North Lanarkshire Council

Planning Applications for consideration
of Planning Committee

Committee Date: 4th December 2025

APPLICATIONS FOR PLANNING COMMITTEE

4th December 2025

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(P)

25/00794/FUL – If permission is granted permission will not be issued until a legal agreement has been concluded to secure contributions in relation to affordable housing and play

Application No:

24/00734/FUL

Proposed Development:

Residential development of 3 houses

Site Address:

250 Forrest Street
Clarkston
Airdrie
ML6 7AY

Date Registered:

29th July 2024

Applicant:
Trustees For Major James Towers-Clark
190 St Vincent Street
Glasgow
G2 5SP

Agent:
Bryce Associates Ltd
PO Box 7656
Glasgow
G42 2HY

Application Level:
Local Application

Contrary to Development Plan:
Yes

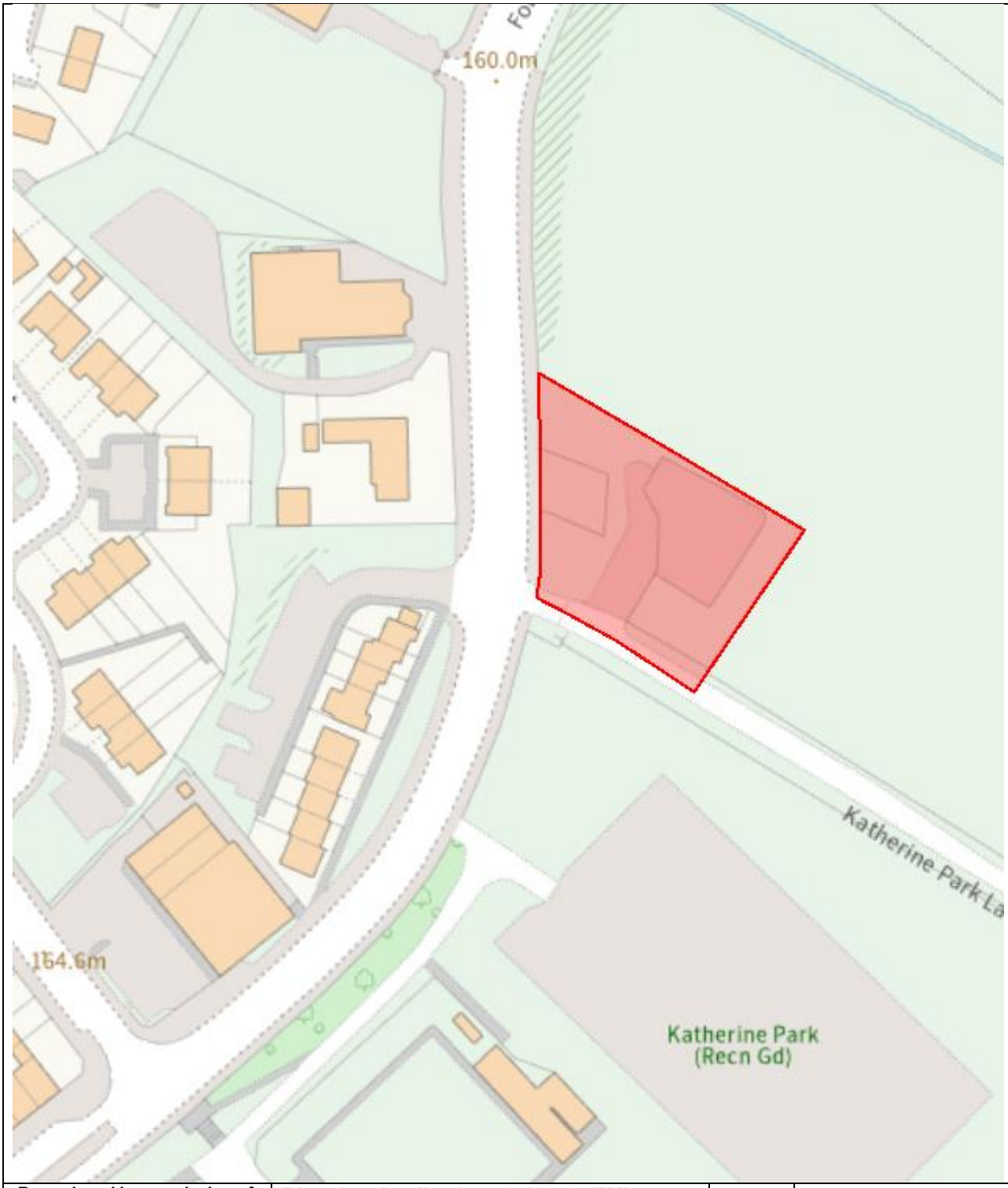
Ward:
08 Airdrie North
Alan Beveridge, Sophia Coyle, Henry Emerson Dunbar, Richard Alan Sullivan,

Representations:
1 letter(s) of representation received.

Recommendation: **Approve subject to conditions**

Reasoned Justification:

The development is contrary to Green Belt policies however due to the previous long-term use of the site for standalone commercial storage the proposed dwellinghouses would be a more appropriate use of a brownfield site on the edge of the urban area and therefore an acceptable development within the Green Belt.



Planning Application: 24/00734/FUL
Name (of applicant):
Trustees for Major James Towers-Clark
Site Address:
250 Forrest Street
Clarkston
Airdrie
ML6 7AY

Development: Residential Development of 3 Houses

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:

   4744/1
   2097_300 A
   2097_203
   2097_202
   2097_201
   2097_200 A
   2097_120
   2097_110
   2097_100
   2097_030 A
   2097_007 B
   2097_006 A
   2097_005 A
   2097_004 A
   2097_003 B
   2097_002 A
   2097_001 A
   13125-101

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

2. That BEFORE the development hereby permitted starts, full details of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by the Planning Authority and the development shall be implemented in accordance with the details approved under the terms of this condition.

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

3. 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. For the avoidance of doubt this includes the required acoustic fencing as set out in the Noise Impact Report dated January 2025.

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

4. That BEFORE any of the dwellinghouses hereby permitted, situated on a site upon which a fence or wall is to be erected, are occupied, the fence, or wall, as approved under the terms of condition 3 above, shall be erected.

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

5. Notwithstanding condition 1 above, for avoidance of doubt the details contained within landscaping plan 2097 7B are hereby approved. Additional information regarding the detailed timetable for all landscaping works which shall provide for these works being carried out contemporaneously with the development of the site. This detailed timetable shall be submitted to, and approved in writing by the Planning Authority.

   Reason: To enable the Planning Authority to retain effective control, in order to maintain the amenity of the area.

6. That all works included in the scheme of landscaping and planting, approved under the terms of condition 5 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: In the interests of ensuring amenity of the area.

7. That BEFORE the development hereby permitted starts, 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 all soft and hard landscaping incorporated into the development. Thereafter the management and maintenance plan shall be in operation prior to the occupation of the final dwelling.

   Reason: RS07A To safeguard the residential amenity of the area.

8. That BEFORE any works of any description start on the application site, 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. Information on the required format of the report and how it should be submitted to us can be found online:
   https://www.northlanarkshire.gov.uk/planning-and-building/planning-applications/how-discharge-contaminated-land-planning-conditions

   Reason: To ensure the site is free of contamination.

9. That any remediation works identified by the site investigation required in terms of Condition 8, shall be carried out to the satisfaction of the Planning Authority. A validation report (signed by a chartered Environmental Engineer) shall be submitted to the Planning Authority prior to the occupation of either house confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

   Reason: To ensure the site is free of contamination.

10. That BEFORE development commences, an up to date Ecological Survey report prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the planning authority. Such report shall include any proposals for mitigation which may be appropriate, and shall also include proposals for a scheme of ecological enhancements within the development and adjoining land so as to offset the impacts of the development. In the event of development not commencing within 12 months of the date of the survey, an updated such survey shall be undertaken and its findings submitted to the planning authority for approval as above. The approved mitigation and ecological enhancements shall thereafter be implemented as approved in accordance with the timescale specified in the agreed report.

    Reason: In order to ensure that up to date ecological information is provided prior to development commencing, and to ensure that the development includes appropriate ecological mitigation and biodiversity enhancements consistent with the requirements of NPF4 policy 3.

11. The houses hereby approved shall not be occupied until such time as the vehicular and pedestrian access, parking and turning spaces have been completed to their finished standard and made available for use.

    Reason: In order to ensure that the development has suitable access and parking.

12. That a visibility splay of 4.3 metres by 90 metres, measured from the road channel, shall be provided on both sides of the vehicular access from the junction of Katherine Park Lane onto Forrest Street (A89) before the development hereby permitted is occupied. 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: In the interests of traffic and pedestrian safety.

13. That a visibility splay of 2.4 metres by 40 metres, measured from the road channel, shall be provided on both sides of the vehicular access from the junction of the development onto Katherine Park Lane before the development hereby permitted is occupied. 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: In the interests of traffic and pedestrian safety.

14. That before the development hereby permitted commences details of a 2 m wide footpath along the frontage of the site with Katherine Park Lane shall be submitted to, and approved in writing by the Planning Authority. Thereafter this footpath shall be installed, levelled and properly drained prior to the occupation of the development and shall thereafter be maintained.

    Reason: In the interests of traffic and pedestrian safety.

15. The felling of any trees shall be undertaken outwith the bird breeding season, for the avoidance of doubt this is between March and September.

    Reason: In the interests of protecting wildlife

16. That BEFORE the development hereby permitted starts, tree protection measures in accordance with British Standard BS 5837 shall be erected along the drip line of the trees, as shown on the approved plans, and shall not be removed without the approval in writing of the Planning Authority.

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

17. That the noise mitigation measures identified in the submitted Noise Impact Assessment dated January 2025 shall be carried out to the satisfaction of the Planning Authority prior to the occupation of the dwellings. A validation report from a suitably qualified person shall also be submitted verifying these works have been carried out.

    Reason: For the amenity of future residents

18. No above ground development shall commence until:

    a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
    b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed

    The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

    Reason: To ensure that matters relating to coal mining risk are adequately addressed.

19. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure that matters relating to coal mining risk are adequately addressed.

Background Papers:

Consultation Responses:

Scottish Gas Network 5th August 2024
NLC Environmental Health (including Pollution Control) 6th August 2024 & 24th March 2025
Coal Mining Remediation Authority 6th August 2024
NLC Infrastructure and Transportation 26th August 2025

Contact Information:

Leigh Menzies at esplanning@northlan.gov.uk or 01236 632487

Report Date:

20 November 2025

APPLICATION NO. 24/00734/FUL

REPORT

1. Site Description

1.1 The application relates to an area of land approx. 0.21ha in size. This is located to the northeast of the junction of Forrest Street (A89) and Katherine Park Lane. The site has a long history of commercial use for storage, the site has only recently been cleared of the structures relating to this. The commercial use could recommence at any time.

1.2 The immediate access to the application site is off Katherine Park Lane which is a single lane private road which serves another two residential properties located to the southeast. Katherine Park Lane then links onto Forrest Street (A89).

1.3 The site is located on the edge of the urban area, with a clear boundary by historical fencing and mature vegetation. To the north and east of the site is located an open grassy field. To the west is located housing and to the south Katherine Park, which is public open space.

1.4 The site is relatively flat, with a slight incline towards Forrest Street (A89). With the surrounding area at the same level.

2. Proposed Development

2.1 The application for planning permission for the erection of 3 dwellinghouses that would be located in an L shape. Access would be taken directly off Katherine Park Lane and links onto Forest Street (A89).

2.2 The proposed development would consist of 3 dwellings split over two levels, with the upper accommodation being contained mainly within the roof area. Each property would provide 3 bedrooms with one detached property and the other 2 semi-detached. Each of the properties would have private garden ground to the rear an open aspect and a communal parking area to the frontage.

2.3 The proposed configuration of the housing looks to remove a limited number of trees from the site, however the trees along the western boundary with Forrest Street would be maintained.

2.4 In terms of the materials that are proposed the roof would be natural slate, with off white render and a buff brick.

3. Applicant's Supporting Information

3.1 The applicant has submitted the following information (along with some resultant follow-up submissions) in support of their application:

- Planning statement
- Site investigation
- Coal mining risk assessment
- Ecology appraisal
- Noise impact assessment
- Transport statement
- Tree survey

4. Site History

4.1 In terms of a formal planning history of the site planning permission was granted on 18 August 1995 (ref 95/00337/OUT) for the erection of a single dwellinghouse (variation to permission 92/280).

4.2 With regards to the commercial storage area there appears to be no formal planning applications with limited history of the site. However historically this area has been separate from the adjoining field and with buildings previous located on the site prior to the use as commercial storage.

5. Development Plan

5.1 With regard to the proposal the following policies are relevant in terms of the development plan:

National Planning Framework 4 (NPF4)
Policy 3 Biodiversity
Policy 8 Greenbelts
Policy 9 Brownfield, Vacant and Derelict Land
Policy 13 Sustainable Transport
Policy 14 Design, Quality and Place
Policy 15 Local Living and 20 Minute Neighbourhoods
Policy 16 Quality Homes

North Lanarkshire Local Development Plan (LDP)
PP4 Policy Greenbelt
AD4 Amount of Development
EDQ 1, 2, 3 Environmental and Design Qualities

6. Consultations

6.1 NLC Infrastructure and Transportation have asked that the following elements be included within the development

a. Visibility splay from Katherine Park Lane onto Forrest Street of 4.5m x 90m
b. Visibility splay of 2.4m x 40m requires to be provided from the development onto Katherine Park Lane
c. 2m wide footpath to be provided along the length of the development on Katherine Park Lane
d. Provide a swept path analysis for refuse trucks

6.2 The Coal Mining Remediation Authority have indicated that they have no objections so long as suitable conditions are placed on any approval to ensure adequate investigation of the ground conditions.

6.3 NLC Protective Services have provided comments in relation ground contamination and noise, these are a follows:

a. Ground contamination: a site investigation is required due to the previous commercial uses on the site
b. Noise: a noise impact assessment was requested and provided. Assessment of this report indicated that the mitigation proposed was acceptable in relation to road noise.

6.4 Scottish Gas Network: no objections to the development

7. Representations

7.1 Following the carrying out of the statutory notification and press advert 1 letter of representation was received. This letter objected to the development due to the removal of trees. In response it should be noted that a tree report was submitted as part of the application which indicates that the trees to be removed are not worthy of retention either through disease or being of low-quality self-seeding. In addition measures would be put in place tree protection and for replacement planting, which would be ensured through condition.

8. Planning Assessment

Development Plan Policy

8.1 In accordance with 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. The development plan comprises National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan 2022 (the LDP), with the former taking precedence in the event of any conflict between policies.

8.2 The application site is within the designated Green Belt in the North Lanarkshire Local Plan, however the site in question is on the edge of the urban area and has a long history of being used for commercial purposes, which most recently included a number of structures, containers and corrugated metal fencing.

8.3 With regard to NPF Policy 3 this seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. The site as it stands at the moment has been recently cleared of structures etc but still has concrete pads which would hamper any long term return to nature. To the north of the site there is a slim tree belt which is worth of retention. As part of any planning permission the management and maintenance would be included in the required conditions. In addition to this other ecological enhancements are proposed which would deliver the positive benefits as required by this policy including bat boxes, tree planting etc. In this regard the proposal would meet the requirements of Policy 3.

8.4 The application site is within the designated Green Belt. NPF4 policy 8 seeks to promote compact urban growth by restricting development within the Green Belt to specified types and circumstances, which in the case of residential development are limited to houses required for key workers in countryside businesses and allowing incremental housing development on the edge of the settlement boundary would undermine one of the purposes of the Green Belt, i.e. to protect the countryside around town from unplanned encroachment. LDP policies PP4 and AD4 are substantially similar in effect, in relation to housing development in the Green Belt. The application proposal does not involve a type of residential development allowed by these policies, and it is considered that the applicant has not demonstrated a requirement for a Green Belt site. Accordingly, the proposal is contrary to NPF4 policy 8 and to LDP policies PP4 and AD4.

8.5 Notwithstanding the above further consideration is given to the current permitted development of the site and the potential impact that this could have on the surrounding area. The site has a long history of being used for commercial purposes with various metal structures on the site including solid metal fencing. The visual impact of such a use occurring again, unknown traffic generation and potential noise concerns requires to be taken into consideration.

8.6 In addition it is important to noted that the area being considered is a well defined, defendable area and would not lend itself to further expansion into the Green Belt area.

8.7 As previously indicated the site has been used for a commercial use for some considerable time and has only just recently been cleared of the structures, containers and metal fencing. The site still has some debris on the site including concrete pads. Given this Policy 9 (Brownfield, vacant and derelict land) to encourage, promote and facilitate the reuse of brownfield land. It is considered that the proposed development meets this policy in that it is utilising land that had been formally been in use and retains permitted development uses for commercial purposes.

8.8 In terms of Policy 13 (Sustainable Transport) of NPF4 this site is within 40m of an existing bus stop and within 500m of Drumgelloch Station. Therefore it is considered that the development of this site would meet the requirements of this policy to place developments in locations that supports sustainable travel.

8.9 Policy 14 of NPF4 (Design, Quality and Place) Places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities. The current permitted use of the site is commercial and the previous structures, containers and metal fencing could be reintroduced to the site. It considered that the return of such a commercial use would be detrimental to the adjacent public park but also to the overall amenity of the site and could impact the mature trees at the north of the site, which are not protected through legislation. In addition to this the design and layout of the proposed development looks to maintain as much of the mature planting as possible and providing a sympathetic design, in both detail and materials, to the surrounding area.

8.10 In addition LDP policies EDQ1 and EDQ3 collectively have similar requirements to policy 24 of NPF4, specifying that development proposals be subject to an appropriate site appraisal and achieve a high quality of development. The proposed houses would be of a style and layout which is in keeping with the existing mixture of building types in the vicinity, and the impact on existing neighbouring properties and uses would be acceptable. Overall, it is not considered that there would be any conflict with NPF4 policy 14 or with the LDP EDQ policies.

8.11 With regard to policy 15 relating to Local Living and 20 Minute Neighbourhoods the site is located on the edge of the local Clarkston area which has a number of local amenities within 200m of the site. This includes local shops and Katherine Park, with Drumgelloch Station within 500m linking the development to the wider Central Belt. Given this it is considered that the proposed development complies with the Policy 15 in that the location has strong links with both nearby facilities and strong transport to the wider area.

8.12 National policy on new housing development is contained in NPF4 policy 16, which sets out the means by which LDPs should establish a deliverable housing land pipeline to meet local housing needs. Proposals for new homes on land which is not allocated for housing in the LDP will only be supported in limited circumstances, such as where the proposal is within an existing settlement boundary or is consistent with the policy on rural homes, neither of which is the case for this proposal. The proposal is therefore contrary to both NPF4 policy 16 and also to LDP policy PROM LOC3 (although the latter policy has in practice been superseded by NPF4 policy 16 for reasons which do not relate directly to this proposal).

Design and Amenity

8.13 The proposed 3 dwellings would include one detached and a pair of semi detached. All of the dwellings would be accommodated over two stories with the upper accommodation being contained mainly within the roof area. The properties would be accommodate in an L shape and will have limited front gardens, communal parking area, and each will have dedicated rear gardens.

8.14 Overall the design of the properties is considered to be acceptable and will provide adequate parking and private garden ground.

8.15 The area to the west and south of the site has a significant number of mature trees lining both Forrest Street and Katherine Park Lane. The northern portion of the site also contains the mature trees and the proposed development looks to retain these to the benefit of the amenity of the local area.

8.16 In terms of the traffic implications the sightlines from the site onto Katherine Park Lane can be achieved and a condition would be placed onto any approval. In addition discussions have been undertaken with the applicant in term of the sightlines onto Forrest Street. NLC's Infrastructure and Transportation team has stipulated that 4.5m x 90m requires to be achieved, however this would require the removal of a mature tree which adds to the tree lined street scene. The applicant has shown that sightlines of 4.3m x 90m can be achieved and it is considered that this minor change is acceptable.

8.17 NLC's Protective Services required the submission of a Noise Impact Assessment due to the potential impact of road noise. In general, it was assessed that the mitigations were acceptable and related to fencing and window requirements. Relevant conditions would be placed on any approval to ensure that these measures are undertaken.

8.18 In terms of a site investigation NLC's Protective Services require that this be carried out due to the commercial history of the site. The relevant conditions would be placed on any approval requiring that this be carried out along with any required remediation and subsequent verification. For information the applicant has already submitted a site investigation for assessment.

Representation

8.19 Following the carrying out of the statutory notification and press advert 1 letter of representation was received. This letter objected to the development due to the removal of trees. In response it should be noted that a tree report was submitted as part of the application which indicates that the trees to be removed are not worthy of retention, either through disease or being of low-quality self-seeding. In addition, measures would be put in place tree protection and for replacement planting, which would be ensured through condition.

9. Conclusions

9.1 It is appreciated that the proposed development is located within an area designated as Green Belt however given that the site has a long-term history of being used for commercial storage and the proposed use for housing would be more in keeping with the surrounding land uses and as such it is recommended that planning permission be granted.

Application No:

24/01267/FUL

Proposed Development:

Extraction of Contaminated Materials and Remediation of Ground at Sites known as Meadowhead and TC1-3 within Ravenscraig Masterplan Area

Site Address:

Land to the South of
Ravenscraig Park
Robberhall Road
Motherwell

Date Registered:

17th January 2025

Applicant:
Ravenscraig Ltd
58 Morrison Street
Edinburgh
EH3 8BP

Agent:
Ryden
Onyx
215 Bothwell Street
Glasgow
G2 7ED

Application Level:
Major Application

Contrary to Development Plan:
No

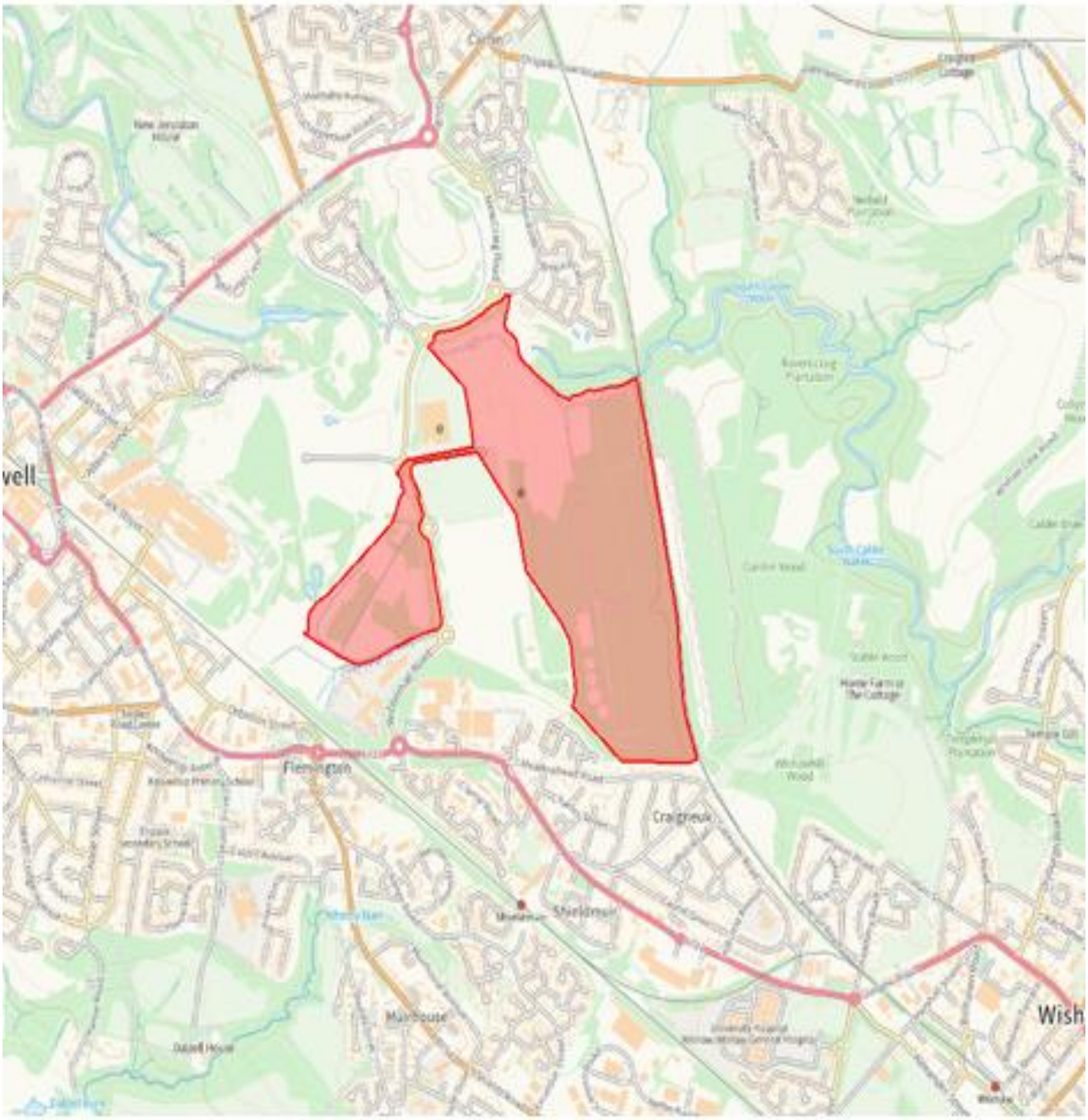
Ward:
19 Motherwell Southeast and Ravenscraig
Kenneth Duffy,Nathan Wilson,David Robb,

Representations:
0 letter(s) of representation received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification:

Meadowhead and TC1-3 form part of the wider Ravenscraig Regeneration Area. Ravenscraig is one of 6 Strategic Town Centres and one of 5 Strategic Business Centres in the North Lanarkshire Local Development Plan that will be given priority to deliver development of the right quality to the right place. The current application, which proposes decontamination and remediation of brownfield land, will ensure that two large sites within the Ravenscraig Regeneration Area are prepared for future redevelopment in accordance with the aims and objectives of the Ravenscraig Regeneration Area Strategy and approved masterplan. The application is supported by sufficient information to demonstrate that with mitigation and conditions in place, the proposed development can operate without unacceptable impacts on ecology, air quality, the water environment, the road network and residential amenity. The application is therefore supported on the basis that it complies with the Development Plan.



Planning Application: 24/01267/FUL
Name (of applicant): Ravenscraig Ltd
Site Address: Land to the South of Ravenscraig Park
Robberhall Road
Motherwell

Development: Extraction of Contaminated Materials and Remediation of Ground at Sites known as Meadowhead and TC1-3 within Ravenscraig Masterplan Area

N

North Lanarkshire Council

Proposed Conditions:-

DURATION OF PLANNING PERMISSION

1. The development hereby approved shall subsist for a period of 14 years from the date of commencement to be confirmed in writing to the Planning Authority. At the end of the period of 14 years, unless a further planning application is submitted and approved by the Planning Authority, the development shall cease to operate and both the Meadowhead and TC1-3 sites shall be remediated to a standard suitable for future development.

   Reason: To ensure discontinuance of the works at the end of the period specified.

ACCESS AND TRANSPORATION

2. Prior to commencement of the development, details showing the design and location of internal haul roads, all site entrance/exit points, trackout routes and mud/wheel wash facilities and separate paved parking areas for off-site vehicles, such as staff vehicles with no access to the working areas, for all phases of the development shall be submitted to the Planning Authority for approval. For the avoidance of doubt:

   a) Internal haul roads shall maintain a minimum distance of 250m from sensitive receptors; where this is unachievable, semi-permeable boundary fencing should be installed in such areas to limit migration of particles off-site.
   b) Mud/wheel wash facilities shall be located within the confines of the development site.
   c) Haul route distance should be minimised, and haul vehicles should be covered.

   Reason: To ensure a system is designed and in place to remove soil, mud, and debris from the tires and undercarriages of vehicles before they exit the site.

3. Prior to the commencement of the development, the developer shall prepare a methodology for undertaking a Dilapidation Survey of roads around the development site(s) and submit this in writing to the Planning Authority for approval in consultation with NLC Infrastructure and Roads.

   The methodology shall contain details of all roads to be included in the survey, details and frequency of site inspections, the output of inspections, including documentation which shall include but may not be limited to a) high resolution photographic time/date stamped evidence showing the condition of roads prior to the commencement of the development, during the operational period of the development and on completion of the development, together with any defects clearly recorded, including those caused by damage, heavy use, potholes, cracks and/or surface weathering, and b) details of the method used for apportioning the costs of remedial work and/or for agreeing financial settlement. This may involve, for example, use of automatic traffic counters on roads to be included within the survey.

   Reason: To permit a robust pre and post completion comparison survey to be undertaken for the benefit of identifying any areas of footway or carriageway within the public domain that will require to be ‘made good’ by the developer at the developer’s expense as permitted under Section 96 of the Roads (Scotland) Act 1984.

4. The approved Construction Traffic Management Plan (CTMP), by Sweco, dated 13 November 2024, shall be updated annually and submitted to the Planning Authority in writing for approval. For the avoidance of doubt, the updated CTMP shall address any potential changes to site access, construction vehicle routing, staff numbers, traffic generation, site phasing and traffic management proposals and, in the event that two-way trips exceed 40 per hour averaged throughout the working day, the updated CTMP shall include details of additional controls and/or mitigation for delivery vehicles.

   Reason: To minimise any adverse impacts on the surrounding network.

NOISE

5. The noise attributable to the proposed operations shall not exceed 55 dB LAeq 1-hour free field at any noise-sensitive receptors in accordance with PAN 50 Controlling the Environmental Effects of Surface Mineral Workings, Annex A, which provides a day time limit of LAeq (1hour), free field of 55 dBA at noise-sensitive properties used as dwellings where 1- hour means any of the one-hour periods during the defined working day.

   Notwithstanding the above for a specified temporary period, of no greater than 8 weeks of any given year within the construction programme, and within agreed working hours during this temporary period, noise limits may be increased subject to agreement with the Planning Authority in consultation with NLC Protective Services. For the avoidance of doubt this is to allow for construction activities relating to soil stripping, removal of spoil heaps, routine operations and for the construction of new permanent landforms and/or baffle mounds only, in accordance with paragraphs 41 and 60 of *Planning Advice Note 50: controlling the environmental effects of surface mineral workings (Annex A*). Where applicable, a request to modify normal noise limits above 55 dB LAeq 1-hour free field within any given year, shall be made in writing to the Planning Authority at least 2 months prior to the commencement of the above construction activities.

   Reason: To ensure the construction works do not give rise to unacceptable noise limits over a long period or result in significant adverse effects on noise sensitive receptors.

6. The hours of operation on the site shall be limited to 08:00hrs to 19:00hrs Monday to Friday and no work shall take place on weekends or on public holidays.

   Reason: In the interests of protecting the amenity of noise sensitive receptors.

7. Periodic noise monitoring requires to be carried out at noise sensitive properties used as dwellings. This monitoring requires to be carried out for a minimum 1-hour period every month by a suitably qualified person, using a Type 1 sound level meter that is calibrated in accordance with BS 6698 “Specification for Integrating Averaging Sound Level Meters” 1986. Thereafter, annual noise monitoring reports shall be made available for inspection by the Planning Authority for the duration of the construction works on reasonable notice by the Planning Authority.

