brae Cleland	Grant
39-52	24/01039/FUL	Prime Acres Ltd	Part Change of Use of Former Peat Works Minerals Operation (Sui Generis) to form Class 6 Use (Open Storage Yard for Inert Material) with Ancillary Class 4 Use of Replacement Shed (in Retrospect) for Administration of Storage Operation Land at Peat Works Cumbernauld Road Moodiesburn	Grant
53-59	25/00085/FUL	Diack & Macaulay Ltd	Change of Use from Bus Depot to Traffic Management Depot with Ancillary Administration Building 560 Stirling Road Airdrie ML6 7SS	Grant

60-76	25/00219/S42	EG on the move	Section 42 Application to Vary Condition 11 (Timing of Submission of Landscaping Scheme) of Planning Permission 21/01275/FUL for Roadside Services Area Comprising Petrol Filling Station, Ancillary Retail Unit, Drive-Thru (Class 3) Units, HGV and Car Parking Areas, Associated Facilities, Landscaping, Infrastructure Works and New Junction Access 2 Hornshill Court Stepps G33 6QU	Grant
77-83	25/00444/FUL	Mr Richard Hamilton	Change of Use from Office to Class 1A (Shops, Financial, Professional and other Services) and Training Academy (In Retrospect) Unit 13 3 Wardpark Road Wardpark Cumbernauld G67 3JZ	Grant

Application No:	**Proposed Development:**
24/00230/PPP	Residential led mixed use development with associated access, open space, landscaping, drainage features and associated infrastructure (in principle)
	Site Address:
	Land At Palacerigg Road Cumbernauld

Date Registered:

8th March 2024

Applicant:
North Lanarkshire Council
Assets & Procurement (Estates)
Civic Centre
Motherwell
ML1 1AB

Agent:
Stantec
9 George Square
5th Floor
Glasgow
G21DY

Application Level:
Major Application

Contrary to Development Plan:
No

Ward:
04 Cumbernauld East
Claire Barclay, Tom Johnston, Barry McCulloch, Adam Smith.

Representations:
72 letters of representation received.

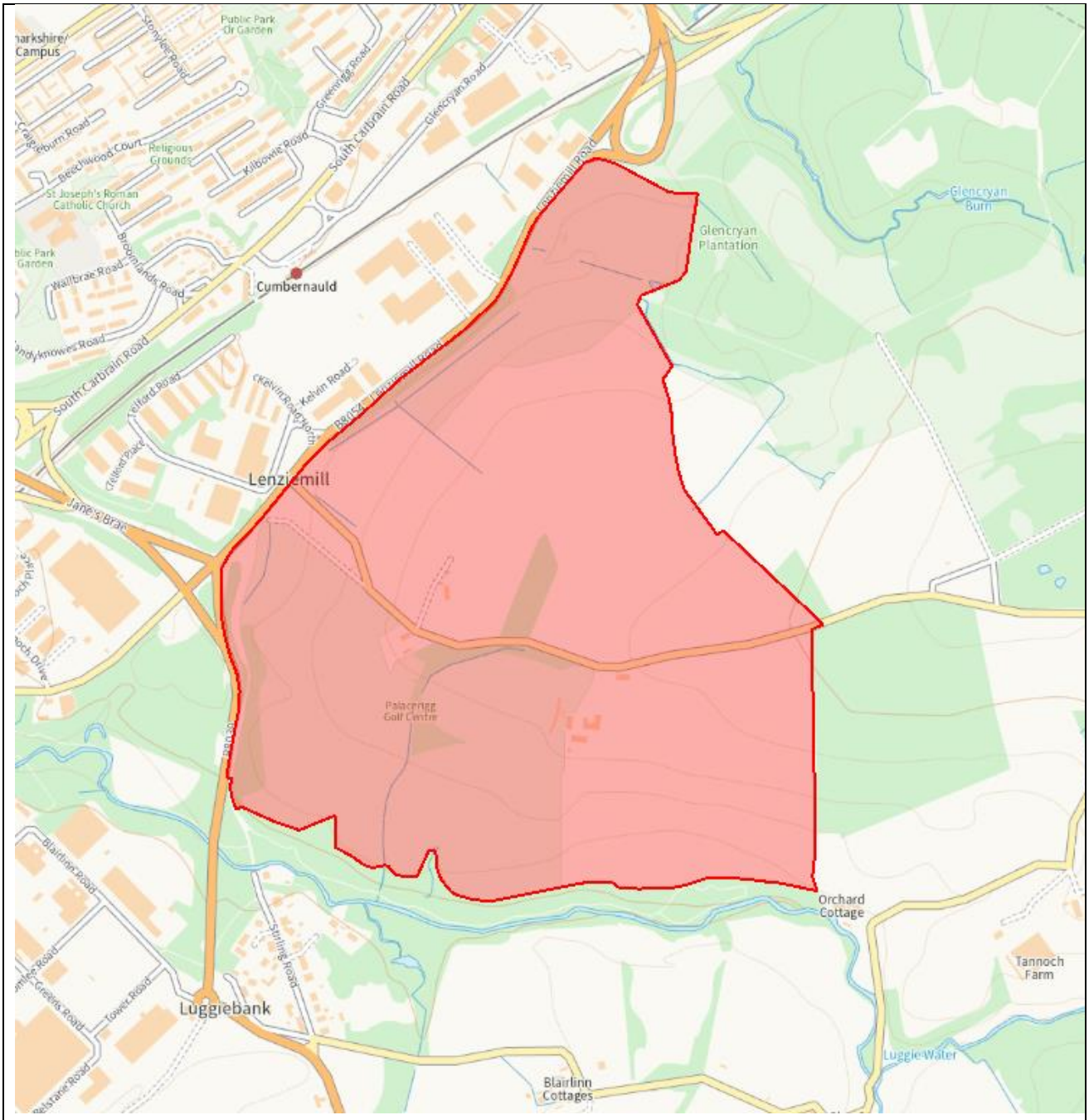
Recommendation: **Approve Subject to Conditions**

Reasoned Justification:

The development is considered to accord with the relevant policies of NPF4 and the North Lanarkshire Local Development Plan. The development would support the aims of developing the wider South Cumbernauld Community Growth Area and in principle it would integrate satisfactorily with the surrounding area and not result in a significant adverse impact on established residential amenity or environmental designations.

Notes to Committee:

1. It is considered necessary to extend the implementation period for this permission from 5 years to 10 years due to the complexities of the site.



Reproduced by permission of the Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023396.	**Planning Application: 24/00230/PPP** **Name (of applicant): North Lanarkshire Council** **Site Address: Land At Palacerigg Road Cumbernauld** **Development: Residential led mixed use development with associated access, open space, landscaping, drainage features and associated infrastructure (in principle)**	N	North Lanarkshire Council

Length of permission

Direction:

North Lanarkshire Council directs that subsection (2A)(b) of section 59 of the Town and Country Planning (Scotland) Act 1997 applies as respects planning application reference **24/00230/PPP** with the substitution for the period of 5 years referred to in (2A) (b) of section 59 by the period of **10 years**.

The following applies:

The length of the permission: That the development to which this permission in principle relates must be begun not later than the expiration of 10 years beginning with the date on which the permission is granted. If development has not begun at the expiration of this period, the planning permission in principle lapses.

Submission of matters specified by conditions applications (MSC) and implementation of development

To be clear, to enable the full implementation of the development herby permitted before the 10 year period above has expired, application(s) for approval of all the matters specified above must be submitted covering the whole development area; all prior to commencement conditions imposed on said MSC permission(s) must be discharged and a site start made to the satisfaction of the Council as planning authority.

Proposed Conditions:-

1. That before development of each phase of works starts, a further planning application for Approval of Matters Specified in Conditions (MSC) shall be submitted to the Planning Authority in respect of the following matters:-

   (a) the siting, design and external appearance of all buildings and other structures;
   (b) the means of access and any servicing to the site;
   (c) the layout of the site, including all roads, footways, and parking areas;
   (d) the provision of equipped play areas in accordance with the terms of condition 2(c) below and shall include;
      (i) details of the type and location of play equipment, seating and litter bins to be situated within the equipped play areas;
      (ii) details of the surface treatment of play areas, including the location and type of safety surface to be installed;
      (iii) details of any fences to be erected around play areas,
      (iv) details of a DDA compliant access;
      (v) a timetable for the implementation of the play area(s) across the site.
   (e) the provision of public open space;
   (f) the details of, and timetable for, the hard and soft landscaping of the site;
   (g) details for management and maintenance of the areas identified in (d), (e) and (f) above as well as for any active travel infrastructure to be provided as part of delivery of the phase along with proposed connection points to the wider area and or next adjoining phase of development;
   (h) the design and location of all boundary walls and fences;
   (i) the phasing of the development;
   (j) the provision of drainage works;
   (k) the disposal of sewage;
   (l) details of existing trees, shrubs and hedgerows to be retained;
   (m) details of existing and proposed site levels;
   (n) noise attenuation measures for any parts of the site where there is potential for noise nuisance;
   (o) details of connectivity through the site and to the wider area;
   (p) details of digital infrastructure with open access to providers;
   (q) biodiversity enhancement plan;

(r) construction environmental management plan.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

2. That notwithstanding the generalities of Condition 1 above, the first Approval of Matters Specified by Condition application shall include the following:-

(a) A detailed phasing plan for the area showing the order of development, including how the road layout and active travel links will be progressed across the site. For the avoidance of doubt the location of the Mixed Use Community Hub and central Multi Use Games/play area shall be clearly defined on the phasing plan and unless otherwise agreed in writing, the first phase of the development shall be taken from the approved new northern access from Lenziemill Road;

(b) An Active Travel and Connectivity Strategy for the area approved under the terms of this permission. Shared use paths in accordance with the Council's new Active Travel Strategy should be provided. For the avoidance of doubt details will be provided to demonstrate which phase will deliver what part of the strategy;

(c) A Public Transport Strategy for the area approved under the terms of this permission. Consideration should be given to improved connectivity to existing bus and rail infrastructure in the local area and include the diversion and extension of existing bus services into the site, new or upgraded bus stops and shelters within 400m of all dwellings and real-time passenger information and accessibility improvements. Bus stop provision should be considered throughout the site (along spine road). Relocated and any new bus stops, infrastructure or services shall be agreed with North Lanarkshire Council and Strathclyde Partnership for Transport and the costs of works met by the Developer. Routes to and from new bus stops should be considered in relation to pedestrian connections within the site and to neighbouring communities. All proposed bus infrastructure within the site should be designed to current standards, fully accessible with high access kerbs and shelter provision;

(d) A Play Strategy for the area approved under the terms of this permission. For the avoidance of doubt this shall be provided at a proportionate level directly relating to each development phase as submitted and shall include a central Multi Use Games/play area and play route located in the heart of the site (This can be a combination of Multi Use Games Area (MUGA), Local Equipped Play Area (LEAP) and Neighbourhood Equipped Play Area (NEAP), to be bounded by existing woodland. Details shall be provided to demonstrate which phase will deliver what part of the strategy. For the avoidance of doubt the first phase of the development shall deliver a MUGA. That unless otherwise agreed in writing the total play provision within the application site shall include the following :-

- 3 MUGAS (2,400 square metres)
- 6 LEAPS (2,400 square metres)
- 9 NEAPS (9000 square metres)

These areas shall total 13,800 square metres across the site and shall be delivered contemporaneously with each phase of housing in accordance with the phasing plan agreed under the terms of condition 2 (a) above. Consideration should also be given to natural or wild play options. The play areas shall be implemented in accordance with the timescales and phasing plan approved under the terms of this condition;

(e) A Drainage Strategy for the area approved under the terms of this permission. For the avoidance of doubt details will be provided to demonstrate which phase will deliver what part of the strategy;

(f) A Recreational Management Plan adhering to the design solutions referred to in the Recreational Management Plan (Stantec Rev D dated February 2025) including the measures shown in drawing B2-Acad 05 (Rev A) and described in section 5 of the plan.

For the avoidance of doubt the Recreational Management Plan shall include;

- full details of the path network to be provided throughout the site, together with controlled 'gateways' and entrance features through to the woodland areas surrounding the site and shall connect to the core path network;

- provision within the Site of 44.6ha (approx.) of high-quality greenspace, including over 5.6km of signed and waymarked walking routes and the upgrading of 1.49km of core paths;

- Gateway features and signage at the entrance points into Palacerigg Country Park which promote the use of established paths, and discourage use of Slamannan Plateau and West Fannyside Moss beyond.

- Use of planting to direct movement and discourage informal access.

The Recreational Management Plan shall be implemented in accordance with the timescale approved under the terms of this condition and will align with the programme of phasing approved under the terms of Condition 2 (a) above.

(g) A Strategic Biodiversity and Landscaping Strategy, that aligns with the terms of condition 2(f) above and reflects the phasing plan agreed under Condition 2 (a) above.

For the avoidance of doubt these details require to be submitted and approved in writing by the Planning Authority prior to the construction of the first dwellinghouse.

Reason: To ensure that these details are considered at the earliest opportunity and facilitated at the appropriate time in order to ensure the effective and appropriate delivery of the development within appropriate timescales, as well as in terms of 2 (f) above to offer controlled access outwith the site to minimise any disturbance on the Slamannan Plateau Special Protection Area (SPA), protected for its population of wintering Taiga Bean Geese, West Fannyside Moss Special Area of Conservation (SAC) and the North Bellstane Plantation Site of Special Scientific Interest (SSSI).

3. That notwithstanding the requirements of conditions 1 and 2 above, any future applications at the site shall ensure the following roads and transportation requirements:

a) No road shall be the sole means of access to more than 300 units:
b) Unless otherwise agreed in writing with the Planning and Roads Authority any roads serving more than 200 dwellings should be consistent with a 'connector road' standard. Design criteria as follows:
    - Design Speed 30kph; Limited frontage access; Carriageway Width 6.5metres; Gradient 1% to 5% (Up to 8% may be permitted in difficult sites); 25metre minimum horizontal curve radius, 3.5m shared use path provision on one side of carriageway with 2m verge or footway on other side (depending on pedestrian demand)
c) Unless otherwise agreed in writing with the Planning and Roads Authority the developer shall ensure that the length of Palacerigg Road between Lenziemill Road and the junction with the internal 'connector road', meets the geometry requirements in condition 3 b) above. Note this does not include a requirement to provide for improved active travel provision on one side of the road if alternative connections are provided. Active travel provision will require to align with the strategy approved under the terms of condition 2 (b) above.
d) Before the first unit is occupied within the site, unless otherwise agreed in writing, a new traffic signal junction incorporating pedestrian phases shall be formed from Lenziemill Road, with continuous active travel links to that phase of development. Details of the improvements to be agreed with the Council's Transportation Team to ensure school children have an appropriate walking route to school. Active travel provision will require to align with the strategy approved under the terms of condition 2 (b) above.
e) The implementation of the second signalised junction from Lenziemill Road shall be determined by pedestrian and vehicular travel demands. This would be subject to further

discussions and agreement with the Council's Transportation team and shall require to align with the phasing plan approved under the terms of condition 2 (a) above;

f) Any internal road layout should be designed in accordance with the principles of 'Designing Streets' as published by the Scottish Government;

g) The minimum junction spacing for connector roads is 25 metres.

Reason: To ensure appropriate roads and transportation arrangements are designed to accommodate the overall development.

4. That unless otherwise agreed in writing with the Planning Authority, and subject to the conditions of this permission, the development shall be designed to accord with the following:

(a) the maximum number of residential units to be 1400;

(b) No trees within the application site shall be lopped, topped or felled and no hedges shall be removed from the application site, without the prior approval in writing of the Planning Authority;

(c) Land for a centrally located Mixed Use Community Hub site shall be safeguarded and this shall be located adjacent to the centrally located Multi Use Games/play area;

(d) That unless otherwise agreed in writing the build platforms and boundary landscape buffers shall be as illustrated on the Masterplan Drawing Ind04B;

(e) Each phase of the development shall include provision for 20% Affordable Homes and have good connections to the Town Centre and Railway Station.

Reason: To define and ensure delivery of all key aspects of the permission.

5. That with each forthcoming MSC application for each phase of development and BEFORE any works of any description start on that phase of development , unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation report shall be submitted to and for the approval of the said Authority. The investigation must be carried out in accordance with current best practice advice, such as BS 10175: 'The Investigation of Potentially Contaminated Sites' or CLR 11. The report must include a site specific risk assessment of all relevant pollution linkages and a conceptual site model. Depending on the results of the investigation, a detailed Remediation Strategy may be required.

Reason: To establish whether or not site decontamination is required in the interests of the amenity and wellbeing of future residents.

6. That any remediation works identified by the site investigation required in terms of Condition 5 above; shall be carried out to the satisfaction of the Planning Authority. A certificate (signed by a chartered Environmental Engineer) shall be submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

Reason: To ensure that the site is free of contamination in the interests of the amenity and wellbeing of future residents.

7. That with each forthcoming MSC application for each phase of development, a Ground Gas Risk Assessment in full accordance with CL:AIRE 2021 guidance shall be submitted for the written approval of the Planning Authority.

Reason: To ensure that any potential aspects of ground gas are adequately dealt with in the interests of public safety and general amenity.

8. That if remediation works have been identified as being required in terms of Condition 7; above then a remediation strategy shall be submitted for the written approval of the Planning Authority and thereafter carried out to the satisfaction of the Planning Authority as part of the build process. A certificate (signed by a chartered Environmental Engineer) shall be submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

Reason: To ensure that any potential aspects of ground gas are adequately dealt with in the interests of public safety and general amenity.

9. That with each forthcoming MSC application for each phase of development and BEFORE any works of any description being commenced on that phase of development , unless otherwise agreed in writing with the Planning Authority, full details of the proposed surface water drainage scheme shall be submitted to the said Authority. This scheme will align with the drainage strategy approved under the terms of Condition 2 (e) above. For the avoidance of doubt the drainage scheme must comply with the principles of Sustainable Urban Drainage Systems (SUDS) in terms of the relevant CIRIA Manual and other advice published by the Scottish Environment Protection Agency (SEPA).

   Reason: To ensure that the drainage scheme complies with best SUDS practice to protect adjacent watercourses and groundwater, and in the interests of the amenity and wellbeing of existing and future users adjacent to and within the development site respectively.

10. That with each forthcoming MSC application for each phase of development and before any works of any description being commenced on that phase of development, the SUDS compliant surface water drainage scheme approved in terms of Condition 9 above shall be implemented contemporaneously with the development in so far as is reasonably practical. Following the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer) shall be submitted to the Planning Authority confirming that the SUDS have been constructed in accordance with the requirements of condition 9 above.

    Reason: To safeguard any adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future users.

11. That with each forthcoming MSC application for each phase of development and before any works start on that phase of development, the applicant must confirm in writing to the Planning Authority that the foul drainage can be connected to the public sewer in accordance with the requirements of Scottish Water. For the avoidance of doubt the surface water must be treated by the SUDS compliant drainage scheme approved in terms of Condition 10 above.

    Reason: To prevent groundwater or surface water contamination in the interests of environmental and amenity protection.

12. Notwithstanding the requirements of condition 1 above, an updated protected species survey shall be carried out for each phase of development and the details of the findings of the surveys submitted, including any mitigation measures required and timescales for their implementation shall be submitted for the written approval of the Planning Authority. For the avoidance of doubt, any mitigation measures required shall be implemented in accordance with the approved timescale to the satisfaction of the Council as Planning Authority.

    Reason: In the interests of the protection of natural habitats and protected species.

13. That unless otherwise agreed in writing, and before the occupation of the 370th dwellinghouse within the development hereby permitted, all works required for the provision of the central Multi Use Games/play area approved under the terms of Condition 2 (d) above shall be completed to the satisfaction of the Planning Authority.

    Reason: To ensure the provision of strategic well designed play facilities within the site.

14. That notwithstanding the terms of condition 1 above each application for Approval of Matters Specified by Condition for housing development shall require to make a financial contribution towards education provision. The final figure of the financial contribution shall be agreed with North Lanarkshire Council Education Services during the assessment of the planning application.

    Reason: In order to secure a financial contribution towards addressing the capacity issues in

education provision as a result of the proposed development.

15. That unless otherwise agreed in writing no development shall take place within the development area until the applicant has secured the implementation of a staged programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by the Local Archaeology Service and approved by the Planning Authority. For guidance, the response should be characterised by the following:-

    1. 5% ground breaking evaluation of that portion of the development area.
    2. If this exercise identifies sites or objects of merit there should be proposals for further works potentially including excavation, post-excavation, publication and archiving.

    Reason: To enable the Planning Authority to consider these aspects in detail.

Background Papers:

Consultation Responses:

NatureScot received 03.06.2024, 17.05.2024, 03.06.2024, 19.12.2024, 03.02.2025, 28.04.2025, 06.05.2025,
Royal Society for the Protection of Birds (RSPB) received 28.06.2024 and 06.05.2025.
Scottish Environment Protection Agency received 11.03.2024, 04.06.2024, 05.07.2024, 09.07.2024, 24.07.2024 and 18.09.2024
Scottish Water received 21.03.2024
SportScotland received 02.04.2024
Scottish Gas Network received 08.03.2024
Network Rail received 25.03.2024
Coal Mining Remediation Authority received 10.06.2024
Strathclyde Partnership for Transport received 25.07.2025
NLC Infrastructure & Transportation received 06.05.2024 and 29.07.2025
NLC Protective Services received 06.06.2024
NLC Education received 26.03.2025.
NLC Play Services received 05.06.2025
NLC Housing received 02.09.2024
NLC Archaeology Service received 13.03.2024

Contact Information:

Any person wishing to inspect these documents should contact Paul Williams at 01236 632500

Report Date:

29th July 2025

APPLICATION NO. 24/00230/PPP

REPORT

1. Site Description

1.1 The application site is located on the eastern side of Cumbernauld. It is bound by Lenziemill Road on its northwestern boundary. The footpath which connects Lenziemill Road (B8054) and the Luggie Water and the B8039 bounds the site to the west. The eastern boundary of the site is marked by field boundaries and woodland tree belts up to the northern point of the site. The Luggie Water and the associated SINC forms the southern boundary of the site beyond which lies the settlement of Luggiebank.

