

Report

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Report to:	Hamilton Area Committee
Date of Meeting:	7 November 2007
Report by:	Executive Director (Enterprise Resources)

Application No	HM/07/0419
Planning Proposal:	Erection Of Extension To Public House And Demolition Of Existing House To Form Additional Parking Associated With The Public House at Camphill Vaults, 1/3 Main Street, Bothwell

1 Summary Application Information

- Application Type: Detailed Planning Application
- Applicant: Mr Robert Laurie
- Location: Camphill Vaults
1/3 Main Street
Bothwell

2 Recommendation

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Permission - Subject to Conditions (based on the conditions attached)

2.2 Other Actions/Notes

- (1) The Area Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: CRGP Limited
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **Adopted Hamilton District Local Plan**
Policy ED24 – Bothwell Village Centre
Policy DC1 – Development Control General
Policy EN4 – Conservation Areas
Policy EN25 – Heritage Preservation
South Lanarkshire Planning Policies
SLP6 – Development Control – General
Finalised South Lanarkshire Local Plan
(after modifications)
Policy COM5 – Village and Neighbourhood Centres
Policy DM1 – Development Management
Policy ENV4 – Protection of the Natural and Built Environment
Policy ENV23 – Listed Buildings

Policy ENV24 – Conservation Areas
**South Lanarkshire Council Residential
Development Guide**

◆ Representation(s):

- ▶ 9 Objection Letters

◆ Consultation(s):

Bothwell Community Council

Environmental Services

Roads and Transportation Services (Hamilton Area)

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site is located in a prominent location on Main Street, Bothwell. The application site currently incorporates a 2 ½ storey public house, which is a category C(S) listed building and associated car parking area and an existing house, with garage and associated parking and garden ground. Two flats are also located on the upper level above the public house.
- 1.2 The application site is largely rectangular in shape and extends to 0.12 hectares. It is bound to the north by a commercial property, to the south by private houses, to the east by a public road and to the west by an area of land which currently appears to be disused and is unmaintained.
- 1.3 The existing public house is located at the entrance to the Bothwell Village Centre when travelling through Bothwell from the south. The gable of Camphill Vaults is in a prominent location and is faced with a relatively unattractive roughcast which requires to be replaced or upgraded in the near future.
- 1.4 The application site is located within the Bothwell Conservation Area and has vehicular access from Ferry Road, a private road.

2 Proposal

- 2.1 The applicant seeks detailed planning permission for the erection of a 1½ storey flat roofed side extension to the public house. The proposal also involves the demolition of an existing 1½ storey house and detached garage to allow for a new car parking area for 25 spaces. A small section of the public house is also proposed to be demolished to incorporate the proposed car park.
- 2.2 The proposed extension will be used for restaurant dining and is of a contemporary design. The extension involves a large area of glazing on the front elevation, a flat roof and contemporary designed windows on the side elevation.
- 2.3 The applicant also proposes some minor internal alterations to the existing public house. These internal alterations will involve the partial removal of some internal walls to create an 'open plan' bar lounge area. The applicant also proposes to create additional openings in the gable of the listed building to allow access to the proposed extension.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is located within the Bothwell Village Centre, as designated by Policy ED24 of the adopted Hamilton District Local Plan and Policy COM5 of the Finalised South Lanarkshire Local Plan (as modified). Policies ED24 and COM5 recognise the Bothwell Village Centre as an area of mixed uses. The Council will consider all proposals in terms of the overall balance between retail and non-retail uses in the context of the need to meet consumer expectations, their effect on adjacent and surrounding land uses, their environmental impact on the centre and their traffic implications.

- 3.1.2 Policies DC1 of the adopted Hamilton District Local Plan and Policy DM1 of the Finalised South Lanarkshire Local Plan (as modified) provide general development management guidance. These policies require all planning applications to take due regard to the local context and built form of the area. Proposals should take cognisance of scale, position and materials of surrounding buildings and landscape. SLP6 of the South Lanarkshire Planning Policies supports these policies.
- 3.1.3 The site is also identified in the development plan as being within a Conservation Area. As such, Policy EN4 – Conservation Areas of the adopted Hamilton District Local Plan and Policies ENV4 and ENV24 of the Finalised South Lanarkshire Local Plan (as modified) are relevant when determining this application. These policies seek to preserve and enhance the character of the conservation area. Developments will be assessed in terms of their effect on the character and amenity of the natural and built environment. Proposals should take account of design, materials, scale and siting within the conservation area and should respect their setting within the conservation area.
- 3.1.4 Policy EN25 – Heritage Preservation of the adopted Hamilton District Local Plan notes the physical heritage of the district should be safeguarded. There will be a general presumption against development that would destroy, adversely impinge or significantly damage any heritage feature, including listed buildings.
- 3.1.5 Policy ENV23 – Listed Buildings of the Finalised South Lanarkshire Local Plan (after modifications) notes that development of listed buildings shall preserve the building or its setting, or any features of special architectural or historic interest which it has.
- 3.1.6 The South Lanarkshire Council Residential Development Guide sets out requirements for window to window distances.