   Reason: In the interests of protecting residential amenity.

FLOODING AND DRAINAGE

8. Prior to the commencement of the development, details of the Pollution Prevention Plan / Construction Phase Plan (CPP) and Construction Method Statements to manage surface water runoff during construction shall be submitted to the Planning Authority for written approval. Due to the more-permanent nature of the works compared with a conventional temporary works site, the submitted details must demonstrate that surface water runoff can be managed up to the 0.5% Annual Exceedance Probability (AEP) (1 in 200-year return period) event plus climate change. Thereafter, the approved details shall be agreed with the Planning Authority. For the avoidance of doubt all works required under this condition must be completed and approved before the development commences.

   Reason: To ensure that the drainage strategy for the construction works is designed to accommodate a longer site duration than expected of a typical construction project in the interest of flood and water quality protection and to ensure compliance with Flood Risk Management (Scotland) Act 2009, CAR regulations and National Planning Framework (NPF4).

9. Prior to commencement of the development, evidence shall be submitted to the Planning Authority to demonstrate that a construction CAR licence (or new equivalent) has been obtained from SEPA.

   Reason: To control the development in the interests of protection of the water environment.

10. Prior to the commencement of the development, evidence shall be submitted to the Planning Authority for approval to demonstrate that a viable surface water disposal point will be in place for the site. This may include for example:

    a) Confirmation that any assumed infiltration rates used in the hydraulic calculations are likely to be realised on-site through infiltration testing (in accordance with BS EN 752-4 or BRE Digest 365 or other) to ensure an appropriate conclusion of the underlying strata's ability to infiltrate based on understanding of ground water levels on the site and seepage OR
    b) Evidence that any existing drain or sewer is suitable for use (i.e. operational and structurally sound). This may take the form of a drainage survey to confirm the asset condition (structurally and operationally), connectivity, sizing, gradient etc, together with evidence of permission to connect to the existing drain or sewer along with agreed discharge rates from the asset owner OR
    c) Details of the proposal for a new drain, sewer or culvert to drain the site and dispose of surface water at an appropriate outfall point without increasing flood risk within or outside of the site, together with evidence to demonstrate that the new surface water disposal point is appropriate and can serve the design life of the site, together with evidence of permission to connect the new drain to any existing drain or sewer along with agreed discharge rates from the asset owner OR
    d) Other method as appropriate.

    Thereafter, the approved details shall be implemented to the satisfaction of the Planning Authority. For the avoidance of doubt all works required under this condition must be completed and approved before any part of the development commences.

    Reason: In the interest of Flood Risk Resilience.

11. Prior to commencement of the development, further evidence in the form of a revised Flood Risk Assessment and Drainage Strategy, shall be submitted to the Planning Authority for approval to demonstrate that the proposed development does not create or increase flood risk to property/land and/or sensitive/critical infrastructure on and off the application site for up to and including the 0.5% AEP (1:200 year) plus climate change allowance storm event.

    For the avoidance of doubt, the revised Flood Risk Assessment and Drainage Strategy shall include: hydraulic calculations; details of pre-and post-development runoff calculations and flood extents (if applicable); construction/ design details and specification of proposed ditches, check dams and attenuation basins, including dimensions, gradients, materials specification to take account of the possibility of these elements becoming part of the permanent works for the developed site; a completed SEPA Flood Risk Assessment Checklist; details of parties responsible for maintenance; and maintenance responsibilities together with a maintenance schedule for the surface water and SuDS.

    All works required under this condition must be completed and approved by the Planning Authority before any part of the development commences. Thereafter, all works approved by virtue of this condition shall be undertaken in perpetuity to the satisfaction of the Planning Authority.

    Reason: In the interest of a providing a sustainable design solution, flood risk resilience and to protect amenity

CONTAMINATED LAND

12. Contaminated Land Part 1 of 4 (Site Characterisation):

    Prior to the commencement of the development and in accordance with the approved Indicative Phasing Plan, the following details shall be submitted to the Planning Authority for approval in writing:

    a) Details of proposals for localised additional targeted investigation works and risk assessment to further delineate the nature and extent of contamination within the Meadowhead and TC1-3 sites, together with detailed plans as indicated in Section 4 of the submitted '*Meadowhead and TC1-3, Ravenscraig Initial Contamination Assessment'*, by GDG, dated 19 August 2025.

    b) Details of the completed additional investigation works, including interpretation and delineation of remedial areas and associated plans; the findings of which shall be prepared in a written report. The investigation and risk assessment shall be undertaken by competent persons and be completed in accordance set out in Stage 1 of the LCRM Guidance.

    c) An appraisal of remedial options, and proposals for the preferred option(s) presented in a written report. The options appraisal shall be undertaken by competent persons and be completed in accordance with requirements set out in Stage 2 of the Environment Agency's 'Land Contamination Risk Management Guidance (LCRM)' and NLC's "Contaminated Land - A Guide to Submitting Planning Applications for Development of Contaminated Land".

    Reason: To ensure that risks from land contamination to the future users of the land, neighbouring land, to the water environment, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Contaminated Land Part 2 of 4 (Submission of Remediation Strategy):

    Prior to the commencement of each phase of the development as shown on the approved Indicative Phasing Plan, any remediation works identified by the site investigations works required under Condition 12 above, shall be detailed in a Remediation Strategy and submitted to the Planning Authority in writing for approval. For the avoidance of doubt, the Remediation Strategy shall include details of all works to be undertaken, the proposed remediation objectives and remediation criteria, a timetable for the commencement and completion of works, together with details of site management procedures. The Remediation Strategy shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

    Reason: To bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, the natural and historical environment and to ensure that risks from land contamination to the future users of the land, neighbouring land, the water environment, property, ecological systems and other offsite receptors are minimised.

14. Contaminated Land Part 3 of 4 (Implementation of Approved Remediation Strategy):

    Notwithstanding the general requirement for a Notice of Intention to Develop, two weeks prior to undertaking any remediation works, in accordance with the approved Indicative Phasing Plan, written confirmation shall be provided to the Planning Authority of the intention to commence these works. Thereafter, the remediation works shall be carried out in accordance with the Remediation Strategy approved under the terms outlined in Condition 13 above.

    Reason: To maintain effective control of the remediation process and to ensure that risks from land contamination to the future users of the land, neighbouring land, the water environment, property and ecological systems, are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. Contaminated Land Part 4 of 5 (Reporting of Unexpected Contamination):

    In the event of contamination, not previously identified, being found at any time during the remediation works in accordance with the approved Indicative Phasing Plan, the developer shall notify the Planning Authority of this in writing immediately. Thereafter, the developer shall carry out an investigation and risk assessment in accordance with the requirements of Condition 12 above, and where remediation is necessary, a Remediation Strategy shall be prepared in accordance with the requirements of Condition 13 and 14 above and submitted to the Planning Authority in writing for approval.

    Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to the water environment, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. Contaminated Land Part 5 of 5 (Validation of Approved Remediation Strategy):

    Following completion of the remediation works, in accordance with the approved Indicative Phasing Plan, including remediation of localised areas identified as requiring remediation under the terms of Condition 12 (and where applicable, Condition 15) above, a Validation Report signed by a Chartered Environmental Engineer for the respective phase of development and/or localised area shall be submitted to the Planning Authority for approval in writing to confirm that the remediation works have been carried out in accordance with the terms of the Remediation Strategy.

    Reason: To ensure that the remediation works have been carried out in accordance with the approved Remediation Strategy.

17. Prior to the commencement of importation of fill materials, the proposed earthworks specification including acceptance criteria for the imported materials shall be submitted to the Planning Authority for approval. The acceptance criteria shall be applicable to both the proposed site end use and any interim period where the site is maintained as public open space prior to any subsequent development applications. The presented criteria shall be derived in accordance with LCRM and industry best practice and include consideration of risks to human health, the water environment, property and ecological receptors.

    Reason: To ensure that risks from land contamination to the future users of the land, neighbouring land, to the water environment, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

TREES

18. Prior to the commencement of or on submission of a further application for development, a Compensatory Tree Planting and Landscape Scheme, in accordance with Biodiversity Net Gain (BNG) metrics or a Tree Valuation System, such as CAVAT method, shall be submitted to the Planning Authority for approval.

    All replacement trees must be:

    - Native or climate-resilient species, appropriate to the local landscape character.
    - Selected to enhance biodiversity, amenity value, and long-term canopy cover of the site.
    - Avoid species known to be vulnerable to pests or diseases prevalent in the region (e.g., Fraxinus).
    - Replacement trees must be sourced from a reputable nursery and grown in accordance with BS 8545:2014 “Trees: From Nursery to Independence in the Landscape”.
    - Trees should be supplied in the maximum girth that the landscape budget will allow.

    Reason: In the interests of visual amenity and biodiversity enhancement.

19. Prior to the commencement of or on submission of a further application for development, an Arboricultural Report shall be prepared and submitted to the Planning Authority for approval to demonstrate that soil amelioration has or will be undertaken to ensure suitable rooting conditions, together with an Aftercare Program which shall be enacted for two years after the completion of compensatory planting.

    For the avoidance of doubt, soil amelioration shall include: soil testing to confirm suitability for tree establishment, and amendment as required; decompaction of soil (no less than 3x pot size of trees to be planted) and removal of potential contaminants; and incorporation of organic matter and soil conditioners if required. An Aftercare Program shall include: regular watering during dry periods; provision of fertigation as required; mulching to suppress weeds and retain soil moisture; quarterly inspections to identify ailing health, pests, diseases, and inadequate structural integrity; replacement of any failed trees (within the maintenance period); and protection measures against vandalism and mechanical damage (e.g., guards, fencing).

    Reason: In the interests of visual amenity and biodiversity enhancement.

20. Tree removals shall be limited to those identified in the Tree Data Schedule in Appendix A of the approved Arboricultural Impact Assessment, by LUC dated July 2025.

    Reason: In the interests of visual amenity and biodiversity.

21. All retained trees, particularly those on the edge of development sites, shall be protected in accordance with BS5837:2012 "*Trees in Relation to Design, Demolition and Construction*". This shall include:

    - Temporary protective fencing (star pickets and bunting may suffice in this instance) shall be installed to delineate the extent of the construction site (see AIA section 3.13 to 3.15), and isolate retained trees from construction activity (see AIA section 2.15 to 2.17).
    - Where fencing is impractical, ground protection measures (a thick mulch layer) must be enacted.
    - No excavation, soil stripping, or level changes shall occur within the excluded tree areas.
    - No storage of materials, machinery, or discharge of contaminants (e.g. concrete washings, machinery fuelling) shall occur within the excluded tree areas.
    - Other general protection advice as detailed in the approved Arboricultural Impact Assessment, by LUC, at paragraphs 3.17 to 3.20.

    Reason: To ensure the protection of trees and tree root protection areas for the duration of the development.

22. Within one year of the completion of the development, details of a Project Arborist (with a minimum Level 5 qualification in arboriculture) engaged to enforce the above conditions and to certify compensatory planting at the end of the maintenance period and the replacement of any trees lost during the construction programme, shall be submitted to the Planning Authority for approval. Thereafter, the appointed Project Arborist shall engage with the Planning Authority on matters relating to compensatory planting, including a planting schedule and soil amelioration, as appropriate.

    Reason: To ensure compensatory tree planting measures are implemented in the interests of visual amenity and biodiversity enhancement.

AIR QUALITY

23. Prior to commencement of development, a Dust Management Plan and Dust Monitoring Plan shall be submitted to the Planning Authority for approval in writing and shall contain details of the following:

a) A description of all NRMM and manufacturer guarantee of emission limits. Power generation for NRMM should avoid the use of diesel generators wherever possible and evidence of connection to electrical supply should be provided.
b) A plan showing the location of haul roads with a minimum distance of 250m from sensitive receptors; where this is not achievable, detailed mitigation as outlined in condition 2 a) above, shall be provided accordingly. The plan shall also show all site entrance/exit points, trackout routes and wheel wash facilities for each phase of work together with, one or more separate paved parking areas for off-site vehicles such as staff cars with no access to the working areas.
c) Evidence that an adequate water supply is available, that bowser (s) can be readily deployed in areas within 250m of sensitive receptors and that crushing plant includes spray bars to ensure dampening of stockpiles prior to screening/crushing and dampening in other areas where wind speeds are >5 m/s in the interests of inhibiting pathway effectiveness from source to receptors.
d) Confirmation of whether seeding is proposed.
e) Details of Process Supervision including name and contact details of persons responsible for implementing the Dust Management Plan and for carrying out daily site boundary inspections for dust deposition when works are within 250m of sensitive receptors.
f) Details of emergency preparedness training to react quickly in case of any failure of the planned dust mitigation.
g) Location and installation of a meteorological station capable of measuring wind speed, direction humidity and rainfall, which shall remain operational for the duration of the works.
h) Details of Dust Monitoring Procedures.

Reason: In the interests of air quality and protection of amenity.

24. Dust Monitoring as required by condition 23 above, shall include the following procedures:

a) Baseline air quality monitoring at the site boundary closest to the sensitive receptors for a minimum period of three months. For the avoidance of doubt, this shall consist of three months of ambient PM10 and PM2.5 monitoring, preferably during autumn months, using a continuous analyser at 4 locations in areas of free air flow not influenced by other sources, including: the southern boundary of TC1-TC3 adjacent to the College; the northern boundary of the Meadowhead site closest to the dwellings at Roedeer Drive and Ravenscliff Road; the southwest of Meadowhead closest to Old Meadow Walk/Rosebay Drive and, the south-east of Meadowhead closest to Meadowhead Road.
b) Monitoring as specified for baseline assessment shall be carried out from the start of the period when the mineral work activities are within 250m of the identified sensitive receptors within each of TC1-TC3 and Meadowhead sites. The monitoring method shall be capable of raising an alarm when an agreed trigger level is breached such that onsite actions, including additional water suppression or cessation of operation of a particular activity can be implemented.
c) Frisbee-type deposition gauges shall be deployed for three separate 4-week periods at the same locations and analysed at an approved laboratory.
d) All monitors are to be located in an area of free air flow not influenced by other sources such as nearby roads.
e) Results of monitoring during the operational phase shall be shared with the NLC Protective Services on a monthly basis. Where more than six months of compliance monitoring is obtained in conjunction with the absence of any complaints and activities are still within 250m of sensitive receptors, it may be possible to cease site boundary monitoring until activities move to another part of the site within 250m of sensitive receptors.
f) Introduction of additional plant shall be notified to NLC Protective Services and the requirements for monitoring to recommence examined.

Reason: In the interests of air quality and protection of amenity.

PHASING PLAN AND PROGRAMME OF WORKS

25. Prior to the commencement of the development, a detailed Phasing Plan, Phasing Timetable and detailed Programme of Works in the form of a report shall be submitted to the Planning Authority for approval in writing. Thereafter, any changes to the approved Phasing Plan, Phasing Timetable and Programme of Works shall be submitted in writing to the Planning Authority for approval.

    Reason: To clarify the sequence of the site investigation and remediation works, to aid communication between all parties involved and to allow flexibility within the phasing and programme of works.

BIODIVERSITY AND LANDSCAPE PLAN AND AFTERCARE

26. Prior to the commencement of or on submission of a further application for development, a Biodiversity Report and Biodiversity/Landscape Plan, shall be submitted to the Planning Authority for approval in writing. For the avoidance of doubt, the Biodiversity and Landscape Plan shall contain details of biodiversity enhancement, a planting schedule and details of management thereafter.

    Reason: In the interests of natural conservation and visual amenity.

PROTECTED SPECIES SURVEYS

27. If the development has not commenced on site within one year of the previous protected species surveys, updated protected species surveys shall be undertaken and submitted to the Planning Authority for approval in writing. In any event, the following requirements shall be met prior to commencement of the development:
    a) Preworks surveys for badger shall be undertaken at each phase to check whether any new setts have been created within 30m of the development. These shall be completed no more than six months before construction works are scheduled to commence and shall be submitted to the Planning Authority for approval. Thereafter, the Main Contractor should undertake periodic update badger surveys to safeguard legal compliance during works.
    b) Security lighting to be used at the site shall be directed away from woodland treelines to be retained avoid disturbance of roosting and commuting/ foraging bats, in line with the Bat Conservation Trust (BCT) bats and artificial lighting guidance.
    c) Should bats be identified at any stage of the proposed works, all activity within the vicinity must cease immediately and a qualified ecologist and/ or NatureScot must be contacted for further assistance
    d) Vegetation removal works shall, if possible, avoid the nesting bird season (beginning of March – August, inclusive). If works cannot avoid the nesting season, a nesting bird check shall be conducted by a suitably qualified ecologist prior to vegetation clearance (no longer than 48 hours before works).

    Reason: To safeguard and protect nature conservation interests

COMPLIANCE OFFICER

28. Prior to the commencement of the development, full details of the party to act as a Compliance Officer, shall be submitted to and approved in writing by the Planning Authority. The Compliance Officer shall undertake monitoring of the development and operations including archaeology, dust and air quality, hydrology, hydrogeology, flood risk, noise, transportation, soils, waste management, ecology/biodiversity and tree removal and retention for the duration of the development and shall liaise with the Planning Authority on reasonable notice by the Planning Authority.

    Reason: To ensure liaison between the Developer and the Planning Authority is established in matters relating to monitoring the works and evaluating compliance with this permission.

COMMUNICATIONS STRATEGY AND APPOINTED LIAISON

29. Prior to the commencement of the development, the developer shall establish a Communications Strategy, such as a dedicated website to inform the public of the phasing and programming of the development together with details of the party or persons to act as appointed liaison between the developer and the community in respect to queries and/or complaints. The details of the Communication Strategy shall be submitted to the Planning Authority in writing for approval. The appointed liaison shall also liaise with relevant council departments on reasonable notice by the Planning Authority in respect to any complaints received by the Council concerning the development.

    Reason: To ensure clear and effective communication between the public, the developer and relevant council departments.

COAL MINING LEGACY

30. Prior to the commencement of the development, a scheme of intrusive site investigations to establish the risks posed to the development by past coal mining activity, shall be submitted to the Planning Authority for approval in consultation with the Mining Remediation Authority:

    Reason: In order to inform the extent of remedial works required to facilitate further development at this site.

31. Following, approval of the scheme of intrusive site investigations as required by condition 30 above, and prior to or on submission of any further application for development of the site, any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be submitted to the Planning Authority for approval or shall be shown to have been implemented on site in full. This shall include the submission of a plan to illustrate the exact location (and grid-coordinates) of any mine entry found within the site, including the calculated zone of influence (no build exclusion zones) of any mine entry within or within influencing distance of the site. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance

    Reason: To ensure that the site is made safe and stable for the development proposed.

32. Upon completion of the remediation works where required in accordance with condition 31, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for future development shall be submitted to the Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

    Reason: To ensure that the site is made safe and stable for the development proposed.

BULK MATERIALS EXTRACTION, IMPORTATION AND WASTE MANAGEMENT

33. Upon commencement of extraction works, the Planning Authority shall be provided with a copy of the relevant SEPA authorisation covering the excavation and off-site removal or materials and the subsequent importation of fill materials to complete the platforming works.

    For the avoidance of doubt, this condition relates to the extraction, processing and off-site removal of materials that do not fall under the requirements and conditions relating to the Contaminated Land Remediation Strategy as required by conditions 12 and 13 above and is considered to consist of activities that fall under the Waste Management Licensing (Scotland) Regulations 2011 for which SEPA are the lead regulator. The applicant will be required to liaise with SEPA to obtain authorisation in this regard.

    Reason: To ensure compliance with Policy 12 (Zero Waste) of NPF4 and to control the development and ensure that the operational working practices as indicated in the submitted method statements by K &T Plant Hire Ltd, align with other regulatory controls.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

34. Prior to the commencement of the material extraction and importation works, a Construction and Environmental Management Plan (CEMP) shall be submitted to the Planning Authority for approval of acceptable working methodologies regarding hours of operation and mitigation requirements, including but not limited to, dust, noise, nuisance, impacts to the road network and impacts on trees to be retained and on protected species and on adjacent SINCS and ancient woodland. Thereafter the approved CEMP shall be implemented to the satisfaction of the Council

    Reason: To ensure that impacts and risks from works to the future users of the land, neighbouring land, to the water environment, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks and impacts to workers, neighbours and other offsite receptors.

ADVISORY NOTES

Extraction Works

The applicant is required to liaise with SEPA to obtain authorisation for the extraction works programme which is primarily a waste management activity. NLC will support SEPA in agreeing acceptable working methodologies for the extraction works with regards to the mitigation requirements for dust, noise, nuisance and impacts to the road network.

Importation Works

The applicant is required to liaise with SEPA to obtain authorisation for the importation works programme which is primarily a waste management activity. NLC will support SEPA in agreeing acceptance criteria /remedial targets for the imported materials to confirm that these are acceptable for the proposed site use to ensure that the development can be carried out safely without unacceptable risks to end users, the water environment, property and ecological systems in addition to workers, neighbours and other offsite receptors. NLC will also support SEPA in agreeing acceptable working methodologies for the extraction works with regards to the mitigation requirements for dust, noise, nuisance, and impacts to the road network.

Mine entries

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:
Building on or within the influencing distance of mine entries - GOV.UK

Ground Investigations

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
What is a permit and how to get one? - GOV.UK (www.gov.uk)

Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

Background Papers:

Consultation Responses:

NLC Greenspace & Country Parks: received 31.03.25 and 19.08.25
NLC Greenspace & Country Parks (Tree Asset Manager): received 15.08.25 and 30.09.25
NLC Protective Services (ENV H Air Quality): received 11.06.25
NLC Protective Services (ENV H Noise): received 16.09.25, 3.10.25 and 28.10.25
NLC Protective Services (ENV H Contaminated Land): received12.05.25, 22.07.25 and 11.09.25
NLC Infrastructure & Transportation: received 01.04.25
NLC Infrastructure & Water Management: received 11.06.25, 18.08.25 and 29.10.25
NLC City Deal: received 02.09.25
Scottish Gas Network: received 21.01.25
Scottish Water: received 07.10.25
Coal Mining Remediation Authority: received 29.01.25

Contact Information:

Any person wishing to inspect these documents should contact Ann McGregor at 01236 632500

Report Date:

19 November 2025

APPLICATION NO. 24/01267/FUL

REPORT

1. Site Description

1.1 The application site consists of two large parcels of land, both of which are located on the footprint of the former Ravenscraig Steelworks site and on land within Ravenscraig Regeneration Area. The first site, known as Meadowhead, occupies an area of 75 hectares (185 acres). The second site, known as Town Centre 1-3 site (TC 1-3) occupies an area of 17.5 hectares (43 acres). Ravenscraig Regeneration Area lies within the established General Urban area to the east of Motherwell town centre, south of Carfin and north/northwest of Wishaw and, is supported by a revised Masterplan which was approved in March 2018 (Ref: 18/00463/PPP). Both the Meadowhead and TC1-3 sites feature in the Council's register of Derelict and Vacant (2024).

1.2 Meadowhead lies east of Ravenscraig Sports Centre and New Craig Road and is predominantly flat across most of its area, with stockpiled bunds located in the northern section of the site. The site slopes steeply towards Ravenscraig Community Nature Park in the west, also known as 'The Craig', and towards Ravenscraig Sports Centre to the northwest. The site rises approximately 1 metre to the eastern boundary before reaching the edge of the railway embankment of the Wishaw Deviation railway line. Residential development lies immediately northwest of the site. The site is characterised by a mix of self-seeded broadleaved scattered trees and woodland, semi-improved neutral grassland, bare ground and hardstanding. More mature broadleaved woodland is present along the site boundaries to the north and south and to the east which is associated with the former railway sidings and current railway line. A section of the South Calder Water, a major tributary of the River Clyde, flows east to west in culvert through the northwestern section of the site. Currently no buildings or structures are present across this site.

1.3 The site known as TC 1-3 is located immediately north of Enterprise Way and New College Lanarkshire Motherwell Campus. The site is characterised by neutral grassland and scattered scrub, with several sections of self-seeded immature broadleaved woodland. In addition, a section of broadleaved plantation woodland is present along the eastern boundary of the site. The site gently slopes uphill along its eastern boundary, rising to meet the elevation of Robberhall Road in the east. Generally, however, the topography of the site is relatively flat, having been levelled in places, including periods of excavation and reprofiling earthworks, as part of Aspinwall remediation. The site is bound to the west by open ground, including a pumping station and electrical substation, beyond which lie two sustainable urban drainage system (SUDS) ponds. Further north, high voltage overhead electrical cables extend eastward across the site. As with Meadowhead, no buildings or structures are present across TC1-3.

1.4 During Phase 1 of the development (TC 1-3 Cells 4-6 and Meadowhead Cell 1), access to the sites will be taken from Enterprise Way. During Phase 2 of the development (Meadowhead Cells 2 & 3), access will be taken via Robberhall Road and New Craig Road.

2. Proposed Development

2.1 The current application follows approval of the revised Ravenscraig Masterplan and application for planning permission in principle (PPiP) approved on 18 November 2020 (Reference: 18/00463/PPP) for a mixed-use development consisting of residential development, education and community facilities, business and employment uses, open space, a new mixed use town centre including retail, leisure, business, residential and hotel uses and associated transport infrastructure on the site of the former Ravenscraig Steelworks.

2.2 The application is submitted by Ravenscraig Ltd, a joint venture comprising Barratt Redrow, Scottish Enterprise and Tata Steel, and seeks full planning permission for the next stage of land remediation works on two large parcels of land within the boundary of the approved (revised) masterplan, known as Meadowhead (75 hectares) and TC1-TC3 (17.5 hectares). The duration of the permission sought is 14 years.

2.3 Meadowhead (Phase 1 and 2) is split into three separate cells as shown on the Indicative Phasing Plan (Drawing No. RAVC-ACM-MHD-XX-DR-CIV-002131). Meadowhead Phase 1 (Cell 1) covers a site area of 28.7 hectares (71 acres); Phase 2 (Cell 2) covers an area of 19.8 hectares (49 acres) and Phase 2 (Cell 3) covers an area of 17 hectares (42 acres). TC1-3 (Phase 1) is also split into three separate cells; TC1 (Cell 4) is 4.2 hectares (10.4 acres), TC2 (Cell 5) is 6.5hectares (16 acres) and TC3 (Cell 6) is 6.6hectares (16.3 acres).

2.4 The remediation works involve two broad stages:

1) **Stage 1** - extraction, crushing, screening and removal of waste material (i.e. inert soil and stones). This process involves the excavation of waste material to a depth of 4m in each cell, where at the point of extraction the material will then be loaded onto a mobile crusher or mobile screener by an excavator and processed. All waste materials will be imported to raise site levels within the site and will be placed within the cells as engineered fill. Soils deemed unsuitable or unacceptable for this purpose will be placed on an impermeable membrane on a vacant area within the site boundary before being removed offsite to either the source site for a temporary period only or to a suitably licensed facility. In the case of the latter, transfer notes will be retained for soils removed offsite; a process that will be managed by SEPA. The importing of soils onsite will be an iterative process in order to achieve the proposed restoration levels. Whilst the level of fill required across all cells will not be consistent due to the existing topography of the site, adjoining cells will have no greater than 3m height difference between them at finished restoration levels. The amount of waste material recovered from TC1-3 is expected to be in the region of 382,800 m³ and from Meadowhead, is expected to be around 2,350,000 m³; most if not all of this material will be crushed and screened for use as engineered fill.

2) **Stage 2** - remediation and reinstatement of each cell. Following extraction, reinstatement and restoration with clean soils will be undertaken across the site. TC1-3 will be treated in Phase 1 and Meadowhead will be treated in two separate phases (Phase 1 and 2). Each cell within Meadowhead and TC1-3 will be restored before work commences on the next cell. Imported soils will be spread and rolled in 1m layers in strips following the pattern of extraction. Assessment of the suitability of the materials for use will be undertaken via validation testing where necessary, and the works will be carried out in accordance with SEPA's Land Remediation & Waste Management Guidelines. Details of the material being imported together with verification will be agreed with SEPA as the lead regulator of waste management. The amount of inert material expected to infill each site to the required levels is 2,260,000 m³ in the case of Meadowhead and 410,000 m³ in the case of TC1-3. Finished site levels are shown on Drawings Numbers: RAVC-ACM-TC-XX-DR-CIV-002103 (TC1-3) and RAVC-ACM-MHD-XX-DR-CIV-0002103 (Meadowhead).

2.5 The depth of clean soils that will be imported and placed as cover across the sites vary depending on proposed site end use but are likely to range from 0.2m to 0.4m in landscaped areas, and 0.6m to 1.0m in private gardens and in places the depth of clean soil cover will be significantly thicker than required. The Applicant has advised that a full assessment of the clean cover requirements will be undertaken as part of the future development design, including a review of surveys undertaken during the platforming works.

2.6 It is understood that a scheme of intrusive site investigations will also be carried out to establish the risks posed to the development by past coal mining activity. However, it is noted that there are no plans within the current proposal to remediate the site to address land instability arising from coal mining legacy.

3. Applicant's Supporting Information

3.1 The application is accompanied by the following supporting information:

- Air Quality Impact Assessment, Airshed, 6 December 2024
- Design and Access Statement, Cooper Cromar, December 2024
- Drainage Assessment, Aecom, 11th December 2024
- Flood Risk Assessment, Aecom, 11 July 2025 updated 17 July 2025
- Ecological Appraisal Report, LUC, December 2024, updated Badger Report, LUC December 2025
- Health and Safety Plans, K&T Plant Hire Limited, 11th November 2025
- Method Statements Crushing & Screening, K&T Plant Hire Limited, 11th November 2025
    - Method Statements Reinstatement & Restoration, K&T Plant Hire Limited, 11th November 2025
- Noise Impact Assessment, Airshed, 26th November 2024 updated 24 July 2025
- Preapplication Consultation Statement, Ryden, November 2024
- Initial Contamination Assessment, GDG, 10th December 2024 updated 19th August 2025
- Construction Traffic Management Plan, SWECO, 13th November 2024
- Waste Management Strategy, Ryden, submitted 28 May 2025 and resubmitted 21 July 2025
- Arboricultural Impact Assessment, LUC, July 2025

4. Site History

- 02/00290/ADV Erection of a non-illuminated free-standing sign – approved June 2002
- 15/01697/AMD Section 42 Application for Non-Compliance with Condition 12 of Planning Permission Ref. 01/00758/OUT for the Submission of an Area Planning Brief Covering the Ash Hill Area of Ravenscraig – approved May 2016
- 18/01363/PAN Civic Park Incorporating informal Sport and Leisure Activities and Associated Works. Support Future Residential Developments – comments September 2018
- 18/00463/PPP Revision of Mixed-Use Development Approved under Planning Permission Ref:01/00758/OUT Comprising Residential Areas, Educational/Community Facilities, Business and Employment Uses, Open Space including Town Park, Hotels, a New Town Centre including Retail, Leisure, Business and Housing with associated Transport Infrastructure – approved 18 November 2020.
- 18/01684/EIASCR Request for EIA Screening Opinion: Proposed Civic Park Development – EIA not required. Decision November 2018
- 18/01829/FUL Development of a New Urban Park and Greenspace – approved February 2019
- 22/01063/PAN Remediation of land and creation of development platform including formation of accesses, roads, drainage, utilities and associated works – approved September 2022.
- 24/01126/EIASCR Request for EIA Screening Opinion: Proposed extraction and remediation works at Meadowhead and TC1-3 – EIA not required. Decision November 2024.
- 25/01021/CLP Installation of a gate (max 1.9m agl) to secure an operational area west of the existing park kiosk and match the height of adjacent screen fencing – approved September 2025.

