

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>11</h1>
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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>21 June 2005</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	EK/05/0168
Planning Proposal:	Erection of Hotel and Restaurant/Public House with Associated Access, Parking and Landscaping Works

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Whitbread Plc/ Vico Properties Scotland Ltd
- Location : Land at Kingsway East/ Meadow Place,  
Nerston  
East Kilbride

## 2 Recommendation(s)

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

- (1) Grant detailed Planning consent (subject to conditions – based on the conditions attached).

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) The applicant is required to submit a financial contribution through a Legal Agreement for associated road improvements (£25,000 plus VAT).

## 3 Other Information

- ◆ Applicant's Agent: Muir Smith Evans
- ◆ Council Area/Ward: 14 Long Calderwood
- ◆ Policy Reference(s): Proposal COM1, Policies COM2 and TRA4 of  
the East Kilbride and District Local Plan
  
- ◆ Representation(s):  
None

◆ Consultation(s):

Scottish Executive Trunk Roads Network Management Division

Roads and Transportation Services

S.E.P.A. (West Region)

Power Systems

British Telecom

TRANSCO (Plant Location)

Scottish Water

Environmental Services

## **Planning Application Report**

### **1 Application Site**

**1.1** The application relates to the southern half of a commercial development site at Kingsway East as identified in the East Kilbride and District Local Plan.

**1.2** The application site extends to Meadow Place to the east, Nerston Industrial area to the south and the A749 Kingsway to the west. The other half of this commercial development site is located directly to the north and will form a second phase of development at a future date. The site is roughly rectangular in shape and has sloping embankments to the north, south and west thus forming a bowl shaped site. The site, which is currently vacant and overgrown benefits from planning permission for engineering works to infill and regrade the land to form a development platform.

### **2 Proposal(s)**

**2.1** The proposal entails the erection of a hotel and restaurant/public house together with the formation of a new access, parking and associated landscaping works. More specifically the proposal comprises the following –

1. The formation of a new ingress and egress to serve the development from the A749 Kingsway.
2. The erection of a three storey pitched roof Travel Inn building containing 44 bedrooms.
3. The erection of a single storey Brewers Fayre building providing 224 covers.
4. The provision of 116 car parking spaces and service yard area.

The external finishes to the buildings include facing brick, render and barge board and slate colour Marley roof tiles.

### **3 Background**

**3.1** As stated above the site benefits from planning permission for engineering works to infill and regrade the land to enable a commercial development. Planning permission was granted for these works at a Planning Committee on 7 December 2004.

#### **3.2 Local Plan Status**

The application site is zoned as commercial in the adopted East Kilbride and District Local Plan. The site is covered by Proposal COM1 – Retail/Commercial opportunities. Policies COM2 – New Retail/Commercial Leisure Development, TRA4 – Main Movement Corridors are relevant in this instance.

#### **3.3 Relevant Government Advice/Policy**

None relevant.

### **4 Consultation(s)**

**4.1** **SLC Environmental Services** – no adverse comments.  
**Response** – Noted.

- 4.2 Roads and Transportation Services** – no objections subject to the formation of the new ingress and egress from the A749 Kingsway being to the satisfaction of Divisional Roads Engineer.  
**Response** – Several conditions relating to this Services requirements would be attached to any Planning approval to cover the new access, parking, service road/yard and footpath construction.
- 4.3 Scottish Executive Trunk Roads Network Management Division** – no objections subject to conditions.  
**Response** – Specific conditions required by the Trunk Roads Authority would be attached to any Planning Approval.
- 4.4 SEPA** – no objections subject to the foul drainage being connected to the public sewer and that sustainable Urban Drainage Systems principles are incorporated in site surface water treatment.  
**Response** – any approval will include suitable conditions to reflect SEPA's requirements.
- 4.5 Scottish Water** – no objections subject to the developer demonstrating that the development will not have an impact on their assets, or that suitable infrastructure can be put in place to support the development.  
**Response** – Noted, the developer to be advised of this requirement and a suitable condition would be attached to any planning approval.
- 4.6 British Telecom** – no objections.  
**Response** – noted.
- 4.7 Transco** – no objections.  
**Response** – noted.
- 4.8 Scottish Power** – no response to date.