3.2 Relevant Government Guidance

- 3.2.1 Relevant guidance is provided in National Planning Policy Guideline (NPPG) 18 Planning and the Historic Environment, Planning Advice Note (PAN) 71 – Conservation Area Management and the Memorandum of Guidance of Listed Buildings and Conservation Areas.
- 3.2.2 NPPG18 notes that it is desirable to protect and enhance the character and appearance of conservation areas. Local Planning Authorities have a duty to bring forward proposals for the preservation or enhancement of conservation areas. Contemporary architecture and innovative new design can also contribute significantly to the character and appearance of a conservation area.
- 3.2.3 PAN71 notes that the designation of conservation areas are a means to safeguard and enhance the sense of place, character and appearance of our most valued historic spaces.
- 3.2.4 The ‘Memorandum of Guidance on Listed Buildings and Conservation Areas’ notes that a well designed modern structure may be better as it will not read as part of the original building and may not affect its appearance so radically.

3.3 Site History

- 3.3.1 In terms of site history, planning permission (HM/05/0015) and listed building consent (HM/05/0023) was sought for the erection of a traditional style one storey side extension to the existing public house. These applications were however withdrawn by the applicant due to design issues.
- 3.3.2 Planning permission (HM/06/0418), Listed Building Consent (HM/06/0446) and Conservation Area Consent (HM/06/0445) were then sought for the extension of public house and demolition of existing house to form additional parking associated to public house. Again, these applications were withdrawn by the applicant due to design issues.
- 3.3.3 In addition to this planning permission, the applicant has sought Listed Building Consent (HM/07/0412) and Conservation Area Consent (HM/07/0411) for the proposed development. These applications have also been put forward to the Hamilton Area Committee for determination.

4 **Consultations**

- 4.1 **Roads and Transportation Services:** raised no objections to the proposal and note that the proposed car parking allocation created as a result of this proposal adheres to Roads and Transportation Service's requirements.
Response: Noted.
- 4.2 **Bothwell Community Council:** raised objection to the proposed development. The Community Council raised concerns with regards to car parking provision within the site and note that car parking within Bothwell Village Centre is already at a premium. Bothwell Community Council also raise concern with regard to manoeuvrability of cars within the site and to the safe access and egress to and from the site. Concern is also expressed with regards to potential noise generated by customers of the public house and restaurant.
Response: Noted. As stated above, the Roads and Transportation Service were consulted with regards to the proposed development and raised no objections. Furthermore, the applicant has provided a noise impact assessment which has been reviewed by Environmental Services and will be assessed below.
- 4.3 **Environmental Services:** raise no objections to the proposed development subject to a number of conditions relating to issues such as ventilation, noise and dust generated during construction and noise emitted from the premises. Furthermore, the noise impact assessment submitted by the applicant's agent has been reviewed by Environmental Services who concur with the conclusions of the assessment i.e. that noise generated by customers is unlikely to give rise to complaints.
Response: Environmental Services comments have been noted and appropriate conditions and informatives shall be imposed if planning permission is granted.
- 4.4 **Scottish Water:** raised no objections to the proposed development and note that they support the principles of the Sustainable Urban Drainage systems (SUDS).
Response: Noted. The requirement for SUDS will be addressed by way of condition, should planning permission be approved.

5 Representations

5.1 The application was advertised as an 'Application Requiring Advertisement due to the Scale and Nature of Operations', as 'Development Affecting the Setting of a Listed Building' and as 'Development Affecting the Character or Appearance of a Conservation Area'. Statutory neighbour notification was also carried out. As a result nine letters of objection were submitted from neighbouring properties

5.2 The representations can be summarised as follows:

a) The development is contrary to the Local Plan as it does not comply with the objectives for the village conservation.

