

Our Ref: 24/00478/FUL  
Your Ref:  
Contact: Ann McGregor  
Tel: 01236 632487  
E-mail: [Planningenquiry@northlan.gov.uk](mailto:Planningenquiry@northlan.gov.uk)  
Date: 10 September 2024  
Tradecast



Dear Sir/Madam,

Town and Country Planning  
(Scotland) Act 1997



**Enterprise And Communities**

Lorna Bowden  
Planning And Place Manager  
Ground Floor Civic Centre  
Windmillhill Street  
Motherwell ML1 1AB

**Proposal: Erection of 2no.Replacement Convenience Stores and 2no. New Flatted Dwellings  
Address: 382 Greengairs Road, Greengairs, North Lanarkshire, ML6 7TQ**

I advise you that your application was **approved subject to conditions** on 10 September 2024.

I enclose a copy of the Decision Notice together with the relevant initiation and completion notices. Please read any attached conditions and notes to applicant carefully.

If you are submitting any further information in connection with this application please do so via the eplanning portal at <http://ePlanning.scot> using the post submission form. This will ensure that information reached us quickly and will allow us to deal more efficiently with your submission.

This applies to revised plans, supporting reports and information in relation to planning conditions. Please click on the following link for full guidance on the use of Post Submission Additional Documentation form on the ePlanning portal, <https://www.eplanning.scot/ePlanningClient/default.aspx>

Yours faithfully,

A handwritten signature in black ink that reads "L. Bowden".

**Lorna Bowden**  
Planning And Place Manager





## PLANNING PERMISSION

### Delegated Decision

Town and Country Planning (Scotland) Act 1997

No: 24/00478/FUL  
Date: 10 September 2024  
To: Tradecast



**Proposal: Erection of 2no.Replacement Convenience Stores and 2no. New Flatted Dwellings**  
**Address: 382 Greengairs Road, Greengairs, North Lanarkshire, ML6 7TQ**

With reference to your application dated 3 May 2024, North Lanarkshire Council in exercise of its powers under the above Act, hereby **GRANTS** planning permission for the above development, subject to the attached condition(s) and reason(s).

The proposal is in accordance with the current development plan.

The council's reasoning for arriving at the above decision is as follows:-

#### Reasoned Justification

The principle of housing development and small-scale retail development on the site is acceptable in the context of Policy PP3 of the LDP. The proposed development will fill a void in the street scene to help reinforce local character and will fill a gap in retail provision thereby supporting village services. The proposed design, layout, external finishings, access arrangements and biodiversity enhancement measures are considered to accord with the aims and objectives of Policies, PROT A, EDQ1 and EDQ3 and of the North Lanarkshire Local Development Plan (Adopted 2022) and Policies 3, 14, 15 and 16 f) ii.) of NPF4. It is therefore recommended that the application is approved subject to conditions.

**Lorna Bowden**  
Planning And Place Manager  
**Conditions and Reasons**

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers:      planning/01/E      planning/02/B

Reason: To accord with the detailed planning permission.

2. Before the Development commences, a comprehensive site investigation for potential ground contamination shall be carried out by a Competent Person and submitted to and approved in writing by the Planning Authority in accordance with the British Standard Code of Practice BS 10175:2011+A2:2017 "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, Land Contamination Risk Management procedure (LCRM) formally known as CLR11 and be submitted in electronic format.

For the avoidance of doubt, a Competent Person in this particular context is a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation. These include, for example:

- Suitably Qualified Person (SQP) registered under the NQMS
- The SoBRA accreditation scheme
- A Specialist in Land Condition (SiLC)
- Membership of a professional organisation relevant to land contamination
- A specialist in the gas protection verification accreditation scheme (GPVS)

Reason: To establish whether site decontamination is required in the interests of amenity and wellbeing of future users of the site.

3. Any remediation works identified by the site investigation(s) required in terms of the above condition shall be carried out in accordance with a timetable to be agreed in advance with 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 and that any remediation identified has been implemented in the interests of amenity and wellbeing of future users of the site.

4. Before above ground development commences (excluding the demolition of existing structures):
  - a) a scheme of intrusive investigations shall be 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 coal mining legacy, as may be necessary, shall be 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 and remedial works shall be carried out in accordance with authoritative UK guidance.

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

5. 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.