## **5 Representation(s)**

- 5.1** Statutory neighbour notification was undertaken. A further re-neighbour notification was undertaken due to the submission of a revised access arrangement at the Kingsway. No letters of representation have been received.

## **6 Assessment and Conclusions**

- 6.1** The application relates to a detailed proposal for the erection of a Travel Inn, Brewers Fayre restaurant/public house together with the formation of a new ingress and egress to serve the development from the A749 Kingsway. The principle of commercial/leisure on the site is fully in accordance with the adopted Local Plan and Proposal COM1 – Retail/Commercial Opportunity, given that it is fulfilling a commercial opportunity on the site.

In terms of Policy COM2 – New Retail/Commercial Leisure Development, proposals for new retail/commercial leisure development should satisfy the following criteria :

- (a) follow the sequential approach as set out in National Planning Policy Guideline 8 (Town Centres and Retailing);
- (b) must not threaten the vitality and viability of town and village centres and neighbourhood centres;

- (c) be supported by the appropriate catchment population and be of an acceptable scale related to the floorspace required identified by the capacity analysis referred to below, or be justified by a qualitative deficiency, relative to need;
- (d) that major proposals for retail/commercial leisure development (Over 2000 square metres comparison floorspace; and over 1000 square metres convenience floorspace) should be:
  - directed towards East Kilbride and Strathaven Town Centres
  - accompanied by a quantitative retail impact and capacity analysis;
- (e) promote sustainable development in relation to:
  - the hierarchy of accessibility
  - environmental impact and design
  - traffic and transport impacts
  - infrastructure implications
- (f) must not have a detrimental impact on surrounding land uses.

**6.2** As stated above, it has already been accepted within the Local Plan that this site, namely Site 76 Kingsway East, can be developed for a commercial/leisure use. Within this first phase of development, no element of retail is proposed. The site is 0.8ha in size and 2362 square metres of floorspace is proposed including both the Travel Inn accommodation and the Brewers Fayre restaurant/public house facility. The Brewers Fayre is in fact a replacement facility for the one recently demolished on the site adjacent to the new B&Q warehouse at Kingsgate South.

**6.3** In terms of the above criteria I consider that given the size and commercial/non-retail nature of the development the vitality and viability of the town, village and neighbourhood centres would not be threatened. It is considered that the development at this out of centre location is acceptable given that it relates to the provision of economy class accommodation and that the Brewers Fayre restaurant/public house facility is in effect a relocation of an existing facility in the local area. Furthermore the proposal is sustainable given its accessibility from the existing road network and the use of a derelict site which has remained vacant and uneconomical to develop for several years.

Given the above, in my opinion the proposal accords with Policy COM2.

**6.4** In respect of Policy TRA4 – Main Movement Corridor, the Council are required to ensure that the routes designated as Main Movement Corridors (which include the A725 EK Expressway and A749 Kingsway) are protected by a general presumption against development which requires direct access onto the corridor.

**6.5** As the proposal involves an ingress and egress from the A749 Kingsway, the developer has had detailed discussions with our Roads and Transportation Services together with the Scottish Executive Trunk Roads Network Management Division (TR-NMD). Both our Roads Department and the Scottish Executive are satisfied with the principle of the new access arrangement provided certain conditions are attached to any planning consent. A Transport Assessment has been considered and any requirements can be covered by appropriate conditions. In addition the

developer has been required to make a financial contribution to enable further road improvements in the surrounding vicinity.

- 6.6** In conclusion, I would reiterate that this site has remained derelict for several years and in December 2004 planning permission was granted which allows the site to be infilled and regraded to facilitate the development. This first phase of development complies with the commercial zoning of the site and upon completion would improve the overall amenity of the 'gateway' location to East Kilbride. Furthermore new employment would be provided for the New Town.
- 6.7** In view of all of the above, I would raise no objections to the proposal and therefore recommend that planning permission be granted.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**13 June 2005**

#### **Previous References**

- ◆ EK/04/0454

#### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - Environmental Services 27/05/05
  - S.E.P.A. (West Region) 13/04/05
  - Roads & Transportation Services H.Q. 06/06/05
  - Scottish Executive Trunk Roads Network Management Division 01/06/05
  - S.E.P.A. (West Region) (Flooding) 03/05/05
  - TRANSCO (Plant Location) 25/04/05
  - Scottish Water 10/05/05
  - TRANSCO (Plant Location) 05/05/05
  - British Telecom 05/05/05
  - Scottish Power 05/05/05
- ▶ Representations
  - None