Response: These comments are noted and the development will be considered in light of local plan policy relating to the Conservation Area in the Assessment and Conclusions Section.

b) The proposed car parking does not comply with the South Lanarkshire Council Roads and Transportation requirements.

Response: The Roads and Transportation Service have been consulted with regards to the proposed development and have confirmed that they are satisfied with the proposed road and car parking layout.

c) The access along Ferry Road should have a 2.0m wide footway along each side. The access road should be 5.5m in width.

Response: The applicant proposes to upgrade Ferry Road to a 5.5m width along the side of the application site. The proposal does not however involve the installation of a footway on either side of the road. Roads and Transportation Service have confirmed that this is acceptable in this instance.

d) There will be an impact on residential amenity as a result of noise created by smokers and amplified music.

Response: Whilst accepting that the proposal will reduce the distance between the buildings from 25m to approximately 18m, I am of the opinion that the 18m distance, together with Ferry Road, the level difference and large wall adjacent to the properties in Dunlop Crescent, provides a sufficient barrier and will not have a material detrimental impact on the residential amenity of the adjoining properties. Furthermore, the applicant has provided a Noise Impact Assessment in support of his planning application. This Noise Impact Assessment has been reviewed by Environmental Services who have confirmed that they concur with the findings that the proposed development will not give rise to complaints.

e) Road safety will be compromised due to the proximity of the junction with the Green Street junction. The visibility splays are difficult to achieve, due to the gradient of Main Street.

Response: The Roads and Transportation Service have been consulted with regards to the proposed development and have confirmed that they are satisfied with the proposed road layout.

f) The loss of the traditional cottage from the Conservation Area.

Response: This issue will be discussed in the Assessment and Conclusions section of this report. Furthermore, the applicant has applied for Conservation Area Consent for the demolition of the unlisted cottage in the Conservation Area. A detailed assessment of the demolition of the cottage is fully considered in the

Conservation Area Consent application (HM/07/0411), which has also been put before this Committee.

- g) The appearance and scale of the front elevation of the extension would detract from the Bothwell streetscape. The extension contrasts with the existing traditional public bar and does not relate with Camphill Vaults in style, design or materials.**

Response: The design, materials and scale of the proposed extension will be discussed in the Assessment and Conclusions section of this report.

- h) The loss of the landscaped area in the existing car park.**

Response: Whilst a small landscaped area will be lost as a result of the proposed development, the proposal will tidy up the application site and also involves the planting of a small landscaped area within the car park which will replace this area.

- i) The boundary of the site is incorrect as it extends across Ferry Road on our property.**

Response: Originally the plans submitted did not include Ferry Road as part of the application site and the plans have been amended accordingly. The red line does not encroach on the adjacent private property. These plans have been assessed and I am satisfied that the plans are now accurate.

- j) The car parking on the site of the demolished house will have to use the private unmade Ferry Road.**

Response: The applicant proposes to upgrade the section of Ferry Road which bounds the application site and Roads and Transportation Services are satisfied with the proposed access.

- k) The proposal will result in an increased amount of traffic on Main Street and Ferry Road (a quiet road infrequently used by vehicles).**

Response: It is likely that traffic will be increased on a small section of Ferry Road. This section of Ferry Road will however be upgraded to a two lane road, providing an adequate access to the rear car park. I am satisfied that the increase in traffic will not create an adverse impact on the residential amenity of the neighbouring properties.

- l) The proposed car parking spaces will not be adequate to accommodate all the customers of the new restaurant and existing public house and this will result in an overspill of cars into the Bothwell Village Centre.**

Response: The Roads and Transportation Service have considered the proposed car parking provision and have confirmed that the car parking is adequate for the proposed development.

- m) The proposed restaurant will result in kitchen smells and noises polluting the roads and gardens of houses within the vicinity. Furthermore, extraction fans and refrigeration systems will also create a continuous loud noise.**

Response: Environmental Services were consulted with regards to the proposed development and have requested that if planning permission is granted that a number of conditions are attached to the consent. These conditions include the requirement for an extraction system which complies with their requirements. If planning permission is granted appropriate conditions shall be imposed.

- n) **The loss of the residential property so close to the Main Street would diminish the character and quality of the street as a whole and the area in which it is situated.**

Response: This issue will be discussed in the Assessment and Conclusions section of this report.