5. Development Plan

5.1 The Development Plan consists of the National Planning Framework 4, Adopted on 13th February 2023 ('NPF4') and The North Lanarkshire Local Development Plan, Adopted 6th July 2022, ('the LDP'). The following NPF4 and LDP policies considered relevant to the current application are as follows:

- NPF4 Policy 1 Tackling the climate and nature crises
- NPF4 Policy 2 Climate mitigation and adaptation
- NPF4 Policy 3 Biodiversity
- NPF 4 Policy 4 Natural places
- NPF 4 Policy 6 Forestry, woodland and trees
- NPF4 Policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings
- NPF4 Policy 12 Zero Waste

- NPF4 Policy 13 Sustainable Transport
- NPF4 Policy 14 Design, Quality and Place
- NPF4 Policy 22 Flood Risk
- NPF4 Policy 23 Health and Safety
- LDP Policy PROM LOC1 Regeneration Priorities
- LDP Policy PROM LOC2 Business Development Sites
- LDP Policy PROM LOC3 Housing Development Sites
- LDP Policy PP1A Purpose of Place (Strategic Town Centres)
- LDP Policy PP2A Purpose of Place (Strategic Business Centres)
- LDP Policy PP3 Purpose of Place (General Urban Area)
- LDP Policy PROT A Natural Environment and Green Network Assets
- LDP Policy EDQ 1 Site Appraisal
- LDP Policy EDQ 2 Specific Features for Consideration
- LDP Policy EDQ 3 and Quality of Development

5.2 Also material to the determination of the application is the following Council guidance:

- Scottish Biodiversity Strategy to 2045
- PAN 50 Controlling the Environmental Effects of Surface Mineral Workings, Annex A,
- Ravenscraig Regeneration Area Strategy
- NLC Active Travel Strategy 2021-2031
- NLC Planning and Noise Supplementary Guidance
- NLC Parking Standards Guidance 2024

6. **Consultations**

6.1 NLC Greenspace & Country Parks has no objection to the proposed development subject to conditions relating to the provision of compensatory biodiversity measures and further protected species surveys if the development has not commenced within one year of the previous submitted surveys.

6.2 NLC Greenspace & Country Parks (Tree Asset Manager) has no objection to the proposed development subject to conditions relating to tree protection measures, soil amelioration measures, compensatory tree planting scheme and certification of the replacement of trees by a Project Arborist and, establishment of an aftercare and maintenance program.

6.3 NLC Protective Services (ENV H Air Quality) has no objection to the proposed development subject to conditions relating to dust mitigation including, a Dust Management Plan (DMP) and Dust Monitoring Plan and evidence that an adequate water supply is or can be made available.

6.4 NLC Protective Services (ENV H Noise) has no objection to the proposed development subject to conditions relating to noise limits and the protection of amenity of noise sensitive receptors, hours of operation and noise monitoring.

6.5 NLC Protective Services (ENV H Contaminated Land) has no objection to the proposed development subject to conditions to ensure submission of completed additional investigation works and localised additional targeted investigation works including risk assessment, appraisal of remedial options, a Remediation Strategy and validation report to provide evidence of completion of the remediation works.

6.6 NLC Infrastructure & Transportation has no objection to the proposed development subject to conditions to ensure annual submission of an updated Construction Traffic Management Plan (CTMP), submission of details to show the location and design of mud/wheel wash facilities, and details of a methodology for carrying out a dilapidation survey or roads around the development site.

6.7 NLC Infrastructure & Water Management has no objection to the proposed development subject to conditions to address details of the pollution prevention plan / construction phase plan (CPP) and construction method statements to manage surface water runoff during construction, evidence that a construction CAR licence (or new equivalent) has been obtained from SEPA, evidence that a viable surface water disposal point will be in place for the site prior to commencement and, to ensure submission of a revised Flood Risk Assessment and Drainage Strategy to demonstrate that there will be no increase in flood risk to property/land and/or sensitive/critical infrastructure on and off the application site for up to and including the 0.5% AEP (1:200 year) plus climate change allowance storm event.

6.8 NLC City Deal has no objection to the proposed development subject to conditions to address an overall masterplan for surface water drainage. This would ensure that the proposed new link road through the Ravenscraig Masterplan site (Ravenscraig Access Infrastructure South) makes provision for future development, including consideration of 1 in 200 year + climate change overland flow paths. It is advised that without the strategy in place there is significant risk of the requirement to carry out further construction works to the proposed link road to facilitate future drainage infrastructure, leading to additional costs and disruption.

6.9 Scottish Gas Network (SGN) has no objection to the proposed development and has confirmed that SGN's high pressure, transmission gas pipeline near the site will not be affected by the proposed developed.

6.10 Scottish Water has no objection to the proposed development. However, advises that it will not accept any surface water connections to its combined sewer system except in limited exceptional circumstances, including, for example, a legal or physical justification or due to technical challenges.

6.11 Coal Mining Remediation Authority has no objection to the proposed development subject to conditions to ensure submission of a scheme of intrusive site investigations and where necessary remediation works and/or mitigation measures to address land instability arising from coal mining legacy followed by a declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for future development.

7. Representations

No letters of representation have been received.

8. Planning Assessment

8.1 Section 25 (1) of the Town and Country Planning (Scotland) Act 1997 as amended ('the Act') provides that, where in making a determination under the Planning Acts, regard is to be had to the Development Plan unless material considerations indicate otherwise. The Development Plan consists of the National Planning Framework 4 (NPF4), February 2023, and the North Lanarkshire Local Development Plan (LDP), July 2022. The determination of the application must be made in accordance with both and in the event of any incompatibility between the two, NPF4 being later in date is to prevail (Section 24 (3) of the Act). Statements in NPF4 are also material to the determination of the application. With regard to decision making, development that accords with the Development Plan should be approved unless the adverse effects of doing so would significantly and demonstrably outweigh any benefits that the development could expect to deliver.

Background

8.2 Outline planning permission was granted in 2005 for redevelopment of the former Ravenscraig and Lanarkshire Steel Works site in line with a comprehensive masterplan, which sought to provide a major leisure-led regional retail development on the site. The recession of 2008 and changing market conditions meant that it was not possible to deliver the scale of development originally envisaged and a revised masterplan (and planning permission in principle Ref: 18/00463/PPP) was submitted to the Planning Authority in 2018 and approved in November 2020. Area Planning Briefs (APB) were subsequently brought forward to allow various elements of the original masterplan to be developed, including housing, Ravenscraig Regional Sports Facility, New College Lanarkshire together with various infrastructure elements that have also been implemented, including roads, ground remediation works, installation of services and development platforming.

8.3 Both sites to which this planning application relates (Meadowhead and TC1-3), fall within the site boundary of the original masterplan (2005) and the revised masterplan (2018) and, are identified for the delivery of a mix of uses including residential and mixed commercial uses in accordance with the approved revised masterplan 2018.

Preapplication Consultation

8.4 The proposal is classed as 'major' development under the provisions of the Town and Country Planning Hierarchy of Developments) (Scotland) Regulations 2009 and is therefore subject to statutory pre-application consultation in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 as amended by the Town and Country Planning (Pre-Application Consultations) (Scotland) Regulations 2021. A Proposal of Application Notice (PAN) was submitted on 2nd August 2024. Newspaper adverts promoting community consultation exhibitions were placed in the Motherwell Times and the Wishaw Press. Thereafter, two in person public events were held on 29th August 2024 and 26th September 2024 from 2.30pm to 8pm at the Ravenscraig Regional Sports Facility. An online website was also hosted by the Applicant. Following public consultation, a Pre-application Consultation Report (PAC Report) was prepared to detail how the community consultation was undertaken, together with issues raised during the consultation. The PAC Report is submitted in support of the current application. In summary, the first public consultation event generated 22 feedback forms; 16 of which were supportive of the proposals, 5 of which were unsure and 1 did not state a preference. The second public event generated 4 feedback forms; all of which were supportive of the proposals. Details of the consultation responses are contained in the PAC Report produced by Ryden, dated November 2024.

EIA Screening

8.5 The proposed development covers a combined area of over 90 hectares (Meadowhead occupies an area of 75 hectares and TC1-3 occupies an area of 17.5 hectares) and therefore requires to be screened under Schedule 2 (10) (b) '*Urban development projects exceeding 0.5 hectares'* of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, to determine whether the development would require an Environmental Impact Assessment (EIA). The development is not located in a sensitive area in the context of the EIA Regulations and due to the nature, scale, and location of the development, is unlikely to have significant adverse effects on the environment. The development is not therefore considered to be EIA development. This was confirmed in the Planning Authority's EIA Screening Opinion response (Ref: 24/01126/EIASCR). Whilst it is anticipated that the development will generate some adverse effects during Stage 1 works (extraction, crushing and screening and removal of waste material) it is considered that the effects can be appropriately mitigated by conditions that would be attached to the grant of planning permission.

Principle of the Development

8.6 The redevelopment of the former steelworks site at Ravencraig is identified as a key redevelopment project in Part 3, Annex C – Spatial Planning Priorities of NPF4 and is supported on the basis that it will reduce the overall proportion of vacant and derelict land in Scotland to deliver a productive and low carbon, 20-minute neighbourhood that includes improved transport connectivity. Similarly, the wider Ravenscraig site (and revised masterplan 2018) is identified for regeneration in the LDP Ravenscraig Regeneration Area Strategy and is 1 of 6 Strategic Town Centres and 1 of 5 Strategic Business Centres promoted in the LDP for priority through the following policies:

- Policy PROM LOC1 (Regeneration Priorities) promotes the physical regeneration and sustainable growth of the strategic centres. The strategic centres will be given priority in order that they can deliver development of the right amount and right quality to the right place for the benefit of the communities that they affect;

- Policy PROM LOC2 (Business Development Sites) promotes and directs business development to the Strategic Business Centres identified in the Plan; and

- Policy PROM LOC3 Housing Development Sites promotes housing development on sites identified for housing in the Plan in order to maintain a sufficient supply of housing land.

8.7 More generally, Ravenscraig Regeneration Area is located in the General Urban Area where Policy PP3 Purpose of Place (General Urban Area) of the LDP applies. PP3 seeks to maintain and improve the level of amenity in urban areas, by encouraging development that is in keeping with the residential character of these areas and encouraging diversity in more mixed-use areas.

8.8 In terms of the LDP housing land supply, Meadowhead is allocated for housing as follows:

- NLMW0573L1 Ravenscraig P Phase (Nether Johnston) - indicative capacity 952 units.
- NLMW0573L2 Ravenscraig P Phase (Nether Johnston) - indicative capacity 105 units
- NLMW0573O1 Ravenscraig Craigneuk/Roman Road - indicative capacity 567 units
- NLMW0573O2 Ravenscraig Craigneuk/Roman Road - indicative capacity 63 units

8.9 TC1-3 is allocated in the LDP for a mix of uses including, housing and a mix of Class 4 Business, Class 5 General Industrial and Class 6 Storage or Distribution uses with limited ancillary uses including, Class 1A Shops (Convenience), Financial and Professional Services, Class 3 Food and Drink and, Class 7 Hotels and Hostels as follows:

- NLMW1287A Ravenscraig New Town Centre - indicative capacity 270 units
- NLMW1287B Ravenscraig New Town Centre - indicative capacity 30 units
- NLS00458 Business Quarter, Prospecthill Road, Ravenscraig – mixed use development in accordance with Policy PP2A Purpose of Place (Strategic Business Centres)

8.10 The current application, proposing extraction, crushing and screening of waste material to use as engineered fill followed by remediation of the Meadowhead and TC1-3 sites, aims to deal with the long standing legacy of contaminated land at the former steelworks site and to reduce the overall proportion of vacant and derelict land in preparation for future redevelopment of the sites for the above land uses. The application therefore supports the aims and objectives of Part 3, Annex C spatial planning priorities (reuse of brownfield land) of NPF4, and the respective regeneration, business and housing priorities of Policies PP3, PROM LOC1, PROM LOC2 and PROM LOC3 of the LDP.

Climate Mitigation and Adaptation

8.11 Policy 1 (Tackling the climate change and nature crisis) and Policy 2 (Climate mitigation and adaptation) of NPF4, both seek to encourage, promote and facilitate development that addresses climate change, emissions and nature crisis. The decontamination and remediation of Meadowhead and TC1-3 sites will facilitate the sustainable redevelopment of a large proportion of brownfield land in the General Urban Area, thereby conserving greenfield land, restoring natural assets, including soil, water and biodiversity, and avoiding urban sprawl which is a major contributor to greenhouse gas emissions. The reuse of excavated soil as engineered fill and utilisation of the existing transport (and other) infrastructure in the area will significantly reduce the embodied carbon emissions associated with construction in accordance with the over-arching requirements Policies 1 and 2 of NPF4.

Access and Transportation

8.12 Policy EDQ3 (Quality of Development) of the LDP provides that new development should address safe, secure, and convenient access into and through the development, together with sustainable and safe access for cars, where required. Policy EDQ3 is generally compatible with Policy 13 b) (Sustainable Transport) of NPF4 which similarly requires development to incorporate safety measures, including safe crossings for walking and wheeling and to adequately mitigate against any impacts on local public access routes through, for example, reduction in the number and speed of vehicles.

8.13 The application is accompanied by a Construction Traffic Management Plan (CTMP), by SWECO, dated 13th November 2024 and a Construction Phase Health and Safety Plan (CPHSP), by K&T Plant Hire Limited (Principal Contractor). The CTMP is a live document that would be developed throughout the duration of the proposed development and would be updated and maintained as works progress. The CTMP provides details of vehicular access to each of the sites during the extraction and remediation phases including construction traffic routing; details of the surrounding road network including speed limits; active travel routes; and proximity to local bus stops and rail services, together with bus service timetables; and trip generation data for construction vehicles to 2036 as follows:

- Vehicular access to each site and construction traffic routing - access to TC1-3 is achieved via Enterprise Way and, to Meadowhead is achieved via Robberhall Road and New Craig Road as shown in Fig 2.1 of the CTMP.

- Surrounding road network - Enterprise Way, providing access to TC1-3, has a speed limit of 40 mph. It is a two-way single carriageway road that connects to Robberhall Road. Robberhall Road is a two-way single carriageway, with a speed limit of 40mph, providing access to the A721 to the south and to New Craig Road to the north. Robberhall Road would be used by construction vehicles for both site entrances (TC1-3 and Meadowhead) but would primarily be used by vehicles coming from the south due to the connection to the A721. New Craig Road is a two-way dual carriageway that will provide access to Meadowhead. It has a speed limit of 40 mph road and connects to the A723 and the B7029 to the north and to Robberhall Road in the south. The direct connection between New Craig Road and the A723 will mean that it will serve as a primary route for vehicles coming from the north.

- Active travel routes - existing footways are on Enterprise Way, New Craig Road and Robberhall Road. Therefore, pedestrian access to both sites is possible. Two new active travel links exist on New Craig Road and Robberhall Road that offer access to both cyclists and pedestrians to the respective sites. Pedestrians may use the shared use path between Craigneuk and Ravenscraig Regional Sports Facility and the path between Craigneuk and New College Lanarkshire.

- Proximity to local bus stops and rail services – details of bus service provision are contained in Table 3.3 of the CTMP. There are frequent bus services (every 30 mins) from Motherwell train station to Ravenscraig Sports Centre and New College Lanarkshire and from Hamilton, Coatbridge and Glasgow to Vesuvius Drive (Craigneuk St), Motherwell which lies to the south of the Meadowhead site.

- Trip generation data – the estimated two-way trip data for TC1-3 over the construction period of 3.5 years (Phase 1) is 41792 HGVs. Estimated two-way trip data for Meadowhead site over the construction period of 11.5 years (Phases 1 and 2) is 261456 HGVs. This is shown in Table 2 and 3 of the CTMP Addendum dated 17 November 2025.

8.14 The CTMP and CPHSP provide details for the safe, secure, and convenient access into and through the development, together with sustainable and safe access and crossings for walking and wheeling where required in accordance with Policy EDQ3 of the LDP and Policy 13 b) of NPF4. NLC Infrastructure and Transportation has been consulted and has no objection to the proposed development subject to conditions; one of which requires the developer to submit a methodology for the carrying out a Dilapidation Survey in order to identify any pre-existing defects on the local road network surrounding the development sites. Surveys should preferably be carried out periodically for the duration of the development to assess the rate of deterioration and should be repeated post-works to apportion the costs of road deterioration. In view of the duration of the proposed development (14 years) coupled with the anticipated trip generation data over the construction period, the requirement for a Dilapidation Survey is considered to be reasonable in the circumstances and is in accordance with Policy 13 g) (Sustainable Transport) of NPF4 which provides that development proposals that have the potential to affect the operation and safety the road networks should be fully assessed to determine their impact and where adverse impacts are anticipated, the cost of mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

Ecology and Biodiversity

8.15 Policy PROT A (Natural Environment and Green Network Assets Category 5) of the LDP provides that development will only be permitted where an appraisal has demonstrated that protected species would not be compromised and/or that any significant adverse effects on protected species can be mitigated through planning conditions. Similarly, although broader in context, Policy 4 (Natural Places) of NPF4, provides that unacceptable impacts on the natural environment will not be supported. Policy 3 (Biodiversity) of NPF4 requires that development proposals must contribute to the enhancement of biodiversity whilst, the Scottish Biodiversity Strategy to 2045, a high-level Strategy setting out a 2045 vision for biodiversity in Scotland, includes statutory targets for nature restoration which aim to halt biodiversity loss by 2030 and restore Scotland's natural environment by 2045.

8.16 The application is supported by an Ecological Appraisal Report by LUC, dated December 2024. The Report contains details of an extended phase 1 habitat survey including a badger survey, preliminary bat roost assessment survey and a Biodiversity Enhancement Statement. An updated badger survey was further submitted in September 2025. A desk study was also undertaken to identify existing records of statutory designated sites within 2km and non-statutory designated sites and protected/ notable species within 1km of the site.

Existing Habitats

8.17 There are no statutory or non-statutory designations that cover the site. Habitats present within the site are characteristic of 'Open Mosaic Habitat' on previously developed land. Due to the level of remediation required, most of the open mosaic habitat will be cleared. However, retention of existing woodland corridors around the edges of the sites, will help to maintain wildlife corridors over the longer term, allowing movement of species across the site.

Adjacent Designated Sites

8.18 Three non-statutory designated sites for nature conservation (SINC) and a section of ancient woodland are located immediately adjacent to Meadowhead. These are:

- South Calder Water/ Ravenscraig Gorge SINC which is located immediately to the north of the Meadowhead site and is designated for woodland and running water habitats. This includes a section of ancient woodland of semi-natural origin.

- Ravenscraig Railway Sidings East SINC which is located immediately to the south of the Meadowhead. Although there was no feature listed in the designation, the area is dominated by woodland habitat.

- Ravenscraig Railway Sidings West SINC which is located immediately to the south of the Meadowhead. Although there was no feature listed in the designation, the area is dominated by woodland habitat

8.19 The above designations are structurally and functionally linked to Meadowhead, due to the presence of existing woodland habitat within the Meadowhead site. The proposed remediation works include retention of woodland (in the north, south and eastern sections of Meadowhead) adjacent to the above designations. This will reduce the potential impacts of the development on the SINCS. Retention of woodland within Meadowhead (and TC1-3) is shown in Appendix A, Figure 4 (Drawing Number: 13007-LUC-XX-XX-DR-L).

Protected Species

8.20 Field surveys were conducted for badgers, bats and nesting birds; the details of which are contained in the Ecological Appraisal. The Appraisal recommends precautionary mitigation via conditions, which are detailed in conditions 26, 27 and 28 of this report.

Biodiversity Enhancement

8.21 Meaningful biodiversity and ecological enhancement cannot be incorporated at this stage of the development due to the extent of the extraction and remediation works required to prepare each site for future development. However, the following habitats will be retained in order to maintain wildlife corridors around the sites during remediation works. The active travel route outside the application site boundary to the west of Meadowhead will also provide some habitat connectivity through the wider Ravenscraig site:

- Existing woodland to the north and south and within the railway embankment to the east of the Meadowhead site.
- Mosaic habitat to the north of the Meadowhead site.
- Woodland to the east of the TC1-3 site.

8.22 On the basis of the mitigation proposed, which will ensure that wildlife corridors are maintained over the long term to allow movement of species across the site, together with conditions in place to ensure that any significant adverse effects on protected species can be mitigated and that the development will make provision for biodiversity enhancement following completion of the works, the proposed development is considered to be acceptable and is in accordance with the aims and objectives of Policy PROT A of the LDP, Policies 3 and Policy 4 of NPF4 and the Scottish Biodiversity Strategy to 2045.

Protection and Retention of Trees

8.23 Policy EDQ1 (Site Appraisal) of the LDP requires proposals for development to be accompanied by an appraisal that addresses the nature of features to be safeguarded or enhanced within the site to ensure that the development integrates successfully with the local landscape character. Similarly, Policy 6 c) (Forestry, woodland and trees) of NPF4 provides that development proposals will not be supported where they would result in adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value or in fragmentation or severing of woodland habitats, unless appropriate mitigation measures are identified and implemented. Adequate provision of landscaped areas within the development should also be provided in accordance with Policy EDQ3 (Quality of Development) of the LDP and, landscaping should be designed to improve the quality of the area whether in an urban or rural location and be consistent with the six qualities of successful places in accordance with Policy 14 (Design, Quality and Place) of NPF4.

8.24 The application is supported by an Arboricultural Impact Assessment and Tree Survey Schedule (Appendix A) by LUC, dated July 2025. The tree survey recorded a total of 13 individual trees, and 72 tree groups across both Meadowhead and TC1-3. The survey notes that there was no presence of any ancient or veteran trees on either site, that no parts of either site were found to be recorded on Scottish Natural Heritage's 'Ancient Woodland Inventory' and that no trees within the site boundary are subject to a Tree Preservation Order (TPO). To facilitate the extraction and remediation works, the Applicant proposes removal of 11 individual trees, 46 groups of trees and parts of a further 4 groups of trees. Meadowhead is dominated by self-seeded broadleaved scattered trees and groups of trees which it is proposed will be removed. More mature broadleaved groups of trees are present along the east, northern and southern boundaries of the site and it is proposed that those trees will be retained. TC1-3 is dominated by neutral grassland and scattered scrub, with several sections of self-seeded young to semi mature broadleaved groups of trees, all of which will be removed. A section of larger, more mature broadleaved trees is present along the eastern boundary of the site, and it is proposed that those trees will also be retained. Categories of trees to be removed are shown in Table 3.1 of the Arboricultural Impact Assessment and in the Tree Data Schedule in Appendix A. Protection measures are also proposed to avoid any detrimental damage to tree canopies or tree roots and it is recommended that this is secured by condition (see conditions 18-22).

8.25 The proposed tree felling is considered to be necessary in order to facilitate the decontamination and remediation of the site and to prepare the site for future redevelopment. It is recommended that mitigation measures are incorporated and that appropriate conditions are attached to the grant of planning permission to ensure the protection of tree canopies and tree roots during construction activities and that prior to or on submission of any further application for redevelopment of the site, full details of compensatory tree planting, biodiversity enhancement and a biodiversity/landscape plan and aftercare plan. NLC Tree Assets Manager (Community Green Space) was consulted and has no objection to the development subject to conditions detailed in this report (18-22). In view of these measures, the proposed development does not raise any conflict with Policies EDQ1 and EDQ3 of the LDP or Policy 3 and 6 of NPF4.

Flood Risk and Drainage

8.26 Policy EDQ1 (Site Appraisal) and EDQ2 (Specific Features for Consideration) of the LDP provides that development shall take account of any impacts associated with the holistic water environment, flood risk, public utilities and drainage systems and, as required by Policy 22 (Flood risk and water management) of NPF4, all rain and surface water will be managed through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure.

8.27 The application is supported by a Drainage Assessment, prepared by Aecom, dated 11th December 2024 and by a Flood Risk Assessment, Aecom, dated July 2025 (updated 17 July 2025). Flooding and drainage matters have been the subject of ongoing discussion with the Applicant in consultation with NLC Infrastructure & Water Management and NLC City Deal. Internal consultees have no objection to the proposed development subject to appropriate conditions relating to the submission of details to the Planning Authority for approval, including a pollution prevention plan / construction phase plan (CPP) and construction method statements to manage surface water runoff during construction, evidence that a construction CAR licence (or new equivalent) has been obtained from SEPA, evidence that a viable surface water disposal point will be in place for the site and further evidence in the form of a revised Flood Risk Assessment and Drainage Strategy (Conditions 8-11 of this Report). The above conditions will ensure that the proposal meets the requirements of Policies EDQ1 and EDQ2 of the LDP and Policy 22 of NPF4.

Noise

8.28 Policy 23 e) (Health and Safety) Development of NPF4 provides that development proposals that are likely to raise unacceptable noise issues will not be supported. The noise impacts of development proposals on residential amenity and health are also addressed in Policy EDQ3 e) (Quality of Development) of the LDP and in Policy 23 d) (Health and Safety) of NPF4. Both policies are aligned in that they seek to ensure that mitigation is provided where necessary to overcome any unacceptable noise impacts. In recognition of the occurrence of noisier phases within surface mineral workings, paragraph 41 of *PAN 50 Controlling the Environmental Effects of Surface Mineral Workings, Annex A*, advises that it may be necessary to raise noise limits for a temporary period to permit certain noisier activities to progress during extraction works, where these activities cannot meet the limits set. Such activities include soil-stripping, removal of spoil heaps, routine operations and construction of new permanent landforms, including baffle mounds. Paragraph 60 of the guidance allows for noise limits to be raised up to 70 dB LAeq,1h (free field) for a temporary period of up to 8 weeks per year, at the discretion of the Planning Authority.

8.29 The application is supported by a Noise Impact Assessment, prepared by Airshed, dated 26th November 2024 (updated 24 July 2025). The assessment includes survey results at four locations close to the nearest noise-sensitive receptors in order to obtain representative ambient and background sound levels and to help determine the baseline noise in accordance with BS 5228:2009 + A1:2014. This includes noise levels predicted at various receptors, including existing residential areas (Ravenscliff Road, Old Meadow Walk, Rosebay Drive and Meadowhead Road), Firtrees Nursery and New College Lanarkshire Campus. The assessment describes the potential noise impacts likely to arise from the proposed development, based on the indicative phasing plans and suggests that it is likely that noise limits will exceed the limits set by NLC Protective Services, particularly during crushing and extraction operations. It is likely therefore that a request to increase the noise limits (as set out in condition 5 of this report), for a temporary period during nosier construction activities will be submitted to the Planning Authority after the development has commenced.

8.30 NLC Protective Services was consulted and has no objection to the development subject to conditions relating to the following matters: control of noise limits at sensitive receptors; fixed hours of operation; the requirement to carry out periodic noise monitoring and to retain annual noise monitoring reports, together with the requirement that requests by developers to increase noise limits for a temporary period are made in writing for the approval of the Planning Authority in consultation with NLC Protective Services. It is therefore considered that noise can be mitigated with appropriate conditions in place to ensure protection of amenity in accordance with Policy EDQ3 of the LDP, Policy 23 e) of NPF4 and PAN 50 Controlling the Environmental Effects of Surface Mineral Workings, Annex A.

Air Quality

8.31 Policy EDQ3 e) (Quality of Development) requires development to mitigate any likely air quality impacts in or adjacent to Air Quality Management Areas (AQMA). Equally, Policy 23 d) (Health and Safety) Development of NPF4 provides that development proposals that are likely to have significant adverse effects on air quality will not be supported.

8.32 Motherwell Town Centre AQMA lies south of the West Coast Main Line and approximately 220m to southwest of TC1-3. The impacts on the AQMA and sensitive receptors close to the site have been accounted for in the Air Quality Impact Assessment (AQIA) prepared by Airshed, dated 6 December 2024, submitted in support of the application. The Report assesses four potential worst-case scenarios to determine the impacts of the development on sensitive receptors as follows:

- Scenario 1: worst-case impacts when Phase 1 operations at Meadowhead are closest to the dwellings to the northeast at Roedeer Drive and Ravenscliff Road. This scenario includes for the potential combined impacts from removal and infill operations.
- Scenario 2: worst-case impacts when Phase 2 operations are closest to the dwellings to the south-west at Old Meadow Walk and Rosebay Drive. This scenario includes for the potential combined impacts from removal and infill operations.
- Scenario 3: worst-case impacts when Phase 2 operations are closest to the dwellings to the south-east at Meadowhead Road. This scenario includes for the potential combined impacts from removal and infill operations.
- Scenario 4: worst-case impacts when operations at TC1-TC3 are closest to the College campus. This scenario includes for the potential combined impacts from removal and infill operations.

8.33 The results of the assessment show that 'Without Mitigation' in place the worse-case impact descriptor is *Moderate Adverse* at most receptors and *Substantial Adverse* at two of the College receptors. The results of the assessment show that 'With Mitigation', the worse-case impact descriptor at all sensitive receptors for PM10 is *Negligible*, with the exception of a residential dwelling on Meadowhead Road where the impact descriptor is *Slight Adverse* in Scenario 3.

8.34 NLC Protective Services has been consulted and has advised that the conclusions of the submitted AQIA are acceptable with the proposed mitigation in place, including, inter alia, water suppression to eliminate a large percentage of airborne particulate matter and a series of further measures relating to dust management and dust monitoring procedures and the requirement for a Dust Management Plan to be developed in consultation with the Planning Authority and NLC Protective Services. With appropriate conditions in place (see Conditions 23 and 24), to mitigate any likely air quality impacts on nearby sensitive receptors on or adjacent Motherwell Town Centre AQMA, the proposed development is considered to be acceptable and is in accordance with the general requirements of Policy EDQ3 e) of the LDP and Policy 23d) of NPF4.

Contaminated Land

8.35 Policy EDQ2 (Specific Features for Consideration) of the LDP requires consideration of development in areas subject to hazards (Hazardous Zones), including in matters concerning contamination. Policy 9 c) (Brownfield, vacant and derelict land and empty buildings) of NPF4 provides that where land is known or suspected to be unstable or contaminated, development proposals should demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

8.36 Following two rounds of consultation and submission of an initial contamination assessment detailed in the report entitled, ‘’Meadowhead & TC1-3 Initial Contamination Assessment” prepared by GDG, Ref: 22208-R-004-02, dated August 2025, NLC Protective Services has advised that the information submitted meets the requirements of NLC Checklist 1 (Preliminary Risk Assessment/Desk study). However, it is noted that the Initial Contamination Assessment submitted by the Applicant goes beyond the requirements of a Phase I Report (Preliminary Risk Assessment/ Desk Study) and incorporates elements of the requirements of a Phase II Report (Quantitative Risk Assessment/ Site Investigation) including remediation proposals and further investigation prior to/ as part of the proposed bulk excavation and infilling works. It is the content of this supplementary Phase II Report (investigation design and outline remediation and verification strategy) that is therefore the subject of conditions that are recommended in this report (see conditions 12-17).