**Contact for Further Information**

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

Maud McIntyre, Planning Officer, Civic Centre, East Kilbride

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E-mail: [Enterprise.ek@southlanarkshire.gov.uk](mailto:Enterprise.ek@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 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 5 That before development starts, full details of the design and location of all fences and walls to be erected on the site, (including an unclimbable fence to be located along boundary marked orange), shall be submitted to and approved by the Council as Planning and Roads Authority.
- 6 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning and Roads Authority has been obtained under the terms of Condition 5 above, shall be erected and thereafter maintained by the developer or subsequent owner of the land to the satisfaction of the Council.
- 7 Construction and/or demolition work associated with this development shall conform to the terms laid down in BS5228 Parts 1-4 1984/1986 'Noise Control on Construction and Open Sites' to the satisfaction of the Executive Director of Community Resources.
- 8 That before any work commences on the site, a scheme of landscaping shall be submitted to the Planning Authority for their written approval and it shall include:
  - (a) an indication of all trees and plus details of those to be retained and measures for their protection in the course of the development;
  - (b) details of specification of all trees, shrubs, grass mix etc;
  - (c) details of any top-soiling or other treatment to the ground;
  - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
  - (e) proposals for the initial and future maintenance of the landscaped areas;
  - (f) details of the phasing of these works;and no work shall be undertaken on the site until approval has been given to these details.



- 9 The landscaping scheme required in terms of Condition 8 above shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the said Authority.
- 10 That notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, no fascia signs, adverts or projecting signs shall be erected on the premises without the prior written consent of the Council as Planning Authority.
- 11 That the design and layout of the new junctions and improvements shall be designed in accordance with the Design Manual for Roads and Bridges(DMRB), the Councils Guidelines for Development Roads and subject to more detailed discussion and agreement with the Council's Roads and Transportation Services(R&T).
- 12 That before development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 13 That prior to the development being brought into use, a Safety Audit(SA) shall be required by the Council as Roads Authority for the new junction and infrastructure modifications associated with the development.
- 14 That before the development hereby approved is completed or brought into use, a section of footway shall be constructed contiguous with the A749 Kingsway. The specification and positioning of the footway shall be agreed with the Council as Planning and Roads Authority prior to the commencement of site works.
- 15 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of and to the satisfaction of the Council as Roads and Planning Authority.
- 16 That before development starts, details of the surface finishes to all parking and manoeuvring areas shall be submitted to and approved by the Council as Planning Authority.
- 17 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 18 That there shall be no direct access to the trunk road(ie via Meadow Place) either vehicular or pedestrian.
- 19 That no part of the development shall be occupied until a Green Travel Plan(GTP), aimed to encourage employees to use more sustainable means of travel, has been submitted to and approved in writing by the Council as Roads Authority, in consultation with Trunk Road Network Management Division. The GTP shall identify mode targets, measures to be implemented,(eg – provision of cycling infrastructure, dedicated buses for employees, on site showering facilities, car

sharing etc), the system of management, monitoring, review, reporting and duration of the plan.

- 20 That before construction commences on site, measures for the protection of the existing culvert that runs beneath the adjacent roads shall be submitted and approved by the Council as Planning Authority, in consultation with TRNMD.
- 21 That one year after the completion of the new culvert works(approved, 09/12/04 under application EK/04/0454), which includes backfilling with a suitable material to proposed finished ground level, the developer shall provide a CCTV survey of the new culvert from the Inlet Chamber Manhole to the Outlet Chamber Manhole. Any defects noted in the CCTV survey are to be rectified at the developer's expense.
- 22 That prior to the commencement of site works the developer shall supply confirmation of the proposed location of the Inlet and Outlet Chamber Manholes required for the purposes of carrying out watercourse assessment(as previously required under approval EK/04/0454).No works shall be undertaken until the Council's Roads Authority has agreed the locations in writing.
- 23 That surface water from the development shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland published by CIRA in March 2000. Full details of the system, including timescale for its implementation, shall be submitted to and approved by the Planning Authority in consultation with SEPA, prior to works commencing on site.
- 24 That all sewers for the development shall be designed in accordance with Scottish Water standards/criteria to the satisfaction of Scottish Water as Sewerage Authority.
- 25 That the 30 year post development critical storm, attenuated within the site to the equivalent of a 1 in 2 year critical storm greenfield release, shall be contained within the drainage system for the development.
- 26 That the difference between the 30 year and the 200 year post development critical storms shall be accommodated within the development without detriment to properties, within or outwith the development site.
- 27 In terms of conditions nos. 23,24,25 and 26, calculations detailing the surface water run-off and subsequent attenuation capacity within the site together with 2 sets of construction drawings showing details of proposed drainage design and attenuation facilities within the site shall be submitted to the Planning Authority for consideration and approval prior to the commencement of site works.
- 28 That prior to commencement of site works, a further detail to supplement Drg No. 855 Rev 'A' (to illustrate that an articulated HGV can fully negotiate the site egress lane) shall be submitted for consideration and approval by the Council's Roads and Transportation Services.