- o) **We have a pedestrian access onto Ferry Road and are concerned that our safety may be compromised as a result of the increased traffic on Ferry Road. Furthermore we are concerned that the vehicles may cause damage to the boundary wall and gate.**

Response: The Roads and Transportation Service have been consulted in respect to this application and have confirmed that they are satisfied that the proposed road and car parking layout is satisfactory. Ferry Road is currently immediately adjacent to the boundary wall of the objectors properties and it is considered that the road improvements will improve the current situation in that the road will be capable of accommodating two lanes of traffic.

- p) **The proposed upper floor windows will create overlooking into our rear garden ground. This will have a detrimental impact on our privacy.**

Response: The Council's requirements for window to window distances is 20m for windows directly facing habitable rooms. This may however be relaxed where the windows are at an angle. Windows within the proposed extension are at least 18m from the closest windows in the nearby residential houses. Furthermore the adjoining residential properties to Ferry Road are at an elevated level to the proposed extension and are bounded by a wall, which is approximately 8 foot high, between the proposed extension and the houses which will further mitigate any overlooking from the restaurant extension.

- q) **What right does the applicant have to carry out the works on Ferry Road, when the ownership of Ferry Road is unknown. Once the works are carried out, will the applicant claim ownership of this section of Ferry road?**

Response: The applicant has advertised the application within the local newspaper requesting any owner(s) to make representations to the Council should they wish in respect of the proposal. No representations have been received in this respect. If the applicant decides to claim ownership of Ferry Road, this would be a private legal matter.

- r) **I am concerned that damage may be caused to the boundary wall located between our property and Ferry Road as a result of construction and thereafter regular use of the upgraded section of Ferry Road. The applicant should be made responsible for any damage caused to the wall.**

Response: Damage caused to private property is a private matter which would require to be resolved between the parties involved.

- s) **I am concerned that the upgrading of the access road may destabilise the foundations of the retaining wall.**

Response: These concerns are noted. However, should any problems be discovered or damage be created during the construction of the development, this would be a private legal matter between the parties involved.

- t) **The increased use of Ferry Road will make maintenance of my boundary wall dangerous.**

Response: Roads and Transportation Services were consulted with regards to this application and raised no concerns in respect of this point of objection.

- u) **It is assumed that the CDM (Construction Design/Management) Regulations 2007 would require to be adhered to by the applicant's agent when carrying out the proposed development. These regulations require the applicant's agents to consider the safe construction of the proposed development. It is anticipated that to ensure the safe usage of the pedestrian gates for residents with Dunlop Crescent, a 1.0m wide clearance from the edge of the wall to the edge of the road should be provided.**

Response: Planning permission does not negate the requirement to adhere with other regulations or the requirement to acquire other permissions needed to carry out the development. As such, all other relevant regulations apply and should the applicant need to change the design or layout of the proposal as a result of any relevant regulations, this would be regulated by the Planning Service as appropriate.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of a 1½ storey side extension to an existing category C(S) listed building. The proposal also involves the demolition of an existing house and detached garage which are located within the Bothwell Conservation Area, the formation of a car park providing 25 car parking spaces and the upgrading of a section of Ferry Road. The applicant also proposes internal alterations to Camphill Vaults. The determining issues relate to the sites previous history, compliance with local plan policy and affect on the amenity on the neighbouring residential areas and the impact on the character of the Conservation Area. The applicant has also submitted applications for Listed Building and Conservation Area Consent for the proposed development. These applications have also been put forward to the Hamilton Area Committee for determination.
- 6.2 In terms of the planning history for the application site, the applicant has submitted a number of applications for the extension to the public house in the past. These previous applications have been mentioned above in Section 3.3 of this report. The initial proposal involved the erection of a single storey side extension of a 'traditional' design. There were however a number of issues associated with this proposal, including lack of parking and inappropriate design, which subsequently resulted in these initial applications being withdrawn. Through detailed pre-application discussions with the Council's Planning Service, the applicants agent has altered and adapted their initial proposal to the current scheme. The applicants approach is to utilise a modern, contemporary design for the extension, as opposed the initial traditional proposal. During the pre-application discussions between the Planning Service and the applicant and his agent, certain changes have been incorporated into the design, such as the change in external facing materials from wooden panels to red ashlar sandstone, incorporation of windows into the side elevation to 'break-up' the gable elevation and the alteration and re-design of the car park to maximise the parking spaces which can be provided within the application site.