8.37 The proposed development aims to decontaminate and remediate two large parcels of brownfield land within the former Ravenscraig Steelworks site thereby removing any identified hazards that could potentially constrain any future redevelopment of the site. Subject to the above conditions, the proposed development is considered to be acceptable and is in line with Policy 9 c) of NPF4 and Policy EDQ2 of the LDP and meets the requirements of NLC Checklist 1 (Preliminary Risk Assessment/Desk study).

Coal Mining Legacy

8.38 Policy EDQ2 (Specific Features for Consideration) of the LDP similarly requires the Planning Authority to consider development in areas subject to hazards (Hazardous Zones), including matters concerning ground instability. Policy 9 c) (Brownfield, vacant and derelict land and empty buildings) of NPF4 requires land known or suspected to be unstable to be made, safe and suitable for the proposed new use.

8.39 As parts of the application site fall within the Coal Authority’s defined Development High Risk Area, the application is accompanied by a Ground Investigation Report (WG878-12/MAK/CMB/AJB/NM/KM, November 2023) by Johnson Poole & Bloomer, which was prepared for Plots TC1 – TC3 only. Whilst a Coal Mining Remediation Assessment (CMRA) has not been submitted for Meadowhead, the Coal Mining Remediation Authority has advised, that as it was previously consulted by the Planning Authority on planning permission in principle (Ref:18/00463/PPP) and did not object at that time based on the Earthworks Strategy, by AECOM, dated March 2018 that was submitted in support of the PPiP at the time, it has no objection to the current application subject to conditions 30 and 31 detailed in this report (Coal Mining Remediation Authority consultation response dated 29 January 2025). In view of the above and subject to the undertaking of intrusive site investigations necessary to inform the extent of any remedial works associated with mine legacy, the proposed development raises no conflict with Policy EDQ2 of the LDP. However, it is noted that remediation works, to ensure that the ground is made safe and stable for future development, are not proposed at this stage (i.e. within Phase 1 or 2 of the current application) and that remediation, where necessary, would be carried out at a later stage prior to or on submission of a further application for development of the site.

Waste Management

8.40 Policy 12 a) and b) (Zero Waste) of NPF4 seeks to minimise and reduce waste in line with the waste hierarchy. Limb c) of the policy requires development proposals that are likely to generate waste when operational to set out how much waste the proposal is expected to generate and how it will be managed including the provision to maximise waste reduction and waste separation at source, and measures to minimise cross-contamination of materials, through appropriate segregation and storage of waste.

8.41 A preliminary Waste Management Strategy prepared by Ryden is submitted in support of the application. The Waste Management Strategy advises that the application does not include for any waste treatment as all waste materials (i.e. inert soil and stones – waste code 17 05 04) will be imported with the aim of raising site levels via the placement of soils as engineered fill. However, the Strategy also notes that if for any reason soils imported to the site are subsequently deemed unacceptable following an initial visual assessment, they will be segregated via the use of an onsite excavator and placed on an impermeable membrane within a vacant area of the site (to be determined at the time and a record of this location to be retained). The soils will then be tested and if testing confirms the soils to be in fact suitable, they will then be placed as originally intended. However, should testing confirm the soils as unacceptable they will be removed offsite to the source site or to a suitably licensed facility within one calendar month of being imported. Transfer notes will be retained within the site records and a relevant licence or authorisation from SEPA will be obtained**.**

8.42 To ensure that the development is compliant with Policy 12 a) and b) of NPF4, NLC Protective Services has requested that a condition is attached to the grant of planning consent to require the developer to provide a copy of the relevant SEPA authorisation covering the excavation and off-site removal of materials and the subsequent importation of fill materials to complete the works. Subject to an appropriate condition to this effect (as detailed in condition 33 of this Report), the proposed development is considered to be in accordance with Policy 12 of NPF4.

9. Conclusions

9.1 The proposed development seeks to manage the legacy of contaminated land on two large parcels of land within the former Ravenscraig steelworks site. Remediation will take place over a period of 14 years and will involve extraction, crushing, screening and removal of inert material to use as engineered fill followed by the spreading of clean soils across each site. The volume of inert material to infill each site to the required levels is approximately 2,260,000m³ in the case of Meadowhead and approximately 410,000m³ in the case of TC1-3. Soils that are unsuitable for infill will be removed offsite; a process that will be authorised by SEPA. Intrusive site investigations necessary to inform the extent of any remedial works associated with mine legacy will be carried out. However, it is noted that remediation works to ensure that the ground has been made safe and stable for future development is not planned within the current phases of the development and do not therefore form part of this application. It is likely that this work will be carried out prior to or on commencement of a further application to redevelop the site for appropriate land use in accordance with the approved masterplan (revised in 2018). Therefore, whilst the current proposed works are not directly related to new development or to a specific end use, they are considered necessary in order to prepare each site for future redevelopment, which is critical to the regeneration of Ravenscraig.

9.2 Subject to appropriate conditions, the proposed remediation works are considered to comply with the Development Plan and can be carried out without significant effects on ecology, air quality, the water environment, the road network and residential amenity. Accordingly, it is recommended that the application is approved subject to the conditions detailed in this repor

Application No:

25/00150/FUL

Proposed Development:

Plant Extension to Data Centre and Construction of Generator Building including Alterations, Infrastructure, Watercourse Diversion, Biodiversity Enhancement, Access and Associated Development

Site Address:

DataVita Data Centre
York Road
Chapelhall
ML6 8HW

Date Registered:

25th February 2025

Applicant:
DataVita
1 York Road
Chapelhall
ML6 8HW

Agent:
MLA Architects
83A Candleriggs
Glasgow
G1 1LF

Application Level:
Local Application

Contrary to Development Plan:
No

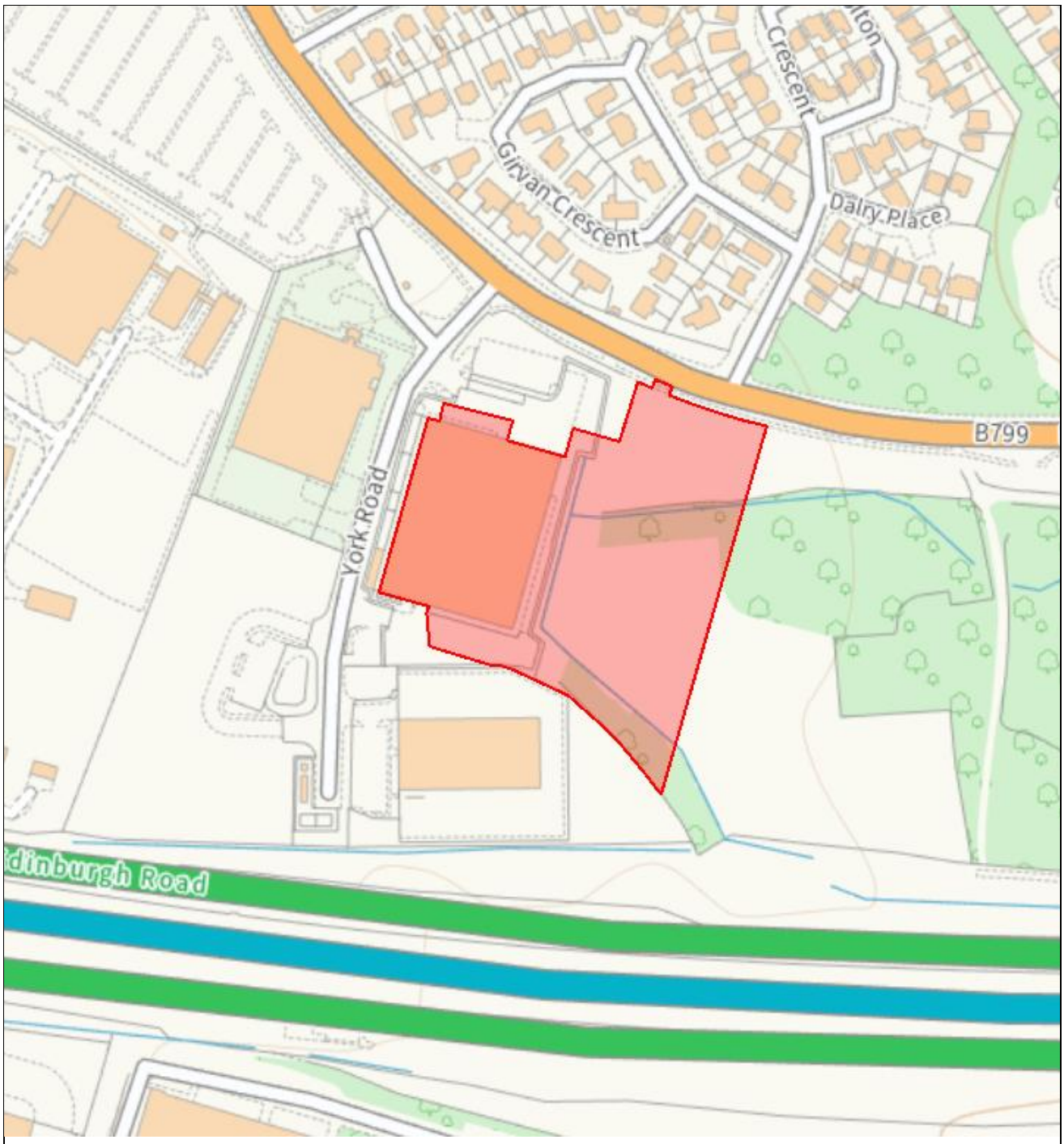
Ward:
12 Airdrie South
Michael Joseph Coyle,Paul Di Mascio,Sandy Watson,Michael McBride,

Representations:
1 letter(s) of representation received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification:

The proposal is complementary and compatible with the adjacent data centre and wider strategic business setting. Whilst the proposed extension to the facility would result in development in the green belt for a use outwith those supported within Policy PP4 (Green Belt - Purpose of Place) of the North Lanarkshire Local Development Plan, it is considered to be an acceptable departure. It is considered to align with the requirements of NPF4 and that of NPF4 Policy 8 Green Belt. The assessment of appropriateness provided by the applicant has also demonstrated the need for this location and is considered acceptable. It is not considered that the development will have an adverse effect on the purpose of the Green Belt and it is considered that impact on the environment and amenity can be controlled by the attached planning conditions.



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: 25/00150/FUL** **Name (of applicant): DataVita** **Site Address: DataVita Data Centre** **York Road** **Chapelhall** **ML6 8HW** **Development: Plant Extension to Data Centre and Construction of Generator Building including Alterations, Infrastructure, Watercourse Diversion, Biodiversity Enhancement, Access and Associated Development**	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:

   DV2-WHL-XX-XX-DR-C-9150 Revision P04 Indicative Scope of Works
   DV2-WHL-XX-XX-DR-C-9200 Revision P04 Indicative Levels Strategy
   DV2-WHL-XX-XX-DR-C-9201 Revision P04 Indicative Levels Layout - Sheet 1
   DV2-WHL-XX-XX-DR-C-9202 Revision P04 Indicative Levels Layout - Sheet 2
   DV2-WHL-XX-XX-DR-C-9400 Revision P04 Indicative Drainage Strategy
   DV2-WHL-XX-XX-DR-C-9401 Revision P04 Indicative Drainage Layout- Sheet 1
   DV2-WHL-XX-XX-DR-C-9402 Revision P04 Indicative Drainage Layout- Sheet 2
   DV2-WHL-XX-XX-DR-C-9403 Revision P04 Indicative Drainage Layout- Sheet 3
   DV2-WHL-XX-XX-DR-C-9410 Revision P01 Indicative Blue/Green Roof Layout
   DV2-WHL-XX-XX-SK-C-002 Revision P03 Indicative Post-Development Overland Flow
   DV2-WHL-XX-XX-SK-C-004 Revision P03 Proposed Vehicle Tracking - Sheet 1
   DV2-WHL-XX-XX-SK-C-005 Revision P03 Proposed Vehicle Tracking - Sheet 2
   DV2-WHL-XX-XX-SK-C-006 Revision P02 Proposed Access Line Diagram
   DV2-WHL-XX-XX-SK-C-0010 Revision P02 Proposed Vehicle Tracking - Sheet 4
   DV2-WHL-XX-XX-SK-C-0011 Revision P02 Proposed Vehicle Tracking - Sheet 5
   DV2-WHL-XX-XX-SK-C-0012 Revision P02 Proposed Vehicle Tracking - Sheet 6
   HFG7-MLA-XX-XX-DR-A-PL102 Revision A Site Plan as Proposed
   HFG7-MLA-XX-XX-DR-A-PL103 Revision B Indicative Plant Enclosures as Proposed Level 1
   HFG7-MLA-XX-XX-DR-A-PL104 Revision B Plant Gantry as Proposed Level 2
   HFG7-MLA-XX-XX-DR-A-PL105 Revision B Plant Gantry as Proposed Level 3
   HFG7-MLA-XX-XX-DR-A-PL106 Revision B Plant Gantry as Proposed Level 4
   HFG7-MLA-XX-XX-DR-A-PL111 Revision B North Elevation as Proposed
   HFG7-MLA-XX-XX-DR-A-PL112 Revision A East Elevation as Proposed
   HFG7-MLA-XX-XX-DR-A-PL113 Revision B South Elevation as Proposed
   HFG7-MLA-XX-XX-DR-A-PL114 Revision B West Elevation as Proposed
   HFG7-MLA-XX-XX-DR-A-PL116 Revision B Section AA as Proposed
   HFG7-MLA-XX-XX-DR-A-PL117 Revision B East and West Elevations Generator Enclosure as Proposed
   64123-SH-45-001 Revision P02 Planting Schedules
   64123-SH-45-002 Revision P01 Planting Establishment & Maintenance
   64123-45-100 Revision P04 Landscape Strategy
   64123-45-101 Revision P05 Landscape Planting Proposals

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

2. No above ground development shall commence until;

   a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
   b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

   The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

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

3. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

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

4. That BEFORE any works of any description start on the application site, unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation requires to be submitted to the satisfaction of the Local Authority. The investigation must be carried out in accordance with the British Standard Code of Practice BS 10175: 2001 "The Investigation of Potentially Contaminated Sites". The report must include a site-specific risk assessment of all relevant pollution linkages, be carried out in accordance with the Environment Agency publication, Model Procedures for the Management of Land Contamination CLR11. Depending on the results of this investigation a detailed remediation strategy may be required.

   A detailed mine gas risk assessment also requires to be submitted in accordance with CL:AIRE, 2021.

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

5. That any remediation works identified by the site investigation/mine gas risk assessment required in terms of Condition 4, 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.

6. That BEFORE the development hereby permitted starts, full details of the facing materials to be used on all external walls shall be submitted to and approved in writing by the Planning Authority and the development shall be implemented in accordance with the details approved under the terms of this condition.

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

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.

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

8. That, unless otherwise agreed in writing with the Planning Authority, the SUDS compliant surface water drainage scheme shall be implemented in accordance with the Drainage Strategy Report Version V1 11 prepared by Woolgar Hunter Engineers and drawing refs: DV2-WHL-XX-XX-DR-C-9401 REV P04 Drainage Layout - Sheet 1, DV2-WHL-XX-XX-DR-C-9402 REV P04 - Drainage Layout - Sheet 2, DV2-WHL-XX-XX-DR-C-9403 REV P03 - Sheet 3.

   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.

9. That the SUDS compliant surface water drainage scheme approved in terms of Condition 8 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.

10. That BEFORE the development hereby permitted starts, the CAR Licence issued by SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 relating to works to the watercourse shall be submitted.

    Reason: To ensure the works are licensed in the interests of protecting the watercourse from pollution and to manage flood risk.

11. That, unless otherwise agreed in writing with the Planning Authority, the noise mitigation measures outlined in Section 9 of the Extension External Plant Noise Impact Assessment - Revision 2 by New Acoustics shall be implemented before the development hereby approved is brought into use.

    Reason: In the interests of the amenity of the adjacent residents.

12. That, unless otherwise agreed in writing with the Planning Authority, all tree retention, woodland creation, planting, landscaping and biodiversity enhancements outlined in drawing refs: 64123-45-100 Revision P04 Landscape Strategy, 64123-45-101 Revision P05 Landscape Planting Proposals, 64123-SH-45-001 Revision P02 Planting Schedules shall be completed. 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: In the interests of landscaping and biodiversity enhancement.

13. That BEFORE completion of the development hereby permitted, the management and maintenance scheme approved under the terms of drawing ref: 64123-SH-45-002 Revision P01 Planting Establishment and Maintenance shall be in operation.

    Reason: In the interests of the proper management of the landscaping and biodiversity enhancements.

14. That BEFORE the development hereby permitted starts, details of the tree protection measures for the retained oak tree (T1) and the trees adjacent to the application site shall be submitted to, and approved in writing by the Planning Authority, and the works shall be implemented in accordance with the details approved under the terms of this condition. For the avoidance of doubt the tree protection measures shall not be removed without the written approval of the Planning Authority.

    Reason: In the interests of tree protection and nature conservation.

15. That BEFORE the development hereby permitted starts, as recommended within the Preliminary Ecological Appraisal, a pre-construction protected species survey shall be carried out, and submitted for the approval of the Planning Authority.

    Reason: In the interests of Protected Species protection.

16. That, unless otherwise agreed in writing with the Planning Authority, the mitigation measures outlined in Section 5 of the Preliminary Ecological Appraisal by Wild Surveys Ltd shall be implemented. For the avoidance of doubt these relate to a Toolbox Talk and on-site measures relating to nesting birds, reptiles, mammals, foraging bats (lighting) and amphibians.

    Reason: In the interests of Protected Species protection.

17. That unless otherwise agreed in writing with the Planning Authority, within six months of the date of approval, a feasibility report on the provision of appropriate infrastructure to service a heat network outwith the application site shall be submitted for the written approval of the Council as Planning Authority. Thereafter once approved the approved details shall be implemented to the satisfaction of the Council.

Reason: In the interests of decarbonised solutions to heat and cooling demand.

18. Prior to the commencement of development, a Construction and Environmental Management Plan (CEMP) shall be submitted to the Planning Authority for approval of acceptable working methodologies with regards hours of operation, and mitigation requirements, including but not limited to, dust, noise, nuisance, lighting, impacts to the road network and impacts on the environment.

Reason: To protect the environment and amenity of the area.

Background Papers:

Consultation Responses:

NLC Protective Services (Environmental Health) received 7th March 2025, 11th August 2025
NLC Infrastructure and Transportation (Roads) received 17th March 2025, 12th August 2025, 25th August 2025, 8th September 2025, 12th September 2025, 26th September 2025
NLC Greenspace Development received 2nd April 2025 and 2nd September 2025
Scottish Gas Network received 14th August 2024
Scottish Water received 4th March 2025 and 1st August 2025
Coal Mining Remediation Authority received 18th March 2025
Scottish Environment Protection Agency received 13th March 2025, 25th August 2025, 29th September 2025, 9th October 2025
Nature Scotland received 7th April 2025

Contact Information:

Any person wishing to inspect these documents should contact Kirsten Devlin at devlink@northlan.gov.uk

Report Date:

18th November 2025

APPLICATION NO. 25/00150/FUL

REPORT

1. Site Description

1.1 The application site consists of the existing HFD DataVita facility at York Road, Chapelhall. It is a premium co-location, cloud and low-latency networking data centre. The facility is located on the south side of Lancaster Avenue forming part of the existing York Road Strategic Business Centre. It is positioned between residential development on the north side of Lancaster Avenue and an existing business unit to the south. Directly south of the business centres lies the A8 (Glasgow and Edinburgh Road) and the M8 motorway. While the existing facility and associated car parking and servicing areas are located within the Strategic Business Centre, the land to the east of the existing facility, which forms the application site, is located within the Green Belt and consists of a watercourse, grassland and scattered woodland cover. The application site extends to approximately 1.76 Hectares.

2. Proposed Development

2.1 Planning permission is sought for a plant extension to the existing data centre and a separate generator building. This is required to meet the power and cooling requirements of an expansion of the data centre function. The plant enclosure is 24.5m x 85m giving a footprint of 2,082.5 square metres. It is located directly east of the existing facility and is 18.23 metres in height. The generator building is sited 16.6 metres from the plant extension and is 12.56m x 94.96m giving a footprint of 1,192.7 square metres; it is 12.43 metres in height. The proposal has been designed to be sympathetic to the existing building envelope and massing. The facing materials (cladding, rainscreens panels and louvres) have been designed to match those used on the existing facility. To accommodate additional cooling plant and address acoustic issues, the parapet of the existing facility will be raised by 2.5m where all equipment to be installed will sit below the parapet level of both the altered existing building and new extension. A small transformer enclosure on the north elevation of the existing building is also proposed.

2.2 As a result of the constrained nature of the site the applicant has had to seek permission to expand into the adjacent green belt land, which is characterised by a watercourse, grassland and scattered woodland cover. The existing watercourse (which was reengineered and culverted when the original facility was built) will need to be diverted and a number of mixed quality trees will require to be felled. Significant areas of compensatory woodland planting will be created on the eastern portions of the site which will maintain a habitat corridor with the existing trees on the adjacent land. Also, extensive areas of grassland enhancement will be introduced with native shrubs and wildflowers. Tree protection measures will be required, this matter is covered by the imposition of a planning condition. The diverted watercourse proposes a meandering channel to mimic natural watercourse hydrology with varied profiled pools, over-deepened sections and shallow margins and gentle banks and benches. The existing vehicular and pedestrian access and internal parking areas will not require to be altered.

2.3 The application was submitted initially as a Planning Permission in Principle (PPiP). However, given the extensive supporting documentation that accompanied the application and the need for detailed surveys in relation to flood risk, noise and protected species it was agreed that the application be changed from PPiP to Full Planning Permission upon receipt of the required surveys.

3. Applicant's Supporting Information

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

- Design and Access Statement
- Greenbelt Framework
- Geo-environmental Desk Study & Mining Risk Assessment
- Coal Mining Report
- Preliminary Ecological Appraisal
- Protected Species Survey Report
- Arboricultural Impact Assessment

- Noise Impact Assessment
- Drainage Strategy Report
- Flood Risk Assessment
- Hydraulic Modelling Report

4. Site History

4.1 The following applications are of relevance to the application site:

- 10/00604/FUL: Construction of Storage and Distribution Unit (Class 6) - Approved 05.08.2010
- 10/01399/AMD: Amendment to Approved Warehouse Car Park and Site Boundary (Amendment to Permission 10/00604/FUL) - Approved 15.04.2011
- 24/00311/FUL: Installation of external plant including six transformers, creating new switchboard rooms in a proprietary steel enclosure, installing six additional stand-by generators along with minor alterations to the layout of the existing on-site parking and pedestrian access - Approved 10.09.2024

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

Policy 1 - Tackling the climate and nature crisis
Policy 2 - Climate mitigation and adaptation
Policy 3 - Biodiversity
Policy 6 - Forestry, woodland and trees
Policy 8 - Green belts
Policy 13 - Sustainable transport
Policy 14 - Design, Quality and Place
Policy 19 – Heating and cooling
Policy 22 – Flood risk and water management
Policy 23 – Health and safety
Policy 24 – Digital infrastructure
Policy 26 – Business and Industry

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

PP 4 Green Belt, Purpose of Place
AD 4 Green Belt, Amount of Development
PROM LOC2 Strategic Business Development Site
Environmental Development Qualities (EDQ) 1: Site Appraisal
Environmental Development Qualities (EDQ) 2: Specific Features for Consideration
Environmental Development Qualities (EDQ) 3: Quality of Development

6. Consultations

6.1 The following consultation responses have been received in connection with the application:

NLC Protective Services (Environmental Health) confirmed a Site Investigation including a detailed mine gas risk assessment requires to be submitted to ensure potential risks arising from previous land uses around the site have been fully assessed. This matter is covered by the imposition of Site Investigation/gas risk assessment and remediation (if necessary) planning conditions.

A Noise Impact Assessment (NIA) was requested due to the proximity of the development to residential dwellings. The NIA by New Acoustics Ltd was submitted and Environmental Health have confirmed they are satisfied with the assessment methodology and findings which are based on the mitigation measures outlined in Section 9 of the report being implemented (these measures include louvres,

chiller temperature control, parapet height/screening and routine testing). A planning condition requiring the mitigation measures are implemented in accordance with Section 9 of the NIA is attached.

Comments relating to construction noise, controlling site generated dust and external lighting were also received. These matters can be controlled by a Constriction Environmental Management Plan.

NLC Infrastructure and Transportation (Roads) initially recommended the application be deferred subject to further information relating to impacts on paths and the requirement for the submission of swept path details for the access and maintenance area. They further commented that the applicant liaises with SEPA with respect to the watercourse diversion. No public footpaths, core paths or rights of way will be affected by the proposal. A suite of swept path details and information on servicing were provided to ensure existing disabled parking bays within the site will not be detrimentally affected. Roads confirmed their acceptance of the submitted details and have no objection to the application. They further commented that the drainage system should comply with Scottish Water and SEPA guidance and surface water from private/non-adopted areas is not permitted to drain onto the adopted road or footway. The proposed access and geocelluar water storage system require to remain under private ownership and liaison with SEPA is required for the watercourse diversion.

NLC Greenspace Development initially advised that a Preliminary Ecological Appraisal (PEA) and biodiversity enhancement details require to be submitted. A PEA by Wild Surveys Ltd dated 15th April 2025 was received which recommended further surveys to establish the presence, or potential presence of the following protected species were required given the characteristics of the site: otter, bat, water vole, badger and great crested newt. The Protected Species Survey Report dated 22nd July 2025 confirmed the relevant surveys were carried out and no field signs were recorded (including eDNA survey for Great crested newt). The findings are accepted by Greenspace who have requested the recommendations and general considerations put forward within the report are taken forward. This matter is covered by the imposition of a planning condition. Furthermore, a landscape plan and landscape strategy which includes biodiversity enhancements and details of the watercourse realignment were also received. Greenspace confirm the landscaping and biodiversity measures are well thought out and that these matters are also covered by the imposition of planning conditions to ensure all measures are implemented.

Scottish Water has no objection to the application. There is sufficient capacity at Balmore Water Treatment Works and Daldowie Waste Water Treatment works; it is to be noted that further investigations may be required to be carried out once a formal application has been submitted to Scottish Water.

The Mining Remediation Authority confirms they agree with the conclusions of the submitted Geo-environmental Mining Risk Assessment; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial and mitigatory measures, to ensure the safety and stability of the proposed development. They have no objection subject to the imposition of planning conditions requiring a scheme of Intrusive Investigations and remediation works or mitigation measures (if required). Furthermore, a condition requiring certification that the site has been made safe and stable for the approved development before occupation is required. These matters have been attached as planning conditions. Informative Notes relating to ground investigation/groundworks, incidental Coal Agreements and shallow coal seams were requested and have also been attached.

Scottish Environment Protection Agency confirm they have no objection to the watercourse diversion and recommend the applicant reviews Section 6,'Engineering levels of authorisation' of the CAR Practical Guide and SEPA's Position Statement 'WAT-PS-02 'Culverting of Watercourses'. On reconsulting SEPA (due to the application being changed from Planning Permission in Principle to Full Planning Permission and SEPA Flooding maps being updated) they submitted a holding objection relating to flood risk and requested a Flood Risk Assessment (FRA).The FRA was subsequently received and through consultation with SEPA and the submission of a further updated FRA, hydraulic modelling report and amended plans they withdrew their objection on flood risk grounds.

Nature Scotland confirmed their consent is not required to undertake the proposed works.

7. Representations

7.1 1 letter of representation has been received. The points raised and comments thereon are as follows:

Points of Objection: There is a badger sett and bat roosts located on the site with the proposal therefore having a detrimental impact on wildlife and species protection. Wildlife loss due to development is a significant concern, with this being another example.

Comments: A Preliminary Ecological Appraisal (PEA) dated 15th April 2025 by Wild Surveys Ltd. highlighted the site had potential for protected species and recommended dedicated protected species surveys be carried out for the following: Otter, Bats, Water Vole, Badger and Great crested newt. The Protected Species Survey Report dated 22nd July 2025 confirmed the relevant surveys were carried out and no field signs were recorded (including eDNA survey for Great crested newt). NLC Greenspace Development accepted the findings of these surveys. Notwithstanding a condition is also attached to ensure the mitigation measures outlined within the PEA are put in place.

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. The development plan comprises National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan 2022 (NLLDP). Where there is any incompatibility between these, the policies of NPF4 take precedence.

8.2 The existing data centre facility and its curtilage are designated as part of a strategic business centre. The proposed extension to this facility seeks permission to incorporate additional land to the east of the data centre and this is designated as Green Belt land within the local development plan.

8.3 Policy 1 - Tackling the Climate and Nature Crisis establishes that when considering all development proposals, significant weight will be given to the global climate and nature crisis. The intent of the policy is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

8.4 Policy 2 – Climate Mitigation encourages, promotes and facilitates development that minimises emissions and adapts to the current and future impacts of climate change. To satisfy the requirements of NPF4 Polices 1 and 2 the development incorporates specific design measures and features that ensures long-term flood risk from climate change has been addressed by ensuring suitable post development blockage scenarios are adopted and flood resistant and resilient design measures are incorporated. Design principles based on a 'Be Lean, Be Clean and Be Green' strategy have been applied. To minimise lifecycle greenhouse gas emissions and reduce climate change impacts measures such as use of 'free cooling' chillers/condensers for process cooling, waste heat from Data Halls being used to condition circulation space, use of mechanical ventilation to provide cooling when ambient conditions allow; reducing reliance and use of process cooling plant, high efficacy LED lighting, lighting controls including presence and absence detection and daylight dimming will all be implemented.

8.5 Policy 3 – Biodiversity requires local development to include appropriate measures to conserve, restore and enhance biodiversity. The measures should be proportionate to the nature and scale of development with any impacts being minimized through careful planning and design. The proposal involves the diversion of an existing watercourse and removal of a number of trees. The characteristics of the site required the submission of a Preliminary Ecological Appraisal (PEA) which highlighted the need for further surveys to establish the presence, or potential presence of the following protected species: otter, bat, water vole, badger and great crested newt. The Protected Species Survey Report confirmed the relevant surveys were carried out and no field signs were recorded (including eDNA survey for Great crested newt). The findings have been accepted by NLC Greenspace Development who have requested the recommendations and general considerations put forward within the report are taken forward. A landscape strategy and plan were received which includes biodiversity measures in the form of tree, hedgerow and shrub retention where possible and biodiversity enhancement measures including woodland creation, grassland enhancement with native shrubs and native wildflower meadows. The diverted watercourse proposes a meandering channel to mimic natural

watercourse hydrology with varied profiled pools, over-deepened sections and shallow margins and gentle banks and benches. The riparian corridor will be planted with aquatic and marginal species with deadwood, stone pile and gravel banks and side pool features created for habitat creation. Site wide habitat creation will be formed by the construction of hibernacula and nesting features for invertebrates, birds, bats, amphibians and reptiles. Partial tree retention e.g. stumps and roots and wood piles will also be left on site where practicable. Finally, educational interpretation signage will be erected near enhanced areas to educate visitors about the specific biodiversity improvements. NLC Greenspace Development confirmed the landscaping and biodiversity measures are well thought out and that these matters are covered by the imposition of planning conditions to ensure all measures are implemented.