1.2 The site is roughly triangular in shape and covers an area of approximately 83 hectares. It generally slopes upwards from northeast to southwest and also down southwards to the Luggie Water. The eastern boundary of the site is formed by field boundaries and tree belts with the northern point of the site converging near the junction of Forest Road and Lenziemill Road. The site is centrally bisected by Palacerigg Road.

1.3 The site consists of agricultural fields, some tree belts, smallholdings, an assortment of dwellings and a golf driving range as well as a 'foot golf' course and horse paddocks to the southeast of the site. Surrounding uses include Cumbernauld model flying club and Palacerigg Country Park and golf course to the east. Glencryan Forest is to the northeast and Lenziemill industrial estate to the northwest. There is an existing network of public footpaths surrounding the site and adjacent to the northeastern flanks of the site.

2. Proposed Development

2.1 This application seeks planning permission in principle for the development of 1400 dwellings and associated access and infrastructure as part of the South Cumbernauld Community Growth Area (CGA). Its Strategic Development Framework (SDF) was approved by the Council in June 2016 and the Concept Statement approved in April 2020. The CGA is identified within the adopted North Lanarkshire Local Development Plan 2022 (LDP). The CGA also includes the Mid-Forest site to the north of the application site which has Planning Permission in Principle for approximately 600 dwellings and a detailed Matters Specified in Conditions (MSC) application for 300 units was approved last year for part of the site (22/01051/MSC).

2.2 This application seeks consent for the 'Proposed residential led mixed use development with associated access, landscaping, drainage features and all associated infrastructure. The main element of the proposal is for 1400 residential units of which 20% would be 'Affordable Homes', a new primary access at the northern end of the site onto Lenziemill Road as well as the retention and enhancement of the existing access onto Lenziemill Road from Palacerigg Road, the retention and enhancement of the existing footpath network throughout the site and extending to Glencryan Forest, Palacerigg Country Park and the greater Cumbernauld area in general. The proposals also include retention and enhancement of existing woodland and a green buffer zone around the site and proposed development platforms which would take up approximately half of the overall site. This buffer zone along with internal areas takes up an area of 44.6 hectares of green infrastructure within the site to accommodate recreation, informal play and walking routes within the site and a Recreational Management Plan for the site has been submitted to demonstrate this. An illustrative masterplan has also been provided for the residential led development with a Mixed Use Community Hub identified. This hub would allow for a small parade of shops to come forward to address local needs and align with placemaking goals for 20 minute neighbourhoods. The illustrative masterplan also demonstrates enhanced green spaces and children's play areas as well as Sustainable Urban Drainage throughout the site.

2.3 The proposal includes an enhanced footpath network, including Active Travel provision, upgrading of the existing access from Lenziemill Road onto Palacerigg Road and a new access to the north of the site onto Lenziemill Road. This new access would facilitate the

formation of an internal loop road which would bisect Palacerigg Road at two points and service identified development platforms which would create smaller residential neighbourhoods. The centre of the site would include tree retention and enhancement as well as a central Multi Use Games/play area and Mixed Use Community Hub. An indicative phasing strategy has been submitted with the north eastern corner of the site being developed within the first phase, the second phase being the adjoining southern part of the site adjacent to its eastern boundary, the third phase being the central part of the site fronting Lenziemill Road, the fourth phase within the south eastern corner of the site and the last phase within the north western corner of the site bounding Lenziemill Road and the B8039. Phases 1 to 3 would be north of Palacerigg Road and Phases 4 to 5 south of this road. The new access onto Lenziemill Road would be formed within Phase 1.

3. Applicant's Supporting Information

3.1 The application submission has provided the following supporting documents:

Application Forms, Certificates and Notices
Environmental Impact Assessment Report March 2024
Illustrative Masterplan drawing Ind04B
Planning Statement February 2024
Transport Assessment Chapter 9 of the EIA Report
Pre-Application Consultation (PAC) Report
Design and Access Statement March 2024
Tree Report December 2023
Landscape Plan drawing no B2-Acad04
Flood Risk Assessment March 2023
Ecology Survey (Confidential)
Recreational Management Plan

4. Site History

4.1 The site forms part of the South Cumbernauld Community Growth Area (CGA) and is identified within the adopted North Lanarkshire Local Development Plan (LDP) 2022. The CGA also includes the Mid-Forest site to the north of the application site for approximately 600 dwellings which has Planning Permission in Principle (16/00698/PPP) and an Application for Approval of Matters Specified in Conditions (MSC) for 300 units was approved in May last year (22/01051/MSC). Other relevant history is as follows:-

- 19/00221/EIASCR- EIA Screening Opinion: Residential Development and Associated Works – EIA required 29.03.19
- 19/01274/PPP Nursery/Garden Centre with Temporary Staff Accommodation – Withdrawn 9.01.20
- 22/01442/EIASCR Scoping opinion: Proposed residential development with associated access, open space, landscaping, drainage features and all associated infrastructure – Issued 11.01.23
- 23/00067/PAN Residential Led, Mixed Use Development with Associated Access, Open Space, Landscaping, Drainage Features and Associated Infrastructure – Received 18.01.23

5. Development Plan

5.1 The Development Plan for the site consists of National Planning Framework 4 ('NPF4'), adopted in February 2023; and the North Lanarkshire Local Development Plan ('LDP'), adopted in July 2022.

5.2 The relevant policies in NPF4 are as follows; in summary they advise:

Policy 1 (Tackling the Climate and Nature Crises) prioritises the climate and nature crises in all planning decisions and significant weight must be given to this when considering all proposals.

Policy 2 (Climate Mitigation and Adaptation) states that proposals are located and designed to minimise both lifecycle greenhouse gas emissions and vulnerability to current and future risks from climate change.

Policy 3 (Biodiversity) aims to protect and enhance biodiversity and strengthen nature networks by requiring that all proposals will contribute to the enhancement of biodiversity. The policy highlights that major developments will only be supported where it can be shown that proposals will protect and enhance biodiversity and provides criteria for this goal.

Policy 4 (Natural Places) states that development proposals which have an unacceptable impact on natural assets will only be supported in limited circumstances. It adds that proposals which are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests.

Policy 6 (Forestry, woodland and trees) states that developments that enhance, expand and improve woodland and tree cover will be supported. Any woodland removal is required to be done in accordance with the Scottish Government policy on woodland removal, and compensatory planting will most likely be expected to be delivered.

Policy 12 (Zero waste) states that development proposals that are likely to generate waste when operational, including residential, will set out how much waste the proposal is expected to generate and how it will be managed.

Policy 13 (Sustainable Transport) supports developments which prioritise and encourage active travel and public transport for everyday travel and which reduce the need to travel unsustainably. Generally, development proposals will be supported where they provide direct, segregated and safe links to local facilities; will be accessible to public transport; and are designed to include safe crossings for pedestrians and cyclists in an environment that reduces the speed of vehicles.

Policy 14 (Design, Quality and Place) encourages developments which are well designed and improve the quality of an area and supports developments which are consistent with the six qualities of successful places. It also states that proposals which are poorly designed; inconsistent with the six qualities given; or which are detrimental to the amenity of the surrounding area, will not be supported. The six qualities of successful places are: Healthy; • Pleasant; • Connected; • Distinctive; • Sustainable; and • Adaptable.

Policy 15 (Local Living and 20-Minute Neighbourhoods) sets out the requirements relating to the concepts of Local Living and 20 Minute Neighbourhoods. Broadly, the policy requires proposed developments to contribute to ‘local living’ by achieving local access to daily needs within a reasonable distance from homes, ideally via active travel methods or using sustainable transport.

Policy 16 (Quality Homes) is a detailed, multi-layered policy which sets out several considerations on how residential development proposals should be considered through the planning process. It aims to encourage and promote the delivery of high quality affordable and sustainable homes. Criterion a) of Policy 16 states that support will be given for the development of new homes on land allocated for housing in LDPs. Criterion b) of Policy 16 requires a Statement of Community Benefit for development proposals providing more than 50 homes. This statement will require to set out the contribution of the proposed development to i) meeting local housing requirements including affordable housing; ii) providing or enhancing local infrastructure facilities and services; and iii) improving the residential amenity of the surrounding area. Criterion c) of Policy 16 states that support will be given for the development of “new homes that improve affordability and choice by being adaptable to changing and diverse needs” and gives examples of housing types which might be included under this policy, such as accessible, adaptable and wheelchair accessible homes and homes which provide a range of house sizes. Criterion e) adds that support will be given for development proposals for housing which include 25% affordable housing provision, unless a different requirement is set out in the LDP.

Policy 18 (Infrastructure First) supports proposals which address any impact on infrastructure and offers guidance on the mechanisms for infrastructure provision such as planning conditions or obligations. The policy notes that support will be given to proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes.

Policy 19 (Heating and Cooling) states that development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature managements, for example by prioritising natural or passive solutions, such as siting, orientation, and materials.

Policy 20 (Blue and Green Infrastructure) supports proposals that would not result in, or exacerbate, a deficit in green infrastructure provision, and the overall integrity of the network will be maintained. Furthermore, the policy also notes that proposals will be supported for incorporating new or enhanced blue and/or green infrastructure.

Policy 21 (Play, Recreation and Sport) supports proposals likely to be occupied or used by children and young people where they incorporate well designed, good quality provision for play, recreation, and relaxation that is proportionate to the scale and nature of the development and existing provision in the area. The policy also states that development proposals that include new streets and public realm should be inclusive and enable children and young people to play and move around safely and independently, maximising opportunities for informal and incidental play in the neighbourhood.

Policy 22 (Flood Risk and Water Management) aims to strengthen flood resilience by avoiding development in areas of flood risk where possible and reducing vulnerability of developments to flooding. It provides criteria which must be met if a proposal in a flood risk area is to be supported and requires that proposals do not increase the risk of surface water flooding and manage surface water drainage though SUDS.

Policy 23 (Health and Safety) supports proposals that will have a positive effect on health and development proposals that are likely to raise unacceptable adverse effects such as through noise, air quality or hazards should not be supported.

Policy 24 (Digital Infrastructure) supports proposals that incorporate appropriate, universal, and future proofed digital infrastructure connectivity.

5.3 The site is an identified and allocated housing site within the North Lanarkshire Local Development Plan (LDP). Relevant policies within the LDP are as follows:

PROM LOC3 (Housing Development Sites) states that NLC will provide a generous supply of land to maintain a minimum five-year effective housing supply at all times. Those sites promoted in the Plan will be brought forward through consideration of applications for planning permission and/or in accordance with the Action Programme. This has now been replaced and superseded by NPF4 Policy 16 Quality Homes.

PROM LOC4 (Special Landscape Areas & Green Network Improvements) states that green networks are a means of attracting people into their local natural environment by improving community access, recreation opportunities, and environmental and ecological quality close to and within communities.

PROM ID1 (Transport Improvements) states that NLC will support sustainable, multi-modal transport improvements, identified and delivered through various strategies including the National Transport Strategy, Cycling Action Plan for Scotland, North Lanarkshire Transportation Strategy and North Lanarkshire Walking and Cycling Strategy.

Policy PROT A (Natural Environment and Green Network Assets) is a multi-layered policy that considers the protection of natural and resilient sustainable places by safeguarding natural heritage assets, categorising sites into International, National and Local designations. The Following categories are of relevance to the site:

Category A3 (Local Sites) acknowledges local sites including Sites of Importance for Nature Conservation, Country Parks, Tree Preservation Orders and Core Paths.

Category A5 (Protected Species) notes that development that significantly affects a species protected by law will only be permitted where an appraisal has demonstrated that the protected species would not be compromised, or any significant adverse effects on the protected species are mitigated through planning conditions or use of planning agreements to: facilitate protection of individual species members, reduce disturbance to a minimum and provide appropriate alternative habitats to sustain at least the current levels of the species locally.

Policy CI (Contributions to Infrastructure) requires that the Council will seek to secure developer contributions for new developments that cumulatively generate a requirement for new or enhanced infrastructure or services, covering Affordable Housing in Cumbernauld Housing Sub-Market Area, Education, Transport and Green Network Infrastructure, Amenity Space and Play across North Lanarkshire.

Policy PP 3 (Purpose of Place) states that the Council will seek to maintain and improve the level of amenity in urban areas, by encouraging development that is in keeping with their residential character and encouraging diversity in more mixed-use areas.

Policy AD3 (Amount of Development) assesses the implications of the amount of development proposed.

Policy EDQ 1 (Site Appraisal) notes that any proposed development will require to be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity.

Policy EDQ 2 (Specific Features for Consideration) Category 2C states that development proposals should detail how any likely air quality, noise, or pollution impacts particularly in or adjacent to Air Quality or Noise Management Areas will be mitigated.

Policy EDQ 3 (Quality of Development) states that development will only be permitted where high standards of site planning and sustainable design are achieved.

6. Consultations

6.1 **Scottish Environment Protection Agency (SEPA)** originally objected to the proposal in terms of potential flood risk. Amendments were therefore made to the existing Flood Risk Assessment (FRA) to include bespoke hydrological and hydraulic modelling in order to evidence that all elements of the proposed residential areas are outwith the flood risk area (200yr + Climate Change Allowance) from likely fluvial features throughout the site. From the Technical Note provided by Stantec, SEPA are satisfied that this provides sufficient evidence that the residential elements are not at flood risk and that modelling is no longer required. SEPA therefore removed their objection.

6.2 **NatureScot** have advised that the proposal could affect internationally important natural heritage interests but could be progressed with appropriate mitigation. They have therefore advised that they would not object to the application so long as it is made subject to conditions so that the development is carried out strictly in accordance with the mitigation detailed below:

6.3 That the design solutions presented in the Palacerigg, Cumbernauld Recreational Management Plan (Stantec, Rev. D, Feb 2025) are implemented in full. This must include the measures shown on Drawing No. B2-Acad05 (Revision A) and described in Section 5 of the Plan, which take in the following:

- provision within the Site of 44.6ha (approx.) of high-quality greenspace, including over 5.6km of signed and waymarked walking routes and the upgrading of 1.49km of core

paths;

- Gateway features and signage at the entrance points into Palacerigg Country Park which promote the use of established paths, and discourage use of Slamannan Plateau and West Fannyside Moss beyond.

- Use of planting to direct movement and discourage informal access.

6.4 In addition to these comments NatureScot advised that given the environmental status of the Slamannan Plateau Special Protection Area (SPA), protected for its population of wintering taiga bean geese and West Fannyside Moss Special Area of Conservation (SAC), protected for its blanket bog, the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations') apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 and the Council was required to consider the effect of the proposal on the qualifying interest of the SPA and SAC.

6.5 The Council as the competent authority, has therefore carried out an **appropriate assessment** to assess this effect. This was produced by Applied Ecology dated March 2025. Under the terms of the regulations. A shadow Habitats Regulations Appraisal (HRA) was produced first drawing on the information available regarding the SPA and SAC, knowledge of the usage of the area, the relevant ecological features and the potential impacts of the proposed development on these features. A final HRA was then adopted by the Council. NatureScot has confirmed that they concur with the findings of the HRA which advises that subject to the proposed mitigation measures detailed above it is considered that the proposal would have no adverse effects on the integrity of the Slamannan Plateau SPA or West Fannyside Moss SAC. Appropriate conditions have therefore been attached to meet these requirements.

6.6 **Royal Society for the Protection of Birds (RSPB)** originally objected to the proposal due to the lack of assessment of the impact of increased recreational disturbance on the Taiga Bean Geese and supporting habitats of the Slamannan Plateau SPA/SSSI and West Fannyside SAC/SSSI given there was no Recreational Management Plan to show how the potential increased recreational disturbance will be mitigated to avoid disturbance of the wintering Taiga Bean Geese, or negative impacts on the integrity of the supporting habitats of the Slamannan Plateau SPA/SSSI and West Fannyside SAC/SSSI. The RSPB stated that they would reconsider their position following the provision of the required assessment and mitigations. Following the provision of the updated Recreational Management Plan (RMP) the RSPB confirmed the withdrawal of their objection subject to conditions that the Council carry out a Habitats Regulations Appraisal. This has been done and an appropriate assessment has been carried out. This has found that impacts on these conservation assets can be satisfactorily managed by the proposed mitigation measures detailed in the RMP. NatureScot has confirmed agreement with the findings of the appropriate assessment and the RSPB confirmed removal of their objection subject to condition that the design solutions presented in the Palacerigg, Cumbernauld Recreational Management Plan (Stantec, Rev. D, Feb 2025) are implemented in full and that this include the measures shown on Drawing No B2-Acad05 (Revision A) and in Section 5 of the plan. Appropriate conditions have therefore been attached to meet these requirements.

6.7 **Scottish Water** has confirmed that there is currently sufficient capacity in the Balmore Water Treatment Works to service the development. Scottish Water cannot confirm that the Dunnswood Waste Water Treatment works has current capacity but suggests that the applicant completes a Pre-Development Enquiry (PDE) form and submits it directly to Scottish Water via their customer Portal or contact Development Operations. They also advise that they will not accept any surface water connections into the combined sewer system.

6.8 **Sportscotland** originally made comments regarding the proposed development and the inherent loss of the existing Foot Golf Course on the site and how this should be assessed against Policy 21 of NPF4 in terms of demonstrating adequate sports facility provision in the local area and that this should be informed by the Council's Open Space Strategy.

Sportscotland consulted Golf Scotland and a further response was received from Sportscotland withdrawing their objection on the basis that Golf Scotland had provided no objection to the proposal in terms of capacity elsewhere in the area. Palacerigg Golf Course is nearby and could be utilised and given the nature of the current use of the site and nearby golf course it is considered that the demand for golf in the area could be met. Therefore, the proposal would satisfy criterion 4 of NPF4 Policy 21 and Sportscotland confirmed no objection to the proposal.

6.9 **Scottish Gas Networks** has confirmed that the development will not affect the High Pressure Pipeline near the planned area of works.

6.10 **Network Rail** has confirmed that they consider that the proposal will have no impact on railway infrastructure and therefore tthey have no objections to the proposal.

6.11 **Coal Mining Remediation Authority** has confirmed that as the site falls within a low risk area that they have no specific comments to make.

6.12 **Scottish Wildlife Trust** were consulted on two separate occasions with no response forthcoming.

6.13 **NLC Infrastructure and Transportation** have provided detailed feedback in terms of the requirements for junction improvements, visibility splays, traffic control, road/street hierarchy, traffic signals, active travel provision, footpath design, parking provision and advised that the development be designed in accordance with principles of 'Designing Streets. Appropriate conditions have been attached to meet their requirements.

6.14 **NLC Greenspace**– no comments made.

6.15 **NLC Protective Services** have provided comment on the Preliminary Risk Assessment of ground conditions (Contamination and Stability), Stantec, October 2023 and the Preliminary Mining Hazard Assessment, Stantec, December 2023. Other additional information has been requested in terms a mine gas risk assessment in full accordance with CL:AIRE 2021 guidance. This can be conditioned along with other standard site investigation and remediation conditions.

6.16 **NLC Education** advised that the proposed development lies within the catchment areas of Woodlands Primary school and St Margaret of Scotland Primary school in Cumbernauld. Pupils from these developments ordinarily transfer to Greenfaulds High and Our Lady's High school for secondary provision. A development of this scale cannot be accommodated within the school estate without the requirement for additional capacity in the local educational establishments.

6.17 The Service therefore requests a Developer Contribution of £5,631,949.25. This contribution is towards additional provision in the early years, primary and secondary sectors. The calculation is based on the development comprising 1500 units and is proportionate to the impact of the development on the school estate. If the number of units within this development were to increase or the development is not completed within a five-year period, the Service reserves the right to revisit the issue of developer contributions at that time.

6.18 This contribution can be achieved through conditions and related legal agreements in each MSC phase and determined by the number of residential units in each phase. The contributions for phases that relate to council owned land can be achieved as part of the capital receipt for the sale of the land where funds are deducted from the Capital receipt and internally transferred to NLC Education. It should be noted that through the course of the assessment of the application the maximum number of units considered acceptable for the development of the site is 1400. Therefore, the developer contribution required would be reduced accordingly.

6.19 **NLC Community Partnership Team (Play Services)** has offered detailed advice in terms of what is required for a proposed development of this scale. Within the various phases of the

development multiple play areas should be included throughout the development. They advise this could be made up from 6 X LEAP's (Local Equipped Area of Play), 9 x NEAP's (Neighbourhood Equipped Play Area) and 3 x MUGA's (Multi Use Games Area) and that the proposed centrally located play area identified within the masterplan could form part of this provision. The provision of play can be controlled by planning condition.