- 6.3 In terms of the demolition of the existing cottage to accommodate the proposed car parking area, the applicant's agent submit that the cottage has no architectural merit and does not add to the character of the area due to its location and access. The applicant's agent also suggests that the benefits of the proposed development to the local area far outweigh the loss of the building. To determine whether the demolition of the cottage is justified it is therefore appropriate to consider both the positive and negative impacts of the proposed development in the area.
- 6.4 The proposed extension is of a contemporary design, which incorporates a large section of glazing on the front elevation and a mix of glazing and a red ashlar sandstone finish on the prominent side elevation. The applicant's agent has submitted a design statement, which provides reasoning for the proposed development and provides a brief overview of the local context and built form of the surrounding area.
- 6.5 Whilst the application site is located within the Bothwell Conservation Area, this designation does not preclude development within these areas but instead tightens control over development. It is clear from relevant local plan policies that the Council seeks to preserve and enhance these areas whilst allowing development to take place. Despite the fact that the proposed side extension is not traditional in design, it respects the integrity and character of the adjoining category C(S) listed building and surrounding Conservation Area by way of the proposed materials and form. The applicant's architect has made a conscious effort to differentiate the proposed extension from the adjoining building, creating a clear division between the 'traditional' and the 'contemporary'. The proposed extension has been designed in such a way to allow the proposed extension to be 'read' separately from the listed building.
- 6.6 The extension has also been designed to appear 'subservient' and will not rival the presence of the listed building on the streetscape. The front elevation of the extension is recessed from Main Street, which again acknowledges the existing building and does not attempt to compete with it. The proposed extension has also been orientated to address Ferry Road and acknowledge the corner position of the application site. Furthermore, the proposed red ashlar sandstone materials acknowledges the predominant material of the surrounding area.
- 6.7 I am satisfied that the proposed extension has been designed to a high standard and both acknowledges the traditional character of the adjoining building and the Conservation Area but also sets itself apart in a contemporary and modern manner. The proposed materials are also of a high standard. As such, I am satisfied that the proposed development can justify the demolition of the cottage, located within the Conservation Area. However, this matter will be considered in more detail in the Conservation Area Consent application (HM/07/0411). Similarly in respect of the proposed alteration to the Category C(S) listed building, this will be considered in more detail in the Listed Building application (HM/07/0412).
- 6.8 In terms of the impact of the proposed development on the adjacent residential area, whilst it is noted that the proposed development will result in the distance between the public house/restaurant and the closest house reduce from 25m to approximately 18m, I am of the opinion that the 18m distance, in conjunction with Ferry Road, the level difference and large wall adjacent to the properties in Dunlop Crescent will provide a sufficient barrier and will not have a material impact on the residential

amenity of the adjoining properties. Furthermore, the applicant has provided a Noise Impact Assessment in support of his planning application. This Noise Impact Assessment has been reviewed by Environmental Services who have confirmed that they concur with the findings that the proposed development will not give rise to complaints. As such, I am satisfied that the proposed development will not adversely affect the amenity of the neighbouring residential area.

- 6.9 In terms of impact on traffic, the Roads and Transportation Service have raised no objections to the proposal and have confirmed that the car park and access will meet their requirements.
- 6.10 I am satisfied that the proposed development complies with Local Plan Policy. Policies ED24 and COM5 designate the application site as the Bothwell Village Centre where mixed uses are supported. A restaurant and associated car park is therefore considered an acceptable use. As discussed above, I am satisfied that the design of the proposed extension will not adversely affect the amenity of the Village Centre nor the character and appearance of the Conservation Area or that of the listed building as a result of the high standard of design use in the extension. As such, I am satisfied that the proposed development complies with Policies DC1, EN4 and EN25 of the adopted Hamilton District Local Plan, Policies DM1, ENV4, ENV23 and ENV24 of the Finalised South Lanarkshire Local Plan (after modifications) and SLP6 of the South Lanarkshire Planning Policies.
- 6.11 I am satisfied that all matters raised within the consultation responses and third party representations received during the determination of the application have been adequately addressed. It is therefore considered that the application is acceptable and I recommend the application for approval subject to conditions.