8.6 Policy 6 - Forestry, woodland and trees aims to protect and expand forests, woodland and trees. Development proposals involving the loss of ancient woodlands, ancient veteran trees or that have an adverse impact on trees with high biodiversity value or identified for protection on the Forestry and Woodland strategy will not be supported. Removal of woodland will only be supported where they will achieve significant and clearly defined public benefits and where woodland is removed, compensatory planting will be expected. The tree cover within the proposed extension to the application site is less dense than the adjoining green belt land. Two small groups of category C (low quality) trees require complete removal as do 2 x category B (moderate quality) tree groups. Part of a larger Category A (high quality) tree group will also be required to be removed; the remainder of the group is located out with the application site and this will be retained. The Arboricultural Impact Assessment outlines that 1 veteran oak which is a category A (high quality) specimen is located within the site and this will be retained. While the trees to be removed are of landscape value, they are not covered by a tree preservation order and having been surveyed by an ecologist no field signs of protected species were found. Furthermore, a robust landscape strategy and planting details have been received which provides both landscape and biodiversity enhancements in the form of significant woodland creation to compensate for the loss of the trees. Partial tree retention e.g. stumps and roots and wood piles will also be left on site where practicable to provide further biodiversity benefits. NLC Greenspace Development have confirmed they are supportive of the landscaping and biodiversity improvements.

8.7 NPF4 Policy 8 states that development proposals within a green belt designation will only be supported if they relate to certain categories of development and this includes the provision of essential infrastructure as well as where there is an intensification of established uses, including extensions to an existing building where that is ancillary to the main use.

8.8 NPF4's description of essential infrastructure includes digital communications infrastructure and as an existing data centre this facility forms part of the critical physical infrastructure that enables and supports digital communication. It can therefore be considered to be essential infrastructure. In addition to this as the proposal involves an ancillary extension to an existing facility it is also considered to be an intensification of use. Another of the categories of development supported within NP4 Policy 8.

8.9 In assessment of these categories of development NPF4 Policy 8 requires development proposals to meet five further requirements. Each of these is considered in turn below,

- *Reasons have been provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;*
  Response - The location is essential as it relates to an intensification of an established use, comprising ancillary extensions to an existing facility.

- *The purpose of the green belt at that location is not undermined;*
  Response - The proposal is considered to be a small scale extension into the green belt and its impact given adjacent topography and woodland cover is not considered to be significant.

- *The proposal is compatible with the surrounding established countryside and landscape character;*
  Response - The extension of the data facility, while considerable in terms of both footprint and massing, is compatible with the scale and massing of the existing data centre and is considered to align with the character of the adjoining business centre and will not considerably alter the general character of the surrounding area.

- *The proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible;*
  Response - The proposal has been sensitively designed to be in keeping with the design, scale and materials of the existing data facility and to minimise impacts on the views as far as possible. While the proposal involves the removal of trees a robust landscape strategy and plan were received which includes biodiversity measures in the form of tree, hedgerow and shrub retention.

- *There will be no significant long-term impacts on the environmental quality of the green belt*
  Response - While the proposal involves the removal of trees a robust landscape strategy and plan were received which includes biodiversity measures in the form of tree, hedgerow and shrub retention. Landscape and biodiversity enhancement measures include woodland creation, grassland enhancement with native shrubs and native wildflower meadows. The diverted watercourse proposes a meandering channel to mimic natural watercourse hydrology with various biodiverse features and planting having a beneficial impact on the existing site and wider green belt.

8.10 Policy 13 - Sustainable Transport establishes development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies. The site is accessible by sustainable modes of transport, and as this is an existing facility integrates effectively with the existing footpath and transport network.

8.11 Policy 14 - Design, Quality and Placemaking states that development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Proposals will be supported if the development is consistent with the six qualities of successful places, namely: - Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. The development is of a contemporary design and scale which is consistent with the immediate data centre. It provides a pleasant setting by protecting trees and hedgerows where possible and enhancing the landscaping of the site by the planting of native trees, shrubs and hedgerows. The site benefits from excellent connectivity with the existing footway and public transport network and the building's contemporary design and enhanced biodiversity and landscaping will provide a distinctive development appropriate for the features of the site. The proposal takes a proactive approach to the efficient use of resources and integrates nature positive, biodiverse solutions. It is also considered to be adaptable in terms of meeting the challenges of climate change.

8.12 Policy 19 – Heating and cooling encourages, promotes and facilitates development that supports decarbonised solutions to heat and cooling demand and ensure adaption to more extreme temperatures. In order to reduce the reliance and use of process cooling plant the applicant proposes to use measures such as use of 'free cooling' chillers/condensers for process cooling, waste heat from Data Halls in order to condition circulation space and the use of mechanical ventilation to provide cooling when ambient conditions allow. There will also be no additional domestic hot water requirements and existing direct electric water heating will be retained. The development will incorporate the use of a closed-loop cooling system using water cooled chillers and dry air coolers for heat rejection. The chilled water closed-loop cooling system uses minimal water after initial fill to top-up the system over time. A pessimistic estimate of the system means it would use 541m3 annually. In comparison to a typical office setting with 200 staff and using Cibse Guide G consumption data, a calculated consumption would be around 1750m3 annually. This demonstrates the low water usage in comparison with a typical working environment.

8.13 Whilst currently there is no adjacent District Heat Network suitable for connection. The applicant has advised that the facility will be capable of supporting heat networks by utilising the rejected heat from the applicant's clients IT hardware. This rejected heat could potentially be used as part of a heat network. A condition has therefore been attached seeking appropriate infrastructure is installed so that DataVita's heat network could be utilised should an appropriate heat network zone off site be brought forward.

8.14 Policy 22 – Flood Risk and Water Management aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing vulnerability of existing and future development to flooding.

Development proposals at risk of flooding or in a flood risk area will only be supported in certain circumstances. In this case, Policy 22 a) i. applies as this is considered essential infrastructure where the location is required for operational reasons. SEPA flood maps indicate parts of the site are at high risk of flooding from surface water and small watercourse flooding. Given this SEPA submitted a holding objection relating to flood risk and requested a Flood Risk Assessment (FRA). Through consultation with SEPA and the submission of an updated FRA, hydraulic modelling report and amended plans they withdrew their objection on flood risk grounds.

8.15 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 well being. Development proposals that are likely to have significant adverse effects on air quality or raise unacceptable noise issues will not be supported. It is not considered that the proposal raises any issues in respect of air quality. A Noise Impact Assessment has been provided and it is considered that appropriate mitigation can be put in place to control noise from the facility. Appropriate conditions have also been imposed to ensure that noise is assessed and where required appropriate mitigation is put in place. It is considered that the site can be developed in such a way that there are no issues with this policy.

8. 16 Policy 24 – Digital infrastructure encourages, promotes and facilitates the roll-out of digital infrastructure across Scotland to unlock the potential of all our places and the economy. The proposed data centre expansion supports and contributes towards enhanced digital infrastructure and as such complies with this policy. Whilst not a national development it will assist in the delivery of NPF4 National Development 12 which supports the continued expansion of the Digital Fibre Network, including its supporting infrastructure.

8.17 Policy 26 – Business and Industry seeks to encourage, promote and facilitate business and industry uses and to enable alternative ways of working. Development proposals for business uses out with designated business areas in the Local Development Plan will only be supported where it is demonstrated that there are no suitable alternative sites and the nature and scale will be compatible with the surrounding area. The development proposal will require to take into account the impact on surrounding residential amenity, sensitive uses and the natural and historic environment. Given the constrained nature of the site and the need for expansion of the facility's capacity there is no alternative location for the proposed extension. The proposal has a large footprint and massing but is considered to acceptably relate to the scale and massing of the existing data centre, aligning with the character of the wider strategic business centre. NLC Protective Services (Environmental Health) have accepted the findings of a Noise Impact Assessment based on mitigation measures being implemented (these measures include louvres, chiller temperature control, parapet height/screening and routine testing) and as such the proposal is not considered to have an unacceptable impact on neighbouring residential amenity. The impact of the proposed development on the watercourse, trees, protected species, biodiversity and the green belt have been assessed and with appropriate mitigation in the form of the various landscaping and biodiversity measures, which includes a realigned watercourse with meanders and replacement tree planting, the proposal is considered to result in positive landscape and biodiversity measures that will benefit the site and surrounding locale.

8.18 Within the North Lanarkshire Local Development Plan the existing data centre facility and its current curtilage are designated as part of a strategic business centre and are covered by PROM LOC 2 within the local development plan. However, whilst the proposed extension is considered to align with the requirements of this land use as the additional land required to form the proposed extension to the east of the data centre is designated as Green Belt land within the local development plan the proposed development requires to be assessed against the local development plan's green belt policy, PP 4: Purpose of Place. This policy seeks to protect the setting of communities, support regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment. This policy also requires such proposals to be assessed against the criteria of policy AD 4: Amount of Development where planning applications will be assessed for their implications related to the amount of development proposed. All applications also require to be appraised in terms of Environmental and Design Qualities (EDQ) policies: Policy EDQ 1 (Site Appraisal), EDQ 2 (Specific Features for Consideration) and EDQ 3 (Quality of Development).

8.19 Policy PP4 Purpose of Place seeks to protect the setting of communities, support regeneration by directing growth to urban areas, protect natural assets and provide a high-quality environment. The

Council will support developments for agriculture, forestry, recreation or developments that need a non-urban location, including, where appropriate, Visitor Economy Development and will seek to resist development that is not for any of the above uses. Development that needs a green belt location will need to be balanced against any adverse effects on the purposes of the green belt and applications made will be subject to an assessment of appropriateness. Policy AD 4 (Green belt – Amount of development) also requires to be considered and this sets out criteria for assessing the amount of development proposed within the Green Belt and for this type of development it advises that this should also be considered through an assessment of appropriateness.

8.20 The applicant has submitted an assessment of appropriateness stating that the proposed development relates to an existing facility, the curtilage outwith the green belt is unviable for expansion, the extension would be ancillary to the main building and its delivery will allow for the upgrading of the existing capacity for data management representing additional plant space to service the data centre and address technological change associated with digital and fibre technologies which in turn would support the facility's ability to compete within this fast paced and competitive market. Furthermore it is also recognised that as the proposal relates to an extension of a facility that is located within an existing Strategic Business Centre it is therefore sequentially more appropriate than a new site. This is considered to be acceptable and for the reasons detailed in paragraph 8.9 above it is not considered that the proposed development would have an adverse effect on the purpose of the green belt.

8.21 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 require to be assessed; those most relevant to this proposal are:

- massing, height, style, finishing materials of any buildings on the site and surrounding Land Use Character Area
- orientation and topography of the site and surrounding Land Use Character Area
- building lines, plot ratios, groupings, types of enclosure (e.g. fences, walls, hedges), landmarks in the Land Use Character Area
- ground stability and contamination on the site and surrounding Land Use character Area
- 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
- Green Network, landscape character and quality on the site and surrounding Land Use Character Area
- biodiversity of plants and animals on the site and surrounding Land Use Character Area
- the potential for installation and operation of low and zero-carbon generating technologies in new, refurbished or re-purposed buildings

8.22 The proposal is considered to be acceptable in terms of its design, height, scale, massing, facing materials and location when considering the scale and massing of the existing facility. The site is relatively flat immediately east of the existing facility and then rises further east. However, it also slopes southernly for most of its length before it begins to rise. The residential development on the north side of Lancaster Avenue sits at a higher level than the site. The buildings within the strategic business centre sited closest to Lancaster Avenue are all set well back from the road with a strong building line. Both the plant extension and generator building are located to respect the existing building line. The matters of ground stability and contamination have been assessed, and planning conditions are attached in this respect. There will be no alterations to the existing access or public footpaths required because of the proposal. The proposal involves a loss of green belt land with trees, however compensatory woodland will be planted, and many biodiversity measures will be introduced. Design principles based on a 'Be Lean, Be Clean and Be Green' strategy have been applied and measures to minimise lifecycle greenhouse gas emissions and to reduce climate change impacts will be installed. Taking into account all of the above and the mitigation measures that can be applied to control noise the proposal is considered to integrate successfully in the locale without negatively impacting residential amenity.

8.23 Policy EDQ 2 (Specific Features for Consideration) states the Council will consider development in areas subject to hazards (Hazardous Zones) in accordance with plans and protocols of the relevant managing agencies. The hazards relevant to the application are Flood Risk, Contaminated Land and Ground Instability (coal mining). The matter of Flood Risk has been thoroughly assessed through consultation with SEPA resulting in an updated Flood Risk Assessment, hydraulic modelling report and amended plans which SEPA have accepted. Contaminated Land has been considered by NLC Protective Services (Environmental Health) with the requirement for the imposition of a planning condition requiring a Site Investigation including a detailed mine gas risk assessment and if required remediation measures to ensure potential risks arising from previous land uses around the site have been fully assessed. The Mining Remediation Authority have confirmed they agree with the conclusions of the submitted Geo-environmental Mining Risk Assessment; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial and mitigatory measures, to ensure the safety and stability of the proposed development. Appropriate planning conditions are attached.

8.24 Policy EDQ 3 (Quality of Development) states proposals will only be permitted where high standards of site planning and sustainable design are achieved. The proposal is considered to comply with this policy as it will result in a well-designed development with improved landscaping and biodiversity enhancements. Access for all abilities will be maintained at the site and linkages to the wider footpath network and sustainable modes of transport will not be affected. It is therefore considered that the proposals comply with the Environmental and Design Qualities policies of the North Lanarkshire Local Development Plan 2022.

9. Conclusions

9.1 Taking account of the above, whilst it is recognised that the proposed extension to the facility would result in development in the green belt for a use outwith those supported within Policy PP4 (Green Belt – Purpose of Place) of the North Lanarkshire Local Development Plan it is considered to be an acceptable departure. It is considered to align with the requirements of NPF4 and that of NPF4 Policy 8 Green Belt. The assessment of appropriateness provided by the applicant has also demonstrated the need for this location and is considered acceptable. It is not considered that the development will have an adverse effect on the purpose of the Green Belt and it is considered that impact on the environment and amenity can be controlled by the attached planning conditions. It is therefore recommended that planning permission is approved.

Application No:

25/00713/FUL

Proposed Development:

Proposed redevelopment of an existing renewable biogas facility and associated works

Site Address:

Site At
Old Quarry Road
Westfield
Cumbernauld
North Lanarkshire

Date Registered:

14th July 2025

Applicant:
Deerdykes Bioenergy Limited
C/o Agent

Agent:
Axis P.E.D. Limited
Barfield House
Alderley Road
Wilmslow
SK9 1PL

Application Level:
Major Application

Contrary to Development Plan:
No

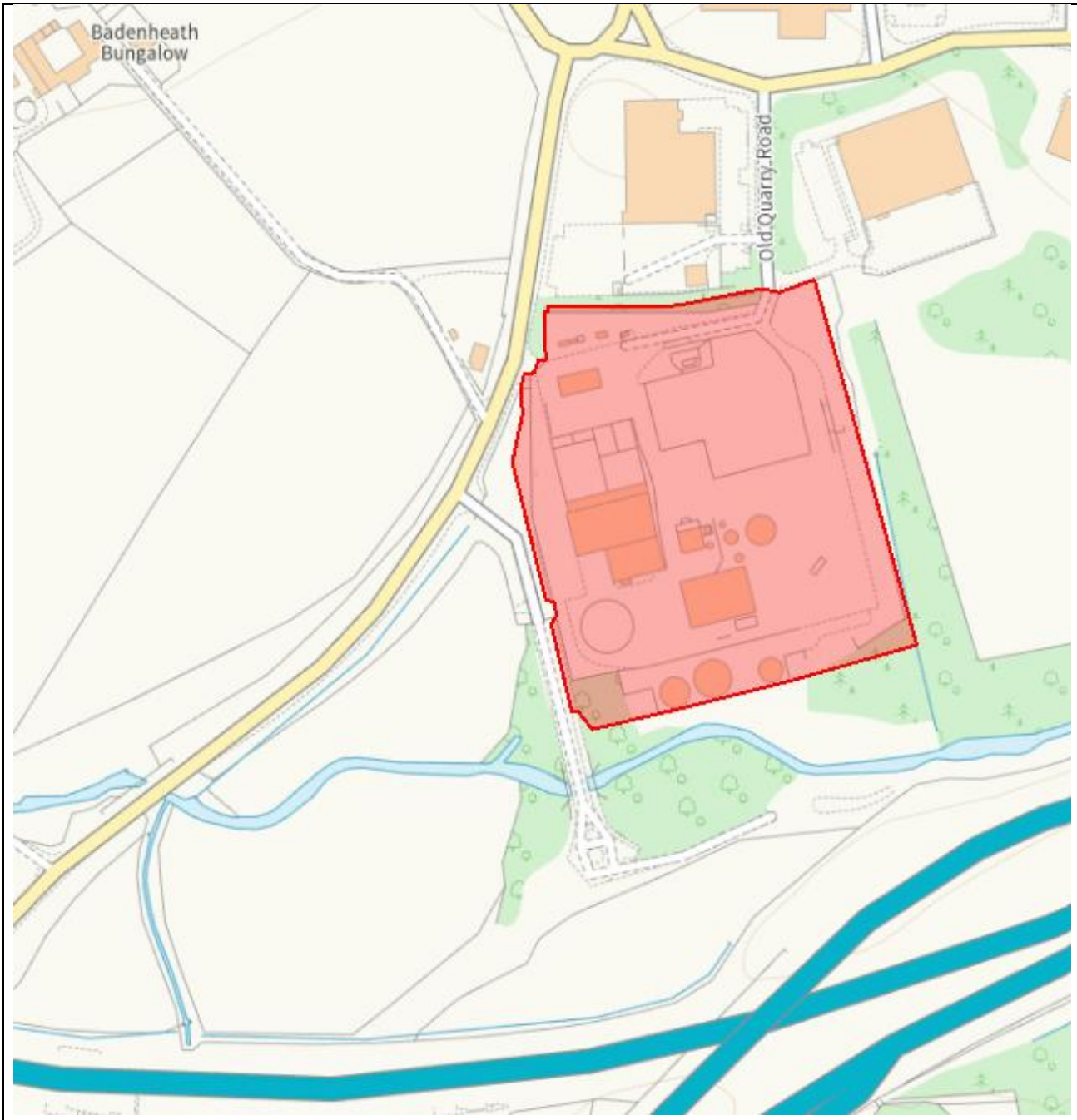
Ward:
02 Cumbernauld North
Danish Ashraf, Tom Fisher, Alan Masterton, Gordon Currie,

Representations:
No letters of representation received.

Recommendation: **Approve Subject to Conditions**

Reasoned Justification:

The principle of the proposed development is considered acceptable. The proposed redevelopment of an existing renewable biogas facility and associated works is considered acceptable in terms of the criteria set out in the relevant policies, particularly PP2A (Strategic Business Centres), AD2A (Amount of Development) and policies EDQ 1-3 of the North Lanarkshire Local Plan 2022. The proposal similarly does not raise any issues with regards to National Planning Framework 4, particularly Policy 1 Tackling the climate and nature crisis and Policy 2 climate mitigation and adaption. The proposal shall assist with the Scottish Governments broader energy policy which aims to transition to a net-zero energy system by 2030, with a focus on renewable energy sources.



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: 25/00713/FUL** **Name (of applicant): Deerdykes Bioenergy Limited** **Site Address: Site At Old Quarry Road Westfield Cumbernauld North Lanarkshire** **Development: Proposed redevelopment of an existing renewable biogas facility and associated works**	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:-

   4244-PL02, 4244-PL03, 4244-PL04, 4244-PL05, 4244-PL06, 4244-PL06A, 4244-PL07, 4244-PL08, 4244-PL09, 4244-PL10, 4244-PL11, 4244-PL12, 4244-PL13, 4244-PL14, 4244-PL15, 4244-PL16 , 4244-PL17, 4244-PL18, 4244-PL19, 4244-PL20, 4244-PL21, 4244-PL22, 4244-PL23, 4244-PL24, 4244-PL25, 4244-PL26, 4244-PL27, 4244-PL28, 4244-PL29, 4244-PL30, 4244-PL31, 4244-PL32, 4244-PL33, 4244-PL34 , 4244-PL35, 4244-PL36, 4244-PL37, 5010-01-01, 5010-CP-01, 5010-LOC-01 and E2679-MCA-ST1-00-DR-C-1009.

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

2. That no open-air storage of any digestate shall take place within the application site.

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

3. Prior to development being brought into beneficial use, an updated Traffic Management Plan, comprising both construction phase and operational phase, shall be submitted to, and approved in writing by, the Planning Authority in conjunction with our NLC Traffic & Transportation colleagues. This Traffic Management Plan shall include, but not be limited to, the following details;
   A) A drawing detailing an area for HGV's to wait within site, with sight-lines for the entirety of Old Quarry Road, shall be submitted to, and approved in writing by, the Planning Authority. Thereafter the HGV waiting area shall be maintained and retained in perpetuity for the duration of the hereby approved development.

   B) No vehicle leaving the site should deposit mud and debris onto the public road network. Mandatory washing of the vehicles shall be required prior to entering the public carriageway for all HGV's.

   C) All HGV vehicles require to be 'sheeted' when entering or exiting site and during their journey on the public road network.

   D) Further monitoring, in the form of a report dated one year from the site being brought into beneficial use, shall be submitted to NLC Traffic & Transportation identifying additional traffic management measures that may be required to assist with traffic flow and maintain safety.

   E) No access to agricultural vehicles shall be permitted on site

   F) A detailed plan for construction workers car parking shall be submitted. This shall detail sufficient spacing to ensure there is no parking on the public highway / footpath network.

   Reason: To ensure there is no vehicular conflict on the 'Old Quarry Road', to prevent debris and mud entering the public road network, to maintain road safety and in the interests of pedestrian safety.

4. Before any construction works start on site, the applicant shall enter into an agreement with the Council, (as Roads Authority) in terms of Section 96 of the Roads (Scotland) Act 1984 for extraordinary expenses in repairing roads damaged by heavy vehicles during both the construction and operational phases of the development.

   Reason: To ensure the public highway is fit for purpose and to prevent the Council being held responsible for financial implications of any repairs required and brought about by heavy goods vehicles.

5. All details within the 'Flood Risk Assessment & Drainage Strategy', dated June 2025 and prepared by Waterco, published by Jack Pugh, 16152-FRA and Drainage Strategy, shall be implemented contemporaneously with the development, insofar as reasonably practicable.

Reason: In the interests of safeguarding the watercourse in close proximity to the development.

6. That BEFORE any works of any description start within the site, 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 of the area.

7. That any remediation works identified by the site investigations required in terms of Condition 6 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 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.

8. Should no development commence within 1 year from the date of the Preliminary Ecological Surveys, 8th April 2026, further updates shall be provided for the written approval of the Planning Authority before any development starts. Following written approval by the Planning Authority, opportunities for biodiversity enhancements as identified within the relevant reports in respect to habitat, animal welfare issues and protected species protection shall be complied with in full, including securing any licences from Scottish Natural Heritage.

   Reason: In the interests of Nature Conservation.

9. Unless otherwise agreed in writing with the Planning Authority, the construction hours shall be 8am – 7pm Monday to Friday and 8am to 1pm Saturday and there should be no audible noise associated to construction at the site boundary out with these permitted hours.

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

Background Papers:

Consultation Responses:

Environmental Health (including Pollution Control)
National Air Traffic Services (Safeguarding) Mailbox 25, 400
Scottish Environment Protection Agency
Traffic & Transportation
Environmental Health (including Pollution Control)
Estates Team
NLC Greenspace
Scottish Environment Protection Agency
NLC Water Management Team

Contact Information:

Any person wishing to inspect these documents should contact Colin Bradley at 01236 632500

Report Date: 12th November 2025

APPLICATION NO. 25/00713/FUL

REPORT

1. Site Description

1.1 The Site measures circa 4.1 Hectares and shall be accessed from Old Quarry Road within the Westfield Industrial Estate. There shall be a one-way roadway throughout the site to accommodate both delivery and removal of the by-product material.

1.2 Within the internal, one-way road system there will be a 'Feedstock Reception' building and a 'Feedstock Storage Building' immediately adjacent. This then feeds on to the 'digestive tanks where the biproduct is consumed. To the Southeast and the Southwest of the site there is sufficient space for 6 lorries, (3 at each corner) to collect the fertilizer. The site also accommodates two 'weighbridges' one at the entrance and one prior to leaving site along with a wheel wash located immediately adjacent to the latter weigh-station.

1.3 There is an existing 'Administration Building' located to the North-West of site to accommodate all administrative functions associated to the site along with various additional pieces of infrastructure such as an enclosed 'flare' unit etc.

2. Proposed Development

2.1 It should be noted that this site formed part of the pre-application process with the Invest NL team and the application has followed on from the findings and conclusions of the process.

2.2 The proposed development seeks to expand the anaerobic digestion operations and processes already undertaken at a previous Scottish Water treatment plant within the 'Westfield Industrial Park' in the settlement of Cumbernauld.

2.3 Located at the southwest of the industrial estate and accessed via Old Quarry Road, immediately adjacent to Deerdykes road, the Biogas Plant, is intending to process circa 200,000.00 tonnes per annum. This equates to an intensification of 566% from current levels of processing and as such, this application is considered to be equivalent to a Change of Use application.

2.4 The feedstock mix shall comprise organic waste materials and by-products, (non-waste), from the food and beverage sector. The out-puts are expected to comprise a mixture of Methane (circa 60%) distributed directly into the national grid, and CO^2 (circa 40%) which shall require to be transported off site via vehicles. Any physical residue is intended to be sold off to the agricultural / horticultural sector as fertilizer.

3. Applicant's Supporting Information

3.1 Alongside a full suite of drawings, the applicant has provided the following documents;

PLANNING, DESIGN AND ACCESS STATEMENT
APPLICANT UPDATE PROPOSAL OF APPLICATION NOTICE
PRE-APPLICATION CONSULTATION REPORT
AIR QUALITY INCL ODOUR ASSESSMENT
CLIMATE CHANGE ASSESSMENT
ARBORICULTURAL REPORT
POLICY BUSINESS COMMUNITY ALIGNMENT AND ECONOMIC IMPACT ASSESSMENT
NOISE IMPACT ASSESSMENT
LANDCAPE AND VISUAL APPRAISAL
LVA APPENDIX A LVA METHODOLOGY
LVA FIGURE 1 VISUAL CONTEXT PLAN
LVA FIGURE 2 LANDSCAPE CONTEXT PLAN_FINAL
LVA FIGURE 3-1 VIEWPOINT 1 EXISTING VIEW
LVA FIGURE 3-2 VIEWPOINT 2 WIREFRAME VIEW_FINAL
LVA FIGURE 3-3 VIEWPOINT 3 EXISTING VIEW

LVA FIGURE 3-4 VIEWPOINT 4 EXISTING VIEW
LVA FIGURE 3-5 VIEWPOINT 5 EXISTING VIEW
LVA FIGURE 3-5 VIEWPOINT 5 WIREFRAME VIEW
LVA FIGURE 3-6 VIEWPOINT 6 EXISTING VIEW
LVA FIGURE 3-7 VIEWPOINT 7 EXISTING VIEW
TRANSPORT ASSESSMENT
CONSTRUCTION TRAFFIC MANAGEMENT PLAN
FLOOD RISK AND DRAINAGE STRATEGY
HERITAGE IMPACT ASSESSMENT
HIA PLATES_FIGURES_ APPENDICES-COMBINED
OVERVIEW NOTE OF ECOLOGICAL ASSESSMENTS UNDERTAKEN
PRELIMINARY ECOLOGICAL APPRAISAL
MAMMAL SURVEY
BAT SURVEY REPORT AND SPECIES PLAN
BIODIVERSITY STATEMENT
PHASE 1 CONCEPTUAL SITE MODEL AND GEO-ENVIRONMENTAL RISK ASSESSMENT
OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN
OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

4. Site History

4.1 25/00277/PAN Anaerobic digestion facility and associated works – comments given 20th March 2025
25/00477/EIASCR Proposed development of a new anaerobic digestion facility – Conclusion of EIA Not Required- 13th May 2025.

5. Development Plan

5.1 Under Sections 25(1) (a) and 37(2) 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. The statutory development plan for North Lanarkshire currently consists of National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan 2022 (LDP).

5.2 The following development plan policies are considered most relevant to the assessment of the proposal:

National Planning Framework 4

Policy 1 - Tackling the climate and nature crisis
Policy 2 - Climate mitigation and adaptation
Policy 3 - Biodiversity
Policy 6 - Forestry, woodland and trees
Policy 11 - Energy
Policy 12 - Zero Waste
Policy 13 - Sustainable Transport
Policy 14 - Design, Quality and Place
Policy 18 - Infrastructure First
Policy 19 - Heat and cooling
Policy 22 - Flood risk and water management.
Policy 23 - Health and safety
Policy 26 - Business and Industry

North Lanarkshire Local Development Plan (2022)

Policy PROM LOC1 (Regeneration Priorities)
Policy PROM LOC2 (Business Development Sites)
Policy PROM ID2 (Utilities Improvements)
Policy 2A (Business Centres, Strategic Business Centres Area)
Policy CI (Contributions to Infrastructure)
Prot Policies

EDQ Policies

6. Consultations

6.1 Consultations were undertaken with the following parties, a synopsis of their responses shall be undertaken in the following paragraphs;

NLC Protective Services
NLC Traffic & Transportation
NLC Greenspace
NLC Water Management
NLC Estates Team
National Air Traffic Services (Safeguarding)
SEPA (South)

6.2 SEPA (South) initially responded to state that they wished to hold an objection to the proposal on two principle grounds;

1) Flood Risk, &
2) Waste Management & Permitting.

The applicant provided a statement in response to the holding objection and upon receipt of that response, the holding objection was withdrawn. The reason for the withdrawal of the objection with regards to flood risk was based on "*…the best understanding of long-term flood risk at the present time and is in line with current policy and guidance.*"

With regards to point 2 of their holding objection, it was noted that there was an existing "PPC" permit and that an alteration was being sought to this. It was further noted that the applicant was "*…fully committed to early engagement with the SEPA Waste Permitting Team on this process. The applicant met with SEPA Inspector in May to inform him of their plans and, upon determination of our planning application, they said that they will begin the process of varying our PPC permit with the SEPA permitting team immediately.*"

It is therefore concluded that SEPA do not seek to object to the proposal.

6.3 NATS (National Air Traffic Services – Safeguarding) responded stating the "*…proposed development has been examined from a technical safeguarding aspect ad does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no objection to the proposal.*"

6.4 NLC Estates have no objections to the development proposal.

6.5 NLC Water Management Team stated that the Flood and Drainage Assessment, as supplied by the applicants, is considered to be suitable and all recommendations there-in should be conditioned to the granting of any permission.

6.6 NLC Traffic & Transportation responded with a series of observations they sought to be conditioned to any positive determination detailing a Traffic Management Plan featuring both construction and operational phases. It was further sought that an agreement in terms of a Section 96 of the Roads Scotland Act 1984 to allow the council to recover expenses concerned in repairing roads due to HGV movements.