6.20 **NLC New Supply** has advised that 20% affordable housing provision should be provided across the site. As this application seeks planning permission in principle this matter can be controlled by planning condition at this time.

6.21 **NLC Archaeology Service** has no objection to the proposal so long as a condition is imposed to ensure that a Written Scheme of Investigation is carried out by the developer. This requirement has been attached as a condition.

6.22 **Strathclyde Partnership for Transport** have no objections provided that suitable provision for public transport is made available within the overall site and recommend that developer contributions are secured via a Section 75 agreement. Appropriate conditions are imposed to control this matter.

6.23 No response was received from SPEN or SUSTRANS.

7. Representations

7.1 Following the standard neighbour notification process and newspaper advertisement including an advert in the Edinburgh Gazette as the application includes an Environmental Impact Assessment, 72 letters of representation (71 objecting and one in support) have been received including one from Carbrain and Hillcrest Community Council (objecting on grounds of environmental damage and potential impact on society, local services and infrastructure) as well as submissions from POPPA (People Opposing Palacerigg Planning Application).

7.2 The following is a summary of the objections to the proposal:

a) Loss of 'Greenbelt' Land / Greenspace

'The proposed development is on rural greenbelt land and is not allocated for development as per NLCs own local development plan. A use of this greenbelt space in this way would be non-compliant with NLCs own LDP. Not only this, but as residents of Cumbernauld, our greenbelt spaces should be protected at all costs.' 'The facilities of Cumbernauld cannot support a development of this size and the loss of natural green space is totally unnecessary. Palacerigg is meant to be a country park not a town park and building on this scale near it would ruin the nature of the surroundings.'

b) Traffic, Access and Road Safety Concerns

'Palacerigg Road and the surrounding area, do not realistically support a settlement of this size with the traffic this will bring. Palacerigg Road can be dangerous owing to bends, tight width of the road and also the fact it is frequently used by equestrians and cyclists, whose safety should be paramount and will be endangered by an increase in volume of traffic.' 'Palacerigg Road is a narrow, winding road down which people already speed at the moment though traffic is not dense. However, since most households now have at least one car according to Statistical Research data this will mean an extra 1000-2000 cars in the area. There is no provision I see in the proposal for widening this road. Nor do the other access roads appear any wider. This is a serious road safety issue.'

c) Noise Impact and Privacy Concerns

'Noise and light pollution will have a direct effect on wildlife and ecosytems. Our cottage is currently sited with a beautiful green panoramic view which will be blighted by noise and light should this go ahead.' 'We live in a bungalow and although no fine detail has been received of

the proposed housing we will be overlooked if any house around us is more than one storey high. From having no neighbours for 24 years and then having thousands will create a massive disturbance.'

d) Pressure on Existing Infrastructure and Services

'I have to support the comments on lack of infrastructure in the town to support a site of 12-1500 homes. The local primary schools are under pressure, there are huge problems accessing local GPs and the site will offer no amenities of any consequence in a town in decline due to lack of investment for whatever reason.' 'To ensure the health of Cumbernauld's' population, we require the infrastructure and amenities in place within our communities. Dr Surgeries are full. Hospital is due to be moved further away. No dentists nearby. Schools, where are the children, meant to be educated? If there are 1000 children within this estate, are there plans for new Primary Education sites? 1000 children will not be absorbed into the existing facilities.' 'The addition of further housing developments in the town would place further pressure on already struggling services, such as schools, doctors, nurseries and dentists. More pressure on such services could impact negatively on people's health, wellbeing and education.'

e) Impact on Natural Environment and Biodiversity

'Consideration should be given to any opportunities to contribute towards restoring and enhancing any habitats and species identified as national, strategic or local priorities…' 'Loss of habitat for thousands of animals causing displacement, harm and distress to wildlife, especially those who are already under threat.' 'The green space which will be obliterated by the development is a part of the natural environment which can be accessed on foot from central Cumbernauld. Having enjoyed many peaceful walks during which I have inevitably spotted a variety of wildlife, I am angry to learn that habitats will be destroyed, leading to further decline in already dwindling bird, mammal and insect populations.'

f) Drainage Concerns

'When a single house attached to the nearby stables was built it altered a water course causing one of these roads to be constantly waterlogged leading to surface breaking up. More houses would exacerbate the problem.' 'The land around this area over the years has had severe drainage problems.'

g) Engagement with the Local Community

'People are not empowered to shape their place if they do not have access to the knowledge that a planning application has been submitted or that there is a Local Development Plan in place… We respectfully suggest that due to the nature of the application, a further consultation of the community is undertaken by North Lanarkshire Council prior to the application being submitted.'

7.3 These concerns will be considered later in the report.

7.4 The letter of **support** raised a number of issues to be considered as part of the assessment of the application. In summary these related to safe pedestrian links, including through the industrial area to the train station and town centre, traffic control, active travel, safe routes to school, appropriate phasing of the development, placemaking and the provision of a range of house types.

Response: Noted. Appropriate conditions are attached to ensure these matters are addressed through the submission of forthcoming MSC applications.

8. Planning Assessment

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, states that planning

applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. Upon its adoption on the 13th of February 2023, National Planning Framework 4 (NPF4) became part of the statutory 'Development Plan'. It supersedes both Scottish Planning Policy (2014) and the Clydeplan Strategic Development Plan (2017). As a result, the Development Plan in respect of this site now comprises NPF4 (2023) and The North Lanarkshire Local Development Plan (adopted 2022). On 8th February 2023, the Chief Planner for Scotland published Transitionary Arrangements Guidance which set out further details regarding how NPF4 should be applied. This confirmed that adopted Local Development Plans will continue to be part of the development plan. In circumstances such as North Lanarkshire's, where the Local Development Plan (LDP) has been adopted prior to publication of NPF4, legislation states that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is the later in date is to prevail. Accordingly, the proposed development requires to be assessed against the provisions and policies of both NPF4 and the North Lanarkshire Local Development Plan.

Principle of Development

8.2 The site is identified as an allocated Housing Development site. The North Lanarkshire Local Development Plan (LDP) originally designated the site under Policy PROM LOC3. This policy has been superseded by NPF4 Policy 16 (Quality Homes). Policy 16 supports developments for new homes on land allocated for housing in the LDP. As such this allocated site meets the terms of this policy in contributing to the Council's stated ambition in reaching its target for housing within the area. It will not have a significantly detrimental impact on the area and is compliant with the general principles of this policy. As such, the site is promoted in the Plan to be brought forward through consideration of applications for planning permission and/or in accordance with the Action Programme. The principle of residential development is therefore established for this site. However, the application requires to be assessed against the other relevant policies in NPF4 and the LDP. These assessments can be made under the following subject headings.

Ecology/Biodiversity

8.3 In terms of ecology and biodiversity, the applicant has demonstrated that the proposed development can be carried out without unacceptably impacting on environmentally sensitive sites and protected species. In this case, the relevant sites are the Luggieburn SINC (Site of Importance to Nature Conservation), Palacerigg Country Park, the Slamannan Plateau Special Protection Area (SPA), the West Fannyside Moss Special Area of Conservation (SAC) and the North Bellstane Plantation Site of Special Scientific Interest (SSSI). Upon the advice of NatureScot a Recreational Management Plan was produced which assessed the potential impact of human activity within the existing and proposed footpath network on these designated protected areas. Following the provision of an updated Recreational Management Plan, NatureScot and the RSPB confirmed the withdrawal of their objections subject to conditions that the Council carry out a Habitats Regulations Appraisal and the Council as the competent authority carry out an Appropriate Assessment. The Appropriate Assessment has been carried out by the Council which found that impacts on the conservation assets detailed above can be satisfactorily managed by the identified mitigation measures. NatureScot has also confirmed agreement with the findings of the Appropriate Assessment and the RSPB confirmed the removal of their objection on the condition that the design solutions presented in the updated Recreational Management Plan are implemented. Appropriate planning conditions are attached to control this.

8.4 It is noted that the proposed development platforms as shown on the illustrative masterplan are located in the least sensitive parts of the site, these being open fields with existing woodland to be retained. In terms of the relevant NPF4 policies, Policy 1 - Tackling the Climate and Nature Crises states that when assessing development proposals, significant weight will be given to tacking these crises and Policy 2 - Climate Mitigation and Adaptation seeks to minimise greenhouse gas emissions, energy efficiency and renewable energy. The application site is an allocated housing site within the LDP. It is therefore considered to be a sustainable site that can deliver energy efficient homes and as such can be seen to be compatible in principle with the requirements of Policies 1 and 2 of NPF4. NPF4 Policy 3 – Biodiversity indicates that proposals should contribute to the enhancement of biodiversity and should only be supported where it can be demonstrated that the proposal will conserve,

restore and enhance biodiversity and it is noted that the application includes proposals for landscaping and biodiversity enhancements. NPF4 Policy 4 – Natural Places seeks to ensure natural places are protected and restored and that natural assets are managed in a sustainable way. Conditions are proposed which will safeguard and protect the above mentioned, designated areas as well as landscape enhancements being provided throughout the site. NPF4 Policy 6 - Forestry, Woodland and Trees seeks to protect and enhance existing woodland areas. In this case, existing trees within the site are to be retained. It is therefore considered that the proposal accords with the above NPF4 policies. In terms of the LDP policies, PROT A (Natural Environment and Green Network Assets) Category A3 (Local sites and parks) and Category A5 (Protected Species), it is considered that the proposal complies with these policies for the same reasons.

Access and Connectivity

8.5 In terms of access and connectivity, the applicant has provided a Design and Access Statement, also Chapter 9 of the EIA covers Transport and Access and the Recreational Management Plan is also of relevance. The proposal involves the upgrading of the existing access from Lenziemill Road onto Palacerigg Road as well as the formation of a new access to the north and the overall design ethos of the proposal is to preserve and enhance the existing footpath network. There are also two existing bus stops nearby and Cumbernauld railway station lies to the west of the site. Furthermore, the proposed central loop road has scope for bus stops to be located along its path and there will be suitably wide footways for cyclists and pedestrians to share. Any development brought forward will be required to address Active Travel requirements. The above supporting documents conclude that sustainable transport solutions can be arrived at through the process of the subsequent MSC applications and the overall masterplan layout has been designed with local living and 20 minute neighbourhoods in mind.

8.6 The relevant policies within NPF4 are Policy 13 (Sustainable Transport) and Policy 15 (Local Living and 20 minute Neighbourhoods. In terms of the LDP, the relevant policies are PROM LOC4 (Green Network Improvements) and PROM ID1 (Transport Improvements). It is considered for the reasons stated above that the proposal as described at this PPP stage and through the subsequent submission of MSC applications can accord with these policies.

Infrastructure

8.7 The key elements of infrastructure provision for the development are as follows:

- New and upgraded access points into the site including a central access loop road - this can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application.
- A retained and enhanced green woodland and hedgerows to contribute to the landscape and an enhanced green footpath network within the site - this can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application.
- Proportionate play provision throughout the site - this can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application.
- A centrally located mixed use Community Hub - this can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application.
- Affordable Housing provision – this can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application.
- Education Contributions – again this can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application as well as applying Section 75 legal agreements with the appropriate MSC applications. Where future phases or MSC applications are on Council owned land, the contributions can be obtained by the internal transfer of funds.
- Blue and Green infrastructure – as shown on the parameter plan and landscape plan contained within the Recreational Management Plan (RMP), there will be approximately 44.6 Hectares of open space within the site including SuDS and retained woodland planting. The RMP states that there is scope for a central play

space, a linear play route/wildlife corridor, community orchard, wildlife planting, cycle and pedestrian paths and SuDS ponds. This can be achieved through the process of each subsequent MSC application and by condition as part of this PPP application.

8.8 The relevant policies within NPF4 are Policy 18 (Infrastructure first), Policy 20 (Blue and Green Infrastructure), Policy 21 (Play, Recreation and Sport) and Policy 22 (Flood Risk and Water Management). Within the LDP, the relevant policies are PROM ID1 (Transport Improvements) and Policy CI (Contributions and infrastructure) which includes Affordable Housing, Education contributions, transport improvements and green network solutions. It is considered that for the reasons outlined in paragraph 8.7 that the proposal, in the context of the PPP and subsequent MSC submission process complies with these policies.

Landscape and visual impact

8.9 As previously outlined, design solutions within the RMP have been prescribed to mitigate against landscape and visual impact and fundamentally, the proposed developable area of the site is less than half of the overall site area (Site area 83 Hectares approximately and the proposed developable area being 38.4 Hectares). The design solutions contained within the RMP include:

- New habitat and amenity landscape to be created;
- Existing vegetation to be retained and enhanced for habitat and recreation value;
- Landscape within the SINC to be enhanced for habitat value;
- Trees along the development to soften views;
- Proposed hedgerow with hedgerow trees to contain and filter views of the proposed development;
- Proposed woodland planting to reinforce the existing woodland and soften views;
- Existing woodland to be retained.

Furthermore, the submitted Environmental Impact Assessment included a section on landscape and visual impact (LIVIA) which concluded that with the application of the prescribed landscape enhancement measures and mitigation solutions that the visual impact of the development will be within acceptable parameters.

8.10 Within NPF4, Policy 6 (Forestry, Woodland and Trees) and Policy 14 (Design, Quality and Place) are of relevance and in terms of the LDP, Policy PROT A (Natural Environment and Green Networks Assets) are of relevance. For the reasons outlined above, it is considered that the proposal complies with these policies.

Design Quality

8.11 As part of the overall submission of this planning application, the following reports were submitted:

- Planning Statement
- Design and Access Statement,
- Illustrative Masterplan,
- Recreational Management Plan Design mitigations

These studies demonstrated that the proposed development would be sensitively developed in terms of development platforms, residual open space with retained and enhanced woodland and path network as well as the provision of key elements such as the centrally located play space and mixed use community hub. Furthermore, that the subsequent phases of development and the internal road layout would be designed in accordance with the principles of ‘Designing Streets’ as published by the Scottish Government.

8.12 The relevant NPF4 policies related to design quality are:

Policy 1 (Tackling climate and nature crises)
Policy 2 (Climate mitigation)
Policy 12 (Zero Waste)
Policy 14 (Design Quality and Place)

Policy 15 (Local Living and 20 minute Neighbourhoods)
Policy 16 (Quality Homes)
Policy 19 (Heating and Cooling)
Policy 24 (Digital Infrastructure)

and for the LDP they are:

Policy PP3 (Purpose of Place)
Policy AD3 (Amount of Development)
Policy EDQ 1 (Site Appraisal)
Policy EDQ 2 (Specific Features for Consideration – Category 2C)
Policy EDQ 3 (Quality of Development)

8.13 It is considered that the proposal complies in principle with these policies. These policies however would require further consideration at the detailed design stage when subsequent MSC applications are submitted for consideration. Appropriate conditions are attached to control these matters.

Flood Risk

8.14 Policy 22 of NPF4 (Flood Risk and Water Management) is the relevant policy in this case. As described in section 6 above, SEPA are now satisfied that the site is not at flood risk subject to the implementation of an appropriate Sustainable Urban Drainage scheme throughout the site. It is therefore considered that the proposal through the PPP and subsequent MSC applications will be able to satisfy the terms of Policy 22 and appropriate conditions are attached to control this matter.

8.15 In terms of the points of objection raised through letters of representations these are reviewed as follows :-

a) Loss of 'Greenbelt' Land / Greenspace

Response: In the adopted North Lanarkshire Local Development Plan ('LDP') 2022, the Palacerigg Village Site is allocated as part of the wider South Cumbernauld Community Growth Area ('CGA'). Therefore, the site is not designated as 'greenbelt land' and is instead allocated for development. Therefore, the overall principle of development on this site is considered to be accepted within the development plan. The housing identified as part of this wider allocation has been included within the housing delivery figures for North Lanarkshire Council and is therefore considered as 'necessary' to help meet the local housing land requirement for the local area. The submitted masterplan demonstrates that c.44.6ha of woodland and open space will be retained and green space will be enhanced throughout the site to protect biodiversity habitats and special designated environmental assets. Furthermore, the proposed open space network will also enhance green space on site, connecting Cumbernauld to Palacerigg Country Park. Chapter 13 of the submitted EIA Report considers in detail the potential impact of the proposed development on the biodiversity of this area and sets out a series of mitigation measures that can be employed on site and off site to mitigate the impact of development, whilst also providing biodiversity enhancement. Appropriate conditions are attached to control these matters.

b) Traffic, Access and Road Safety Concerns

Response: The submitted Transport Assessment and Chapter 9 of the EIA Report considers the existing road network, identifying the existing flow of traffic and where there may be any adverse impacts as a result of the proposed development. This Assessment identifies any necessary mitigation to ensure that the impact is neutralised, whilst delivering an allocated housing development and limits the number of dwellings to 1400. The proposed development will introduce a new primary junction located at the northern end of the site off Lenziemill Road. Traffic controls will be required to accommodate the proposed development, both on Lenziemill Road and on Palacerigg Road, which will manage traffic flow accordingly. The proposed development will promote a varied active travel network on site and in the surrounding area through the retention of existing footways and the creation of new

pedestrian and cycle network routes. This has been identified in the submitted Design and Access Statement.

c) Noise Impact and Privacy Concerns

Response: Chapter 11 Noise and Vibration of the submitted EIAR notes that construction, road and operational noise all demonstrate minor adverse impact on the area. However, mitigation measures will be in place to reduce the impact of noise from the development on existing and future receptors. The detailed development area and block layout, in addition to the mix of heights and densities similar to the local area will ensure that the privacy of residential areas in the surrounding area will be respected through the detailed layout proposals. Detailed layouts, which would come forward as part of any AMSC application would require to comply with detailed policies and guidance on housing layout. Appropriate conditions are attached to control these matters.

d) Pressure on Existing Infrastructure and Services

Response: Chapter 6 'Socio Economics' of the EIAR notes that the increase in population will impact upon the availability of education and healthcare within the local area surrounding the Site. It is recognised that current educational capacity is not sufficient to accommodate the demand for places created by the proposed development. In terms of healthcare, the proposed development is not expected to have a significant adverse effect. Education contributions will be sought from developers to mitigate the impact of the proposed development. In terms of supporting local infrastructure, the proposed mixed use community hub has the potential to include a doctor's surgery, if required and will provide some employment on-site for uses that come forward, providing positive benefits to the local economy and employment for local residents. In addition to the increase in local expenditure, Council Tax income will also increase as the development progresses. Over the construction period, an average of 147 direct FTE jobs per month will be created, of which 109 will provide employment for residents of North Lanarkshire. Furthermore, the delivery of new areas for formal and informal open/play space and local road, active travel and path networks will support the health and wellbeing of the local population, and the proposed mixed use community hub will offer the opportunity to serve local needs.

e) Impact on Natural Environment and Biodiversity

Response: Chapter 13 of the submitted EIA Report considers in detail the potential impact of the proposed development on the biodiversity of this area and sets out a series of mitigation measures that can be employed on site and off site to mitigate the impact of development, whilst also providing biodiversity enhancement. Whilst the proposed development may lead to moderate impacts on the existing natural environment, the design aims to enhance biodiversity offerings across the site, and within the local area. The proposed development includes a mixture of retained woodland and areas of managed green open space, with development parcels sensitively integrated into a natural setting. In terms of the SINCs that affect the site, the Biodiversity Chapter of the EIAR states that 'with respect to the Glencryan Woods SINC, Glencryan Meadow SINC and the Luggie Water SINC and Luggiebank Wood SWT Reserve, no direct loss of habitats are predicted'. The proposed open space network will ensure the wide retention of the woodland and hedgerows and enhance the habitat opportunities with bird boxes and bug hotels throughout. The proposed development will also have an appropriate offset to the woodland, watercourse and SINCs, introducing recreational active travel routes which run through the development and connect Cumbernauld to Palacerigg Country Park. Areas for play will be provided within a rich landscape design and dwellings will overlook to encourage natural surveillance. Furthermore, new SuDS features will be incorporated which offer biodiversity opportunities. Across the development, there will be an enhancement of existing notable landscape features, providing well considered new tree planting as much as possible. Appropriate conditions are attached to control these matters.

f) Drainage Concerns

Response: The submitted Drainage Strategy outlines the various mitigation measures to minimise the likely significant effects on the water environment. These include SuDS basins, located along the southern and western boundary, at low points. There is also a SuDS pond towards the eastern, higher part of the site. Along with other surface water drainage measures, this will ensure sufficient treatment of surface water is achieved within the site. Appropriate conditions are attached to control these matters.

g) Engagement with the Local Community

Response: A full consultation process has taken place for this application, in accordance with the Planning etc. (Scotland) Act 2006, the Town & Country Planning (Development Management Procedures) (Scotland) Regulations 2013 as presented within the PAC Report. During the consultation stage of the development proposal, the Applicant gained valuable insight from the local community in relation to the proposed development. Concerns raised were considered/addressed and led to changes in the final masterplan and development proposal. During this time, the Applicant had shown willingness and commitment to engaging with the local community, including local elected members, 3 Community Councils and various Stakeholder Groups.

9. Conclusions

9.1 The proposed development is considered acceptable and in accordance with the South Cumbernauld Community Growth Area (CGA) approved by the Council and the Concept Statement and associated Strategic Development Framework (SDF). It is considered that the proposal also complies with the relevant NPF4 and LDP policies. Due consideration has been given to the representations of objection, however, for the reasons given above it is considered that none raised merit the refusal of this application. It is therefore recommended that planning permission in principle be granted subject to the conditions set out above.