- 29 That a roundabout/turning area designed to the satisfaction of the Council's Roads and Transportation Services be provided as part of the internal road layout and service area. Details(including a demonstration that all necessary provision for manoeuvring by service vehicles is accommodated within the development) shall be submitted to the Council for written approval prior to the commencement of site works.
- 30 The developer shall ensure that the parking layout satisfies the minimum and maximum parking provision requirements specified in the Council's Guidelines for Development Roads and SPP17. A finalised detailed layout to be submitted and approved by the Council as Roads Authority prior to the commencement of site works.
- 31 That the car parking spaces shaded blue on the approved plan shall be reserved for staff only.
- 32 That prior to any part of the development being open,(or as agreed by the Council as Roads Authority), all infrastructure modifications, both internal and external to the site, required by the Council as Roads Authority shall be completed at the applicant's expense and shall be open to traffic and and pedestrians to the satisfaction of the Council as Roads Authority.
- 33 That prior to any works commencing on site a programme indicating the phasing of construction of the development, together with the circulation of vehicles and pedestrians shall be submitted for approval to the Council as Roads Authority.
- 34 That prior to any works starting on site Construction Consent Approval shall be obtained from the Council as Roads Authority.
- 35 That prior to commencement of site works, details of proposed lighting to buildings, carparking, service yards and internal road layout shall be submitted for consideration and approval by the Council as Roads Authority.
- 36 The applicant/operator shall be restricted to operating 'off-peak' service delivery times only.

## 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 In the interests of amenity and in order to retain effective planning control.
- 5 To ensure that the movement of traffic and pedestrians is confined to the permitted means of access, thereby lessening the danger to and interference with the free flow of traffic on the trunk road. These details have not been submitted or approved.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 In the interests of amenity.
- 8 To safeguard the visual amenity of the area.
- 9 To safeguard the amenity of the area.
- 10 To safeguard the amenity of the area.
- 11 In the interest of public safety.

- 12 In the interest of public safety
- 13 In the interest of public safety
- 14 To complete footway links to Braeview place and existing bus-stop infrastructure on the A749 in the interest of public safety.
- 15 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 16 These details have not been submitted or approved.
- 17 In order to retain effective planning control
- 18 To ensure that the movement of traffic and pedestrians is confined to the permitted means of access, thereby lessening the danger to and interference with the free flow of traffic on the trunk road.
- 19 In order to comply with the requirements of NPPG17 and PAN57.
- 20 In order to maintain the integrity of the existing trunk road drainage network.
- 21 To safeguard against flooding and to retain effective planning control.
- 22 To ensure that the inspection manholes are easily accessible for future maintenance purposes.
- 23 In order to comply with SEPA's SUDS requirements.
- 24 In order to ensure that the development is served by a suitable sewerage system.
- 25 To safeguard against flooding and to retain effective planning control.
- 26 To safeguard against flooding and to retain effective planning control.
- 27 To safeguard against flooding and to retain effective planning control.
- 28 This information has not been submitted.
- 29 These details have not been submitted or approved and to safeguard pedestrian safety.
- 30 To ensure adequate car parking provision for the development.
- 31 To make optimum use of the car park provision.
- 32 To ensure the completion of a satisfactory vehicular access and roads layout.
- 33 In the interest of public safety.
- 34 To accord with the requirements of the Council's Roads and Transportation Services.
- 35 In the interests of amenity.
- 36 In order to minimise conflict between pedestrian movements and delivery vehicles.



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