6.7 NLC Protective Services have reviewed the 'Noise Impact Assessment' report (Noise and Vibration Consultants Ltd, June 2025) and have concluded that the proposal does not present any issues that would warrant any conditions or informatives to be added to the recommendation. They further stated that the reports submitted on 'Air Quality and Odour' would be within the remit of SEPA for consideration. They have however requested a condition that a Site Investigation report is submitted and approved before development starts on site. This has been added as a condition.

6.8 NLC Greenspace stated that NPF 4 places a duty on planning and development will help to achieve

positive effects for biodiversity and advises that Nature Scots guidance on Developing with Nature refers to the inclusion of "appropriate measures" not only to mitigate for the loss of biodiversity but also to enhance biodiversity. The Preliminary Ecological Assessment put forward Ecological Constraints and Opportunities for biodiversity enhancements which should be incorporated into the development in order to comply with Policy 3, Biodiversity, of NPF 4. Suitable conditions have been included to this recommendation to reflect this advice.

7. Representations

7.1 Following advertisement in the local newspaper and neighbourhood notification, no letters of representation were received.

8. Planning Assessment

8.1 This application is seeking to repurpose a former Scottish Water, Waste-Water Plant which is located between the Westfield Industrial Estate and the Northbound M73 Fly over prior to the confluence of this road and the M80 (Northbound). It is intended to repurpose the site to be used exclusively for Bio-Gas, an activity to which the site plays host to presently.

8.2 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 LDP.

National Planning Framework 4 (NPF4)

8.3 With regards to NPF4, the site is impacted by a variety of policies as highlighted in section 5.2 of this report.

Policy 1 (Tackling the climate and nature crises) establishes that significant weight must be given to the global climate and nature crises in the assessment of all development proposals. It requires planning authorities to consider how proposals contribute to reducing greenhouse gas emissions, enhancing climate resilience and supporting nature recovery and restoration.

Policy 2 (Climate mitigation and adaptation) requires that development proposals are sited and designed to minimise lifecycle greenhouse gas emissions and adapt to current and future climate risks. Proposals must demonstrate how they reduce emissions through location, design and construction, and support climate resilience by avoiding vulnerable areas and enabling adaptation. Retrofitting measures to existing developments that reduce emissions or improve resilience will be supported.

Policy 3 (Biodiversity) requires that development proposals contribute to the enhancement of biodiversity, including the restoration of degraded habitats and strengthening of nature networks. Proposals must integrate nature-based solutions where feasible and apply the mitigation hierarchy to address potential adverse effects. Major developments and those requiring Environmental Impact Assessment must demonstrate significant biodiversity enhancements, informed by best practice assessment methods, and include long-term management arrangements. Proposals should be based on an understanding of the site's ecological context and consider community benefits. Local development proposals must include proportionate measures to conserve and enhance biodiversity, unless exempt.

Policy 6 (Forestry, woodland and trees) sets out that development proposals should protect and enhance existing woodland and tree cover, and support expansion where appropriate. Proposals that result in the loss of ancient woodlands, ancient or veteran trees, or adversely impact native woodlands, hedgerows or trees of high biodiversity value will not be supported. Woodland removal will only be permitted where significant public benefits are demonstrated, and compensatory planting is expected. Proposals on sites with existing woodland or identified for woodland creation must integrate enhancement and new planting into the design.

Policy 11 (Energy) outlines that development proposals for all forms of renewable, low-carbon and zero-emission energy technologies will be supported, including wind farms, solar arrays, energy storage, and carbon capture. Proposals must demonstrate how they address potential impacts on residential amenity, landscape, biodiversity, aviation, telecommunications, transport, and the historic and natural environment. Wind farms will not be supported in National Parks or National Scenic Areas. Significant weight will be given to the contribution of proposals to renewable energy targets and emissions reduction. Grid capacity should not constrain development, and underground connections should be considered. Proposals must include robust site restoration and decommissioning plans.

Policy 12 (Zero Waste) requires that development proposals must support the transition to a circular economy by reducing, reusing and recycling materials in line with the waste hierarchy. Proposals should minimise demolition, reuse existing buildings and infrastructure, and use low-emission, recyclable or reusable materials. Developments that generate operational waste must demonstrate how waste will be managed, including segregation, storage, and access for collection. Waste infrastructure proposals (excluding landfill and energy-from-waste) will be supported where environmental and amenity impacts are acceptable and restoration plans are in place. Energy-from-waste facilities will only be supported where a national or local need is demonstrated, and the proposal aligns with climate targets and circular economy principles.

Policy 13 (Sustainable Transport) requires that development proposals must prioritise sustainable and active travel in line with the sustainable travel and investment hierarchies. Proposals should provide safe, direct and accessible walking, wheeling and cycling links, integrate with public transport, and include infrastructure such as electric vehicle charging and secure cycle parking. Significant travel-generating uses must be located where they do not increase reliance on private cars and should be supported by a transport assessment and travel plan. Proposals with low or no car parking will be supported in well-connected urban areas. Impacts on the strategic transport network must be assessed, and mitigation measures funded by the developer where necessary.

Policy 14 (Design, quality and place) promotes a design-led approach to development, requiring proposals to improve the quality of an area, regardless of scale or location and be consistent with the six qualities of successful places which are Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. Poorly designed proposals that detract from the character or amenity of the area, or fail to meet these qualities, will not be supported.

Policy 18 (Infrastructure first) requires that development proposals must demonstrate that infrastructure requirements are addressed in line with the Local Development Plan and its delivery programme. Proposals should contribute to or provide necessary infrastructure and mitigate any impacts on existing infrastructure. Planning conditions and obligations must meet legal and policy tests, ensuring they are necessary, proportionate, and directly related to the development. Infrastructure considerations should be integrated early in the planning process, prioritising low-carbon solutions and aligning with national, regional and local infrastructure strategies.

Policy 19 (Heating and cooling) requires that development proposals must support the transition to low-carbon heating and cooling systems and promote climate resilience. Proposals within or adjacent to designated Heat Network Zones must be designed to connect to existing or planned heat networks or allow for future cost-effective connection. Retrofitting connections to heat networks is supported. National and major developments generating waste or surplus heat should include a Heat and Power Plan to demonstrate how energy will be recovered and used. Proposals should also prioritise passive design measures—such as siting, orientation and materials—to manage temperature sustainably.

Policy 22 (Flood risk and water management) promotes a precautionary approach to flood risk and requires that development proposals must avoid areas at flood risk as a first principle and demonstrate resilience to current and future climate impacts. Proposals in flood risk areas will only be supported in limited circumstances, such as for essential infrastructure or redevelopment of previously used sites, and must show that long-term safety and resilience can be secured. All development must manage rain and surface water through sustainable urban drainage systems (SUDS), minimise impermeable surfaces, and avoid increasing flood risk to others. Proposals should support natural flood risk management and improvements to the water environment and be informed by relevant flood risk and river basin management plans.

Policy 23 (Health and safety) seeks to ensure that development proposals improve public health and wellbeing and avoid significant adverse effects on health, air quality, and noise. Provide appropriate infrastructure for health and social care, consider suicide risk and proximity to hazardous sites and apply the agent of change principle to noise-sensitive developments.

Policy 26 (Business and industry) seeks to ensure that development proposals for business and industrial uses will be supported where they are located on sites allocated for such uses in the Local Development Plan or where they are compatible with the surrounding area. Proposals for homeworking, live-work units, and micro-businesses are encouraged where they do not adversely affect residential amenity. Proposals out with allocated areas must demonstrate a lack of suitable alternatives and be appropriate in scale and impact. Major industrial developments must include a decarbonisation strategy. All proposals should consider impacts on amenity, the environment, and include restoration plans where relevant.

With regards to the policies of NPF 4 identified in Section 5.2 of this report, this application is not considered to present any issues with regards to the individual policy intent nor with the overarching aims of the NPF 4 as a whole.

NLLDP (2022)

8.4 The site is located within a Strategic Business Centres Area (Policy 2A) within the North Lanarkshire Local Development Plan (2022) (LDP) which comprises policies PP2A Purpose of Place and AD2A Amount of Development. These policies seek to encourage large scale business users to locate in these areas in order to safeguard their dilution by other inappropriate uses and support the upgrading of premises, amenities, access, parking and green space.

8.5 The proposed development would be located adjacent to an existing anaerobic digestion facility and within the curtilage of a larger site. For proposals relating to classes 4, 5 or 6 of the Use Classes Order, no assessment of the amount of development required is necessary within these areas. However, for renewable energy and utilities infrastructure (waste management) the principle of the development is accepted subject to the proposal meeting the requirements of LDP, EDQ, PROM and PROT policies. On this basis the principle of the proposal is considered to be acceptable, but requires further assessment against these other policies. Further to this, as the proposed development relates to renewable energy and waste management, these forms of development come under the scope of Policy PROM ID2 Utilities Improvements. This advises that the Council will support utilities development in principle, subject to assessment of the criteria in this policy and other relevant policies in the local development plan.

8.6 In terms of the assessment of the waste criteria of Policy ID2, the principle of the development is considered to be acceptable as the site is at an existing waste management facility, in a designated Business Centre and would be able to support the delivery of the Zero Waste Plan objectives. This policy also states that the facility would also need to comply with the EU Waste Framework Directive, National Waste Plan, regional guidance and issues of need and impact.

8.7 In terms of the assessment of the renewable energy criteria of Policy ID2. The Council recognises that there is a range of means of generating renewable energy and will support, where appropriate, alternative technologies and associated infrastructure, subject to assessment against any relevant legislation and other relevant policies in the local development plan. Planning applications will be assessed for their suitability for being located in the Land Use Character Area in which they are

proposed along with any impact on the natural or historic environment and will be assessed against the plan's Protecting Assets and Environmental and Design Qualities Policies. Policy ID2 also advises that proposals for renewable energy development must have regard to the considerations set out in Scottish Planning Policy paragraph 169. SPP was replaced by NPF4. Legislation states that in the event of any incompatibility between a provision of NPF4 and a provision of a LDP, whichever of them is the later in date is to prevail. Accordingly, NPF4 policies will prevail over any LDP policies and the policy advice provided within NPF4 Policy 11 Energy should be addressed, in place of paragraph 169 of SPP.

8.8 Finally, it should also be noted that Policy ID2 also seeks the removal of operationally redundant generating equipment through a decommissioning process and the restoration of the location to the council's satisfaction through Planning Conditions.

8.9 Environmental Design Qualities are intended to improve the development and environment through its 3 sub-policies, EDQ 1-3. It is considered that this proposal aligns with the EDQ policies and therefore these are not considered to be an impediment to development in this instance.

Prot Policies seek to protect the natural assets of North Lanarkshire through protecting the Green Network, Historic & Natural Environments and Mineral Resources. This application does not conflict with any of the Prot Policies.

Design, Scale, Lay-Out and Character;

8.10 The Lay-out of the site shall alter significantly, however the internal roadway and the existing administration building shall remain in-situ as they currently are. The internal 'loop' roadway shall retain its 2 weighbridges and 1 wheel-wash which are incorporated into the design of the 'flow' of the site. The security gate at the entrance to the site shall also remain in-situ as is. The precise design, within the 'loop' of the internal roadway, an area of flat hardstanding which is currently used for highway maintenance signs, it is intended to provide a 'feedstock reception hall' and a 'feedstock storage area building (both of which shall feature a 'negative pressure system' to prevent odour escape). This shall be located immediately after the 1st weighbridge upon entering the site. Immediately adjacent to these buildings shall be an 'odour control building'

8.11 It is further intended to be fitted out with a series of Tanks and associated buildings/components to assist with the running of the 'digesting' of the waste and non-waste product. It is intended to include a series of large tanks within this area comprising 4 nr. 'Digester tanks', 1 nr. 'Digestate tank', a 'Hydrolysis Buffer Tank', 'Liquid Feedstock Tanks'. Alongside these large tanks, various smaller infrastructure units are required including 'technical rooms', 'pasteurisation tanks' and 'heat exchangers'. Externally to the 'loop' of the internal roadway, and generally to the west of the site, shall be various other pieces of essential infrastructure including a 'gas grid entry unit', 'propane tank', 'biogas upgrade tank', 'combined heat power plant' unit, 'desulphurisation unit', 'boiler', 'flare units' and CO^2 liquefaction plant'.

8.12 As the site has previously been used as a waste-water treatment plant, there are significant numbers of large, infrastructure pieces that define the character of the site as being industrial in nature. The precise make up of these industrial components shall be altered as a direct result of the granting of this permission however it is not considered this shall result in a 'character change' to the site. Overall, and taking into consideration the various consultation responses, it is not considered that there shall be a negative impact on the surrounding industrial land as a direct result of permitting the proposed alterations as outlined above. The scale and massing, design and layout do not represent an impediment to development.

8.13 *Residential Amenity, Odour Control, Noise;* The closest residential dwellings are located in the settlements of Moodiesburn, located some 1,500m to the west, Mollinsburn, located some 500m to the south and the western end of Condorrat, located some 1,000m to the east. All of these settlements are located across from the M80 and M73 motorways from the proposed development site. The site is considered to be sufficiently far enough away from residential properties that their amenity should not be affected by the proposals. It is considered that there are no issues in terms of noise expected from the site. SEPA are the regulatory authority and will assess any odour issue should it arise.

8.14 *Transport Access and Parking;* It is anticipated that the vehicles visiting the site shall have a payload of 24 tonnes and there shall be a total of 116 vehicle movements per day, (58 vehicle movements in and 58 vehicle movements out per day). The majority of these vehicle movements would be undertaken between the hours of 07:00 to 19:00, however there may be the requirement for occasional, additional vehicle movements outside of these hours due to the nature of the business. Additionally, it is anticipated that there shall be 30 vehicle movements by private cars / light goods vehicles for the staff movements.

8.15 NLC Traffic & Transportation have been consulted with regards to this application and did not seek to oppose the proposed development, subject to conditions. The conditions requested relate to the submission of a 'Traffic Management Plan' and an agreement with regards to Section 96 of the Roads (Scotland) Act 1984, for extraordinary expenses in repairing roads damaged by heavy vehicles during construction. The Traffic Management Plan should be split into two principle elements, the construction phase and the post construction, operational stage, however they may be submitted as a single document for review. The document should include the mandatory use of wheel washes, the use of 'sheeting' to prevent any material being deposited on the public road, the provision of internal stacking to prevent vehicle conflicts on the Old Quary Road and construction staff parking provision. These conditions have been carried over to this recommendation and shall be further carried over to the decision notice in the event of a successful conclusion to this application

8.16 *Flooding and Drainage;* The site sits in close proximity to the Luggie Water. Mapping generated by SEPA indicates that some parts of the site may be affected by surface water and small watercourses flooding. An appropriate assessment would therefore require to be carried out to demonstrate that these matters can be addressed and if mitigation is required that this can be put in place effectively. SEPA (South) have been consulted with regards to this application and with regards to flooding in general and any potential impact on the Luggie water and have concluded that the proposal does not exacerbate the current flood risk.

9. Conclusions

The principle of the proposed development is considered acceptable. The proposed redevelopment of an existing renewable biogas facility and associated works is considered acceptable in terms of the criteria set out in the relevant policies, particularly PP2A (Strategic Business Centres), AD2A (Amount of Development) and policies EDQ 1-3 of the North Lanarkshire Local Plan 2022. The proposal similarly does not raise any issues with regards to National Planning Framework 4, particularly policy 1 Tackling the climate and nature crisis and policy 2 climate mitigation and adaption. The proposal shall assist with the Scottish Governments broader energy policy which aims to transition to a net-zero energy system by 2030, with a focus on renewable energy sources. As such, it is recommended that approval is given subject to conditions.

Application No:

25/00794/FUL

Proposed Development:

Residential Development (5no. Proposed Houses) and Green Network Enhancement

Site Address:

Land at
Dullatur Road And King's Drive
Dullatur
Cumbernauld

Date Registered:

6th August 2025

Applicant:
JGS Developments (Lenzie)
90 Mitchell Street
6th Floor Garden Chambers
Glasgow
G1 3NQ

Agent:
S2 Architecture
Unit 3
5 Auchinairn Road
Bishopbriggs
G64 1RX

Application Level:
Local Application

Contrary to Development Plan:
Yes

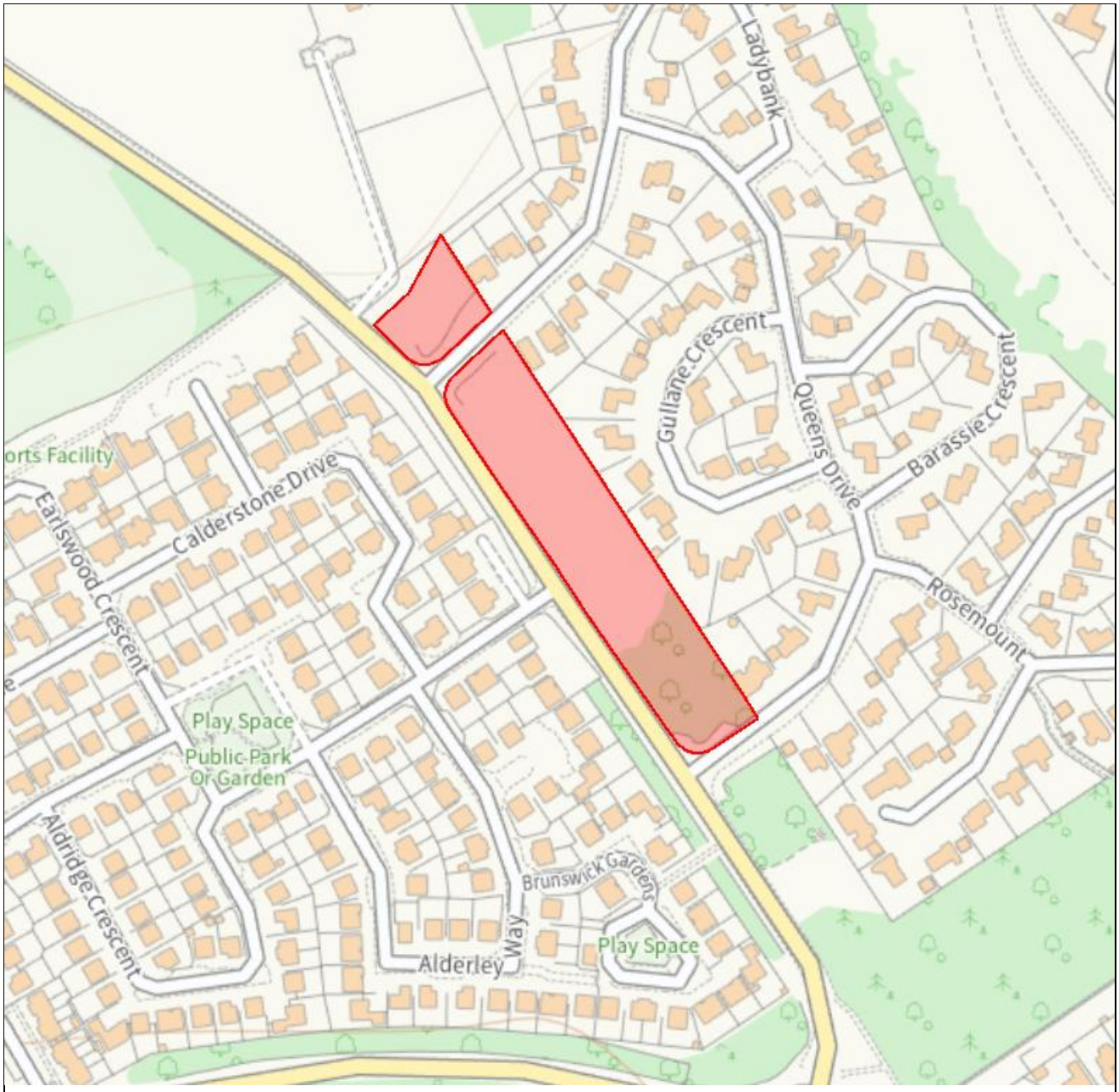
Ward:
02 Cumbernauld North
Danish Ashraf, Tom Fisher, Alan Masterton, Gordon Currie,

Representations:
259 letters of representation received (including from Jamie Hepburn MSP and Cllr Masterton)

Recommendation: Refuse

Reasoned Justification:

Residential development on this site is not supported by the aims of the Development Plan as this development will result in a significant reduction of the designated Green Network established to connect natural, semi-natural, and man-made open spaces to support biodiversity, protect and enhance habitats, including woodlands, and urban greenspaces. As well as providing accessible spaces for recreation and physical activity in support of mental health through access to nature and tranquil environments. In terms of place making and urban design the site enhances the identity and quality of the urban area demonstrating how settlements grow by integrating green infrastructure into development while supporting the creation of attractive, sustainable places for people to live and work. The application does not support the planning concept of integration by aligning with policies in the National Planning Framework (NPF 4).



Planning Application: 25/00794/FUL
Name (of applicant):
JGS Developments (Lenzie)
Site Address: Land At
Dullatur Road and King's Drive
Dullatur
Cumbernauld

Development: Residential Development (5no. Proposed Houses) and Green Network Enhancement

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North Lanarkshire Council

Reasons for Refusal:-

1. Proposed enhancements aside, the development will result in the significant erosion of this section of the Green Network as such cannot reasonably be stated to strengthen this section of a wider strategic Green Network as a nature network. The application submission cannot therefore reasonably be held to concur with the stated policy intent or provide a justification to depart from with Policy on Biodiversity. NPF 4 Policy 3 – Biodiversity

2. Fragmenting or severing woodland habitats by building on part of the connecting green network cannot reasonably be held to concur with the stated policy intent or provide a justification to depart from with NPF4 Policy 6 on Forestry, Woodland and Trees.

3. The development will result in a significant reduction of an existing attractive open space forming a long-established part of the Green Network used by residents and recreational users of this place. The proposal therefore will result in significant conflict with the aims of the intended purpose of this policy by significantly eroding the established and designated Green Network and cannot reasonably be held to concur with the stated policy intent or provide a justification to depart from with Policy on Design, Quality and Place. As such is not supported by Local Development Plan Policy EDQ 3 POLICY Quality of Development or NPF Policy 14 Design, Quality and Place.

4. The development will result in the reduction of green infrastructure resulting in a deficit of planned and designed townscape at a location impacting on a component part of the designated green network. The application submission cannot reasonably be held to concur with the stated policy intent or provide a justification to depart from with NPF4 Policy 20 on Blue and Green Infrastructure.

5. A significant reduction in the area or quality of the site, which is proposed to be offset or justified through enhancement measures elsewhere within the site, raises questions about the equivalence, effectiveness, and spatial relevance of the claimed improvements. Consequentially, sufficient justification has not been given to the loss placemaking, health and well-being impact or continuation of policy integration. As such, the application does not concur with North Lanarkshire Local Development Plan Policies on protecting assets PROT A POLICY Natural Environment and Green Network Assets

Background Papers:

Consultation Responses:

NLC Infrastructure & Transportation memorandum received 23rd October 2025
NLC Greenspace (Arboriculture)memorandum received 8th October 2025
NLC New Supply letter received 22nd August 2025
Coal Mining Remediation Authority letter received 22nd August 2025
NLC Education memorandum received 11th September 2025
NLC Archaeology Service memorandum received 28th August 2025
NLC Protective Services Memorandum Received 15th October 2025
NLC Community Partnership Team memorandum received 11th September 2025

Contact Information:

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

Report Date: 18th November 2025

APPLICATION NO. 25/00794/FUL

REPORT

1. Site Description

1.1 The site which is currently an established area of amenity space (aprox.1 Ha in area) lies on the boundary between Dullatur and Westerwood area of Cumbernauld characterised by an area of mature landscaped transition and residential area either side of Dullutar Road. The site is bounded east and west by dwellings, separated in part by mature boundary planting, and are predominantly two storey detached and semi-detached dwellings. An area of mature woodland area lies to the south and is coterminous with the site southern boundary. To the north lies an area characterised by mature trees and formal landscaping before breaking to open countryside and then a golf course. An existing pedestrian pathway connection runs along the front of the site Dullatur Road. The site is currently an area of amenity open space which is maintained grass, tree planting and adjacent footpath links, serving the current residents of the adjacent residential area. Site access is proposed by way of Dullatur Road (direct access for 4 of the 5 plots with one plot being accessed from Kings Drive) which is currently used to access the settlement of Dullatur and residential areas described above. In terms of topography north to south the site rises from 141m to 148m over 149m. Taken at its mid-point the site is relatively level falling from 146m to 145m towards Dullatur Road contributing to part of the design of the established residential estate surrounding.

2. Proposed Development

2.1 The planning application is for a residential development, and the applicant has submitted a layout demonstrating 5 dwellings and detail of house types which as annotated on the plans are (type 1) -$2^{1/2}$ storey 4 bedroom detached and (type 2) $2^{1/2}$ storey 4 bedroom detached both with integral garage with sedum roof. Materials consist of Buff facing brick, zinc cladding with dark grey interlocking roof tiles. Garden ground and in curtilage parking. In addition, both house types have 2 further attic rooms and a self contained one bedroom 'elderly persons' annex – so potentially 7 bedrooms in total

3. Applicant's Supporting Information

3.1 Supporting information includes the following documents:

- Design statement
- Planning Statement
- Tree Report (including hedges)
- Drainage strategy
- Environmental study (Phase 1)
- Landscape Report
- Preliminary Ecological Appraisal
- Access Report

4. Site History

4.1 The site has been the subject of multiple applications for residential development listed below. All developments on this site refused and dismissed appeal by the Scottish Government. The latter decision was subject to a challenge at the Court of session and is summarised below.

Significant planning applications associated with this site include the following:

- 09/00851/PPP Residential Development (Potential Formation of 19 Residential Plots) (In-Principle) Site at North Muirhead Farm Dullatur Road refused (dismissed on appeal) 17th December 2009.

- 15/02136/FUL Erection of 11 Dwellings Sites East of King's Drive, Westerwood, Cumbernauld, refused (dismissed on appeal) 23rd March 2016.

- 17/00191/FUL Proposed Erection of 11 No. New Dwellings to Vacant Site, Sites East of King's Drive, Westerwood, Cumbernauld, refused (dismissed on appeal) 22nd March 2017.

- 19/00909/FUL: Construction of 9 Dwellinghouses site to the east and west of Kings Drive and North of Dullutar (appeal dismissed 6th September 2021).

4.2 A decision notice was previously issued on the appeal PPA-320-2139 (19/00909/FUL). However, that decision was subject to a court challenge and was subsequently quashed. The Reporter for the Scottish Government thereafter was appointed to re-determine the case, inviting the council and then other parties to provide comments on the Court of Session ruling, progress on the examination of the North Lanarkshire Local Development Plan Modified Proposed Plan and information on Tree Preservation Orders covering any part of the appeal site.

4.3 A summary of the Reporters reasoning in his decision to dismiss the appeal PPA-320-2139-1 (19/00909/FUL) is as follows.

'I therefore conclude that, for the reasons set out above and while the proposed development broadly accords with the relevant provisions of the development plan, refusing to grant planning permission is still justified because of the protection to be afforded to the site as part of a Green Network/Green Belt as confirmed by a recent reporter's examination of the proposed local development plan.'

The North Lanarkshire Local Development Plan was adopted after the last appeal.

5. Development Plan

5.1 The proposal is assessed in terms of the National Planning Framework (NPF4) as well as under the terms of the North Lanarkshire Local Development Plan which identifies the site principally as PROM LOC4 POLICY Special Landscape Areas & Green Network Improvements and falling within the General urban Area with a portion of the site in the Green Belt.

6. Consultations

6.1 The following comments were received from consultees:

NLC Infrastructure & Transportation confirmed that they have no objection to the development subject to condition on in curtilage parking condition.

NLC Protective Services provided comment on the site investigation (by Land wise consultants) which was peer reviewed. It is recommended that should members be minded to approve the application, a condition on the outstanding queries from that review and proposed remediation should be attached.

NLC New Supply advise that in this instance, where site capacity is indicated as 5 units, the first preference is for the affordable housing requirement to be met by way of commuted sum payment. The value of the commuted sum to be determined following joint appointment of the District Valuer Service (DVS). The applicant has agreed in principle to this process and therefore a legal agreement should be concluded prior to issuing the decision notice should members be minded to approve the application.

NLC Education comment that given the small number of housing units proposed in relation to this site it is anticipated that any pupil product will be minimal. The schools in the local area will be in a position to absorb any pupil product from this development within the existing school estate. Ther Service will not request a Developer Contribution in relation to this application at this time.

NLC Community Partnership Team comment that due to the proximity of the development to Dullatur Road, and there being no proposal or scope within the constraints of the site to provide the required

play space a financial contribution in lieu of onsite provision will be required and used to upgrade an existing Council Play Area in the local area. This is currently calculated at £500 per house. Therefore, for a development consisting of 5 detached dwellings a total developer's contribution of £2,500 would be required.

NLC Green Space & Country Parks (arboriculture) advise that Tree removals shall be strictly limited to those identified in the Arboriculture Impact Assessment (AIA) prepared by Julian A. Morris (dated July 2025), as shown on the Tree Protection Plan (Appendix 6). No additional trees shall be removed without the prior written approval of the Arboriculture Team.

A compensatory tree planting scheme shall be submitted as part of the final landscape plan and is recommended as a planning condition covering species, after care, biodiversity value and girth is attached to the decision notice should members be minded to approve.

Coal Mining Remediation Authority team considers that the content and conclusions of the Site Investigation report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. They therefore have no objection to the proposed development. However, further and more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Should planning permission be granted for this proposal, they have requested the inclusion of Informative Notes to address this.

NLC Archaeology The proposed development lies in an area associated with known archaeological remains. To the immediate west an earlier archaeological evaluation identified pits and features while to the north lies the Antoine Wall, there is a reasonable chance that the development area may have associated with agriculture associated with the Roman occupation. In addition, the area has been arable since the mid-18th century which raises the potential for previously unknown archaeological remains as identified to the immediate west.

While as noted the Antonine Wall World Heritage Site lies to the north there is no setting impact due to the existing settlement which has made the monument less sensitive to further change.

The proposed development has the potential to damage previously unknown archaeological remains, however as the scope and scale of such putative remains are unknown there are insufficient grounds to object to the development. Therefore, if the development does proceed, it is recommended that in advance of construction an experienced and suitably qualified archaeological contractor undertake the following programme of archaeological works by way of mitigation regarding the potential loss of the site. A Planning condition to cover these works is recommended should members be minded to approve the application.

Westerwood Community Council object on basis of adverse impacts on road and pedestrian safety (given the persistent and serious speeding issue on this section of road) and the development being contrary to planning policy in particular the adverse impact on the green network

7. Representations

7.1 Following neighbour notification procedure 259 letters of representation were received (244) objections, (14) supporting and 1 Neutral). Representation included from Councillor Masterton and Mr Jamie Hepburn MSP.

7.2 The principal concerns expressed in objections relate to proposed development, referring to conflicts with planning policy, loss of green space, biodiversity concerns, and infrastructure issues. Comments in support the proposal, focusing on potential biodiversity enhancements, local economic benefits and design quality.