9.2 Due to the complexities of the site it is considered necessary to grant permission with an implementation condition of 10 years instead of the standard 5-year timescale for applications of this type (planning permission in principle) in order to allow sufficient time for the additional matters specified in conditions applications to be brought forward.

Application No: 24/00965/FUL

Proposed Development: Erection of a Dwelling

Site Address:

Land At
Baxter Brae
Cleland

Date Registered:

25th September 2024

Applicant:
Mr Scott Forrest
35 Carlisle Road
Bellside
Cleland
ML1 5NX

Agent:
Wilson Architects (Scotland) Ltd
4 Hareshaw Road
Cleland
ML1 5LZ

Application Level:
Local Application

Contrary to Development Plan:
Yes

Ward:
20 Murdostoun
Robert John McKendrick, Cameron McManus, Louise Roarty, Nicky Shevlin.

Representations:
0 letter(s) of representation received.

Recommendation: **Approve Subject to conditions**

Reasoned Justification:

Although technically contrary to the current local development plan, the proposed development is an acceptable departure in this instance. This is due to the granting of planning permission 19/00624/FUL and the re-allocation of this land as a yard associated with the existing industrial use so in usage terms is more akin to being General Urban Area in allocation. The construction of a house on the site has been assessed and is considered to align with the principles of both National Planning Framework 4 and the North Lanarkshire Local Plan (2022).

Planning Application: 24/00965/FUL
Name (of applicant): Mr Scott Forrest
Site Address: Land at
Baxter Brae
Cleland

Development: Erection of a Dwelling

N

North Lanarkshire Council

Proposed Conditions:-

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with the following drawing numbers or such updated drawings as may be required to reflect the requirements of planning conditions 2-21 that follow:-

   2434-LP Location Plan, 2434- SPA-01 Site Masterplan 2434-03A Elevations and Floor Plans and 2434-MSP-25 master site plan.

   Reason: To clarify the drawings on which this approval of permission is founded.

2. That a visibility splay of 2.4 metres by 35 metres, measured from the road channel, shall be provided on both sides of the vehicular access and before the development hereby permitted is brought into beneficial use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line area.

   Reason: To ensure adequate sight lines are achieved.

3. Confirmation of the locations of bin stores and collection location/turning arrangements for the refuse collection vehicles shall be submitted in the form of a drawing prior to any development works beginning on site.

   Reason: To ensure that the development may be suitably serviced once brought into beneficial use.

4. That before any works of any description start on the application site, with the exception of ground enabling works which includes land profiling and unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation report shall be submitted to and for the approval of the Planning Authority. The investigation must be carried out in accordance with current best practice advice such as BS10175: 'The Investigation of Potentially Contaminated Sites' or CLR 11. The report must include a site-specific risk assessment of all relevant pollutant linkages and a conceptual site model. Depending on the results of the investigation, a Detailed Remediation Strategy may be required.

   Reason: To establish whether or not site decontamination is required in the interests of the amenity and wellbeing of future residents of the site.

5. That any remediation works identified by the report agreed in terms of Condition 4 above shall be carried out in accordance with an implementation timetable. This timetable shall be agreed in writing with the Planning Authority before any works start on site. The shared campus shall not be occupied until a certificate (signed by a chartered Environmental Engineer) has been submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the agreed Remediation Strategy.

   Reason: To ensure that any remediation identified has been implemented in the interests of the amenity and wellbeing of users.

6. That prior to the commencement of development, with the exception of ground enabling works which includes land profiling, the applicant shall provide written confirmation to the Planning Authority that all the requirements of Scottish Water can be fully met to demonstrate that the development will not have an impact on their assets, and that suitable infrastructure can be put in place to support the development.

   Reason: To ensure the provision of satisfactory drainage arrangements.

7. That BEFORE the development hereby permitted starts, full details of the design and location of all fences and walls to be erected on the site shall be submitted to, and approved in writing by, the Planning Authority. The approved details will be implemented on site before the dwelling is occupied.

   Reason: To enable the Planning Authority to consider these aspects in detail and in the interests of amenity of future residents of the dwellings.

8. That BEFORE the development hereby permitted starts, a scheme of landscaping shall be submitted to, and approved in writing by the Planning Authority, and it shall include:-

   (a) details of any earth moulding and hard landscaping, boundary treatment, grass seeding and turfing;
   (b) a scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted;
   (c) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of development;
   (d) a scheme of biodiversity improvement measures to be undertaken on site
   (d) a detailed timetable for all landscaping works which shall provide for these works being carried out contemporaneously with the development of the site.

   Reason: To ensure the implementation and maintenance of the landscaping scheme in the interest of amenity.

9. That all works included in the scheme of landscaping and planting, approved under the terms of condition 8 above, shall be completed in accordance with the approved timetable, and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within two years of the full occupation of the development hereby permitted, shall be replaced within the following year with others of a similar size and species.

   Reason: To ensure the implementation and maintenance of the landscaping scheme in the interest of amenity.

10. The occupation of the dwellinghouse shall be limited to a person employed full time in AE Forrest Patternmakers, or a dependent of such a person residing with him or her, or the widow or widower of such a person

    Reason: To enable the Planning Authority to retain effective control

Background Papers:

Consultation Responses:

Coal Mining Remediation Authority	25.11.2024 and 26.02.2025.
Environmental Health (including Pollution Control)	26.11.2024.
Traffic & Transportation	18.12.2024 and 04.06.2025.

Contact Information: Colin Bradley at esplanning@northlan.gov.ukor 01236 632487

Report Date: 28th July 2025

APPLICATION NO. 24/00965/FUL

REPORT

1. Site Description

1.1 The proposed site is located at the northeastern end of Baxter Brae, within the settlement of Cleland to the north of Wishaw.

1.2 The site has been subject to a previous planning application (reference 19/00624/FUL) which was approved and allowed the change of use of the site from Green Belt to industrial land. Therefore the value of the land as part of the Green Belt has been formally assessed and it has been found that the land may be put to a different use without detriment to either the Green Belt or access to the Green Belt.

1.3 Although technically still identified within the Local Development Plan (2022) as 'Green Belt', given the granting of permission reference 19/00624/FUL, the next rendition of the development plan shall reflect this land as being part of the "General Urban Area" and controlled through Policy 3 or the equivalent thereof.

2. Proposed Development

2.1 This application seeks permission for the erection of a dwelling house for occupation by a family member who works in the business on to land immediately adjacent to a patternmakers' family business and within the envelope of their land ownership.

2.2 The surrounding land use is predominantly residential in nature and it is intended to site a house which is reflective of the local architectural vernacular featuring white wet-dash harl, grey roof tiles, white fenestrations and black rain-water-goods.

3. Applicant's Supporting Information

3.1 The applicant has supplied a drawing detailing site plan as existing, site plan as proposed, elevations and plans, A separate Location Plan and a 'Planning Statement' along with a Mining Stability report.

4. Site History

4.1 Two applications of relevance**:**

- **19/00624/FUL** - Change of use of land for the expansion of industrial premises – Application Permitted – 16th December 2019.
- **24/01198/FUL** - Side Extension to Existing Industrial Unit – currently under consideration

5. Development Plan

5.1 The site is located within the Green Belt which is covered by Policy 4, Green Belt Policy which features 2 elements that require to be satisfied, PP 4 (Purpose of Place) and AD 4 (Amount of Development). Policy PP4 Green Belt has the stated aim of protecting the setting of communities, supporting regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment". Policy AD4 with regards to class 9 uses, Houses, states that the amount of development should support the Green Belt appropriate Use.

5.2 The site has, however, been subject to a previous planning application which granted the change of use from Green Belt to industrial land effectively moving the land to sit within the 'General Urban Area' zoned land through the determination of application 19/00624/FUL. Therefore, the value of the land as part of the Green Belt has been formally assessed and it has been found that the land could be put to an alternative use, in this instance the 'General Urban Area', without detriment to the principles of the Green Belt Policy (4), most notably "*Protecting the setting of communities*".

5.3 The 'General Urban Area' as controlled by Policy 3 of the NLLDP (2022), seeks to "*…maintain and improve the level of amenity in urban areas, by encouraging development that is in keeping with their residential character…*" and states there is no assessment of the amount of development that is required.

5.4 The site is also subject to the policies of NPF 4. Of note within this document are the following policies;

Policy 1 - Tackling the climate and nature crisis
Policy 2 - Climate mitigation and adaptation
Policy 3 - Biodiversity
Policy 8 – Green belts
Policy 12 – Zero Waste
Policy 14 - Design, Quality and Place
Policy 15 - Local Living and 20 Minute Neighbourhoods
Policy 16 - Quality Homes
Policy 23 – Health and Safety

6. Consultations

6.1 The Coal Authority have been consulted with regards to this application and state that *"…the potential zone of influence of an off-site mine entry (shaft, CA ref.280658-023) encroaches into the southwestern part [do] the site.*" Subsequently the Coal Authority sought to object to the proposal due to the lack of addressing of this issue within the initially submitted Mining Stability Report and Coal Mining Risk Assessment. A further report was submitted which supplied sufficient comfort to the Coal Authority to permit the withdrawal of their objection, subject to 3 informatives being included in any successful conclusion to this application. These informatives shall be carried over to the Decision Notice permission is approved.

6.2 NLC Traffic & Transportation have requested that a drawing be submitted detailing parking and turning for 3 vehicles, visibility splays of 2.4m x 35m with nothing placed or planted greater than 1.05m within the visibility splay and an agreement from both landowners. Upon receipt of these documents the Traffic & Transportation department were satisfied that the proposal could be accommodated without detriment to road safety.

It was noted however that "*As there is already a mix of commercial and residential use within the site it would not be appropriate to raise any concerns around conflict. It should be noted however that 3 residential properties being served from a single private access is the absolute maximum permitted, and no further residential development can therefore be permitted within this site.*

Please confirm locations of bin stores and collection location/turning arrangements for the refuge collection vehicles." It is considered these requests may be accommodated via a planning condition requiring the submission of a drawing.

6.3 NLC Protective Services requested that a Site Investigation be submitted with regards to the site. This document, along with the revised Coal Mining Risk Assessment, shall be reviewed externally by a 3rd party providing a peer review. This may be conditioned to be undertaken prior to any works commencing on site.

7. Representations

7.1 This application has not elicited any public representations.

8. Planning Assessment

The Principle of Development;

8.1 Sections 25(1) (a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that this application be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 The site is located within the Green Belt which is covered by Policy 4, Green Belt Policy which features 2 elements that require to be satisfied, PP 4 (Purpose of Place) and AD 4 (Amount of Development). This policy states that the council will protect the setting of communities and support regeneration by directing growth to urban areas.

8.3 In this instance, the proposed site is located on the very peripheral edge of the Green Belt and is sat between a residential development and an industrial development, both of which are defined as sitting within Policy 3 - General Urban Area. The precise design of this proposal means that an access strip shall remain to allow the community to access the greenbelt land.

8.4 This application seeks permission for the erection of a detached dwelling-house on an area of ground at Baxter Brae which is part of the industrial premises (yard area) so in control of the applicants. There are a number of houses to the west and north of the application site which were granted permission in 2006.

8.5 The site benefits from an extant permission (19/00624/FUL) and another planning application has been lodged (24/01198/FUL) which is still under consideration (see above). The existing permission granted under reference 19/00624/FUL allowed an extension to the premises along with the expansion of the yard into the green belt. As the yard has been formed, this permission remains live, so the extension could still be built. This is of relevance in that the further removal of part of the yard to build a house could have a bearing on the availability of yard space and parking. With regards to the unbuilt extension and the extension under consideration the applicant has supplied a drawing detailing 32 potential parking spaces with sufficient space, (13.5m radius) to turn articulated lorries and storage space. As such NLC Infrastructure & Transportation did not object to this proposal.

8.6 Although this application intends to utilise an area of ground which is technically allocated as Green Belt, the parcel of land has previously been granted planning permission for an industrial expansion under application reference number 19/00624/FUL which sought to expand the parking provision to the existing industrial unit on site. After consideration from NLC Infrastructure & Transportation, it is considered that this land, now in industrial use, may be altered to accommodate a residential development without detriment to the functioning of the industrial unit, as per NLC Infrastructure & Transportation consultation response.

8.7 Policy EDQ1 Site Appraisal of the LDP requires new development is to be appraised in relation to its surroundings to ensure that it will integrate successfully with the local area. Similarly, Policy EDQ3, Quality of Development of the LDP and Policy 14, Design, Quality and Place NPF4 require development to provide high standards of site planning and sustainable design. It is further intended to improve the quality of an area with a focus on the delivery of safety, attractive natural and built spaces, accessibility, distinctiveness, adaptability and sustainability (Policy 14, NPF4). The scale and design of proposed dwelling is modest and appropriate to its location adjacent to the Baxter Brae residential area.

8.8 The material palette associated with the proposal is that of white render to the external walls and anthracite roof tiles to the roof will be in the local vernacular in this area and shall not appear incongruous. The window fenestrations have been selected to be finished in anthracite grey. All of which is considered to be acceptable.

8.9 It is considered that the proposed siting is relatively compact in nature, respectful of the immediate surroundings, including in scale and massing and the orientation of the building to face into the existing street. The layout and position of the proposed dwelling allows for a generous spatial setting around the dwelling which in turn will maximise opportunities for landscaping and biodiversity enhancement whilst retaining many of the trees on there shall be no impediment for existing residents of the Baxter Brae community with regards to accessing the Green Belt land.

8.10 Accordingly it is considered that the proposed dwelling complies with the design principles of Policies EDQ1 and EDQ3 of the LDP and Policy 14 of NPF4.

8.11 Policy PROT A Natural Environment and Green Network Assets (category 4) of the LDP aims to protect trees and woodlands, watercourses and wetlands in existing Green Network infrastructure and in other key locations, including new Green Network infrastructure. The policy further seeks to ensure that adverse effects on protected species are mitigated through planning conditions. Policy 3 Biodiversity of NPF4 requires all development proposals to contribute to the enhancement of biodiversity. Tree retention and landscaping (including biodiversity improvements) can be covered by planning condition. The site is currently a yard area so not green belt.

8.12 The proposal shall not result in a lack of access to the green belt as an access route shall be retained to the west of the proposed site. As such it is considered that although contrary to policy, the application may be supported in this instance.

8.13 Policy EDQ3 Quality of Development of the LDP provides that new development should address safe, secure, and convenient access into and through the development and sustainable access for cars where required, being safe for all road users. Policy EDQ3 is generally compatible with Policy 13 Sustainable Transport of NPF4 which requires development to incorporate safety measures including those to adequately mitigate against any impacts on local public access routes through, for example, reduction in the number and speed of vehicles. In this instance, the 'yard' area of the associated business plays host to 2 existing dwelling houses and it is considered that there shall be no additional risk to road safety through the introduction of a third dwelling house.

9. Conclusions

9.1 The allocation of the land as green belt, (LDP Policy 4), has fundamentally been altered through the granting and implementation of planning permission reference 19/00624/FUL which effectively alters the usage of this parcel of ground to industrial (General Urban Area LDP Policy 3).

9.2 The proposed dwelling house is respectful of the wider residential estate with regards to scale, massing and material palette and access to the green belt shall be maintained via an existing semi-formal desire line path to the west and south of the proposed dwelling site.

9.3 Given the above, it is not considered that the proposal presents any issues with regards to policy and therefore it is recommended that planning permission be granted, subject to conditions.

Application No:

24/01039/FUL

Proposed Development:

Part Change of Use of Former Peat Works Minerals Operation (Sui Generis) to Form Open Storage Yard for Inert Material (Class 6) with Use of Replacement Shed for Storage (Class 6) and Ancillary Office/Administration Use (Class 4) (in Retrospect).

Site Address:

Land At
Peat Works
Cumbernauld Road
Moodiesburn

Date Registered:

10th December 2024

Applicant:
Prime Acres Ltd
100 Cumbernauld Road
Moodiesburn
G67 0HE

Agent:
Angus Design Associates
The Building Design Centre
125 Muir Street
Hamilton
ML3 6BJ

Application Level:
Local Application

Contrary to Development Plan:
yes

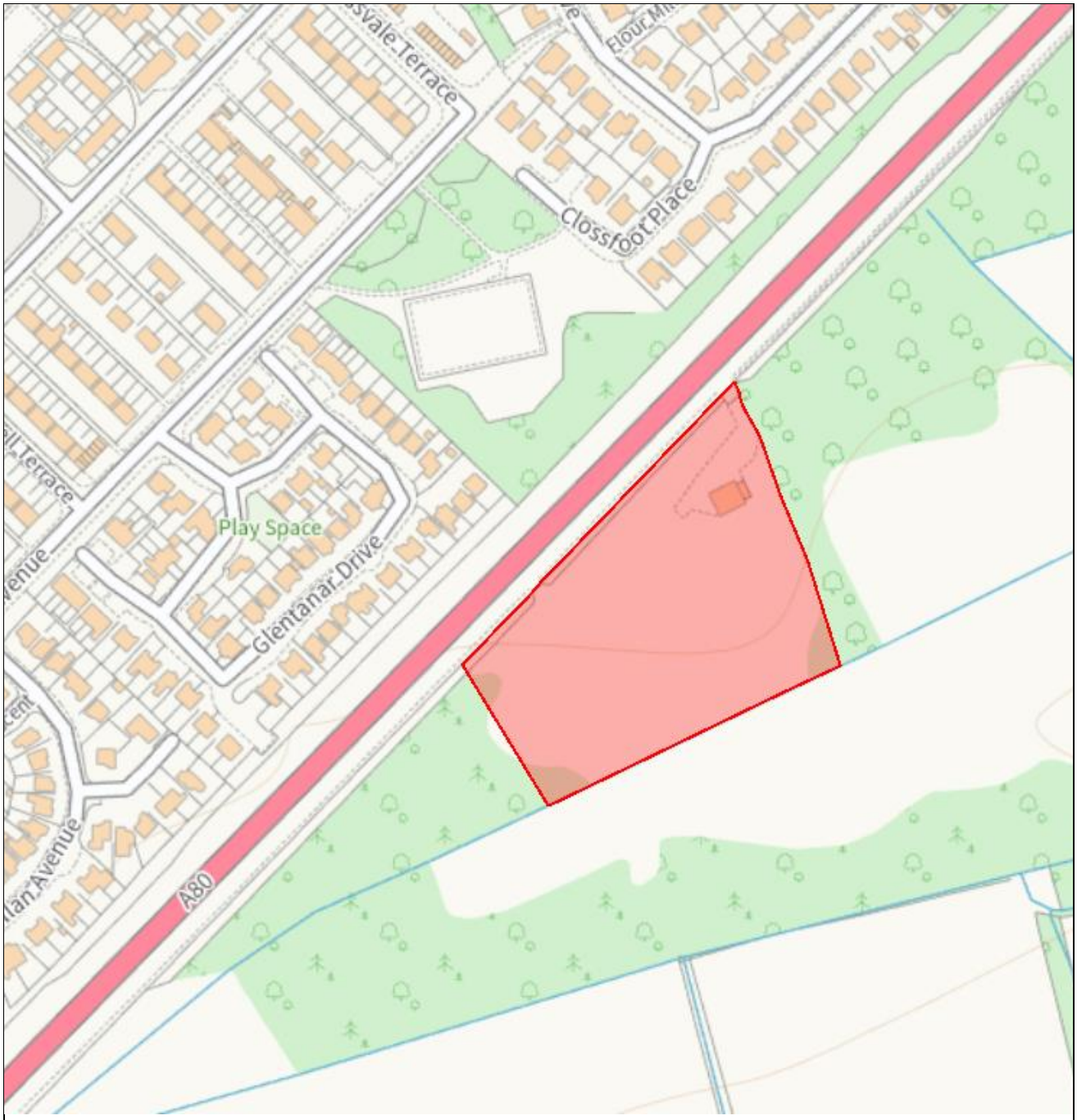
Ward:
06 Gartcosh, Glenboig and Moodiesburn
Greg Lennon, Michael McPake, Joanne Katy Keltie,

Representations:
No letters of representation received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification:

The introduction of a class 6 use with ancillary Class 4 (building retrospective), when measured against of the criteria within the polices of the Development Plan and other material considerations presents an acceptable development in that a historic non-conforming use is being replaced by an equivalent use resulting in a change not considered significantly material as it does not undermine the robustness of Green Belt policy balanced against the principle of Green Belt appropriate use and other policies assessed.



Reproduced by permission of the Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023396.	**Planning Application: 24/01039/FUL** **Name (of applicant): Prime Acres Ltd** **Site Address: Land at** **Peat Works** **Cumbernauld Road** **Moodiesburn** **Development: Part Change of Use of Former Peat Works Minerals Operation (Sui Generis) to Form Open Storage Yard for Inert Material (Class 6) with Use of Replacement Shed for Storage (Class 6) and Ancillary Office/Administration Use (Class 4) (in Retrospect).**	N	North Lanarkshire Council

Proposed Conditions:-

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers: -AL001, AL002 , AL003, AL005 & AL004

   Reason: To clarify the drawings on which this approval of permission is founded.

2. That before the site and building hereby permitted is brought into use, unless otherwise agreed in writing with the Planning Authority; full details of the proposed surface water drainage scheme shall be submitted to the said Authority and shall be certified by a chartered civil engineer experienced in drainage works as complying with the most recent SEPA SUDS guidance. For the avoidance of doubt the drainage arrangements shall include a Pollution Prevention scheme and detailed drainage Plan protecting the adjacent bog from contamination. Thereafter the scheme shall be implemented certified by a chartered civil engineer experienced in drainage works as complying with the most recent SEPA guidance.