6. Noise associated with the development shall not give rise to a level assessed with the windows open within any dwelling or noise sensitive building in excess of the equivalent to Noise Rating Curve (N.R.C.) 30 between 07.00 hours and 23.00 hours and N.R.C. 25 at all other times.

Reason: To safeguard the amenities of the neighbouring premises and the area generally.

7. A dropped kerb vehicular footway crossing shall be provided at the proposed access. For the avoidance of doubt, a junction with radius kerbs is not permitted.

Reason: To ensure safe access and egress to and from the site.

8. Landscaping and Biodiversity Enhancement shall be carried out strictly in accordance with the approved Biodiversity Statement and Plan by Ellendale Environmental dated 19th March 2024. Thereafter, the approved trees and hedges shall be maintained in perpetuity and no tree shall be lopped, topped or felled and/or hedge removed without the written approval of the Planning Authority.

Reason: In the interests of biodiversity and visual amenity.

#### **Additional Condition and Reason: Duration of Permission**

1. That the development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted. If development has not begun at the expiration of this period the planning permission lapses

Reason: To comply with Section 58 The Town and Country Planning (Scotland) Act 1997 as amended.

#### **Notes to Applicant**

1. Ground Investigations and groundworks: Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. 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. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property) .
2. 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.

## **Additional Notes to Applicant:**

### **PLEASE READ THESE NOTES CAREFULLY.**

These notes do not constitute legal advice, and are not intended to be a comprehensive guide to laws which may apply to the development which you propose to carry out.

If you wish to obtain advice on which you will be entitled to rely, you must consult a solicitor or other appropriate professional adviser, e.g. an architect or chartered surveyor.

1. **Notice of the start of development:** The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action. (See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)). This Notice should be returned to us through the online portal at <http://ePlanning.scot> using the post submission form, quoting 24/00478/FUL and application received date 3 May 2024 as soon as practical after it has been decided when work will start on the development.

The purpose of the Notice is to allow attention to be focussed on any pre-start planning requirements. It is a breach of planning control to fail to submit the Notice but it is not a breach to fail to commence on the specified date.

2. **Notice of the completion of the development:** As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position. (See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)). This Notice should be returned to us through the online portal at <http://ePlanning.scot> using the post submission form, quoting 24/00478/FUL and application received date 3 May 2024 as soon as practical after work is complete.
3. **Rights of aggrieved applicants to seek review of the decision:** If the applicant is aggrieved by this decision taken under delegated powers by the planning authority they may request that a review of the decision is undertaken by the council's Local Review Body. Any request for a review (Notice of Review) must be made within **three months** of the date of this decision. The appropriate Notice of Review form is available and should be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). In the event of a review, the Local Review Body may uphold the original decision or may reverse or vary any part of it and may deal with the application as if it had been made to them in the first instance, regardless of the specific issues raised in the Notice of Review.
4. **Application to develop site otherwise than in accordance with the conditions:** Where planning permission has been granted subject to conditions which the developer wishes to have changed or removed, an application can be made for planning permission to develop the site otherwise than in accordance with the previous conditions. (See section 42 of the Town and Country Planning (Scotland) Act 1997). Such an application can be made at any time, providing that the permission has not become time-expired.
5. For applications submitted on or after 1 April 2022, requests to vary a planning permission under section 64 of the 1997 Act (Non-material Variations) will be subject to fees of £200 plus 20% VAT.
6. From 4 January 2023, written confirmation of compliance with a condition and discharge of a Planning condition (Conditions Discharge) will be subject to fee. Requests for condition(s) discharge must be made using the 'Conditions discharge request' form. Each request can cover more than one planning condition on the same planning consent. The fee per request form submitted is £100 plus 20% VAT.
7. **Rights of landowners whose land has become incapable of reasonably beneficial use:** If permission to develop land is refused or granted subject to conditions, and the owner of the land

considers that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the planning authority a purchase notice requiring the purchase of their interest in the land. (See sections 88 to 94 of the Town and Country Planning (Scotland) Act 1997). The council has the right to challenge any such notice by referring it to the Scottish Ministers.