7.3 The objections can be summarised as follows:

The development does not comply with NPF4 or local development plan policies

Multiple references within the objection comments to the development being contrary to specific policies within the development plan in, particular:

North Lanarkshire Local Development Plan (LDP) – Policies PROT A, PROM LOC4, EDQ1 and EDQ3
National Planning Framework 4 (NPF4) – Policies 3, 6, 13, 14, 20(a) and 22

Key concerns:

- Proposal contradicts the designation of the site as part of the Green Network
- Previous applications have been refused, including a ruling at the Cout of session.

Comment: The policy position is discussed in section 8 of the report.

Loss of Green Space & Amenity

The site is described by residents as a valued public amenity used for walking, commuting, and recreation.

Objections principally relate to:

- Fragmentation of the Green Network
- Loss of safe pedestrian routes, especially for children going to school
- Visual impact and loss of openness

Comment: Loss of Green space and amenity is discussed in section 8 of the report.

Biodiversity & Environmental Impact

A significant number of objections include:

- Destruction of habitats, mature trees, and wildlife corridors
- Lack of ecological surveys
- Threats to protected species (e.g., Lesser Butterfly Orchids, wild birds)

Supporters argue the development could enhance biodiversity through planting and landscaping.

Comment: Biodiversity & Environmental Impact is discussed in section 8 of the report.

Road saftey

- Local residents have expressed concerns about road safety - specifically relating to:
  - New driveways directly onto Dullatur Road
  - Increased traffic hazards and visibility issues

Residents consider that a Transport Statement or Road Safety Audit should have been submitted.

Comment: Following consultation NLC Infrastructure & Transportation had no objection to the layout on Road safety grounds. A Transport Statement or Road Safety Audit was not deemed by them to be necessary and so was not requested by them

Inadequate infrastructure

Representations were received in relation to inadequate drainage, NHS services, school capacity, and public transport.

Comment: Drainage detail is discussed in section 8 of the report. In considering NHS services it should be noted that NHS Lanarkshire are participants in the Local Development Plan Process and are therefore aware that unallocated sites will come forward against which they will consider their resource for health provision. Education have confirmed that they have capacity within their estate to accommodate this level of proposed unallocated residential development. In terms of public transport the site lies within the general urban area where an additional 5 dwellings are unlikely to merit additional provision over the existing public transport arrangements.

Design & Character

Objections on this subject related to:

- Incongruous building design (e.g., zinc-clad dwellings)
- Scale and massing not in keeping with surrounding homes

Comment: The building design is indicative of surrounding house types and therefore otherwise acceptable.

Legal & Procedural Concerns

Comments were received advising that:

- Community Councils were not informed
- Residents were not notified
- Approval would breach statutory duties under various Scottish Acts

Comment: The application received a substantial number of objections indicating that the notification process and press advert was successful. The Community Council confirmed that they were aware of the application. It is not clear in what manner the assessment of a planning application has constituted breach of statutory duties.

Flooding and Drainage

- Risk of increased surface water runoff and flooding due to development.

Comment: Drainage is considered in section 8 of the report.

Impact on Community Character

- Fear that the development will alter the semi-rural character of Dullatur.
- Visual impact and over development.

Comment: It is not considered that the development would significantly alter the character of Dullatur which has a number of large contemporary residential developments within its townscape. Similarly, while approval of the development would alter the nature of the site and would erode and undermine the green network given the site dimensions and proposed layout this could not be considered overdevelopment.

Planning Process Transparency

Requests for clearer communication and more inclusive consultation.

Comment: The planning service is constrained the processes and procedures set by the legislation which was followed for this scale of development.

7.4 **Supporting Comments**

Comments in support (14 in total) of the development were also received, as follows:

- The site has low existing biodiversity
- Development offers a chance for biodiversity enhancement
- The proposal aligns with NPF4 goals for healthy, connected, and sustainable communities

Environmental Improvement

Supporters highlight the proposal's potential to enhance the local green network, including tree planting and biodiversity measures.

Low-Density Development

The plan for only five houses is seen as sympathetic to the existing character of the area, avoiding overdevelopment.

Design Quality

Some comments praise the architectural design and layout, suggesting it complements the surrounding landscape and built environment and that the design is high-quality, distinctive, and sustainable.

Community Benefit

A few supporters mention that the development could bring modest economic and social benefits to the area, including improved access and landscaping.

Responsible Land Use

There is support for the idea that the land is being used in a thoughtful and sustainable way, balancing housing needs with environmental stewardship.

Comment: These supporting comments are noted.

8. Planning Assessment

8.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, Planning Authorities are required that in determining planning application proposals, where regard is to be had to the Development Plan, determination should be in accordance with this Plan unless material considerations indicate otherwise. In this instance the proposal is assessed in terms of the National Planning Framework (NPF4) as well as under the terms of the North Lanarkshire Local Development Plan and any other material considerations.

8.2 The National Planning Policies are intended to provide a policy direction when determining all development requiring planning consent. National Planning Framework NPF4 is a component of the Development Plan system and in accordance with Section 25 (1) of the Town and Country Planning (Scotland) Act 1997 as amended and with the Local Development Plan forms part of the assessment process.

8.3 The considered National Planning Framework (NPF4) policies are as follows:

NPF4

8.4 **Policy 3 – Biodiversity**

a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

b) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy Intent: To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

8.5 Proposed enhancements aside, the development will result in the significant erosion of this Green Network as such cannot reasonably be stated to strengthen this section of a wider strategic Green Network as a nature network. The application submission cannot therefore reasonably be held to concur with the stated policy intent or provide a justification to depart from national Policy on Biodiversity.

8.6 **Policy 6 – Forestry, Woodland and Trees**

a) Development proposals that enhance, expand and improve woodland and tree cover will be

supported.

b) Development proposals will not be supported where they will result in:

i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition.

ii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy.

c) Development proposals involving woodland removal will only be supported where they will achieve

significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

Policy Intent: To protect and expand forests, woodland and trees.

8.7 Fragmenting or severing woodland habitats by building on part of the connecting green network cannot reasonably be held to concur with the stated policy intent or provide a justification to depart from national Policy on Forestry, Woodland and Trees.

8.8 **Policy 14 – Design, Quality and Place (Liveable Places)**

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

- Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.
- Pleasant: Supporting attractive natural and built spaces.
- Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
- Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Further details on delivering the six qualities of successful places are set out in Annex D of the policy document.

c) Development proposals that are poorly designed, detrimental to the amenity of the

surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy intent – promote appropriate design within new development whist respecting the amenity of the surrounding area.

8.9 This policy requires that development improves the quality of an area. It is considered that the significant reduction of an existing attractive open space will be lost to the proposed development resulting in a significant loss of long-established Green Network for residents and recreational users of this place. The proposal therefore will result in significant conflict with the aims of the intended purpose of this policy by significantly eroding the established and designated Green Network. The application submission cannot reasonably be held to concur with the stated policy intent or provide a justification to depart from National Policy on Design, Quality and Place. This is discussed in further detail under Local Development Plan Policy EDQ 3 POLICY Quality of Development below.

8.10 **Policy 20 – Blue and Green Infrastructure**

a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.

b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances. Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multi-functional and well-integrated into the overall proposals.

Policy Intent: - seeking to promote, enhance and preserve the elements of blue green infrastructure that are present throughout both the urban and rural environments.

8.11 The development will result in the reduction of green infrastructure resulting in a deficit of planned and designed townscape at a location impacting on a component part of the designated green network. The application submission cannot reasonably be held to concur with the stated policy intent or provide a justification to depart from national Policy on Blue and Green Infrastructure.

<u>North Lanarkshire Local Development Plan (NLLDP)</u>

8.12 **PROM LOC4 POLICY Special Landscape Areas & Green Network Improvements**

Any proposals affecting the Glasgow & the Clyde Valley Green Network in North Lanarkshire and other natural areas and green spaces that contribute to the health and quality of life of local communities will be required to satisfy the provisions of all EDQ and PROT Policies. Local level, small scale improvements will be delivered through specific North Lanarkshire Partnership Local Development Programme. 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. Green Networks, corridors and linkages are widely seen as a key mechanism for reversing the effects of fragmentation on biodiversity.

8.13 Integrated blue-green infrastructure – green and blue features of the natural and built environment that are designed, integrated and managed to provide water management, access networks, habitat enhancement and open space functions – is also important. Such infrastructure delivers economies of environmental, economic and social multi-functionality unique to and within a single place. Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges, green roofs and gardens. Blue features include rivers, lochs, wetlands, canals, ponds, porous paving and sustainable urban drainage systems. Paths, cycleways and river corridors provide connections through and between areas of green infrastructure.

8.14 Within North Lanarkshire, opportunity maps have been created for each of the four Green Network Priorities (Health and Wellbeing, Climate Change Adaption, Access to Greenspace, Habitat Connectivity). From these strategically important areas that represent the greatest opportunity for delivering each of the priorities was identified.

PROT PROTECTING ASSETS

8.15 **PROT A POLICY Natural Environment and Green Network Assets**

North Lanarkshire Council will protect natural and resilient sustainable places by safeguarding natural heritage assets. When considering future development affecting the natural environment and the specific Green Network Assets identified in this Policy, the Council will seek guidance where appropriate from NatureScot. NatureScot has produced a variety of policy and guidance documents for aspects of the natural environment which the Council will utilise and will expect developers to consider in preparing proposals. Site categories identified in this Policy are locations protected for their importance for species or habitats, or other environmental value.

8.16 **Category A4 Urban Green Network**

Natural areas (including urban wildlife corridors, trees & woodlands, watercourses & wetlands and flood plains), outdoor sports facilities and other green open spaces contributing to quality of life in local communities

8.17 The Council will maintain community wellbeing in residential areas by protecting the Urban Green Network. Planning permission will only be granted for proposals potentially affecting the Urban Green Network 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. Policy EDQ3 will outline how new development proposals may protect, enhance and manage existing Green Network infrastructure and, in key locations, provide new Green Network infrastructure.

8.18 In considering the purpose in protecting the Green Network it is worth clarifying what it is intended to support.

Environmental Enhancement

- Connects natural, semi-natural, and man-made open spaces to support biodiversity.
- Protects and enhances habitats, including woodlands, and urban greenspaces.
- Helps mitigate climate change impacts by managing surface water, reducing urban heat, and storing carbon.

Health and Wellbeing

- Provides accessible spaces for recreation and physical activity.
- Supports mental health through access to nature and tranquil environments.
- Encourages active travel (walking, cycling) by linking paths and corridors.

Placemaking and Urban Design

- Enhances the identity and quality of urban areas.
- Influences how settlements grow by integrating green infrastructure into development.

- Supports the creation of attractive, sustainable places for people to live and work.

Strategic Planning Integration

- Forms part of national and regional development strategies.
- Aligns with policies in the National Planning Framework (NPF) and continues the work established though Scottish Planning Policy (SPP).
- Used in local development plans (e.g. North Lanarkshire LDP) to guide land use and infrastructure decisions.

8.19 **Comment**: a partial reduction in the area or quality of the site, which is proposed to be offset or justified through enhancement measures elsewhere within the site, raises questions about the equivalence, effectiveness, and spatial relevance of the claimed improvements. Concurrently, sufficient consideration in the application submission has not been given to placemaking, health and well-being or policy integration.

8.20 **Category A5 (Protected species)**

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. Not all locations important for species are identified.

8.21 The applicants appointed ecologist confirmed that no evidence was found on Site to indicate the presence of terrestrial protected species and no trees with Potential Roosting Features (PRFs) were identified within the Site boundary.

8.22 The application poses the proposition that you can enhance a green corridor by largely removing it. While it is recognised that removal can be a form of enhancement depending on the context and intent. In this application development on a designated green corridor is balanced against retaining the sites ecological footprint. The applicant's landscape architect proposes a series of landscape enhancements encouraging and supporting biological diversity which he argues is possible in strengthening a green network by linking together areas of protected woodland which surround the site. The development footprint contains areas of hedgerow, grassland, and tree species vital for ecological habitat. The design intends to retain and build upon these qualities of the site.

8.23 And in doing so reinforce the local green network with 5 new homes development by retaining, reconnecting and enhancing local woodland and grassland. The applicant's landscape proposal has ensured:

- Significant existing trees are to be protected.
- Local habitats are to be re-linked and enhanced.
- Native plant species should be prioritised.
- Green nature spaces, including community areas and woodland walks, are to be introduced.

8.24 The design as proposed by the applicant is intended to reserve and reconnect the local green network, strengthen the local biodiversity, and provide accessible green space to benefit the local community. It is the case that the landowner could carry out biodiversity/landscaping improvements to the site without the need for planning permission i.e. these works are not regarded as development. The proposed improvements are not sufficient to offset the harm caused by building 5 houses on this important green network site.

8.25 It would be reasonable to argue that many of the trees are already protected, habitats linked and green nature spaces including community areas linked, accessible and benefitting the local community supported by the number and content of objections. This covering but not all the functions of the Green Network discussed under the principle planning policy on this subject PROT A (Natural Environment and Green Network Assets) by maintaining and improving the green corridor and outlining opportunities to enhance suitable foraging and commuting habitat for wildlife.

8.26 In considering construction on an area of green network the submitted preliminary ecological appraisal has outlined several natural habitats which should be protected, maintained, and enhanced throughout the development.

8.27 The applicant's appointed ecologist confirmed that no evidence was found on Site to indicate the presence of terrestrial protected species and no trees with Potential Roosting Features (PRFs) were identified within the Site boundary.

8.28 In terms of significant connectivity, the submitted Preliminary Ecology Appraisal (PEA) commented that Mainhead plantation is located 54m from the site in the southeast. Due to barriers to wildlife such as walls and roads physical connectivity between the site and the woodland is reduced. There is also functional connectivity between the site and the Mainhead plantation ancient woodland. The proposed development and associated works therefore have the potential to impact the commuting and foraging routes of wildlife through this site. This report recommends that connectivity between the sites is maintained and improved where possible through the design process. The development should retain open space which can continue to function as a wildlife corridor.

8.29 The Site also contains three areas of neutral grassland of varying species composition. Neutral grassland has the capacity to provided foraging and commuting habitat for a variety of species including small mammals, birds, and insects. The grassland habitats to the southeastern extent ad northwestern extent of the site are floristically diverse creating opportunities for a range of pollinators. As such it is deemed that the habitat as moderate ecological value and should be retained and enhanced where possible as part of the development.

8.30 A series of biodiversity enhancements are also proposed relating to landscape planting, existing woodland and trees, and existing grassland habitats.

8.31 The PEA also advises that artificial lighting can often impact the foraging and commuting behaviour of nocturnal mammals such as bats and badgers. Consequently, it is advised that lighting should be directed to where it is needed and light spillage (whether direct/ or in-direct) should be avoided. It should be noted that should the development be approved, the domestic lighting would be controlled by the new residents.

8.32 Whilst noting all of the above, returning to the initial proposition i.e. that you can somehow improve a green network site by largely removing it by building houses on it the first point to make is that the designation of a green corridor, while considering ecology and landscape, also supports elements of placemaking and design and encourages health and well-being by retaining spaces for recreation and physical activity. In a wider planning context, it supports a longer-term planning vision of strategic planning integration principally to guide land use and infrastructure decisions.

8.33 The proposition that the site requires reconnection appears to conflict not only with the policy designation but also with the submitted landscape and ecology comments above. In that the site is currently connected and functions as a component of the Green Network. While the application puts forward that view that building on the Green Network will enhance it by introducing peripheral but considered landscaping and by largely removing areas of it to be replaced by built form, on balance this is a residential development largely resulting in the loss of established open space which currently has an established and working function which not only includes ecology and landscape but also supports elements of placemaking and design and encourages health and well-being by retaining spaces for recreation and physical activity. In a wider planning context, it supports a longer-term planning vision of strategic planning integration principally to guide land use and infrastructure decisions.

8.34 In conclusion a partial reduction in the area or quality of the site, which is proposed to be offset or justified through enhancement measures elsewhere, raises questions about the equivalence, effectiveness, and spatial relevance of the claimed improvements.

8.35 The mitigation measures or actions proposed to reduce the negative impacts of development are being offered by the applicant as Biodiversity Net Gain (BNG). That is to say, the development resulting in part of a habitat being lost to modification is being offset as enhancements elsewhere (e.g. planting, habitat creation) but within the developed site and thereby resulting in an overall gain in biodiversity. However, the significant reduction in site area to built form will lead to a restricted landscape corridor, a more fragmented landscape, closer human contact and thereby constraint on biodiversity, notwithstanding the proposed biodiversity enhancements. While in some cases enhancements may be aggregated elsewhere to support an overall improvement, it is considered that this is not what is being proposed. Presumably as this approach can be spatially or functionally disconnected. On balance the applicant is arguing the trade-off made between the loss of one asset (e.g. open space, ecological value) and the gain of another (enhanced ecological value) with the loss of open space. This when assessed results in no public benefit outweighing the impairment to the potential for biodiversity. Therefore, the proposed mitigation for the loss of biodiversity is limited enhancement of a developed space. It is not accepted that limited enhancement proposed can be balanced against the existing spatial loss, while simultaneously aiming to improve conditions beyond the net gain baseline.

8.36 The application therefore does not comply with Policies designed to protect and enhance the green network. PROM LOC4 POLICY Special Landscape Areas & Green Network Improvements, PROT A POLICY Natural Environment and Green Network Assets (Category A4 Urban Green Network).

NPF 4 Policy 8 Green Belt and NLLDP Purpose of Place Policy PP4 Green Belt

8.37 The application site in part lies within the designated Green Belt, and while the application is to establish a residential development, the red line boundary of the site and current design excludes the allocated green belt area from construction. The proposed development may therefore be considered inconsequential by design by not significantly impacting on the intended of aims of Green Belt Policy NPF 4 Policy 8 or NLLDP Purpose of Place Policy PP4 Green Belt.

Environmental and Design Qualities EDQ 1-3

8.38 All developments require to be assessed against these 3 local development plan policies. However in this instance EDQ2 is not relevant

8.39 **EDQ 1 POLICY Site Appraisal** advises 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. The matters to be addressed in the appraisal include but are not limited to the listed criteria in the Local Development Plan.

8.40 Given the constraints of the site the design for residential development cannot achieve an acceptable layout without significantly eroding this area of existing Green Network the application is overall is not supported by Policy EDQ1.

8.41 **EDQ 3 POLICY Quality of Development** advises development will only be permitted where high standards of site planning and sustainable design are achieved. Planning Applications will need to demonstrate that the proposed development takes account of the site appraisal carried out as a requirement of Policies EDQ1 and, if appropriate, EDQ2, assets protected under Policy PROT, any evaluation of design options, and achieves a high-quality development.

8.42 The following observations under headings below are considered relevant.

Considerations under policy EDQ 3 POLICY Quality of Development are measured against the following:

a. Providing a safe, pleasant, inclusive, convenient and welcoming development. If the unavoidable and adverse impact on the green network and resulting loss of amenity were to be set to aside it is considered that the development viewed in isolation could be assessed as meeting these aims. NLC Infrastructure and Transportation have provided comment on the access layout and design and have no objection to this arrangement.

b. Moving towards a low-carbon economy, addressing, resource efficiency, Mitigation of and Adaptation for the effects of Climate Change energy and waste issues in order to create a sustainable development with a low ecological footprint.

A preliminary ecological appraisal report was submitted which followed surveys based on standard methodology as published by the Institute of Ecology and Environmental Management (IEEM), 2018. The surveys aimed to assess the ecological value of the site and record any protected habitats or species. The purpose of the assessments was to document the baseline ecological conditions of the site. It is the report authors professional opinion the proposed development would have no adverse impact on any protected species or habitats and that no further survey work is required. Reports were submitted commenting on Green Network, landscape enhancements and quality on the site and surrounding Land Use Character Area and biodiversity of plants and animals on the site.

In referring to EDQ 3 – these reports are discussed above in the context of policy PROT A POLICY Natural Environment and Green Network Assets.

In accordance with current building standards and in the interest of energy efficiency, the development should be able to provide a variety of means to limit CO2 emissions in line with the current building regulations.

c. Mitigating any likely air quality, noise, or pollution impacts particularly in or adjacent to Air Quality or Noise Management Areas. In some circumstances, mitigation may not always be possible, and avoidance may be required. The scale of the proposed development will not give rise to any significant pollution impact requiring mitigation. That said, the applicant has submitted supporting information on geo-environmental site conditions. As such, NLC Protective services following consultation recommend that before the commencement of development, should members be minded to approve the application, the outstanding queries should address. It is recommended that this should be the subject of a planning condition in the event of members approving the application.

d. Ensuring that water body status is protected and, where possible, enhanced. Status includes physical characteristics, so proposals such as culverting will only be considered where no other practical option exists. Foul water should connect to the public sewer - alternatives to this will only be permitted where no public system exists and the alternative does not pose an environmental risk. Sustainable Urban Drainage Systems should be adopted within site design and appropriate details, including during the construction phase, require to be submitted with any relevant planning application. Buffer strips may be required in respect of the water environment between a development and each watercourse.

Scottish Water is responsible under the terms of the Sewerage (Scotland) Act 1968, (as amended), for provision of sewerage infrastructure for domestic sewerage, trade effluent and some categories of surface water following agreement with the developer. This policy considers that foul water should connect to the existing public sewer within the urban area. Alternatives to this will only be permitted where no public system exists, and the alternative does not pose an environmental risk. In considering Sustainable Urban Drainage Systems (SUDS), Policy EDQ1 outlines SUDS should be adopted within site design and appropriate details require to be submitted with any planning application. A condition on securing the detail and implementation of a Sustainable Urban Drainage Systems (SUDS) is recommended should members be minded to approve the application.

e. Adequate provision has been made for the development and maintenance of landscaped areas and, and for linking to and enhancing open spaces and green networks. The application fails to comply with section g of the policy given that it will result in the removal of an established designed open space and green network link.

f. Existing features of Green Network or Historic Environmental interest or Resources, protected under the terms of the Protect Assets Policies, and including features (e.g. traditional stone buildings/structures) identified through the site appraisal required by Policy EDQ 1, will be safeguarded or enhanced. (see PROM LOC4 POLICY Special Landscape Areas & Green Network Improvements, PROT A POLICY Natural Environment and Green Network Assets (Category A4 Urban Green Network) above.

8.43 In respect to more technical assessment points, should members be minded to approve planning permission, it must be accepted that, given the principle designation of the site as green network remains in conflict with residential development and while appropriate design could be achieved in terms of height, massing and materials could be achieved, this is largely at the loss of the designated green network. The development proposal has therefore not demonstrated that it can meet the adopted standards and is therefore contrary to Policy EDQ3 quality of development.

8.44 **CI POLICY Contributions to Infrastructure** advises North Lanarkshire Council will seek to secure developer contributions for new developments that, individually or cumulatively, generate a requirement for new or enhanced infrastructure or services, covering Affordable Housing in Cumbernauld Housing Sub-Market Area.

Category Affordable Housing

For proposed residential developments in the Cumbernauld Housing Sub-Market Area (as shown on Page 72 of the Policy Document) the Council seeks to secure 20% affordable housing provision in continuation of adopted Council Policy on the advice of the Council's Housing Strategy Service. Justification is contained in the Affordable Housing Policy Background Report. Further Guidance is contained in the Council's Affordable Housing Guidance. The Council will consider the requirement for the provision of affordable housing elsewhere on a case-by-case basis, where an identified need has been demonstrated.

If minded to approve the application will be subject to a legal agreement for a commuted sum towards affordable housing allocation. The level of commuted sum is currently with the Council's new supply team and District valuer to determine.

9. Other Material Considerations

9.1 **Planning History**: The application has been subject to numerous refused applications and subsequent appeals as set out in section 4 of this report.

9.2 **Supporting information (financial)**: the applicant has submitted supporting information advising the following:

- The applicant commented that JGS Developments will be providing £4M of private investment to realise this development. Financial benefits from this investment will impact on the local economy within North Lanarkshire Council in the form of; salaries paid to those employed in the development and materials supplied by local businesses together with tax revenues, an Affordable Housing Contribution which directly relates to the impact of the development and which will assist North Lanarkshire Council to deliver their programme of affordable housing.
- JGS Developments are a local business, all staff are resident within North Lanarkshire and the company source construction materials principally from local suppliers. A positive determination of this application will assist greatly in Castlecary Developments Limited (a 'sister' company of JGS Developments) to bring forward the development on an allocated NLLDP housing site at Castlecary Road (North Lanarkshire Council Reference 0014/02) for 40 units.

Whilst noting these points these are not considered to be sufficient to set aside the harm that will arise through the building of 5 houses on an important green network site

10. Conclusions

10.1 The development will result in a significant reduction of the designated Green Network established to connect natural, semi-natural, and man-made open spaces to support biodiversity, protect and enhance habitats, including woodlands, and urban greenspaces. As well as providing accessible spaces for recreation and physical activity in support of mental health through access to nature and tranquil environments. In terms of place making and urban design the site enhances the identity and quality of the urban area demonstrating how settlements grow by integrating green infrastructure into development while supporting the creation of attractive, sustainable places for people to live and work. Supports the planning concept of integration by aligning with policies in the National Planning Framework (NPF 4). As such, residential development on this site is not supported by the aims of the Development Plan specifically NPF 4 Policy 3 – Biodiversity, NPF4 Policy 6 on Forestry, Woodland and Trees, Local Development Plan Policy EDQ 3 POLICY Quality of Development & NPF Policy 14 Design, Quality and Place, NPF4 Policy 20 on Blue and Green Infrastructure & North Lanarkshire Local Development Plan Policies on protecting assets PROT A POLICY Natural Environment and Green Network Assets. Accordingly, it is recommended that planning permission be refused.

Application No:

25/00819/AMD

Proposed Development:

Erection of Two Dwellinghouses: Amendment to Permission 24/00709/FUL

Site Address:

Land At Hawthorn Avenue
Crindledyke
Newmains

Date Registered:

4th September 2025

Applicant:
NethanAccess
FAO Mr Drew Dingwall
209 Bonkle Road
Bonkle
Newmains
ML2 9AA

Agent:
WB Properties Scotland Ltd.
Daldraco
3 Birniehill Road
Hareshaw
ML1 5GX

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:

The principle of the development was approved by permission 24/00709/FUL and this permission can still be implemented. However, the changes proposed by this application, including the repositioning of one of the dwellings would reduce the amount of fill required due to the current levels of the most easterly plot and is considered to be an acceptable change to the approved permission.

Planning Application: 25/00819/AMD
Name (of applicant): NethanAccess
Site Address:
Land at
Hawthorn Avenue
Crindledyke
Newmains

Development: Erection of Two Dwellinghouses: Amendment to Permission 24/00709/FUL

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 BEFORE any works of any description start on the application site, 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. Information on the required format of the report and how it should be submitted to us can be found online:
   https://www.northlanarkshire.gov.uk/planning-and-building/planning-applications/how-discharge-contaminated-land-planning-conditions

   Reason: To ensure the site is free of contamination.

3. That any remediation works identified by the site investigation required in terms of Condition 2, shall be carried out to the satisfaction of the Planning Authority. A validation report (signed by a chartered Environmental Engineer) shall be submitted to the Planning Authority prior to the occupation of either house confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

   Reason: To ensure the site is free of contamination.

4. That BEFORE development commences, an up to date Ecological Survey report prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the planning authority. Such report shall include any proposals for mitigation which may be appropriate, and shall also include proposals for a scheme of ecological enhancements within the development and adjoining land so as to offset the impacts of the development. In the event of development not commencing within 12 months of the date of the survey, an updated such survey shall be undertaken and its findings submitted to the planning authority for approval as above. The approved mitigation and ecological enhancements shall thereafter be implemented as approved in accordance with the timescale specified in the agreed report.

   Reason: In order to ensure that up to date ecological information is provided prior to development commencing, and to ensure that the development includes appropriate ecological mitigation and biodiversity enhancements consistent with the requirements of NPF4 policy 3.

5. Notwithstanding condition 1 above, for the avoidance of doubt the details contained within landscaping plan AL(0)21 Rev AB are hereby approved. To clarify this plan is considered to be equivalent to details discharged under Condition 6 of permission 24/00709/FUL on 8 July 2025. The approved scheme of landscaping shall thereafter be implemented in accordance with the approved timetable.

   Reason: To define the permission.

6. For the avoidance of doubt the development hereby approved shall be implemented in accordance with the Construction Method Statement (Revision A) submitted and approved under condition 7 of permission 24/00709/FUL.

   Reason: In order to minimise the risks of damage to the environment during the construction of the development, given its proximity to a watercourse and wildlife corridor.

7. The houses hereby approved shall not be occupied until such time as the vehicular and pedestrian access, parking and turning spaces have been completed to their finished standard and made available for use.

   Reason: In order to ensure that the development has suitable access and parking.

8. That BEFORE the development hereby permitted starts, full details of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by the Planning Authority and the development shall be implemented in accordance with the details approved under the terms of this condition.

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

9. That BEFORE the development hereby permitted starts, full details of the design and location of all fences and walls (including retaining 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 surrounding area.

Background Papers:

Consultation Responses:

Coal Mining Remediation Authority 25th September 2025

Contact Information:

Leigh Menzies at esplanning@northlan.gov.uk or 01236 632487

Report Date:

14 November 2025

APPLICATION NO. 25/00819/AMD

REPORT

1. Site Description

1.1 The application relates to an area of undeveloped land at the end of Hawthorn Avenue, on the southern edge of Newmains. It borders the back gardens of houses on Bonkle Road to the north west, a small parking area and further undeveloped land to the south west (with houses on Hawthorn Avenue and a playing field a short distance beyond), and the steep-sided valley of the Auchter Water / Crindledyke Burn to the east. The site is roughly square in shape and extends to approximately 0.19ha. It is overgrown in long grass and rosebay willowherb with a few small trees and bushes. The land falls from its northern corner (adjacent to the parking area) down towards the watercourse to the east of the site.

2. Proposed Development

2.1 The application seeks to amend a previous planning permission for two detached single storey houses with associated garages, access and land engineering works. The house types retain a similar layout to that initially approved, accommodating 3 bedrooms, the overall height of the proposed dwellings would effectively be lower by approx. 0.5m. In addition, the dwelling to be located to the eastern edge of the site is proposed to move approx. 5m closer to the northern boundary.

2.2 It should be noted that the layout approved under 24/00709/FUL can still be implemented. The purpose of this application would reduce the amount of underfill that would be required for the easterly plot.

2.3 Within the curtilage each house would have a single garage, they are proposed to be built alongside each other as a semi-detached pair. The houses would still be accessed by a shared private drive continuing from the car park at the end of Hawthorn Drive. One house would face north-west towards the rear of houses on Bonkle Road, while the other would face south-west along Hawthorn Avenue.

2.4 Due to the slope of the land some significant cut and fill is needed to create level ground for the buildings, with the western house involving excavation of up to approximately 1m, and the eastern house requiring land raising and underbuilding next to the valley, as well as two garden retaining walls of up to 2m. Details of precise materials and boundary treatments have not been specified at this stage. The current application seeks to reduce the level of fill required at the east of the site.

3. Applicant's Supporting Information

3.1 The application is an amendment to 24/00709/FUL and much of the required information was provided and approved under that permission such as the access/parking, drainage strategy etc. This application is limited to gaining approval for the modification to the house type and relocation of the easterly dwelling approx. 5m further north. Proposed plans showing an updated block plan and elevations in this regard have been provided.