   Reason: To prevent groundwater or surface water contamination in the interests of environmental protection of the adjacent bog.

3. The applicant will continue to support Caledonian Climates work to investigate the measures that will be required to be undertaken on site to secure the restoration of the former peat bog including the seeking of grant funding for this work in conjunction with Peatland ACTION. In the event that grant funding is secured the applicant will allow access to the moss for the grant funding works to be undertaken.

   Reason: in the interest of biodiversity and to facilitate peat bog restoration.

4. That before the site and building is brought into use, a scheme of landscaping including biodiversity enhancements, for the area identified in appendix 10 Planting for wild life of the Preliminary Ecology Report by wild surveys 18th March 2025_shall be submitted to, and approved in writing by the Planning Authority, and it shall include:-
   (a) details of any earth moulding and boundary treatment;
   (b) a scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted;
   (c) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of development,
   (d) details of the phasing of these works.

   Reason: In the interests of protecting the adjacent sensitive *peatland* habitat and the visual amenity of the area.

5. That all works included in the scheme of landscaping and planting, approved under the terms of condition (4) above, shall be completed in accordance with the approved timetable, and any trees, planting, which die, are removed, damaged, or become diseased, within two years of the full occupation of the development hereby permitted, shall be replaced within the following year with others of a similar size and species.
   Reason: To ensure the provision of adequate biodiversity enhancement planting.

6. That before the site and building hereby permitted is brought into use, a management and maintenance scheme shall be submitted to, and approved in writing by the Planning Authority, and it shall include proposals for the continuing care, maintenance and protection of:-

(a) the proposed planted and landscaped areas identified in appendix 10 Planting for wildlife of the Preliminary Ecology Report by wild surveys 18th March 2025;
(b) the proposed fences/walls to be erected.

Reason: To ensure the ongoing maintenance of biodiversity enhancement planting.

7. That upon commencement the use of the building and land hereby permitted, the management and maintenance scheme approved under the terms of condition 6; shall be in operation.
Reason: To ensure the ongoing maintenance of biodiversity enhancement planting.

8. That no trees within the application site shall be lopped, topped, felled, or otherwise affected, without the approval in writing of the Planning Authority.
Reason: In the interests of protecting trees forming part of a sensitive *peatland* habitat and the visual amenity of the area.

9. That before the site and building is brought into use, tree protection measures in accordance with British Standard BS 5837 shall be confirmed for the trees identified in condition (4) and shall not be removed without the approval in writing of the Planning Authority.

Reason: In the interests of the amenity of the area, to ensure that necessary contingencies are in place, to minimise impact on trees at this site.

10. That a visibility splay of 2.4m x 215m, shall be provided on both sides of the vehicular access and before the development hereby permitted brought into use, everything exceeding 0.6 metres in height above the footway level shall be removed from the sight line areas and, thereafter, nothing exceeding 0.6 metres in height above the footway level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: In the interests of road safety

11. That before the land and buildings hereby permitted are brought into use a Construction Method Statement shall be submitted to and approved by the Planning Authority. The Construction Method Statement shall include:

Details of all on site construction, including drainage, vehicle movements, traffic management and types and post- construction restoration works.

A full site-specific environmental management plan (Pollution Prevention Plan). For the avoidance of doubt these works should accord with the SEPA Pollution Prevention Guidelines. Thereafter the development shall be implemented in accordance with the approved Construction Method Statement

Reason: In the interests of road safety, the amenity of the area and to ensure that necessary contingencies are in place, to minimise pollution risks arising from construction activities and to prevent groundwater or surface water contamination in the interests of environmental protection of the adjacent bog.

12. That should 12 months or more after the current original ecological survey the Preliminary Ecology Report by wild surveys 18th March 2025 and the site being brought into use, a further Protected Species Survey shall be undertaken on the site to determine the presence of any statutorily protected species, the said survey shall thereafter be submitted to and approved in writing by the Planning Authority before any development commences on the site. As a result of the study, should any mitigation measures be required for any protected species, this shall be implemented in accordance with a species protection plan agreed in writing with the Planning Authority in consultation with Scottish Natural Heritage before works commence on the site.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Amendment (Scotland) Regulations 2007 and the protection of Badgers Act 1992.

13. That the biodiversity enhancements specified within *appendix 10* of the submitted *Ecological Report* by wild surveys 18th March 2025 shall be adhered to throughout this development.

Reason: To comply with Policy 3 of National Planning Framework 4. and minimise impact on and enhance the surrounding *peatland* identified in the Preliminary Ecology Report by wild surveys 18th March 2025.

14. That, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 and the provisions of Class 6; of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the site and ancillary building shall be used solely as a yard for the storage of inert materials.

Reason: To enable the Planning Authority to retain effective control, in order to accord with the provisions of the Planning etc (Scotland) Act 2006.

15. That before the site and building is brought into use, full details of the design and location of all fences and walls to be erected on the site shall be submitted to and approved in writing by the Planning Authority.

Reason: In the interest of the amenity of the site and the general area.

16. That no materials or plant stored within the yard area of the application site shall be over 2 metres in height, without the approval in writing of the Planning Authority.

Reason: To enable the Planning Authority to retain effective control, in order to accord with the provisions of the Planning etc (Scotland) Act 2006.

17. That unless as may otherwise be agreed in writing by the Planning Authority, no operations of any kind shall be permitted on the application site between the hours of 11pm and 7am.

Reason: In the interest of the amenity of the site and the general area

18. That no lighting shall be installed within the site hereby approved unless full details have first been submitted to and approved by the Planning Authority

Reason: In the interest of the amenity of the site and the general area

Background Papers:

Consultation Responses:

Transport Scotland letter received 14th April 2025
NLC Greenspace memorandum received 3rd April 2025
Environmental Health (including Pollution Control) memorandum received 30th January 2025
NLC Roads memorandum received 7th May 2025

Contact Information:

Gordon Arthur at esplanning@northlan.gov.uk or 01236 632487

Report Date: 28th July 2025

APPLICATION NO. 24/01039/FUL

REPORT

1. Site Description

1.1 The site was formerly used for peat extraction (Moodiesburn peat workings) closed 1980's. The wider area including the entire site area is currently designated as a Site of Importance for Nature Conservation (Moodiesburn Moss SINC). The site is regular in shape and forms the northern edge of the former peat extraction works. The application site covers 1.9 Hectares and is bounded to the north by the A80 Trunk Road screened by a mature hedge line with residential properties of Moodiesburn beyond a further hedge line on the opposite carriageway. The site itself is characterised by self-seeding trees to the east, west and south where beyond lies of the former peat extraction fields. The site is generally level and while consisting of grass land has a ruderal appearance having the appearance of having been worked with imported material. A building constructed mainly from corrugated steel stood on the site until as recently as May 2023 and has recently been replaced by a building which forms part of this retrospective application.

2. Proposed Development

2.1 The application, which is in part retrospect, seeks to regularise the formation of a commercial yard (hardstanding) for the subdivided open storage of undefined material (class 6) and the construction of a replacement building for storage use (also class 6). The principal of the development is considered to be a change of use from sui generis former peat works (mineral extraction including ancillary building) to Class 6 storage and distribution.

3. Applicant's Supporting Information

3.1 Supporting information includes.

- Planning Statement
- Preliminary Ecological appraisal
- Hydrology Report
- Moodiesburn Peat Works – Site Walkover Report by Caledonian Climate

4. Site History

4.1 Recent significant planning history includes the following:

- 09/01019/MIN Importation of Inert Material for Infill and the Formation of a 2 Metre High Bund. Application Refused 21.10.2010

5. Development Plan

5.1 NPF4 forms part of the development plan. As such the proposed development requires to be assessed against the provisions and policies of both NPF4 and The North Lanarkshire Local Development Plan. The most relevant considerations some already enshrined in the North Lanarkshire Local Development Plan policies are set out below. This application can therefore be considered against the policy provisions of the North Lanarkshire Local Development Plan and the National planning Framework 4 as follows.

National Planning Framework 4

The policies within NPF4 that are relevant to the application are:

- Policy 3 Biodiversity
- Policy 4 Natural Places
- Policy 6 Forestry, Woodland and Trees
- Policy 8 Green Belts
- Policy 9 Vacant and derelict Land and empty buildings
- Policy 20 Blue Green Infrastructure

North Lanarkshire Local Development Plan (2022)

- PROT A POLICY Natural Environment and Green Network Assets
- PP 4 POLICY Purpose of Place
- AD 4 POLICY Amount of Development
- EDQ1 Site Appraisal,
- EDQ2 - Specific Features for Consideration,
- EDQ3 - Quality of Development.

6. Consultations

6.1 Comments were received from the following consultees

6.2 **NLC Protective Services** has no objection to the development advising on process should contaminated land become apparent during on site works. This is recommended as an informative on the decision notice.

6.3 **NLC Greenspace & Country Parks** commented that the site is designated as a Site of Importance for Nature Conservation (SINC) and that Moodiesburn Peat Working was designated as peatland with a birch woodland area. They also note that although the bog is disturbed or modified this would apply to most of the peat land within North Lanarkshire..

6.4 They highlighted guidance on NatureScots website – Advising on peatland, carbon-rich soils and priority peatland habitats in development management. The approach set out in this guidance aligns with the National Planning Framework 4 (NPF4) policies which are relevant to development proposals on peatland, carbon-rich soils and priority peatland. A key focus will be on helping to ensure that development is designed and constructed to follow the mitigation hierarchy set out in NPF4 and that, in addition, biodiversity enhancement is delivered through peatland restoration. In this case the applicant has provided information to demonstrate that the use of the previously disturbed area can proceed without detriment to the peatland bog itself and have confirmed that no development shall take place on the peat land. Furthermore, throughout the application process the applicant have themselves been liaising directly with NLC Greenspace & Country Parks to investigate the opportunities to restore the bog. To this end they are working with a specialist consultant (Caledonian Climate) who have produced a preliminary report which indicates that any meaningful restoration will involve significant investment in time and finance way beyond the capacity of this landowner/applicant. However, the applicant has provided a potential way forward through its agents Caledonian Climate who indicate the works would meet the criteria for grant funding and that they are prepared to further the cause in conjunction with Peatland ACTION. This can only be achieved through voluntary partnership working. The nature of the grant funding is such that it cannot be used to fund restoration works that are a requirement of a planning condition. The applicants have already committed themselves to exploring this avenue for funding the restoration of the bog and this

is to be welcomed. Proposed planning condition 3 requires that the applicant will continue to support Caledonian Climates work to investigate the measures that will be required to be undertaken on site to secure the restoration of the former peat bog including the seeking of grant funding for this work in conjunction with Peatland ACTION and in the event that grant funding is secured the applicant will allow access to the moss for the grant funding works to be undertaken.

6.5 Concern was expressed that the works would impact on the peatland however having assessed the submitted Hydrology Survey determined that the proposed development would have no direct impacts on peat, as the development is fully located over an area of made ground and therefore it is assumed it will not require any excavation of peat. The development is also located at least 2m above the level of the surrounding peat body and therefore will not affect water levels within the bog. An interception filter drain around the perimeter of the proposed development is recommend to treat site derived runoff and discharge this to a drainage channel that bypasses the network of drains associated with the bog. With the adoption of this measure no direct or indirect impacts are expected on the remnant raised bog and associated peat deposits.

6.6 They advise that NPF4 (National Planning Framework 4) states that planning, and development will help to achieve a net zero, sustainable Scotland by 2045. This includes securing positive effects for biodiversity. Furthermore, Nature Scots guidance on Developing with Nature refers to the inclusion of “appropriate measures” not only to mitigate and compensate for the loss of biodiversity but also to enhance biodiversity nature Scot provides advice on information that applicants could include within a planning application in order to provide confidence that enhancement will be achieved.

6.7 A Pollution Prevention and detailed Drainage Plan needs to be put in place in order to protect the adjacent bog.

6.8 NLC Greenspace & Country Parks accepts the finding of the Preliminary Ecological Survey and ask that all mitigation within the survey report is taken forward. If works have not commenced within 18 months of this survey updated survey should be submitted. Also, that Biodiversity Enhancements put forward within the PEA should be undertaken on the site.

6.9 A number of planning conditions are recommended that will address the matters highlighted by Greenspace & Country Parks covering drainage and pollution prevention, biodiversity and protected species.

6.10 **Transport Scotland** do not advise against granting permission.

6.11 **NLC Infrastructure & Transportation** has no objection to the development in so far as comments relating to the vehicle size using the site, visibility splays demonstrated and in curtilage arrangements were implemented. A planning condition is recommended to address these points notwithstanding the application being retrospective.

7. Representations

7.1 No representations were received although we did receive correspondence from a local resident regarding timescales for comment and questioning the neighbour notification processes. We clarified this and no representation was received. There was some dubiety in the initial correspondence as to whether the individual concerned was looking to speak to the committee. Clarification was sought on this point, but no confirmation was provided by the individual although in response to our email they did question the status of the applicant and the application. In any event, in terms of the protocol, to address the committee you first need to have commented on the application. Furthermore, Members should note that the actual requirement for holding a hearing in relation to developments that are contrary to the development plan (such as this one) require a total of 6 representations or an objection by a community council all objecting on valid planning grounds. Neither have been met in this case so a hearing is not required.

8. Planning Assessment

8.1 As submitted the application, which is in part retrospect, seeks to regularise the formation of a commercial yard (hardstanding) for the subdivided open storage of undefined material (class 6) and the construction of a replacement building for class 5 (Industrial) and Class 6 (Storage and distribution). Whilst noting the applicant's position in relation to the use of the building for both classes 5 & 6 our view was that this would not be appropriate and therefore we have assessed the development as being the 'Part change of use of former peat works minerals operation (sui generis) to form open storage yard for Inert material (Class 6) with use of replacement shed for storage (Class 6) and ancillary Office/Administration use (Class 4) (in retrospect)'.

8.2 Sections 25(1) (a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that this application be determined in accordance with the development plan unless material considerations indicate otherwise. While the application is of a local nature the proposed development requires to be assessed against the provisions and policies of both NPF4 and the North Lanarkshire Local Development Plan. The most relevant considerations some already adopted in the North Lanarkshire Local Development Plan policies are set out below have been updated by the introduction of NPF4. This application can therefore be considered against the policy provisions of the North Lanarkshire Local Development Plan and the National Planning Framework 4

8.3 **National Planning Framework 4**

Policy 3 Biodiversity Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

Policy 4 Natural Places has the intention of protecting, restoring and enhancing natural assets making best use of nature-based solutions resulting in natural places that are protected and restored. Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.

4c) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified or
ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

4e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.

4f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests.

Policy 5 soils is intended to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. **5**c) Development proposals on peatland, carbonrich soils and priority peatland habitat will only be supported for: (v). Restoration of peatland habitats.

Policy 6 Forestry, Woodland and Trees is intended to protect and expand forests, woodland and trees. Woodland and trees on development sites should be sustainably managed.

Policy 8 Green Belt exists to encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably.

a) Development proposals within a green belt designated within the LDP will only be supported if:

• intensification of established uses, including extensions to an existing building where that is ancillary to the main use.

Policy 9 Vacant and derelict Land and empty buildings encourages, promotes and facilitates the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

8.4 In considering the foregoing, NPF4 policies, it should be noted that while the site lies within the designated Green Belt and is surrounded by an ecological designated area it is also recorded as having been previously developed and is within the vacant and derelict land register 2024. As such, as a former peat works, and an area of compacted ground it may reasonably be considered a continuation of activities associated with this former use and latterly as a yard area for construction plant and vehicles albeit transient as evidenced by the applicant. The immediate site therefore while limited in its contribution to biodiversity represents an opportunity to investigate the opportunities for some biodiversity enhancements within the site along with measures to protect the bog. The applicant in conjunction with NLC Greenspace & Country Parks and Caledonian Climate are committed to the further investigation (including the seeking of funding) to progress a bog restoration scheme for the surrounding peatland habitat. We have explored fully a mechanism for securing this restoration work through this planning permission. The applicant has argued that the significant investment in time and finance is way beyond their capacity but that they have provided a way forward through its agents Caledonian Climate who are prepared to further the cause in conjunction with Peatland Action. As the funding avenues can only be used for restoration works that are not a requirement of a planning condition it has not been possible to condition this matter. The applicant has argued that with the imposition of conditions to protect the bog (in particular drainage and pollution prevention) they have been able to demonstrate that the development undertaken can proceed without detriment to the peat land habitat. We have conditioned that the applicant continue to work with Caledonian Climate including their bid to secure funding for the peat land restoration works and that they will allow access to carry out the works in the event that funding is secured.

8.5 Overall, the intention is to enable the development which is part retrospect and on derelict land with the intention of protecting and hopefully allowing the restoration and enhancement of natural assets (peat bog). As such, the proposal is considered to comply with the relevant NPF4 polices.

8.6 **North Lanarkshire Local Development Plan (2022)**

PROT A POLICY Natural Environment and Green Network Assets

With regards to Sites of Importance for Nature Conservation (SINC) this policy advises that planning permission will only be granted for proposals potentially affecting Local Sites if it can be demonstrated to the Council's satisfaction that there will be no adverse impact or that any impacts can be mitigated in environmental terms relevant to the impact.

PP 4 POLICY Purpose of Place

North Lanarkshire Council will protect the setting of communities, support regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment, by promoting a Green Belt as defined on the Promote Map.

North Lanarkshire Council will support developments for agriculture, forestry, recreation, or developments that need a non-urban location, including, where appropriate, Visitor Economy related development.

Where specified by this Policy, applicants will normally be expected to provide the identified appraisals or assessments, which should be submitted with any planning application to allow consideration of the proposal.

The purpose of the Green Belt is to protect the setting of communities, support regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment. North Lanarkshire Council will encourage development appropriate for a Green Belt location by resisting development that is not for agriculture, forestry, recreation, tourism, or needs a Green Belt location, whilst allocating appropriate land for urban expansion. Regarding development that needs a Green Belt location, the need will be balanced against any adverse effects on the purposes of the Green Belt.

8.7 While the Council will resist other forms of development, through the full range of Policies in the Plan. In this instance the applicant is proposing to replace a historic non-conforming use (sui generis) with non-conforming use class 6 with ancillary replacement building. Both uses clearly do not conform with Green Belt policy in the LDP a matter which the applicant has not attempted to dispute. That being the case, assessment of the proposed change and impacts through the limits defined in the Amount of Development policy (**Policy AD4**) becomes inconsequential being a previously developed vacant/brownfield site used for a sui generis use which has many similarities with the proposed use . The applicant has submitted information to confirm that the development can proceed without detriment to the SINC and this has been accepted by NLC Greenspace & Country Parks. The requirements of **Policy PROT A** have therefore been complied with. The application is therefore determined on Environmental and Design Qualities and other material considerations. .

8.8 Whether the change is appropriate therefore comes down to the nature and scale of the development and whether the proposal is an intensification of use. This is determined by the following Environmental and Design Qualities policies:

EDQ1 Site Appraisal,

EDQ2 - Specific Features for Consideration,

EDQ3 - Quality of Development.

8.9 The Local Development Plan identifies distinct Land Use Character Areas within North Lanarkshire. Development proposals should relate well to the existing setting and avoid adverse impact on existing or proposed properties. Appraising the existing features of a site and how it relates to its surroundings is an important first step in ensuring this.

8.10 **Policy EDQ1** Site Appraisal states that a proposed development will be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity. The matters to be addressed in the appraisal include surrounding Land Use Character Area. In this respect while the site lies within the Green Belt it is an area of Green Belt that has been developed in part retrospect, seeks to regularise the formation of a commercial yard (hardstanding) for the subdivided open storage of undefined material class 6 and the construction of a replacement building for storage and the administration of the class 6 use. The principal of the development is considered to be the Part change of use of former peat works minerals operation (sui generis) to form open storage yard for Inert material (Class 6) with use of replacement shed for storage (Class 6) and ancillary Office/Administration use (Class 4) (in retrospect). As such, the applicant argues that the site has been repurposed and will not give rise to a significant loss of existing levels of amenity. The site therefore can be integrated successfully into the local environs avoiding harm to neighbouring amenity and is therefore supported by Policy EDQ1.

8.11 **Policy EDQ2** (Special Features for Consideration) does not generally apply as it refers to specific features on appeal sites or within the proximity such as Health and Safety Executive Consultation Zones, Flood Risk, Air Quality/Noise Quality Management Areas. Here are no significant constraints identified under Policy EDQ2 (Special Features for Consideration).

8.12 **Policy EDQ3** - Quality of Development - only permits development where high standard of site planning and sustainable design and development are achieved. This includes a number of matters appropriate to the site from the various sub paragraphs stated in Policy EDQ3. The application in replacing site structures equivalent to that demolished is able to continue acceptable standards of site planning and sustainable design required by Policies EDQ 1 and EDQ 3.

8.13 **Other material considerations**

As the application is retrospective on a Green Belt Site the applicant has explored the possibility of restoring part of adjacent peat land. An initial report was submitted identifying restoration potential concluding that works will involve significant investment in time and finance on the part if the landowner. As it stands, the applicant has suggested a way forward through its agents Caledonian Climate who are prepared to further the restoration in conjunction with Peatland Action. The applicant considers that this can only be achieved through voluntary partnership working. The applicants have already committed themselves to this action and would be happy for officers to engage directly with the authors of the report (Caledonian Climate) at any stage. A condition has been imposed requiring the applicant to continue to support the work being undertaken by Caledonian Climate including allowing them access to the land to implement the works should the grant funding be secured.