7 Reasons for Decision

- 7.1 The proposal complies with Policy ED24, DC1, EN4, EN25 of the adopted Hamilton District Local Plan, Policies COM5, DM1, ENV4, ENV23 and ENV24 of the Finalised South Lanarkshire Local Plan and SLP6 of the South Lanarkshire Planning Policies as well as relevant government guidance detailed within NPPG18, PAN 17 and the 'Memorandum of Guidance on Listed Buildings and Conservation Areas'.

Iain Urquhart
Executive Director (Enterprise Resources)

19 October 2007

Previous References

- ◆ HM/07/0412

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Design Statement
- ▶ Noise Impact Assessment
- ▶ Consultations

Roads and Transportation Services (Hamilton Area)	30/07/2007
Scottish Water	19/06/2007
Environmental Services	02/07/2007
Bothwell Community Council	04/07/2007 & 11/10/2007

▶ Representations

- Representation from : Martyn & Lindsay Robertson, 25 Dunlop Crescent, Bothwell, G71 8SG, DATED 19/06/2007
- Representation from : The Occupier, 23 Dunlop Crescent, Bothwell, DATED 19/06/2007
- Representation from : Mrs Margaret McAteer, 17 Dunlop Crescent, Bothwell, G71 8SG, DATED 19/06/2007
- Representation from : Mrs Hamilton, 5 Main Street, Bothwell, G71 8RD, DATED 22/06/2007
- Representation from : Susan Fotheringham, 13A Main Street, Bothwell, G71 8RD, DATED 22/06/2007
- Representation from : Mary McWhinney, 23 Dunlop Crescent, Bothwell, G71 8SG, DATED 04/07/2007
- Representation from : S. Angus Crate, 21 Dunlop Crescent, Bothwell, G71 8SG, DATED 04/07/2007
- Representation from : S. Angus Crate, 21 Dunlop Crescent, Bothwell, G71 8SG, DATED 10/10/2007
- Representation from : Martyn & Lindsay Robertson, 25 Dunlop Crescent, Bothwell, G71 8SG, DATED 27/09/2007

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Donald Wilkins, Planning Officer, Brandon Gate, Hamilton

Ext 3513 (Tel :01698 453513)