4. Site History

4.1 An application for outline planning permission (02/01056/OUT) for residential development of a substantially larger 1.5ha site along the western side of the Auchter Water burn, of which the current application site forms a part, was called in by the Scottish Ministers and refused in 2004 on the grounds that the site was within the Green Belt and a SINC.

4.2 An application for two houses was submitted by the applicant in 2021 (reference 21/00545/FUL), this was withdrawn due to lack of information required for validation. An identical application (23/00815/FUL) was then submitted in 2023. Both of these applications were for a similar layout to the present application but featured larger two-storey house types. The second application was refused by the Planning Committee in June 2024 due to it being contrary to Green Belt and natural environment policies.

4.3 Subsequent to the above applications planning permission was granted by the Committee on 12 September 2024 for the erection of two single storey 3 bedroom houses.

4.4 The current application is very similar to the application which was previously granted in 2024, having the same site boundary and a near-identical layout i.e. 3 bedroom bungalows. The differences are:

- The orientation of the eastern plot remains the same however it is proposed to locate this 5m further north within the site;
- It is understood that it is still intended that the dwellings are to be occupied by two households which both include disabled children
- In addition, the internal layout of the properties would remain the same (location of bedrooms and living spaces) however there would be some changes to the type of openings associated to the areas.

5. Development Plan

5.1 Relevant development plan polices are detailed below:

National Planning Framework 4 – policies:
3 (Biodiversity)
4 (Natural places)
8 (Green belts)
14 (Design, quality and place)
16 (Quality homes)

North Lanarkshire Local Development Plan 2022 – policies:
PP4 (Green Belt – Purpose of Place)
AD4 (Green Belt – Amount of Development)
PROM LOC3 (Housing Development Sites)
PROT A (Natural Environment and Green Network Assets)
EDQ1 to EDQ3 (Environmental and Design Qualities)

5.2 All of the policies above are relevant to the assessment of the principle of such a development in the Greenbelt. However, in this instance, it is considered that these were assessed as part of the previous application which was granted due to the personal circumstances of the applicant. The information provided indicates that circumstances have not changed and the matters for assessment as part of this application are restricted to details relating to the location of easterly dwelling within the site, reduction in upfill and a change to the house type.

5.3 In addition to the above it is appreciated that this is a scale of development that would not normally be put to the Planning Committee for determination. However, despite the previous approval of the dwellinghouses the principle of the development remains contrary to the development plan and under delegated powers this requires to be presented to committee for determination.

6. Consultations

6.1 Limited consultations were undertaken given the relatively minor changes that were being sought approval for, along with the short period of time since the original permission was approved.

6.2 Due to the proposed change to the location of the easterly plot (although considered minor) the Coal Authority was reconsulted. Coal Mining Remediation Authority has no objection to the application.

6.3 It was also considered appropriated to reconsult NLC Protective Services, who have confirmed that it has no objection subject to a condition requiring that comprehensive site investigation for potential contaminated land be submitted and approved prior to development commencing. This process is underway.

6.4 NLC's Archaeology service provider (commenting on the previous application) had no objection to the application but noted that the site has potential to contain medieval remains on national significance, and therefore a condition requiring archaeological investigations prior to any commencement of

development was placed as a condition on the previous approval. Under the previous permission, it should be noted that the required investigations have been undertaken and the previous condition discharged.

6.5 NLC Infrastructure & Transportation when commenting on the previous application with an identical road layout they had no objection subject to adequate pedestrian access and to car parking and turning for bin lorries within the adjacent car park remaining unimpeded. This element of the proposal has remained unchanged from the previous permission.

7. Representations

7.1 Following the standard neighbour notification and press advert no objections to the planning application were received.

8. Planning Assessment

Development Plan Policy

8.1 Under section 25 of the Town and Country Planning (Scotland) Act 1997, applications for planning permission are required to be determined in accordance with the policies of the development plan unless material considerations indicate otherwise. The development plan comprises National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan 2022 (the LDP), with the former taking precedence in the event of any conflict between policies.

8.2 The application site is within the designated Green Belt in the North Lanarkshire Local Plan, however the principle of the dwellinghouses was approved by committee on 12 September 2024 and is not being assessed. This application is only addressing the proposed alterations in relation to the layout approved under 24/00709/FUL, specifically regarding location of the easterly property and minimal changes to the house types.

Design and Amenity

8.3 The proposed properties would remain single storey and include 3 bedrooms. The changes from the previously approved plans include:

a) The easterly house location would move 5m north from the approved position. This equates to a reduction of distance from the northern boundary from 14.2m to 9.1m. In addition, this is approx. a reduction from 29m to 25m to the closest residential properties to the north.
b) It is proposed that the internal layout of the properties would remain similar to that approved, however the revised drawings propose changes to the size of the openings, however those openings would remain in the same approximate locations
c) The overall height of the revised dwellings would be reduced by approximately 0.5m in height from that previously approved. The plans submitted show that the ground levels and cutting out of the westerly property would be as previously approved. In terms of the easterly dwelling the amount of land raising required would be reduced in volume.

8.4 These changes are relatively minor in nature however it was not considered that a relocation of the easterly dwelling 5m to the north could be treated as a non-material variation i.e. the change was significant enough to require assessment by way of a planning application given the house was moving closer to existing residential properties and thereby giving residents an opportunity to comment on the change (no representations were received).

8.5 The proposed houses would be positioned behind existing bungalows on Bonkle Road, but they would not be readily visible from that street. Rather, the houses would effectively become an eastward extension of Hawthorn Avenue, with its existing two-storey terraced houses. There is a mixture of house types and sizes in the surrounding area and the design and layout of the proposal is not considered to conflict with the amenity or character of the adjoining residential area.

Technical Consultations

8.6 The proposed drainage arrangements (a mains sewer connection for foul sewage and SUDS for surface water) are appropriate, and the Coal Mining Remediation Authority is content with the conclusion of the coal mining risk assessment that there are no shallow mineworkings under the site. NLC Protective Services has indicated that a site investigation for potential contaminated land would be required, however that would normally be a matter capable of being addressed by a condition, with information in this regard having already been submitted by the applicant for consideration. Overall, the technical aspects of the proposal remain acceptable.

9. Conclusions

9.1 It is considered that the changes to the previous approval are relatively minor in nature and do not warrant a reassessment of the previous policy position. The previous layout can still be undertaken however the applicant is looking to reduce the underbuilding required for the easterly dwelling and it is not considered that the changes will cause detriment to the surrounding area. Accordingly, it is recommended that permission be granted for this amended layout.

Application No:

25/00901/FUL

Proposed Development:

Change of Use of an Existing Caravan Showroom and Shop to a Storage Warehouse Comprising Multiple Internal Storage Units and Change of Use of Caravan Storage Yard to allow for the Siting of Shipping Storage Containers.

Site Address:

Duncan Caravan & Camping
186 Wishaw Road
Waterloo
Wishaw
ML2 8ES

Date Registered:

27th August 2025

Applicant:
Duncan Caravans Ltd
186 Wishaw Road
Waterloo
Wishaw
ML2 8ES

Application Level:
Local Application

Agent:
ET Planning
200 Dukes Ride
Crowthorne
RG45 6DS

Contrary to Development Plan:
No

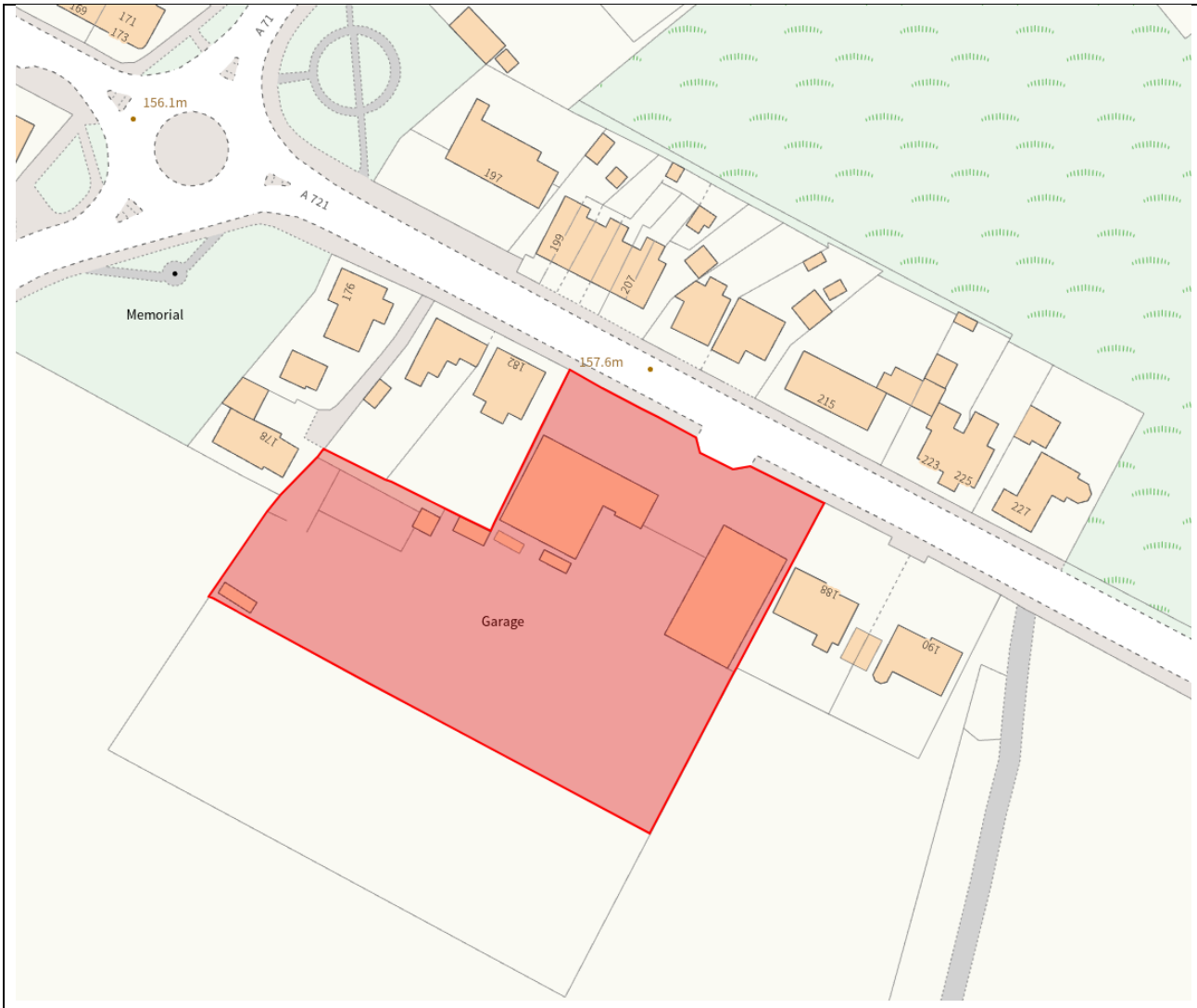
Ward:
21 Wishaw
Bob Burgess, Fiona Fotheringham, Jim Hume, Frank McKay,

Representations:
7 letters of representation and a petition with 5 signatures received.

Recommendation: Approve Subject to Conditions

Reasoned Justification:

It is considered that the proposal is not so different from the current/previous use and complies with the relevant policies of the development plan and can be accommodated on the site without adverse impact on amenity and road safety.



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: 25/00901/FUL** **Name (of applicant):** **Duncan Caravans Ltd** **Site Address:** **Duncan Caravan & Camping** **186 Wishaw Road** **Waterloo** **Wishaw** **ML2 8ES** **Development: Change of Use of an Existing Caravan Showroom and Shop to a Storage Warehouse Comprising Multiple Internal Storage Units and Change of Use of Caravan Storage Yard to allow for the Siting of Shipping Storage Containers**	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 prior to the shipping containers being located on site, a scheme of landscaping and planting and agreed timescale of works shall be provided for the written approval of the Planning Authority. This should include the type, number and variety of species that would be proposed.

   For the avoidance of doubt this is specifically for the existing fenced area around the rear perimeter yard area of the site which borders the west, south and east of the site where the shipping containers would be located.

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

3. That all works included in the scheme of landscaping and planting, approved under the terms of Condition 2 above, shall be completed in accordance with submission of an agreed timescale and approved timetable of works to be agreed in writing with the Planning Authority, and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within two years of the operation of the shipping container storage area of the development hereby permitted, shall be replaced within the following year with others of a similar size and species.

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

4. That BEFORE any works of any description start on the application site, 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. Information on the required format of the report and how it should be submitted to us can be found online: https://www.northlanarkshire.gov.uk/planning-and-building/planning-applications/how-discharge-contaminated-land-planning-conditions

   Reason: In regards to the issues highlighted by the submitted GEO Investigate Coal Mining Risk Assessment Report dated 5th June 2025.

5. That any remediation works identified by the site investigation required in terms of Condition 4;, 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.

6. That the opening hours of the premises hereby granted planning permission shall be limited to between 8am and 8pm on Monday to Sunday.

   Reason: To retain effective planning control.

7. That within 12 weeks of the approval being received or as otherwise agreed with the Planning Authority before the development commences 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. For the avoidance of doubt this should include specific details regarding the alteration to the existing northern boundary wall/fence facing onto Wishaw Road which will require to be reduced to a height not exceeding 1 metre.

   Reason: To allow the Planning Authority to consider these aspects in detail and the consideration of road safety.

8. Prior to the commencement of the development the agreed alterations to the existing northern boundary wall/fence facing onto Wishaw Road which will see the reduction of this feature to a height not exceeding 1 metre shall be implemented and thereafter maintained.

   Reason: in the interests of road safety

Background Papers:

Consultation Responses:

NLC Infrastructure and Transportation	29th September 2025
Coal Mining Remediation Authority	20th October 2025
NLC Protective Services	1st October 2025

Contact Information:

Stewart MacCallum at esplanning@northlan.gov.uk or 01236 632487

Report Date:

19th November 2025

APPLICATION NO. 25/00901/FUL

REPORT

1. Site Description

1.1 The application site is located at Duncan Caravan and Camping, 186 Wishaw Road, Waterloo. This site has been a long-established caravan display and showroom sales site and consists of two main buildings with a larger rear yard/compound display area for the caravans, although there is also a smaller display area at the front of the site. This is a historical lone commercial site amongst predominantly residential properties and is accessed off the A721 Wishaw Road to the north. There are two elements to the site, to the north are existing buildings which are showrooms/workspaces relating to the sale and maintenance of caravans. This part of the site is bordered to the north, east and west by residential properties. The southern area of the site is an open area of hardstanding which is used for the storage of caravans, which is bounded to the south, south west and east by an open field, with residential properties in close proximity to both the north, east and north west. However, at the rear yard/compound area of the site it is bordered to the west, east and south by open fields. The site is generally flat at the front though there is a mild gradient from north to south from the start of the rear yard area towards where it borders open fields.

2. Proposed Development

2.1 Planning permission is sought for the change of use of an existing caravan showroom and shop to a storage warehouse comprising multiple internal storage units and change of use of caravan storage/display yard area to allow for siting of shipping storage containers, Class 6 (Storage or Distribution).

2.2 It should be noted that the intention is to retain one of the existing buildings to continue as a caravan showroom/shop with a smaller caravan display area in front of this so the existing business would still operate but at a significantly reduced operational scale to what it currently had been.

2.3 There would be a combined total of 113 shipping containers potentially on site (although this would not be the initial amount on site). The applicant has indicated that the site would be gradually developed as the business/demand grows. This consists of two types of sizes of shipping container, the (40 feet) larger containers which measure 12.15 metres by 2.43 metres and reach a height of 2,59 metres. There would be 17 of these. There is then the smaller (20 feet) containers which measure 6.05 metre by 2.43metre and reach a height of 2.59 metres. There would be 96 of these. These would be arranged in three rows within the rear compound area of the site.

2.4 In addition to the above, one of the existing site buildings would be altered internally to provide multiple internal storage units and this would be on both the ground and upper floor levels. There are no significant external alterations proposed to this building. Internally this would provide 46 ground floor storage units with a further 54 on the first floor. These would be a mixture of storage space floor sizes to cater for customer storage needs.

3. Applicant's Supporting Information

3.1 The applicant submitted the following supporting information:

- Architectural Drawings
- Design and Access Statement
- Coal Mining Risk Assessment
- Supporting Statement/Details of Operation of the Business
- Road Sightline Drawings

4. Site History

4.1 The site had an application to extend the rear yard area for a caravan display area (08/00157/FUL) which was approved on 31st July 2008. There was also an application for an advertisement (01/00922/ADV) approved on 26th September 2001 and erection of a canopy (01/00760/FUL) approved on 17th September 2001. However, there is no other significant planning history on the site.

5. Development Plan

5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 states that a planning application should be assessed against the relevant development plan policies unless material considerations indicate otherwise.

5.2 The Development Plan consists of the North Lanarkshire Local Development Plan and the National Planning Framework 4 (NPF4). NPF4 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.

National Planning Framework 4 - NPF4

5.3 **NPF4 policy 2 Climate Mitigation and Adaptation** looks for development proposals to be sited to minimise lifecycle greenhouse gas emissions as far as possible, designed to adapt to current and future risks of climate change development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

5.4 **NPF4 policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings** seeks to ensure that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary will be supported. When land is known or suspected to be unstable or contaminated, development proposals will demonstrate that land is or can be made safe and suitable for the proposed new use. In this case it is a consideration due to being located in a designated High-Risk Coal Area. Development proposals for the reuse of existing buildings will be supported taking into account their suitability for conversion to other uses.

5.5 **NPF4 Policy 12 Zero Waste** requires to ensure development proposals will seek to reduce, reuse or recycle materials. Development proposals will be supported where they reuse existing buildings and infrastructure. In this case reusing an existing site and one of the buildings would be considered to comply with this policy

5.6 **NPF4 policy 13 Sustainable Transport** sets out to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

5.7 **NPF4 policy 14 Design, Quality and Place** seeks to ensure that developments are of a good design that are not detrimental to the amenity of surrounding area and are consistent with the 6 qualities of successful places - Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable.

5.8 **NPF4 policy 26 Business and Industry** sets out to encourage, promote and facilitate business and industry use and to enable alternative ways of working such as home working, live-work units and micro-businesses.

North Lanarkshire Local Development Plan

5.9 The following policies are relevant within the North Lanarkshire Local Development Plan (NLLDP):

PP3 - General Urban Area

AD 3 – Amount of Development

EDQ 1 - Site Appraisal

EDQ 2 – Specific Features for Consideration

EDQ 3- Quality of Development

5.10 **PP3 – General Urban Area** Under North Lanarkshire Local Development Plan the site is identified as General Urban Area policy PP3. The council seeks to maintain and improve the level of amenity appropriate to the local context and by encouraging development that is in keeping with their residential character and encouraging diversity in more mixed-use areas. The maintenance of the existing mix of other urban uses, or introduction of a limited range of ancillary uses and activities out with Classes 8&9 of an appropriate scale within recognisably mixed-use areas can be appropriate to maintain and support the operation of the General Urban Area. This requires a business plan or statement justifying that the development is ancillary development designed to serve the area in which it is located and that it has been assessed using the Town Centres First Sequential Approach. This also requires as a statement on the mix of uses, scale and nature of existing development in the General Urban Area, a statement on if it is an intensification of an existing use, its impact on the attractiveness of the General Urban Area, evidence there is a specific locational need for the proposal, evidence that the proposal will result in significant economic benefit and its impact on travel patterns and accessibility by sustainable modes of transport.

5.11 **AD3 – Amount of Development** This policy states that applications for new development will be assessed for their implications related to the amount of development proposed. The need for an assessment depends on the combination of type (use class) scale and location of development.

5.12 **Environmental and Design Quality Policies EDQ1-3** These policies look for proposed developments to create a successful place or enhance existing places by integrating successfully into the local area and avoiding harm to neighbouring amenity. To do this a range of criteria is listed within these policies which include amongst other things aspects of design, massing, topography and aspects to protect the existing urban area and its specific characteristics, assets and attributes. They consider hazardous zones, utilities infrastructure and management areas and look to promote biodiversity and the environment whilst meeting the challenges of the climate change via suitable and safe access for all users to promote sustainable public travel and other considerations.

6. Consultations

6.1 The following consultation responses have been received in respect of the application.

6.2 **NLC Infrastructure and Transportation** have reviewed information submitted to support the application and have indicated that they do not object to the proposal. However, despite being a long-established site with an existing access, they have raised concern about the existing sites front boundary wall/fence facing onto Wishaw Road. It is requested that the application should be conditioned should it be approved that details of suitable alterations would be sought to alter the height of the existing wall/fence at the front of the site to show a reduction in height to enable adequate visibility along Wishaw Road.

6.3 **NLC Protective Services** have no objections to the proposal. They have requested a Site Investigation/or detailed report that addresses potential gas mine issues, is to be submitted for review and to be conditioned as part of any approval.

6.4 **The Coal Mining Remediation Authority** has reviewed a Coal Mining Risk Assessment submitted for the application site and have confirmed that they have no objection to the development and have not requested any planning conditions. However, they have requested that an informative note is added to any planning permission to advise the applicant that consideration is given to any potential mine gas and something which they should be aware of.

7. Representations

7.1 During the public consultation period (neighbour notification and press advertisement) for this application a total of 7 letters of representations and a petition with 5 signatories were received.

7.2 In summary, the objections to this application raise the following matters:

- Current state of the application site, site maintenance and disrepair to the existing side boundary wall.
- The visual impact of the containers/outlook from nearby properties.
- Potential late night site activity/potential impact of this on residential amenity and site security.
- Impact of lighting on residential amenity.
- Increased volume of traffic/Larger Vehicles to Site/ Increased larger vehicles as a result of bringing or removal of the shipping containers to the site and potential impact upon local parking.
- The development is potentially likely to lead to future development into the Green Belt which borders the site.

8. Planning Assessment

8.1 Under Section 25 of Town and Country Planning (Scotland) Act 1997 requires that planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise. The assessment will therefore identify the development plan policies relevant to the proposal, will make an assessment against these policies and come to a conclusion on which decision (grant or refuse) would accord with them. It will then look at other material considerations to establish if there are any that would suggest a decision different from the one reached in relation to the development plan. National Planning Framework 4 (NPF4), and the North Lanarkshire Local Development Plan (LDP) make up the development plan.

National Planning Framework 4

8.2 The National Planning Framework 4 (NPF4) a long-term plan for Scotland that sets out where development and infrastructure is needed. NPF4 sets out policies in relation to creating a sustainable place, a liveable place and a productive place.

8.3 With regard to NPF4 policy 2, whilst this applies to all development proposals given the scale and nature of the application these are of limited relevance albeit the development will have very limited physical change to the site in regard to new structures or significant building works.

8.4 NPF Brownfield, Vacant and Derelict Land and Empty Buildings Policy 9 states that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary will be supported. When land is known or suspected to be unstable or contaminated, development proposals will demonstrate that land is or can be made safe and suitable for the proposed new use. Development proposals for the reuse of existing buildings will be supported taking into account their suitability for conversion to other uses. In this case, there is a potential mine gas issue that can be dealt with by planning condition requiring the submission of a site investigation for consideration by the NLC Protective Services. The proposed use is considered to have many similarities with the historic use of the site and buildings and the reuse if the land and building for the proposed storage use is considered to gain the support of this policy.

8.5 NPF4 Zero Waste Policy 12 requires to ensure development proposals will seek to reduce, reuse or recycle materials. Development proposals will be supported where they reuse existing buildings and infrastructure. In this case the application seeks the reuse of an existing site and one of the existing buildings, therefore it is considered that the proposal complies with this policy.

8.6 NPF4 Sustainable Transport Policy 13 seeks sets out to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. The proposal supporting information indicates it has local staff and also envisages a local client base which would reduce travelling out with the local area. Therefore, it is considered that the proposal complies with this policy.

8.7 NPF4 Policy 14 Design, Quality and Place requires proposals to be designed to improve the quality of an area whether in an urban or rural locations and regardless of scale. Proposals will be supported if the development is consistent with the six qualities of successful places namely Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. The site is currently used for commercial purposes, and it is considered that the proposed use would have minimal additional detrimental impact with conditions proposed to mitigate impacts. Therefore, it is considered that the proposal complies with this policy.

North Lanarkshire Local Development Plan

8.8 Under North Lanarkshire Local Development Plan the site is identified as General Urban Area policy PP3. The council seeks to maintain and improve the level of amenity appropriate to the local context and by encouraging development that is in keeping with their residential character and encouraging diversity in more mixed-use areas. The maintenance of the existing mix of other urban uses, or introduction of a limited range of ancillary uses and activities out with Classes 8&9 of an appropriate scale within recognisably mixed-use areas can be appropriate to maintain and support the operation of the General Urban Area. In this instance, the site has been in commercial use for some considerable time, and this is considered a comparative use in regard to general storage/caravan storage. There are conditions to ensure that the development will cause little or no additional impact to the amenity of the surrounding residential area. There is nothing to suggest it would create any detrimental impact and conditions such as the landscaping to the rear of the site and alterations to the front boundary wall would be considered features which would actually provide an improvement to the site.

8.9 The proposal requires to be assessed against policies EDQ 1(Site Appraisal), EDQ 2 (Specific Features for Consideration) and EDQ 3 (Quality of Development

8.10 Policy EDQ 1 (Site Appraisal) sets out that development will only be permitted where high standards of site planning and sustainable design are achieved. The proposal is using the current external storage area and using this to site shipping containers instead of caravans however this would also provide planting at the existing rear fencing for screening. Alterations are sought for the existing front boundary wall which would see improved sightlines at this site. Adequate parking and turning is provided within the site. Whilst much of the yard area is not readily prominent from directly in front of the site(looking southwards from Wishaw Road), it is quite visible from the main road to the west/south west and the east of the site and also from residential properties bordering to both the west and east of this. The change from caravans to shipping containers is visually going to be different and provide potentially a more industrial feel to the site which may be visually detrimental to the character of the area. It is therefore proposed that a landscaping condition would be imposed in regards to planting in this area and for details to be submitted of suitable planting scheme which would help to soften the appearance of the site and provide an element of screening.

8.11 Policy EDQ 2 (Specific Features for Consideration) has consideration in regards to areas subject to hazards (Hazardous Zones) which in this case is ground instability (coal mining) though in this instance it relates specifically to potential mine gas being located within an area identified as High Risk in the historic coal zoning of the area. It should be noted that the Coal Authority have no objections, or request of any planning conditions. However, they have requested an advisory note with any permission granted in regard to ensuring the applicant considers potential mine gas on the site. NLC Protective Services have advised that conditions relating to site investigation/or similar detailed gas report (specifically relating to potential mine gas) should be attached to any permission.

8.12 Policy EDQ 3 looks to create areas which provide a sustainable, safe, secure and convenient access to and from the development that makes it easy to move around, and is attractive to pedestrians, cyclists and people with disabilities. Any development would need to integrate well with public transport, green networks and wider links. The assessment of (and where necessary) the mitigation of pollution impacts is also included within policy EDQ 3. In relation to policy EDQ 3 it is considered that the nature, density of the storage containers and storage building use are acceptable and will integrate successfully into the site and wider area. Due to the nature of the use as storage and the sites previous use, it is considered that the containers and storage unit are not likely to affect the amenity of the residential dwellings to the north, west and east of the site in regard to privacy, overshadowing or indeed any detrimental noise or lighting concerns. Landscaping measures for the yard perimeter of the site to help improve the visual appearance of the site are all covered by planning condition.

8.13 With regards to Transportation aspects of policy EDQ 3 NLC Infrastructure and Transportation has no objection to the proposal subject to visibility requirements being met and this will be conditioned. This is in regards to improving the existing site entrance by seeking a reduction/alteration to the existing wall/fence which borders Waterloo Road.

8.14 Policy EDQ 3 also includes the requirement for the assessment of and (where necessary) the mitigation of noise or pollution impacts caused either by the development or within the development site. Information was provided in regard to ground contamination was subject as part of the Coal Mining Risk Assessment. NLC Protective Services have advised that conditions relating to site investigation/or similar detailed gas report (specifically relating to potential mine gas) should be attached to any permission. The Coal Authority whilst having no objections and not seeking any planning conditions have however requested an advisory note be attached to any permission to ensure the applicant gives consideration to any potential mine gas. A condition is also intended covering operational hours to between the hours of 8am to 8pm

8.15 Taking into account the above assessment, it is considered that the proposed development would be consistent with Policies EDQ 1, EDQ 2 and EDQ 3.

8.16 A summary of the objections and our response thereon are detailed below:

Comment: Current state of the application site, site maintenance and disrepair to the existing side boundary wall.

Response: Any dispute over repair of a shared boundary wall would be a civil matter to resolve. The current maintenance of the site is not a matter for this planning permission, however the wider visual impact of the proposed development would be addressed through conditions relating to screening and details of changes to the front boundary wall. However, it would be agreed that there is enough of a change that would merit a suitable planting condition to minimise this impact.

Comment: Late night activity/potential noise impact upon residential amenity and site security.

Response: Site security would be up to the applicant, and this is already an existing operating commercial site. There are existing metal palisade fences in place around the rear perimeter of the

site and there are also gates at the start of the yard area controlling entry to this area in-between the two existing buildings where the access is taken to get to the rear yard area. In regard to late night activity, it is indicated that the site would operate general daytime hours of 8am-8pm, which would not be unreasonable operational hours, in regards to residential amenity. It should be noted that there is currently no restriction in operating hours of the current use.

Comment: Impact of lighting on residential amenity**.**

Response: No new/additional lighting is proposed at the site. NLC Protective Services were consulted and are satisfied that there is no illumination concerns to raise and the applicant has indicated that there is no new lighting intended.

Comment: Increased volume of traffic/larger vehicles to site/ increased larger vehicles taking away or bringing containers to the site and impact upon local parking.

Response: In the first instance, the setting up of the site (delivery of containers) is not something that can be addressed through the planning legislation due to the limited nature of this undertaking. Planning legislation looks to any longer-term impacts that may occur and to assess these. The longer-term issues regarding parking and volume of traffic have been assessed by NLC Infrastructure and Transportation who have indicated that they have no objection.

Comment: The development is potentially likely to lead to future development into the Green Belt which borders the site

Response: This proposal does not include any land outwith the site which is zoned in the Local Development Plan as Green Belt. Any future application which involved expanding outwith the existing curtilage of the site would be assessed against relevant Green Belt policy of the Local Development Plan and also relevant NPF4 policies which are generally more restrictive of what type of development may be permitted within Green Belt identified land. Any future application would be considered on their own merits should these be submitted for assessment.

8.17 It is considered that the concerns raised by the objectors, whilst important, do not represent material considerations that are so significant that would warrant refusal in this case.

8.18 In view of the above, it is considered that the proposal complies with the relevant policies of NPF4 and complies with policies PP3, AD3, EDQ 1, EDQ 2 and EDQ 3 of the North Lanarkshire Local Development Plan.

9. Conclusions

9.1 The proposed change of use of the existing site from caravan display/sales/storage centre to internal storage units and container storage yard is considered to be an acceptable use in regards of the General Urban Area policy and the relevant policies of NPF4 and would not have a detrimental impact on the amenity and character of the site or surrounding residential properties and the surrounding countryside area. It is therefore recommended that planning permission be granted subject to the conditions set out in this report.