**8. Requirements for other permissions, consents and legislative compliance:** This consent does not exempt you from obtaining other types of consent such as:

- a Building Warrant
- permission to display certain advertisements
- permission to carry out certain works within a council house and on land attached
- permission for a caravan site licence
- a licence for the sale of supply of alcoholic liquor
- permission for new access from a public highway, or to alter an existing access, or to construct a new street, or to widen, extend or otherwise alter an existing street
- permission to use the public water supply and the public sewerage system
- for relevant food businesses (for example a commercial kitchen) provision of suitable arrangements for the separation and removal of oil, fat and grease from wastewater before it enters the main drainage system must be provided
- the supply of electricity and/or gas
- business premises must comply with the requirements of the Health & Safety at Work etc. Act 1974 and regulations made thereunder
- the design, layout and construction of food premises must comply with the requirements of Food Hygiene (Scotland) Regulations 2006 and Retained Regulation (EC) 852/2004
- and/or any other consent or approval not mentioned in this form

**9. Development affecting the property of other landowners.** The granting of planning permission does not entitle applicants to carry out any work to land or buildings outwith their own ownership. It is the responsibility of the applicant to secure the agreement of all relevant owning parties, before any works take place. This includes securing the agreement of the council as landowner if any works affect council-owned land.

**10. Coal mining legacy risks.** The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development

and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: <http://www.groundstability.com> or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: <http://www.gov.uk/coalauthority>

**11.Failure to abide by the terms of this permission.** If you do not abide by the terms of this permission, for example by failing to comply with conditions or by deviating from the approved plans without first agreeing this with the planning authority, this may be a breach of planning control. Where it appears to the planning authority that there has been a breach of planning control, they may pursue enforcement action under the Town and Country Planning (Scotland) Act 1997 in order to require that the breach be remedied. Potentially such action could require the demolition of buildings, with the developer being liable for the cost of carrying out any work to remedy the breach. If you wish to make changes to what this permission allows, contact the planning authority for advice.

**12.Utility infrastructure.** Utility maps for your site are now available online at [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk). This free site will provide you with information regarding the location of any utility companies' assets in your proposed work area (underground and overhead pipelines and cables in the electricity, gas, high pressure fuel/oil, heating, water and fibre optic networks). This should be carried out before any works are undertaken on site. Should a site search identify the presence of any utility company assets you should contact them directly to discuss what may be required to protect, move or divert their apparatus.

**13.Felling of Trees.** Where full planning permission authorises the felling of trees on a development site, no further consent is required under the Forestry and Land Management (Scotland) Act 2018. Any tree felling not expressly authorised by planning permission, and not otherwise exempted, may require felling permission under that Act. Any felling carried out without either a licence or other valid permission is an offence which can mean, on conviction, a fine of up to £5,000 per tree and a criminal record for all involved in the felling.

You can get information about and application forms for felling permission from the Forestry Commission website <https://forestry.gov.scot/support-regulations/felling-permissions>. Contact Forestry and Land Scotland if you require further guidance.



## NOTICE OF INITIATION OF DEVELOPMENT

Town and Country Planning (Scotland) Act 1997

Planning Application Reference Number: 24/00478/FUL

Date of Planning Permission Issued: 10 September 2024

Name & Address of Applicant:

Tradecast

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Name & Address of Site Agent: \_\_\_\_\_  
\_\_\_\_\_

Name and Address of Landowner  
(if different from above): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Date of Commencement of Works: \_\_\_\_\_

**Note:**

This Notice should be returned to us through the online portal at <http://ePlanning.scot> using the post submission form, quoting 24/00478/FUL and application received date 3 May 2024 as soon as practical after it has been decided when work will start on the development.

The purpose of the Notice is to allow attention to be focussed on any pre-start planning requirements. It is a breach of planning control to fail to submit the Notice but it is not a breach to fail to commence on the specified date.





## NOTICE OF COMPLETION OF DEVELOPMENT

Town and Country Planning (Scotland) Act 1997

Planning Application Reference Number: 24/00478/FUL

Date of Planning Permission Issued: 10 September 2024

Name & Address of Applicant:

Tradecast

██████████  
██████████  
██████████  
██████████  
██████████

Name & Address of Site Agent: \_\_\_\_\_  
\_\_\_\_\_

Name and Address of Landowner  
(if different from above): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Date of Completion of Works: \_\_\_\_\_

**Note:**

This Notice should be returned to us through the online portal at <http://ePlanning.scot> using the post submission form, quoting 24/00478/FUL and application received date 3 May 2024 after either the development or an approved phase of development has been completed.

The purpose of the Notice is to allow attention to be focussed on any appropriate planning requirements. It is a breach of planning control to fail to submit the Notice but it is not a breach to fail to have completed the development or phase of development on the specified date.