E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

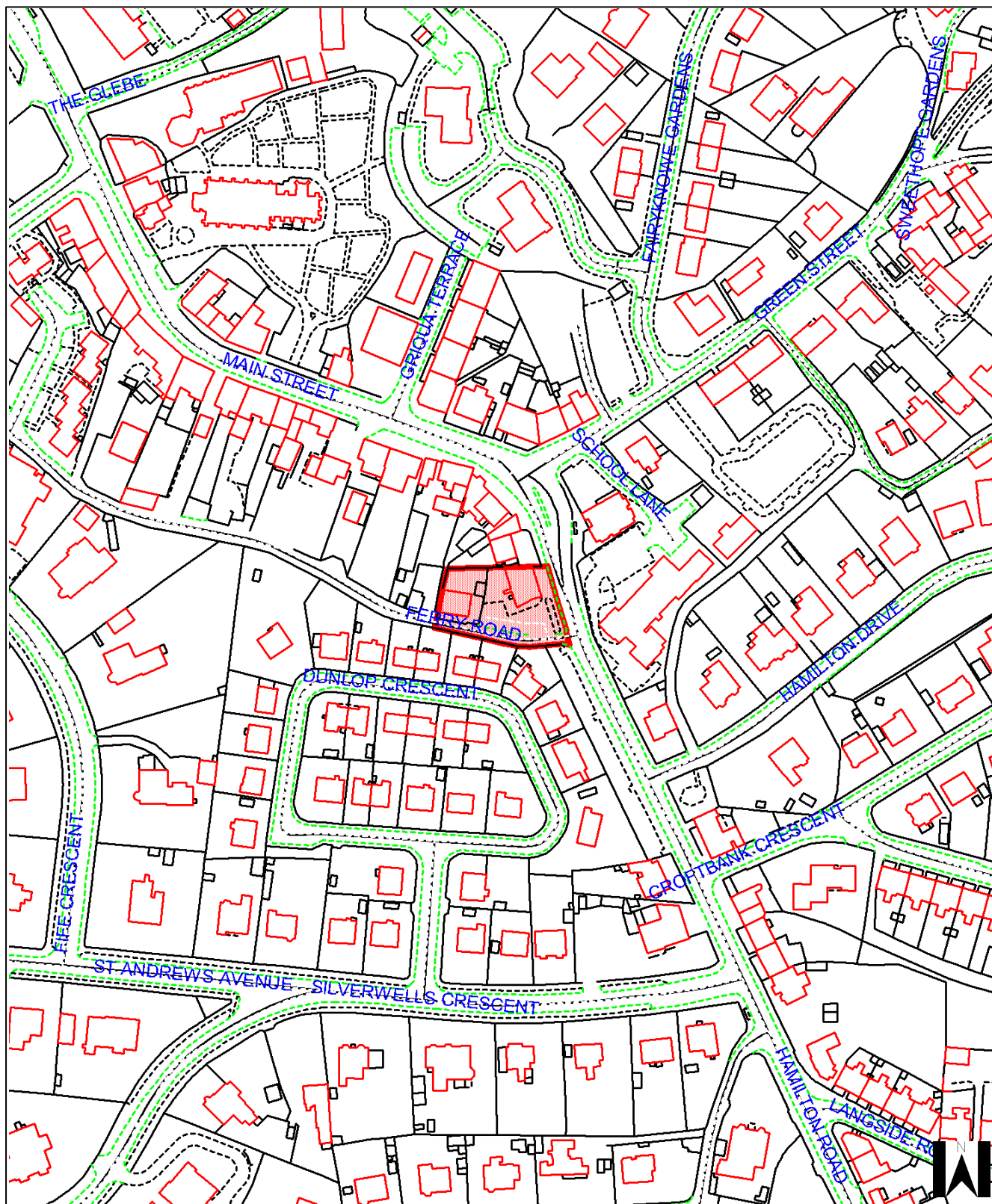
- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That prior to the implementation of the works hereby approved, a sample panel of the proposed external finish shall be provided and no further work on the site shall be commenced until the written approval of the Council as Planning Authority has been granted for this or other such finish as may be acceptable to the Council. The approved sample panel shall remain in place throughout construction.
- 5 Between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90(1/2hour)) by more than 4dB (A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
Between the hours of 2000 and 0800 the noise emitted from the premises (LAeq (5mins)) shall not exceed the pre-existing background noise level (L A90 (1/2hour)) by more than 4dB(A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
- 6 Before the restaurant is brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The restaurant shall not be brought into use until the ventilation systems are operational in accordance with the approved details.
All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.
The ventilation system shall:
 - a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.
 - b) Be constructed by employing best practical means to minimise noise and vibration transmission via plant and the building structure.
 - c) Noise associated with the business shall not give rise to a noise level, assessed with the windows closed, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.

- 7 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 8 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 9 That before the development hereby approved is completed or brought into use, the access road and all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 10 That the use of the extension hereby approved shall be used in conjunction with the public house and shall not be physically separated from the original building without the prior written approval of the Council as Planning Authority.
- 11 That the extension hereby approved shall be used as a bar and restaurant only and shall not be used as a facility for functions requiring the block booking of the building without the prior written approval of the Council as Planning Authority.
- 12 That the existing ornate plasterwork, cornicing, dado rail and service bar shall be retained and made good where necessary.
- 13 Details of the extent of stonework repairs and details of the treatment required shall be agreed with the Council as Planning Authority once cleaning is complete and prior to the commencement of works on this aspect.
- 14 A sample panel of stonework repairs shall be prepared to match the cleaned stonework in colour, texture and coursing for inspection and written approval from the Council as Planning Authority prior to the commencement of this aspect of the works.
- 15 A chemical paint removal method only shall be used. A detailed specification of the treatment proposed shall be submitted for approval by the Council as Planning Authority. A sample panel on an inconspicuous part of the building shall be prepared for inspection and written approval before work commences.
- 16 That no development shall take place within the application site as outlined in red on the approved plans until the developer has secured the implementation of a programme or archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To safeguard the character and appearance of the Listed Building.
- 5 To minimise noise disturbance to adjacent occupants.
- 6 To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.
- 7 To minimise the risk of nuisance from dust to nearby occupants.
- 8 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 9 To ensure the provision of adequate parking facilities within the site.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 In the interests of amenity and in order to retain effective planning control.
- 12 In the interests of amenity.
- 13 In the interests of amenity and in order to retain effective planning control.
- 14 In the interests of amenity and in order to retain effective planning control.
- 15 In the interests of amenity and in order to retain effective planning control.
- 16 To ensure that provision is made to address areas of archaeological interest.

For information only



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