Correspondence was received from an individual commenting that the applicant for the site, Prime Acres Ltd., is no longer in business and has been dissolved by compulsory strike off by Companies House. In development management terms, procedurally this information would require a change on the application form (to be updated) before presenting the application to committee providing new details of applicant and landowner and has no bearing on the planning assessment. However, the applicant's agent subsequently confirmed that there is no change in site ownership or applicants. Through an administrative error confirmation statements for Companies House were inadvertently missed which is in the process of being rectified by the applicants appointed Chartered Certified Accountants.

9. Conclusions

9.1 In conclusion, the applicant's justification and supporting information for a class 6 use, when measured against of the criteria within the polices of the Development Plan and other material considerations presents an acceptable development when balanced against the principle of Green Belt appropriate use and other policies assessed. As a historic non-conforming use, the subsequent replacement use is not considered significantly material in that it does not undermine the robustness of Green Belt policy. Therefore, it is recommended that planning permission be approved.

Application No:	**Proposed Development:**
25/00085/FUL	Change of Use from Bus Depot to Traffic Management Depot with Ancillary Administration Building
	Site Address:
	560 Stirling Road Airdrie ML6 7SS

Date Registered:

Applicant:
Diack & Macaulay Ltd
F.A.O Mr Stuart Diack
7 Gartferry Road
Chryston
G69 0LY

Agent:
ADR (Design) Ltd
F.A.O David Rose
The Nurseries
5 Tak-Ma-Doon Road
Kilsyth
G65 0RS

Application Level:
Local Application

Contrary to Development Plan:
yes

Ward:
08 Airdrie North
Alan Beveridge, Sophia Coyle, Henry Emerson Dunbar, Richard Alan Sullivan,

Representations:
No letters of representation received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification: While the application does not concur with the principal development plan policy (Green Belt) other material considerations namely the sites planning history combined with policies on Environmental and Design Qualities support the recommendation to approve.

Reproduced by permission of the Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023396.	**Planning Application: 25/00085/FUL** **Name (of applicant): Diack & Macaulay Ltd** **Site Address: 560 Stirling Road** **Airdrie** **ML6 7SS** **Development: Change of Use from Bus Depot to Traffic Management Depot with Ancillary Administration Building**	N	North Lanarkshire Council

Proposed Conditions:-

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers: -

   441/01, 441/03, 441/05, 441/04 Rev C and 441/02

   Reason: To clarify the drawings on which this approval of permission is founded.

2. That before the construction of any revised internal arrangements, unless otherwise agreed in writing with the Planning Authority; full details of the final surface water drainage scheme shall be submitted to the said Authority and a certificate (signed by a Chartered Civil Engineer experienced in drainage works) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant CIRIA Manual and the approved plans.

   Reason: To ensure that the drainage scheme complies with best SUDS practice to protect adjacent watercourses and groundwater, in the interests of the amenity and wellbeing of existing and future residents adjacent to and within the development site.

3. That the surface water drainage scheme approved under the terms of condition 2 above shall be implemented contemporaneously with the development in so far as is reasonably practical. Within three months of the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer experienced in drainage works) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant CIRIA Manual and the approved plans.

   Reason: To safeguard adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future residents adjacent to and within the development site.

4. That a visibility splays identified on drawing 441/04 Rev C shall be formed on both sides of the vehicular access and before the development hereby permitted is brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

   Reason: To ensure adequate sight lines are achieved.

Background Papers:

Consultation Responses:

Traffic & Transportation memorandum received 5th March, 29th April, 30th May & 30th June 2025
Environmental Health (including Pollution Control) memorandum received 17th March 2025.

Contact Information: Gordon Arthur at esplanning@northlan.gov.uk or 01236 632487

Report Date: 28th July 2025

APPLICATION NO. 25/00085/FUL

REPORT

1. Site Description

1.1 The site has a rural location characterised by woodland to the east, enclosed field to the north bound by Hulks Road and three single storey residential properties beyond. The site is bounded and accessed from Stirling Road to the west and enclosed fields beyond. Beyond a mature boundary hedge line to the south is open fields. The site is an existing bus depot consisting of a large yard area of hardstanding with a single storey detached dwelling (used by the former bus operation for administration) to the north a brick and render outbuilding occupies the area immediately adjacent to the dwelling a larger profiled steel building lies to the east of the site. There is a small domestic scale outbuilding positioned between both larger buildings.

2. Proposed Development

2.1 The application proposes a change of use from a bus depot to a depot to a traffic management depot. Traffic management involves planning, implementation, installation of equipment to maintain traffic control systems such as traffic lights, lane closures, diversions and 'stop & go', that separate road workers from road users with minimum disruption to traffic flow. As such the yard will be used for the storage of works vehicles and equipment used in traffic management. The applicant also proposes to use the former dwelling for the ancillary administration of this activity. It is the applicant's intention to demolish the brick and render outbuilding which ordinarily would not require planning permission.

3. Applicant's Supporting Information

3.1 Supporting information includes a planning statement.

4. Site History

4.1 Recent significant planning history includes the following:

- 06/01075/FUL Erection of Coach Garage (approved)
- 24/01249/CLP Existing house, office, shed and outbuildings used continually as a coach depot and workshops use to continue as a class 4/6 commercial, light industrial and storage (withdrawn)

5. Development Plan

5.1 NPF4 forms part of the development plan. As such the proposed development requires to be assessed against the provisions and policies of both NPF4 and The North Lanarkshire Local Development Plan. Given the scale and nature of this development the most relevant considerations are already enshrined in the North Lanarkshire Local Development Plan policies are set out below. This application can therefore be considered against the policy provisions of the North Lanarkshire Local Development Plan and National planning Framework 4 as follows.

National Planning Framework 4

The policies within NPF4 that are relevant to the application are:

- Policy 8 Green Belts
- Policy 9 Vacant and derelict Land and empty buildings

North Lanarkshire Local Development Plan (2022)

Relevant polices are:

- PP 4 POLICY Purpose of Place
- AD 4 POLICY Amount of Development
- EDQ1 Site Appraisal,
- EDQ2 - Specific Features for Consideration,
- EDQ3 - Quality of Development.

6. Consultations

6.1 Comments were received from the following consultees

NLC Protective Services has no objection to the development advising on process should contaminated land become apparent during on site works. This is recommended as an informative on the decision notice.

NLC Infrastructure & Transportation has no objection to the development in so far as comments relating to the closure of an access, visibility splays demonstrated and in curtilage arrangements were implemented. The applicant responded positively to these requirements submitting a revised drawing.

7. Representations

7.1 No representation was received following an advert in the local press.

8. Planning Assessment

8.1 The application which is for a change use of a bus depot (sui generis) to a Traffic Management Depot (sui generis). The bus garage is an established albeit non-conforming use in the designated Green Belt approved in 2006.

8.2 Sections 25(1) (a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that this application be determined in accordance with the development plan unless material considerations indicate otherwise. The application is of a local nature and the policies of the North Lanarkshire Local Development Plan 2022 would directly apply to the assessment. There are no NPF4 policies that would affect or change an assessment of this proposal against the requirements of the local development plan polices in this case. Therefore, the proposal will be assessed primarily under the policies of the North Lanarkshire Local Development Plan 2022

8.3 North Lanarkshire Local Development Plan (2022)

PP 4 POLICY Purpose of Place

North Lanarkshire Council will protect the setting of communities, support regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment, by promoting a Green Belt as defined on the Promote Map.

North Lanarkshire Council will support developments for agriculture, forestry, recreation, or developments that need a non-urban location, including, where appropriate, Visitor Economy related development.

Where specified by this Policy, applicants will normally be expected to provide the identified appraisals or assessments, which should be submitted with any planning application to allow consideration of the proposal.

The purpose of the Green Belt is to protect the setting of communities, support regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment. North Lanarkshire Council will encourage development appropriate for a Green Belt location by resisting development that is not for agriculture, forestry, recreation, tourism, or needs a Green Belt location, whilst allocating appropriate land for urban expansion. Regarding development that needs a Green Belt location, the need will be balanced against any adverse effects on the purposes of the Green Belt.

8.4 While the Council will resist other forms of development, through the full range of Policies in the Plan. In this instance the applicant is proposing to replace a historic non-conforming use (sui generis) with another non-conforming use sui generis. Both uses clearly do not conform with Green Belt policy a matter which the applicant has not attempted to dispute. That being the case assessment of the proposed change and impacts through the limits defined in the Amount of Development policy becomes inconsequential being a previously developed vacant/brownfield site used for a sui generis use which has many similarities with the proposed (which is also sui generis). The application is therefore determined on Environmental and Design Qualities and other material considerations.

8.5 The site is a vacant site within the green belt and its reuse for the proposed use is considered to comply in principle with the green belt policies in NPF4 and the Local Development Plan and with NPF4 Policy 9 reuse of vacant and derelict land and empty buildings subject to an assessment against the LDP Environmental and Design Qualities (EDQ 1-3)

8.6 Whether the change is appropriate therefore comes down to the nature and scale of the development and whether the proposal is an intensification of use. This is determined by the following design policies:

EDQ1 Site Appraisal,

EDQ2 - Specific Features for Consideration,

EDQ3 - Quality of Development.

8.7 The Local Development Plan identifies distinct Land Use Character Areas within North Lanarkshire. Development proposals should relate well to the existing setting and avoid adverse impact on existing or proposed properties. Appraising the existing features of a site and how it relates to its surroundings is an important first step in ensuring this.

8.8 Policy EDQ1 Site Appraisal states that a proposed development will be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity. The matters to be addressed in the appraisal include surrounding Land Use Character Area. In this respect while the site lies within the Green Belt it is an area of Green Belt that has been developed for a bus garage. As such, the introduction of a traffic management depot where existing buildings will either be demolished or repurposed will not give rise to a significant loss of existing levels of amenity. The site therefore can be integrated successfully into the local environs avoiding harm to neighbouring amenity and is therefore supported by Policy EDQ1.

8.9 Policy EDQ2 (Special Features for Consideration) does not generally apply as it refers to specific features on appeal sites or within the proximity such as Health and Safety Executive Consultation Zones, Flood Risk, Air Quality/Noise Quality Management Areas. Here are no significant constraints identified under Policy EDQ2 (Special Features for Consideration).

8.10 Policy EDQ3 - Quality of Development - only permits development where high standard of site planning and sustainable design and development are achieved. This includes a number of matters appropriate to the site from the various sub paragraphs stated in Policy EDQ3. The application in retaining site structures and demolishing others is able to achieve acceptable standards of site planning and sustainable design required by Policies EDQ 1 and EDQ 3. Similarly, the applicant has confirmed that drainage arrangements will make provision for sustainable drainage of surface water. It is recommended that should members be minded to approve a suitable planning condition is attached.

8.11 The applicant's justification and supporting information for a traffic depot, when measured against of the criteria within the polices of the Local Development Plan and other material considerations presents an acceptable development while its Green Belt location precludes alignment with this policy in terms of supporting the principle of Green Belt appropriate use. As a historic non-conforming use and subsequent replacement use is not considered significantly material in that it does not undermine the robustness of Green Belt policy.

9. Conclusion

9.1 Following detailed consideration of the proposal, it is considered that while proposal does not comfortably accord with the Green Belt policies in the development plan development plan. A special case has been presented for the siting of the proposed development within the Green Belt. The site has been developed and is currently vacant and partially derelict. It is considered that the reuse of this previously developed and vacant site represents an acceptable departure from the plan in this instance. It should also be noted that no objections were received following an advert in the local press. Therefore, it is recommended that planning permission be approved for the reasons

Application No:	**Proposed Development:**
25/00219/S42	Section 42 application to vary condition 11 (timing of submission of landscaping scheme) of planning permission 21/01275/FUL for Roadside Services Area Comprising Petrol Filling Station, Ancillary Retail Unit, Drive-Thru (Class 3) Units, HGV And Car Parking Areas, Associated Facilities, Landscaping, Infrastructure Works And New Junction Access
	Site Address:
	2 Hornshill Court Stepps G33 6QU

Date Registered:

25th March 2025

Applicant:
EG On The Move
Waterside Head Office
Haslingden Road
Blackburn
BB1 2FA

Agent:
N/A

Application Level:
Major Application

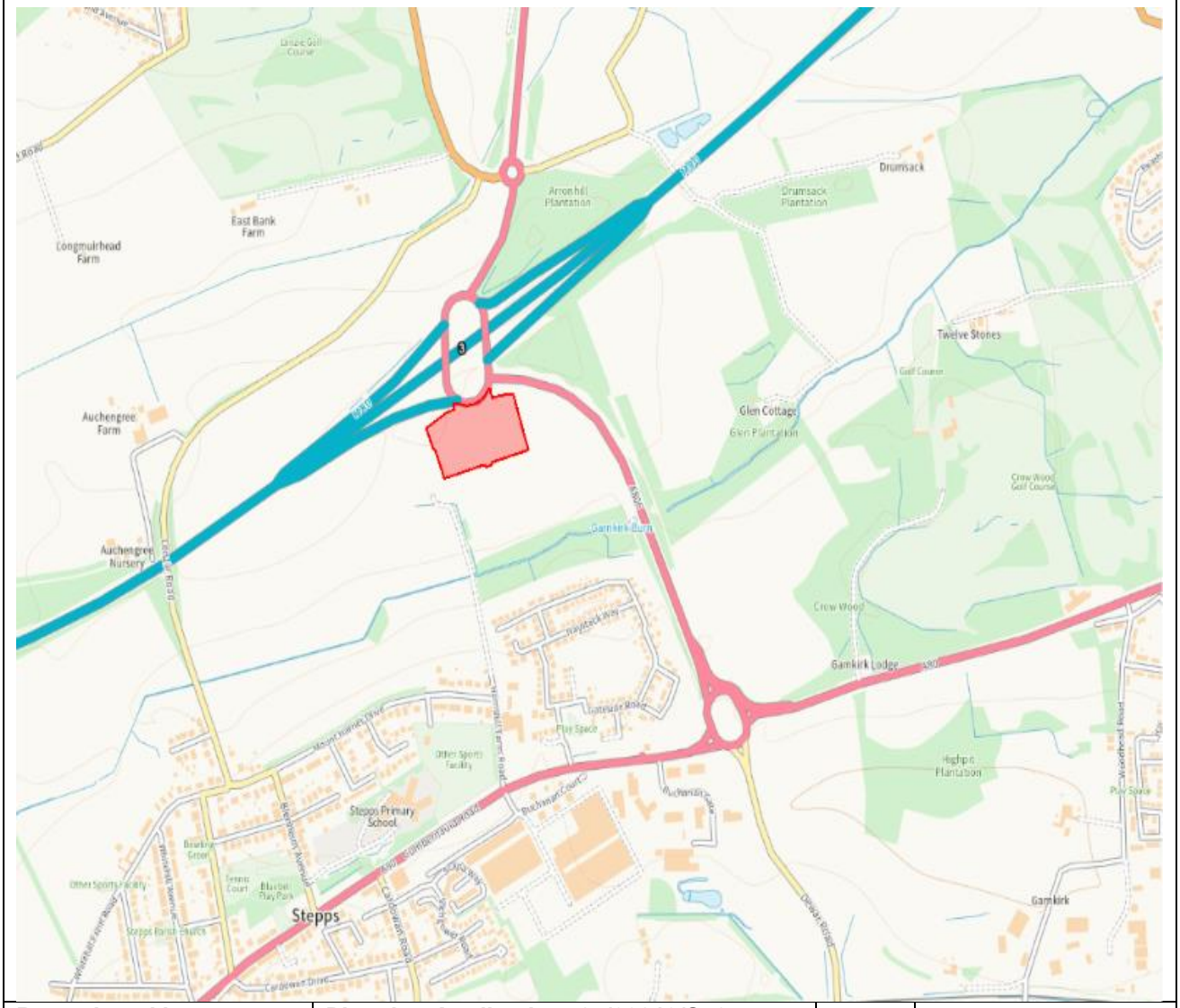
Contrary to Development Plan:
No

Ward:
05 Stepps, Chryston And Muirhead
John McLaren, Josh Cairns, Claire Louise Williams

Representations:
3 letter(s) of representation received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification: Given the minor nature of the changes proposed by the Section 42 application to the wording of Condition 11, which relate only to the timing of the submission of a detailed planting timetable for the approved landscaping scheme, the proposal is considered to accord with the development plan and that of the requirements of the relevant placemaking policies.



Reproduced by permission of the Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023396.	**Planning Application: 25/00219/S42** **Name (of applicant): EG On The Move** **Site Address: 2 Hornshill Court Stepps G33 6QU** **Development: Section 42 application to vary condition 11 (timing of submission of landscaping scheme) of planning permission 21/01275/FUL for Roadside Services Area Comprising Petrol Filling Station, Ancillary Retail Unit, Drive-Thru (Class 3) Units, HGV And Car Parking Areas, Associated Facilities, Landscaping, Infrastructure Works And New Junction Access**	N	North Lanarkshire Council

Proposed Conditions:-

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers:-

   AL(0)001 RevA;
   AL(0)002 Rev A;
   AL(0)011;
   AL(0)012RevB;
   AL(0)003RevC;
   AL(0)004RevG;
   AL(0)101RevE;
   AL(0)102RevB;
   AL(0)103RevB;
   AL(0)104 RevD;
   AL(0)201RevB;
   AL(0)202RevB;
   AL(0)203RevA;
   AL(0)204 RevB;
   AL(0)301RevA;
   AL(0)302RevA;
   AL(0)303RevA;
   AL(0)304RevA;
   501 RevA

   Reason: To clarify the drawings on which this approval of permission is founded.

2. That the Petrol Filling Station and Ancillary UNIT 1 herby approved shall come into operation prior to the occupation and operation of either UNIT 2 or UNIT 3.

   Reason: To define and ensure delivery of key aspects of the permission in accordance with the development plan.

3. That within 3 months of the date of this permission a revised site layout plan (based on approved plan AL(0)004Rev G shall be submitted to the Planning Authority for its written approval which shall show:

   - The reconfiguration of the Jet Wash/Air/Vacuum Bay facility to improve manoeuvrability and avoid conflict points with the HGV fuel area.
   - Full details of cycle parking provision
   - The 3m cycle/footway extended eastwards to the northeastern end of the site boundary.

   Reason: In the interest of vehicle and pedestrian safety

4. Prior to the commencement of development, full details of the proposed site access, generally as illustrated on ECS Drawing No.21033_007, shall be submitted to, and approved by the Planning Authority after consultation with Transport Scotland. Thereafter, and prior to the occupation of any part of the development, the site access shall be constructed in accordance with the approved plans.

   Reason: To ensure that the layout of the site vehicular access complies with current design standards.

5. That, unless otherwise agreed in writing, prior to any part of the development first coming into operation the vehicular access, internal road layout, parking areas, footpaths and cycleways shall be finished to final wearing course to the satisfaction of the Planning Authority.

   Reason: In the interests of vehicle and pedestrian safety.

6. That BEFORE any works of any description start, unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation report shall be submitted to and for the approval of the said Authority. The investigation must be carried out in accordance with current best practice advice, such as BS 10175: 'The Investigation of Potentially Contaminated Sites' or CLR 11. The report must include a site specific risk assessment of all relevant pollution linkages and a conceptual site model. Depending on the results of the investigation, a detailed Remediation Strategy may be required and this strategy will include details of the schedule for validation reporting to confirm that the remediation works have been carried out before houses are occupied.

   Reason: To establish whether or not site decontamination is required in the interests of the amenity and wellbeing of future residents.

7. That any remediation works identified by the site investigations required in terms of Condition 6 shall be carried out to the satisfaction of the Planning Authority. A certificate (signed by a chartered Environmental Engineer) shall be submitted to the Planning Authority in accordance with the agreed schedule of validation reporting confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

   Reason: To ensure that the site is free of contamination in the interests of the amenity and wellbeing of future residents

8. That prior to any works commencing on site full details of the proposed surface water drainage scheme shall be submitted to the Planning Authority. For the avoidance of doubt the scheme shall be based on the surface water drainage scheme as described in report titled Drainage Strategy and Flood Risk Assessment Part A produced by Goodson Associates dated July 2021 and as shown on approved drawing no 501 Rev A Proposed Drainage Layout. The scheme's compliance with the principles of Sustainable Urban Drainage Systems (SUDS) in terms of the relevant CIRIA Manual and other advice published by the Scottish Environment Protection Agency (SEPA) shall be certified by a Chartered Civil Engineer experienced in drainage works.

   Reason: To ensure that the drainage scheme complies with best SUDS practice to protect adjacent watercourses and groundwater from pollution.

9. That the detailed drainage scheme approved in condition 8 above shall be implemented contemporaneously with the development in so far as is reasonably practical. Within three months of the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer experienced in drainage works) shall be submitted to the Planning Authority confirming that the SUDS have been constructed in accordance with the relevant ClRIA Manual and the approved plans.

   Reason: To safeguard adjacent watercourses and groundwater from pollution

10. That PRIOR to the first occupation of any unit within the development, the applicant shall provide written confirmation to the Planning Authority that all the requirements of Scottish Water can be fully met to demonstrate that the development will not have an impact on their assets, and that suitable infrastructure can be put in place to support the development.

    Reason: To ensure the provision of satisfactory drainage arrangements

11. That within 3 months of the date of this permission a detailed timetable for the planting works included in drawing Landscape Layout 01 REvB shall be submitted for the written approval by the Planning Authority. Thereafter the approved landscaping shall be completed in accordance with the agreed planting timetable. Furthermore, any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within five years of the site becoming operational, shall be replaced within the following year with others of a similar size and species.

    Reason: To ensure the timely provision of suitable landscaping to ensure that the

development sits satisfactorily within the wider landscape.

12. That prior to works commencing on site, a management and maintenance scheme shall be submitted to, and approved in writing by the Planning Authority, and it shall include proposals for the continuing care, maintenance and protection of:-

(a) the proposed footpaths;
(b) the proposed parking areas;
(c) the proposed external lighting;
(d) the proposed grassed, planted and landscaped areas;
(e) the proposed fences within the site (including the 2.5m acoustic fence).

Reason: To ensure that adequate long term management and maintenance provisions are in place in the interests of visual amenity.

13. That BEFORE completion of the development hereby permitted, the management and maintenance scheme approved under the terms of condition 12; shall be in operation.

Reason: To ensure that adequate long term maintenance provisions are in place in the interests of visual amenity.

14. That prior to any works starting on site (including any site clearance works) the Extended Phase 1 Habitat Survey shall be updated to determine the presence of any statutorily protected species, the said survey shall thereafter be submitted to and approved in writing by the Planning Authority before any development commences on that particular part of the site. As a result of the studies, should any mitigation measures be required for any protected species, this shall be implemented in accordance with a species protection plan agreed in writing with the Planning Authority in consultation with Nature Scot before works commence on the site.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Regulations 1994 (as amended); the Wildlife and Countryside Act (1981) as amended; the Protection of Badgers Act 1992 (as amended); and the Nature Conservation (Scotland) Act 2004.'

15. That prior to any works commencing on site (including any site clearance works) a Working Method Statement in respect of Fossorial Water Voles shall be submitted to the Planning Authority for its approval together with full details of the Ecological Clerk of Works. For the avoidance of doubt this shall include the following actions as outlined in the Ecological Addendum by Rachel Hacking Ecology Ltd. dated 14th January 2022:

- Prior to site clearance commencing a suitable experienced ecologist (appointed as an Ecological Clerk of Works (ECoW)) will deliver a toolbox talk to the site personnel, detailing Water Vole identification, legislation and the Working Method Statement.

- Prior to site clearance commencing the ECoW will walk over the entire site searching for evidence of Water Vole. If Water Vole is found to be present on site, work will cease and a Mitigation Strategy will be implemented and agreed with the Planning Authority in consultation with Nature Scot to avoid or translocate the Water Voles.

- The site clearance will take place from North to South.

- The initial site strip will be overseen by the ECoW. Any evidence of Water Vole uncovered will be marked and work will cease at that location until such time that a Mitigation Strategy is agreed with the Planning Authority in consultation with Nature Scot.

- During the development, the site personnel will be aware of Water Vole identification and if a Water Vole is seen at any time during the development, works will cease, the ECoW will be contacted and a Mitigation Strategy shall be agreed with the Planning Authority in consultation with Nature Scot.

Reason: To ensure compliance with the Wildlife and Countryside Act (1981) as amended.

16. That prior to commencement of development, a Construction Method Statement shall be submitted to and approved by the Planning Authority. For the avoidance of doubt, the Construction Method Statement shall cover:

- Details of how the development will be phased
- Details of the location of site compound and management facilities;
- Details of construction access, parking and manoeuvring areas.

Reason: To ensure the satisfactory phasing of the development.

17. That prior to any works commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Planning Authority. In the interest of clarity, the CEMP should adequately characterise the risks that the construction works pose to the water environment or the key environmental receptors and incorporate detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction and reinstatement after construction in line with SEPA guidance.

Reason: To ensure suitable pollution prevention measures are in place prior to construction to minimise pollution risks arising from construction activities in order to protect the water environment and ecological interests of the Garnkirk Burn SINC.

18. That prior to any works starting on-site (including site clearance works) a detailed Dust Mitigation Plan for the construction period shall be submitted for the written approval of the Planning Authority. For the avoidance of doubt this shall reflect the findings of the Air Quality Assessment by Miller Goodall Ltd dated 16th July 2021.

Reason: In the interests of residential amenity.

19. That prior to works commencing on Unit 2 or Unit 3 full details of the odour control measures and associated plant shall be submitted to the Planning Authority for its written approval. For the avoidance of doubt these shall reflect the findings of the Air Quality Assessment and Noise Assessment carried out by Miller Goodall Ltd dated 16th July 2021 and shall be fully operational prior to occupation.

Reason: In the interests of residential amenity.

20. That prior to the Petrol Filling Station, HGV parking area and ancillary UNIT1 first coming into operation the 2.5m high acoustic fence detailed in the Noise Assessment carried out by Miller Goodall Ltd dated 16th July 2021 and shown on the approved plans shall be constructed and a verification certificate (signed by a suitably qualified professional) shall be submitted to the Planning Authority.

Reason: In the interests of amenity

21. Prior to the commencement of any part of the development hereby permitted, a scheme of advance directional signage shall be submitted to, and approved by the Planning Authority, after consultation with Transport Scotland. Thereafter, and prior to the occupation of any part of the development, the scheme of advanced directional signage shall be installed in accordance with the approved plans.

Reason: To maintain safety for both the trunk road traffic and the traffic moving to and from the development.

Background Papers:

Consultation Responses:

Traffic & Transportation
Environmental Health (including Pollution Control)
NLC Greenspace
Transport Scotland

Contact Information:

Any person wishing to inspect these documents should contact Susan Hunt at 01236 632500

Report Date:

31 July 2025

APPLICATION NO. 25/00219/S42

REPORT

1. **Site Description**

1.1 The application site lies to the south of Junction 3 (Hornshill) roundabout of the M80 to the North East of Stepps. The site is irregular in shape but best described as roughly rectangular extending to approximately 2.2 hectares in area. The site has an undulating landform and is made up of rough grassland (generally marshy to the north and more improved rough grazing to the south) with scrub vegetation and broken hedgerows running across the site. The northern boundary is delineated with wooden fencing, the western boundary has remnants of post and wire fencing together with individual mature trees adjacent to the former Hornshill Farm site with the eastern and southern boundaries not physically delineated. The roundabout to the north sits at a slightly higher level than the site, the M80 sits lower than the site in a cutting and the site itself generally falling in level from the north west to the southern boundary.

1.2 The site is bound to the north by Junction 3 (Hornshill) roundabout of the M80 from which it would take vehicular access. The A806 road lies to the east with intervening rough grass land bounding the site. To the south is rough grassland beyond which is the Garnkirk Burn lined by mature woodland known locally as Bluebell woods and designated as a Site of Importance for Nature Conservation beyond which is the Gateside Farm housing development. The western boundary is lined with a series of individual mature trees adjacent to the track forming part of Right of Way (SS95) and the broken fence line of the former Hornshill Farm now demolished and site cleared.

2. **Proposed Development**

2.1 The proposed Roadside Services Area is located on the southern side of the M80 but would serve both directions of travel on the motorway via Junction 3 Hornshill Interchange. The development includes a Petrol Filling Station with associated retail amenity building offering ancillary services (such as food to go facilities, toilets and showers for road users and a small area of convenience/basket shopping goods); Two stand alone drive-through units (coffee shop and restaurant) together with associated car, coach and HGV parking, electric vehicle charging station, landscaping and infrastructure, including new junction access.

2.2 Planning permission was granted for this development under 21/01275/FUL in April 2022. The applicant is now seeking permission, through a Section 42 application, to amend the wording of Condition 11 of this consent, to alter when the detailed planting timetable is submitted.

2.3 Condition 11 of 21/01275/FUL currently reads as:

11. That prior to works commencing on site a detailed timetable for the planting works included in drawing Landscape Layout 01 Rev B shall be submitted for the written approval by the Planning Authority. Thereafter, the approved landscaping shall be completed in accordance with the agreed planting timetable. Furthermore, any trees, shrubs or areas of grass which die, are removed, damaged, or become diseased, within five years of the site becoming operational, shall be replaced within the following year with others of a similar size and species.

2.4 Initially the applicant sought permission to amend the wording to say instead:

11. Save for the installation of the access and highway works the development shall not be constructed until a detailed timetable for the planting works included in drawing Landscape Layout 01 Rev B shall be submitted for the written approval by the Planning Authority. Thereafter, the approved landscaping shall be completed in accordance with the agreed planting timetable. Furthermore, any trees, shrubs or areas of grass which die, are removed,

damaged, or become diseased, within five years of the site becoming operational, shall be replaced within the following year with others of a similar size and species.

2.5 However, during assessment of the application discussions were held with the applicant regarding the works required to bring forward delivery of the development and the timescale for the submission of the detailed planting timetable that ensured delivery of the landscaping in a timely manner as well as its protection during construction. As a result, permission is sought to amend condition 11 to state:

11. That within 3 months of the date of this permission, a detailed timetable for the planting works included in drawing Landscape Layout 01 Rev B shall be submitted for the written approval by the Planning Authority. Thereafter, the approved landscaping shall be completed in accordance with the agreed planting timetable. Furthermore, any trees, shrubs or areas of grass which die, are removed, damaged, or become diseased, within five years of the site becoming operational, shall be replaced within the following year with others of a similar size and species.

2.6 No changes are proposed to the layout, design of the development or its landscaping that were approved under application 21/01275/FUL. In summary the Petrol Filling Station and ancillary shop (UNIT 1) would be located on the western portion of the site and consist of:

- 6 fuel pumps stations under the main canopy
- fuel pumps for LGVs adjacent to the HGV Rest Area
- 10 vehicle charging stations
- jet wash bays
- 2 Air, Water & vacuum bays
- Petrol Filling Station Kiosk and ancillary class 1 retail units with toilet facilities
- HGV Rest Area and carparking

2.7 This building would have a footprint of approximately 38.6m by 25.5m (984 sqm) in a contemporary design with shallow mono pitch (a height of 6.5m along the principal elevation and 4.7m to the rear). It would be finished in light brown and dark grey cladding panels, composite metal panel roof, and grey aluminium glazed curtain walling.

2.8 The stand-alone drive through restaurant (UNIT 2) and Coffee Shop (UNIT 3) would be located to the eastern side of the access road with associated car parking. The drive through restaurant (UNIT 2) measures approximately 11.5 m by 28.5m with a footprint of 333.5sqm (including the enclosed external yard). The building is also of a contemporary design, utilising shallow mono pitches on the roof structure (highest point 5.2m on the principal elevation to lowest point of main roof structure 4.5m). The building would be finished in weatherboard panelling with a palette of muted greys, taupe and white along with accent colour blocks, the roof would be of a grey ply material. The principal elevation would have glazed curtain walling.

2.9 The drive through coffee shop (UNIT 3) measures 21.5m by 10.5m with a footprint of 215.5 sq.m (including an enclosed external yard and serving projection). Again, in a contemporary design with a flat roof (3.9m in height) with roof projection feature (6.9m in height). The building would be finished in a mix of concrete fibre and timber cladding and aluminium glazed curtain walling.

3. **Applicant's Supporting Information**

3.1 In support of the S42 application the applicant has provided the following information:

- Supporting Letter
- Location Plan

3.2 The applicant previously submitted the following documents in support of the original application:

- Design and Access Statement
- Planning Statement
- Pre-Application Consultation Report
- Transport Assessment with appended Parking Technical Note
- Noise Assessment
- Air Quality Assessment
- Extended Phase 1 Habitat Survey (with further Ecological Addendum)
- Drainage Strategy & Flood Risk Assessment
- Lighting Report
- Site Investigation Report
- Tree Survey
- Landscaping Plan
- Landscape Appraisal

4. **Site History**

4.1 Planning application 05/01821/OUT for the Construction of a Motorway Services Area was submitted in November 2005 and subsequently refused in December 2008. The decision was appealed, and the appeal was dismissed in 2009 as it was considered contrary to the provisions of the then local plan.

4.2 An Environmental Screening Opinion (21/00636/EIASCR) under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 was issued in April 2021 which concluded that a formal Environmental Impact Assessment would not be required for the proposed Roadside Services Area on this site.

4.3 Planning application 21/01275/FUL for the construction of a Roadside Services Area was granted planning permission at Planning Committee on 22 April 2022. This was after the site layout was amended, including a reduction to the development footprint and the proposed landscaping around the site was enhanced. This Section 42 application would accord with the approved site layout and landscaping plan associated with 21/01275/FUL as it seeks permission to solely alter the wording of condition 11 (landscaping) in relation to the timing of its submission.

5 Development Plan

5.1 The Development Plan consists of National Planning Framework 4 (NPF 4) and the North Lanarkshire Local Development Plan (LDP). NPF 4 was adopted by the Scottish Parliament in February 2023 and prevails over any policies in the Local Development Plan that are incompatible with its aims and objectives. The policies relevant to the application are:

NPF4

- Policy 1 - Tackling the Climate and Nature Crises
- Policy 2 - Climate Mitigation and Adaptation
- Policy 3 – Biodiversity
- Policy 4 – Natural Places
- Policy 6 - Forestry, Woodland and Trees
- Policy 12 - Zero Waste
- Policy 13 - Sustainable Transport
- Policy 14 - Design, Quality and Place
- Policy 18 - Infrastructure First
- Policy 22 - Flood Risk and Water Management
- Policy 23 - Health and Safety
- Policy 27 – City, Town, Local and Commercial Centres

North Lanarkshire Local Development Plan 2022

- PROM ID1 – Transport Improvements

- CI POLICY - Contributions to Infrastructure
- PROT A – Natural Environment and Green Network
- EDQ1- Site Appraisal
- EDQ2 – Specific Features for Consideration
- EDQ3 – Quality of Development

6. Consultations

6.1 Transport Scotland was consulted and has no objection to the application. The conditions attached to the original permission 21/01275/FUL regarding access and signage shall be carried forward to any s.42 permission.

6.2 NLC Protective Services was consulted and has no objection subject to conditions being applied in relation to site investigations, remediation, noise, odour, lighting, dust and securing any required mitigation measures. The conditions attached to the original permission 21/01275/FUL relating to these issues shall be carried forward to any s.42 permission.

6.3 No issues were raised by NLC Greenspace or Traffic and Transportation in respect of this application and conditions applied to the original consent to address their requirements are therefore carried forward again.

7. Representations

7.1 Following standard neighbour notification and press advert procedures 3 representations have been received objecting to the application and the points raised can be summarised below:

a) The original and proposed wording of Condition 11 was not made publicly available

Response: The letter submitted with the application detailing the proposed wording was not made publicly available on submission; however, it was made publicly available upon receipt of this objection and the deadline for objections extended accordingly to ensure the proposed alteration was clearly available and that all interested parties could make an informed representation should they wish.

b) The application should be considered by the Planning Committee

Response: This type of application cannot be determined under delegated powers and as such requires to be presented to the Planning Committee for determination.

c) Removing the pre-commencement requirement from Condition 11 leaves no clear or enforceable deadline for when the landscaping timetable must be submitted or implemented. The following alternative wording is therefore suggested to preserve the original intent of the condition 'The landscaping timetable shall be submitted within 2 months of this approval and implemented in full accordance with the approved scheme prior to first use of the site or any further development'.

Response: Consideration has been given to this suggested alternative wording for condition 11. It is considered that a set period of time for the submission of the detailed planting timetable would be a more appropriate and clearer trigger than the assessment and monitoring of the progress of the development's vehicular access works. Discussions were held with the applicant on this basis and it is agreed that a time period requiring the submission of the detailed planting timetable be set at within 3 months of the date of any permission would be appropriate and reasonable. The purpose of the detailed planting timetable is to secure the landscape buffer in early course (following any earthmoving works) and ensure that the landscaping be implemented contemporaneously with the construction programme of the site, but that it not be damaged during any early stages in preparation for the development of the site. The remainder of the wording of Condition 11 would remain the same as 21/01275/FUL which would require the approved landscaping scheme to be fully

implemented and any diseased or dead landscaping to be replaced within the following 5 years.

7.2 **Stepps & District Community Council** objected to the application. In summary it was considered that altering the wording would allow the development not to implement the planting which was unacceptable as the planting was introduced to safeguard visual amenity and integrate the development within the landscape.

Response: As noted, above the altered wording would still ensure that the developer implemented the landscaping scheme in a satisfactory manner. The landscaping scheme is considered integral to the successful development of this site. The altered wording as now proposed requires the submission of the detailed planting timetable within 3 months of the date of permission being granted and secures the implementation of the approved landscaping scheme in a timely manner.

8 Planning Assessment

8.1 Sections 25(1) (a) and 37(2) of the Town and Country Planning (Scotland) Act 1997 require the proposal to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan is made up of National Planning Framework 4 (NPF4) and the adopted North Lanarkshire Local Development Plan (LDP). In terms of this application, Section 42 of the Town and Country Planning (Scotland) Act 1997 requires to be considered. It allows for the determination of applications to develop land without compliance with conditions previously attached to existing planning consents and although the application primarily seeks to change the wording of one condition, its approval would also have the effect of renewing the consent again. Therefore, it is necessary to consider whether there have been any changes in planning policy since the previous permission was granted that would have a bearing on approval of the application. On this basis the introduction of NPF4 in February 2023 and the North Lanarkshire Local Development Plan (LDP) in July 2022 means the policy requirements of these documents need to be assessed.

National Planning Framework 4

8.2 NPF4 Policy 1 Tackling the Climate and Nature Crises states that when assessing development proposals, significant weight will be given to tacking these crises and Policy 2 - Climate Mitigation and Adaptation that development should minimise greenhouse gas emissions and promote energy efficiency and renewable energy. The application site is an identified site within the LDP. It is therefore considered to be a sustainable site that supports the development plan's spatial strategy of compact urban growth. It is also strategically located within the existing road network. As such it can be seen to be compatible with the principles of Policies 1 and 2 of NPF4.

8.3 In terms of the natural environment NPF4 Policy 3 Biodiversity requires major development proposals to conserve, restore and enhance biodiversity; Policy 4 Natural Places requires natural places to be protected and restored and that natural assets are managed in a sustainable way and Policy 6 - Forestry, Woodland and Trees that existing woodland areas are protected and enhanced. The Extended Habitat Survey submitted with the original application shows limited ecological value across the site due to its current use for agricultural grazing. In the absence of any matrix to assess Biodiversity Net Gain it is considered that the landscaping scheme, secured by condition, will offer a proportionate net gain through the introduction of additional habitat rich tree, shrub and grass species planting thereby complying with Policy 3 as well as aligning with the requirements of Policies 4 and 6 of NPF4.

8.4 NPF4 Policy 12 Zero Waste seeks to reduce, reuse or recycle materials in line with waste hierarchy. Whilst no detail has been provided on this aspect within the application it is recognised that the site has an existing planning permission in place 21/01275/FUL and this application seeks minor changes which would not materially alter the waste generation, resource use, or waste infrastructure implications of the previously consented scheme. Therefore, the proposals are considered acceptable.

8.5 NPF4 Policy 13 Sustainable Transport sets out to encourage, promote and facilitate developments that prioritise sustainable travel. The nature of the proposed development as a Roadside Services Area requires that it be located adjacent to the Strategic Road Network. It is recognised that the site is a greenfield one, some distance from the village of Stepps. However, it is identified as a Transportation Opportunity within the LDP and has been assessed as a sustainable site that supports the development plan's spatial strategy of compact urban growth. Given the nature of the type of development proposed it has to be strategically located within the existing road network and the siting of this proposal at this location is supported by the LDP. As such it is seen as compatible with the principles of Policy 13.

8.6 NPF4 Policy 14 Design, Quality and Place states that development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. This matter was subject to extensive discussion in the assessment of the original planning application 21/01275/FUL and found to be acceptable. Significant weight is given to planning permission 21/01275/FUL int this regard. This will be discussed in more detail in terms of the associated policies applicable within the LDP (EDQ1-3) below; however, it is considered that the development complies with Policy 14.

8.7 NPF4 Policy 18 Infrastructure First states that development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported subject to appropriate mitigation of any impacts. The site is identified as a Transportation Opportunity within the LDP and planning consent was granted in 2022 for this development. Subject to an assessment of the impact of the proposed amendment to the wording of condition 11 of that consent (21/01275/FUL) to ensure there is no adverse impact it is considered that the development in principle complies with Policy 18.

8.8 NPF4 Policy 22 Flood Risk and Water Management supports development that will not increase the risk of surface water flooding to others or itself be at risk and to manage all rain and surface water through Sustainable Urban Drainage Systems (SUDS) whilst minimising impermeable areas. A suitable drainage scheme was submitted with the original planning application 21/01275/FUL and secured by conditions. Significant weight is attached to this in the assessment of this Section 42 application. This matter is further discussed in terms of the LDP policies and the associated guidance applicable within SPG 09 (Flooding & Drainage) below; however, it is considered that the development complies with Policy 22.

8.9 NPF4 Policy 23 Health and Safety seeks to protect people and places from environmental harm. Mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing. NLC Protective Services have no objection to this Section 42 application. Notwithstanding, conditions attached to the original application 21/01275/FUL to control noise, odour, lighting, potentially adverse effects during construction and ground conditions are attached again to ensure that the potential for any environmental harm is controlled. These matters are discussed in turn in terms of the associated LDP policies below; however, it is considered that the development complies with Policy 23.

8.10 NPF4 Policy 27 City, Town, Local and Commercial Centres seeks to encourage, promote and facilitate development in our city and town centres, recognising that they are a national asset. This is to be achieved by applying the Town Centre First Approach to help centres adapt positively to long-term economic, environmental and societal changes and by encouraging town centre living. Policy 27 part (d) states that Drive-thru developments will only be supported where they are specifically supported in the LDP. Clarification on this policy was subsequently provided in a letter from the Chief Planner dated 8 February 2023 which advises that that this policy wording does not represent a moratorium or ban on drive thru development but rather was intended to ensure that this type of development is considered as an integral part of the wider development plan and that each application be considered on its own merits. It is acknowledged that there are no sites specifically designated in the North Lanarkshire Local Development Plan for drive through facilities and no other Landscape Character Areas specifically support such a proposal. Given the support given by PROM 1D1 in the North Lanarkshire Local Development Plan it is not considered that the application

requires to be assessed in terms of sequential approach or impact on any town centres. The Drive-Thru elements of the proposals are considered reasonable in terms of this location and have been previously approved under the terms of the original application 21/01275/FUL. It is therefore considered that the development complies with Policy 27.

North Lanarkshire Local Development Plan 2022 (Adopted)

8.11 The original application 21/01275/FUL was assessed against the, then emerging, North Lanarkshire Local Development Plan but could only be given limited weight as a material consideration at that time as the plan had still to be adopted. The proposal now requires to be assessed against these policies.

8.12 Policy PROM ID1 Transport Improvements supports transport improvements identified and delivered through a number of Regional and Strategic Transport Strategies. Spatially, the site is identified as a Transportation Opportunity. The Policy lists projects identified in the Area Strategies. Whilst not specified for a Motorway Services Area (MSA) development, further clarification on the acceptance of a MSA type of development on the site is provided by the North Lanarkshire Local Development Plan Report of Examination published in May 2021. The Examination Report advises that the Modified Proposed Plan's Transport Improvement Area designation continues to reflect the removal of the site at Hornshill from the Green Belt and its designation as a Motorway Service Area. The Report of Examination also confirms that the implementation of an MSA at Hornshill is no longer a Development Plan matter, that the site's status has not changed from the NLLP and that the land remains allocated for a MSA in the North Lanarkshire Local Development Plan. In terms of policy PROM 1D1 it is considered that the proposed development is compatible with the designation for a Motorway Services Area with the policy position noted above. Significant weight is also given to the original planning permission 21/01275/FUL for the site.

8.13 Given the above assessment of PROM 1D1 it is not considered that the application requires to be assessed in terms of sequential approach or impact on any town centres.

8.14 Policy CI reflects that of DSP3 in the previous North Lanarkshire Local Plan where no contributions were identified through the consultation process in respect of the original application 21/01275/FUL. Given the previous approval and the nature of this S42 application, which is limited to the wording of condition 11, no contributions have been identified and the application is considered acceptable.

8.15 Policy PROT A 5 indicates that any development that significantly affects a species protected by law will only be permitted where an appraisal has demonstrated that the protected species would not be compromised or any significant adverse effects on the protected species are mitigated through planning condition/planning agreement. An Extended Phase 1 Habitat Survey was submitted in support of the original application and concluded that the site offers limited ecological value with no evidence of protected species. Due to the proximity to the Garnkirk Burn the survey recommends that a Construction Environmental Management Plan be put in place. NLC Greenspace reviewed the Extended Phase 1 Habitat Survey and advised that if works have not commenced within 1 year of the survey work being undertaken updated surveys would be required and agree that a Construction Environmental Management Plan be secured. This requirement was secured by condition on the original permission 21/01275/FUL and should remain.

8.16 NLC Greenspace also advised that as fossorial water vole had been recorded in the Stepps area that a survey should be undertaken prior to planning permission being issued. The applicant submitted a further Addendum which concludes that no evidence of fossorial mammals or any other evidence of water voles was found across the site. It also notes that the site falls outwith the Grassland Water Vole Trigger Area. A Working Method Statement is recommended and includes site clearance works being overseen by an Ecological Clerk of Works. Given the findings of the Ecological Addendum a Working Method Statement and appointment of an Ecological Clerk of Works was secured by condition on the original permission 21/01275/FUL and this condition should remain.

8.17 On this basis, it is considered that the application complies with policy PROT A5.

8.18 The Environmental and Design Qualities policies EDQ1-3 within the North Lanarkshire Local Development Plan apply to this application. Policies EDQ1-EDQ3 largely reflect criteria contained in Policy DSP4 of the North Lanarkshire Local Plan against which the application was originally assessed; however, to ensure completeness of the assessment of this application they are taken in turn below:

8.19 The supporting Planning Statement accompanying the original planning application provides an acceptable site appraisal upon which the design has been developed and therefore complies with EDQ1.

8.20 In terms of EDQ2 a Site Investigation requires to be carried out prior to any works starting on site due to historic and surrounding land uses. The Site Investigation submitted concluded that there were no risks associated with ground contamination or ground gas. The Site Investigation was reviewed by NLC Protective Services and further queries were raised with a further report submitted. Given the findings of the initial Site Investigation and nature of the further queries standard ground conditions and remediation strategy conditions are attached to the original permission 21/01275/FUL and these shall remain. The site does not fall within any other EDQ2A, 2B or 2C categories. Any local infrastructure within or adjacent to the site requires the applicant to resolve or relocate directly with the guidance of the relevant infrastructure providers.

8.21 In respect of Policy EDQ 3 - Quality of Development, the proposed siting, overall layout, density, form, scale, height, massing, proportion, detailing, colour and materials, whilst considered to be of standard commercial design, are considered commensurate with a modern Roadside Services Area. The proposed site is located on part of a much larger area designated as a Transportation Opportunity within the surrounding green belt area and as such careful consideration must be given to the setting of the development itself and its relationship to the surrounding landscape. The setting of the proposed development was the subject of extensive deliberation during the original planning application 21/01275/FUL assessment process which resulted in a landscaping buffer along the southern and western boundaries of the site. The proposed individual building designs are of a contemporary fairly minimalist design and they relate sufficiently with each other within the site. The site is of such distance to other buildings within Stepps that they would not be read immediately alongside other built development. The scale and height are considered acceptable and take account of the altered ground level within the site. It was considered that with an appropriate level of landscaping the buildings can reasonably be accommodated within the site and the area in general. Given that the proposed development under consideration relates only to the wording of condition 11 and that no alterations are proposed to the original approved design and layout of the site, or that of its landscaping, the application is considered to accord with this policy and acceptable.

8.22 During the assessment of the original application it was noted that the site does not meet the NLC Active Travel Strategy which seeks to reduce reliance on private car trips and encourage and promote other active travel through walking, wheeling and cycling for everyday travel (including to local amenities or places of employment) across North Lanarkshire as the proposal lacks physical measures to facilitate cycling and walking to the site especially for employees and as such is not considered a sustainable development.

8.23 In terms of pedestrian access and footpath links discussions have been held with the applicant regarding the possibility of connecting to the Right of Way (SS95) which runs parallel to the site for a short distance along the western boundary. The Right of Way runs north from Hornshill Farm Road by means of a rough track to the former Hornshill Farm site before returning west to Lenzie Road. The track is rough with a stile in place that requires to be traversed. Its route whilst fairly straight follows the topography of the surrounding land dropping down to the Garnkirk Burn and rising up towards the site. The track is unlit, remote from housing bound in part by heavy tree cover with poor passive surveillance. Whilst it may be physically possible to connect to the track from the development site it may not be considered to be a welcoming or safe route for pedestrians to the site in its current form.

8.24 Consideration was also given to providing pedestrian links from A806 to the east of the site. There is no footpath alongside the A806 for its length from Cumbernauld Road to Junction 3. The applicant has considered this option as part of the supporting Transport Assessment and concluded that the creation of such a pedestrian link adjacent to the A806 would not be possible due to the topography of the land to the west of the safety barrier, the presence of mature trees and the need for third party land.

8.25 The Transport Assessment addresses access by cyclists and it is noted that the site could be reached by cycling via the road network along the A806 and then by the new roundabout arm into the development site.

8.26 Based on the above discussion it is acknowledged that the site is not served well by pedestrian or cycle links which is contrary to the aims of the Council's Active Travel Strategy; however, given the policy support from PROM ID1 Transport Improvements of the LDP and the previous approval through planning permission 21/1275/FUL it is not considered that this issue alone would merit the refusal of this S42 application especially as no alterations are proposed to the approved development. The conditions attached to the original permission 21/01275/FUL however shall be carried forward to this S42 permission and these include the extension of the cycle way and provision for cycle parking.

8.27 The site is not located in an Air Quality or Noise Management Area. However potential nuisance has been assessed. Given the nature of the proposed development the Air Quality Assessment largely focused on vehicle trip generation to and from the site together with movement within the site and concludes that the local air quality impact of emissions from traffic associated with the proposed development is predicted to be negligible. The report also considered impact from adverse cooking odours from the drive through restaurant and recommends that a high level of odour control is required but adequate mitigation measures can be provided to ensure odour has a negligible impact. The report recommends that dust mitigation measures be utilised during construction. The report has been reviewed by NLC Protective Services and found to be acceptable in terms of methodology and conclusions. The recommended dust and odour control measures could be secured by condition. The conditions in relation to dust and odour attached to planning permission 21/01275/FUL shall remain.

8.28 In terms of Noise, the Noise Impact Assessment submitted with the original planning application considered noise generating activities from the proposed development including vehicle movements (with a particular focus on HGVs as this is considered to be the most intrusive noise element), fuel pumps, reversing alarms, order points at drive through units. The report has been reviewed by NLC Protective Services and found to be acceptable in terms of methodology and conclusions. Mitigation measures including a 2.5m high acoustic fence around the HGV parking area and details of plant compound areas can be secured by condition. The report has been reviewed by NLC Protective Services and found to be acceptable in terms of methodology and conclusions. The conditions relating to noise and mitigation implementation attached to planning permission 21/01275/FUL shall remain.

8.29 The Drainage Strategy and Flood Risk Assessment advises that foul water would discharge to an existing combined sewer to the south of the site and that surface water drainage would be designed in accordance with Sustainable Urban Drainage Systems principles incorporating methods for treatment and attenuation of surface water prior to discharge to the Garnkirk Burn watercourse. The standard conditions relating to the submission detailed drainage drawings and the certified implementation of the scheme can be used to secure suitable drainage across the site. The site is considered low risk in terms of flooding due to the topography of the site and distance from watercourses. The conditions relating to control of these matters attached to planning permission 21/01275/FUL shall remain

8.30 It is noted that there are no watercourses within the site and that the nearest watercourse (the Garnkirk Burn) lies approximately 180m to the south of the application site. The Extended Phase 1 Habitat Survey recommends that a Construction Environmental Management Plan be put in place during construction which can be secured by condition. The conditions relating

to the construction environmental management plant attached to planning permission 21/01275/FUL shall remain.

8.31 Due consideration has been given to the representations received in relation to the application and the proposed amended wording. As the proposal relates only to the variation to the wording relating to when the detailed planting timetable has to be submitted there is no implication that the original approved landscaping scheme would be altered as a result or that it would enable the developer not to implement the landscaping. As discussed above the altered wording has been amended to include a more specific timing requirement of submission within 3 months of permission being granted and the remaining wording of the condition unaltered to that attached to the original permission.

8.32 In conclusion, the proposal has been assessed against the current development plan and its policies and remains acceptable. Significant weight is given to permission 21/01275/FUL in reaching a conclusion in this assessment. The minor alteration to the wording of Condition 11 affects only the timing of submission of the detailed planting timetable and is considered acceptable. It is therefore recommended that permission is granted.

Application No:

25/00444/FUL

Proposed Development:

Change of Use from Office to Class 1A (Shops, Financial, Professional and Other Services) and Training Academy (In Retrospect)

Site Address:

Unit 13
3 Wardpark Road
Wardpark
Cumbernauld
G67 3JZ

Date Registered:

27th May 2025

Applicant:
Mr Richard Hamilton
46A Main St
Chryston
G69 9JX

Agent:
Enspire Architecture Studio Ltd
Office 29, Alloa Business Centre
Whins Road
Alloa
Clackmannanshire
FK10 3SA

Application Level:
Local Application

Contrary to Development Plan:
Yes

Ward:
04 Cumbernauld East
Claire Barclay, Tom Johnston, Barry McCulloch, Adam Smith,

Representations:
No representations received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification:

The proposed development is considered to be a compatible use within this Business Centre that can be accommodated without detriment to the primary function of the area. It is therefore considered to be an acceptable departure to the provisions of NPF4 and Local Business Centres Policies PP 2B and AD 2A of the North Lanarkshire Local Development Plan 2022 and is considered to comply with polices EDQ 1 and EDQ 3 of the North Lanarkshire Local Development Plan 2022.

Reproduced by permission of the Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2009. All rights reserved. Ordnance Survey Licence number 100023396.	**Planning Application: 25/00444/FUL** **Name (of applicant): Mr Richard Hamilton** **Site Address: Unit 13** **3 Wardpark Road** **Wardpark** **Cumbernauld** **G67 3JZ** **Development: Change of Use from Office to Class 1A (Shops, Financial, Professional and Other Services) and Training Academy (In Retrospect)**	N	North Lanarkshire Council

Proposed Conditions:-

1. That the development hereby permitted shall be carried out strictly in accordance with the approved details submitted as part of the application and no change to those details shall be made without prior written approval of the Planning Authority.

   Reason: To clarify the drawings on which this approval of permission is founded.

2. That the premises will be used solely as an aesthetics/hair and beauty salon and training academy and for no other uses within Class 1A of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or permitted changes from this class) and should the use hereby permitted cease then the use of the premises will revert back to office use (class 4)

   Reason: To define the permission.

Background Papers:

Consultation Responses:

No consultations required

Contact Information: Kirsten Devlin at esplanning@northlan.gov.uk or 01236 632487

Report Date: 28th July 2025

APPLICATION NO. 25/00444/FUL

REPORT

1. Site Description

1.1 The application site is Unit 13, 3 Wardpark Road, Wardpark, Cumbernauld. The site is set within a well-established Local Business Centre. The wider area is characterised by industrial uses, whereas this part of the Business Centre is characterised by an office building with multiple individual units. A dance academy and yoga studio are also located within the building.

2. Proposed Development

2.1 Retrospective permission is sought for a Class 1A (shop), in this instance an aesthetics/hair and beauty salon. The proposal also seeks permission for the premises to be utilised as a training academy to meet demand for vocational training in the personal care sector and to consolidate the business's position as a leading provider of bridal, beauty and advanced aesthetics.

3. Applicant's Supporting Information

3.1 The applicant has provided the following information in support of their application:

- Appropriateness Statement, Business Plan & Impact Justification

4. Site History

4.1 There is no planning history associated with this address.

5. Development Plan

5.1 The development plan consists of National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan (NLLDP) 2022.

5.2 Given the nature and scale of this development the most relevant considerations are already enshrined in the North Lanarkshire Local Development Plan policies. NPF4 Policy 26: Business and Industry is relevant to the application.

5.3 In terms of the North Lanarkshire Local Development Plan 2022 the following policies are of relevance:

PP 2B Local Business Centres: Purpose of Place
AD 2B Local Business Centres: Amount of Development
EDQ1 Site Appraisal
EDQ3 Quality of Development

6. Consultations

6.1 Given the nature and scale of the proposal no consultations were required.

7. Representations

7.1 No representations have been received.

8. Planning Assessment

8.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 In terms of National Planning Framework 4 (NPF4), Policy 26: Business and Industry is of most relevance.

8.3 Policy 26 - Business and Industry states development proposals for business and industry will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area. The submitted Appropriateness Statement, Business Plan & Impact Justification Report outlines that the nature of the business (aesthetics and training academy) requires a discreet location not available in town centre or high street premises. It is secure for storing licensed equipment and does not conflict with the office/industrial setting as it is low-footfall, non-noise producing and enhances the tenant mix (which includes a dance academy and yoga studio). While the site is easily accessible from the M80 and there is free on-site parking it is also well served by local bus routes and footpath network. The proposal is considered to be a low-impact use that while non-conforming does not detrimentally affect with the business/industrial character of the area.

8.4 Within the NLLDP the site is located within a Local Business Centre covered by Policy PP 2B Purpose of Place which seeks to encourage small, medium and large sized enterprises to locate in our Local Business Centres, safeguard their character from dilution by other inappropriate uses and support upgrading of premises, amenities, access, parking and green spaces. Where specified by this Policy, applicants will be expected to provide the identified appraisals or assessments, which should be submitted with any planning application to allow consideration of the proposal. These locations can accommodate a full range of Class 4 Business, Class 5 General Industrial and Class 6 Storage or Distribution uses. Ancillary Development is development in the following classes that supports the operation of an existing use in the Centre, or the operation of the Centre, by providing uses at a scale appropriate to the Centre: Class 1 Shops (Convenience), Class 2 Financial and Professional Services, Class 3 Food and Drink including sui generis: hot-food takeaway, Class 11 Assembly and Leisure.

8.5 Proposals for non-ancillary development or changes of use will generally not be supported however, for any non-ancillary or high-footfall generating uses the following information should be supplied for assessment in justification of the suitability of this development for the Business Centre in which it is being proposed:

- the Town Centres First Sequential Approach assessment as defined in Policy PP1A.
- a statement on the mix of uses, the scale and nature of existing development in the Business Centre (all proposals require to satisfy the provisions of Policy EDQ 1).
- its impact on the attractiveness as a location for industry and business (all proposals require to satisfy the provisions of Policy EDQ 3).
- evidence that there is a requirement for a building with use-specific characteristics (e.g. roof height, layout, security).
- evidence that the proposal will result in economic benefit.
- Its impact on travel patterns and accessibility by sustainable modes of transport.

8.6 The Appropriateness Statement, Business Plan & Impact Justification Report states the applicant initially explored several high street and town centre locations but were deemed unsuitable for the nature of the business and brand ethos. Opportunities within Cumbernauld Town Centre are also uncertain at this stage with the future redevelopment of the Town Centre. The application site was chosen as it is discreet and provides security, privacy and long-term certainty. It is also stated the business, which has a low-footfall and is non noise producing complements the existing businesses in the locale and enhances the overall tenant mix.

8.7 In light of the nature of the proposal and the supporting information provided it is accepted what while technically a non-conforming use in a Local Business setting, the business can be acceptably accommodated without detriment to the core business setting while complementing the existing mixture of uses.

8.8 Policy AD 2B Amount of Development also applies and requires planning applications will be assessed for their implications related to the amount of development proposed. The need for an assessment depends on the contribution of type (use class), scale and location of development. An assessment is required as Class 1 A Sops (comparison) are a non-complying use. The Appropriateness Statement, Business Plan & Impact Justification Report states several high street and town centre locations were deemed unsuitable for the nature of the business and brand ethos, with opportunities within Cumbernauld Town Centre uncertain with its redevelopment. The application site was chosen as it is discreet and provides security, privacy and long-term certainty. The existing aesthetics salon has operated without having a detrimental impact on the business locale and wishes to diversify with the introduction of a training academy. The unit, which is relatively small scale, is already operating successfully as a salon without detriment to the core business setting and is considered to have a minimal impact on land supply for industry and business. It is not of a scale or nature as to impact adversely on the town centre or other local centres.

8.9 As before, while technically a non-conforming use in a Local Business setting it is considered the business can be acceptably accommodated without detriment to the core business setting while complementing the existing mixture of uses.

8.10 All planning applications require to be assessed against the criteria of policies EDQ 1 (Site Appraisal) and EDQ 3 (Quality of Development) of the NLLDP.

8.11 Policy EDQ 1 (Site Appraisal) requires the development to be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity. A number of matters required to be assessed; those most relevant to this proposal are:

- accessibility by a range of sustainable transport modes
- existence and quality of connections and access including site and building entrances, roads, paths and visuals on the site and surrounding Land Use Character Area

8.12 The proposed development, by virtue of its location, will not impact on residential amenity. The small-scale nature of the proposal which has a relatively low footfall and is non-noise producing will not have a detrimental impact on the existing business users. There is adequate parking provision at the site, and it is easily accessible from the road network. It is also well served by local bus routes and a local footpath network which leads to other parts of Cumbernauld, including the town centre. As such this policy is considered to be complied with.

8.13 Policy EDQ 3 (Quality of Development) states proposals will only be permitted where high standards of site planning and sustainable design are achieved. The most relevant to this proposal is providing a safe, pleasant, inclusive, convenient and welcoming development addressing: integration with public transport, sustainable access for cars, being safe for all road users and appropriate parking. The site is well served by the road network and is located close to the motorway network. The office building has a dedicated car park for users. The site is also well served by local bus routes and by a local footpath network. As the site provides opportunities for travel by car and other sustainable modes of transport this policy is considered to be complied with.

9. Conclusions

9.1 The proposed development is considered to be a compatible use within this part of the Business Centre that does not prejudice the primary function of the area. It is therefore considered to be an acceptable departure to the provisions of NPF4 Policy 26: Business and Industry and Local Business Centres Policies PP 2B, AD 2A of the North Lanarkshire Local Development Plan 2022. Furthermore, it is considered to comply with polices EDQ 1 and EDQ 3 of the NLLDP.