

# Report

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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>22/03/2005</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/04/0895
Planning Proposal:	Creation of retail unit, associated car parking, servicing and landscaping

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : The Adam & Co Property Partnership
- Location : Whistleberry Retail Park  
Whistleberry Road  
Blantyre

## 2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission (Subject to Conditions – based upon the attached conditions).

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: Jenkins & Marr
- ◆ Council Area/Ward: 38 Whitehill
- ◆ Policy Reference(s): **Hamilton District Local Plan**  
ED4 – Shopping Hierarchy  
ED19 – Whistleberry Retail Park  
DC1 – Development Control – General

- ◆ Representation(s):  
▶ 0 Objection Letters

- ◆ Consultation(s):

Environmental Services

Roads and Transportation Services (Hamilton Area)

Power Systems

TRANSCO (Plant Location)

Scottish Water

## **Planning Application Report**

### **1 Application Site:**

- 1.1 The site is located within the established Whistleberry Retail Park which is positioned between Blantyre and Burnbank. The site forms part of the parking provision associated with the retail park and the Focus DIY store.
- 1.2 The application site is 0.38 hectares in size and is bounded to the south by Whistleberry Road, while to the west is a road into the retail park that is accessed from a roundabout which is located at the entrance to the site. The existing retail unit of Focus DIY is to the north of the site while further parking provision is to the east.

### **2 Proposal:**

- 2.1 The applicant proposes to erect a food store on land currently identified and used as parking associated with the existing retail units in the retail park. The foodstore would extend to approximately 528m<sup>2</sup>, 395m<sup>2</sup> of which is retail floor space. The proposed food store would be some 33m long, 16m wide and would be 6m to the apex of the roof. Access would be gained from the existing access serving the retail park.
- 2.2 The proposed retail unit would be approximately 35m from the existing DIY Focus store, with 37 parking spaces associated with the unit being positioned between the two buildings. An area of open land is to be positioned to the south of the proposed store with a 27m diameter turning circle to the west of the building for delivery vehicles.

### **3 Background:**

#### **3.1 Development Plan Status**

- 3.1.1 The Glasgow and Clyde Valley Structure Plan contains a threshold of significance for consideration in relation to retail developments. This threshold is set at 1000 square metres, below which any retail development is not considered to be 'significant' in structure plan terms.
- 3.1.2 The application site is zoned within the Hamilton District Local Plan as being affected by Policy ED4, Shopping Hierarchy and Proposal ED19 is located adjacent within the Whistleberry Retail Park. Policy ED4 states that the District Local Plan recognises and will protect the hierarchical structure of shopping centres within the district. New shopping developments will be directed to existing centres provided that such developments are of a scale and type appropriate to their established role. Proposal ED19 states that the Council seeks to promote the sensitive development of the remaining area of Whistleberry Retail Park for food retail to a maximum of 1000m<sup>2</sup> net. Any development proposals should be complementary and sympathetic to the existing centres of Blantyre and Burnbank. Policy DC1 states that all applications for planning permission shall take fully into account the local context and built form. It should take cognisance of scale, position and materials of adjacent buildings and surrounding streetscape.

#### **3.2 Relevant Government Guidance**

- 3.2.1** National Planning Policy Guidance 8 (Town Centres and Retailing) is the relevant government guidance relating to the proposals. This Guidance states that Planning Authorities should adopt a sequential approach to selecting sites for new development, with first preference always being given to development opportunities in town centres.

### **3.3 Site History**

- 3.3.1** The Lidl store, which is primarily food retail, is located to the north west of the current application site and was approved in 1996 under planning reference number HN-96-H096. This store, which has since been extended has exceeded the specified provision of retail floor space allocated under Proposal ED19 above.

## **4 CONSULTATIONS:**

- 4.1 Environmental Services** – Have no objections to the proposal subject to conditions relating to control of dust during construction and a desk study of the development site.

**Response:** Noted. The agent has been advised of the above requirements which will be made the subject of a condition.

- 4.2 Roads and Transportation Services** – Have stated that a total of 174 are required to serve both the proposed retail unit and the Focus DIY store, while only 166 have been provided. As the proposed foodstore is only 11m<sup>2</sup> over 500m<sup>2</sup> where a reduced parking standard is acceptable, i.e. 5 spaces per 100m<sup>2</sup> instead of 6.5 and that additional parking is available close by in another part of the retail park, Roads and Transportation Service are satisfied with the parking provision.

**Response:** Noted.

- 4.3 Scottish Water** – A totally separate drainage system of foul and surface water sewers will be required. Scottish Water have no objection to the proposal.

**Response:** Noted. A condition will be attached to any consent granted to cover the above.

- 4.4 Power Systems** – Have no objections to the proposal.

**Response:** Noted. The applicant will be advised of the existence of apparatus in the site.

- 4.5 TRANSCO** – Have no comments on the proposal but advised that they have a gas main in the proximity of the application site.

**Response:** Noted. The applicant will be advised of the existence of gas mains in the proximity of the site and the requirement to take account of this during development on site.

## **5 Representations:**

- 5.1** Statutory neighbour notification was undertaken and the application was advertised as being Development Potentially Contrary to the Development Plan. No letters of representation were submitted.

## **6 Assessment and Conclusions:**

- 6.1** The applicant is proposing to erect a food store in an established retail park. The main planning considerations in determining the planning application are whether the

proposal accords with structure, national and local planning policy with specific regard to the impact of the existing town centres of Blantyre and Burnbank, as well as the impact of the proposal upon parking and the amenity of the surrounding area.

- 6.2** In relation to national planning policy NPPG8 (Town Centres and Retailing) requires planning authorities to adopt a sequential approach to selecting sites for new retail development, with first preference being given to town centre locations. Although this site is clearly not a town centre location, specific local plan policy applies which requires to be taken account of and this is examined in detail below.
- 6.3** In relation to structure plan policy, the proposal involves the erection of a 528 square metres (gross) unit, which is under the 1000 (sq. m) threshold of significance with respect to the Glasgow and Clyde Valley Structure Plan. The proposals therefore do not raise any strategic issues.
- 6.4** In relation to local plan policy, the application site is zoned within the Hamilton District Local Plan as being covered by Policy ED4. By including the site under ED4 it is established as being within Local Plan Objective 1 'to protect and improve the range and quality of facilities in existing shopping areas'. This affords the application site a degree of status which out – of – centre locations would not normally have. Due to the status the site is given in the Hamilton District Local Plan through Policy ED4, therefore, it must be considered an appropriate location for a development of this nature. The applicants have in addition, provided information on their search for a site in the Blantyre area. Attempts to obtain a shop within the units adjacent to Asda were unsuccessful and therefore I consider that as the current proposals are acceptable in local plan terms, the introduction of Farmfoods would enhance the range of retail facilities in the Blantyre and Burnbank area.

Proposal ED19 covers a site immediately adjoining the application site. Proposal ED19 restricts food retail at Whistleberry Retail Park to 1000m<sup>2</sup>. The erection and subsequent extension of the Lidl store has accounted for the retail floor space allocated to the retail park by Proposal ED19.

- 6.5** In terms of parking, the loss of existing parking spaces may have been a cause for concern. However, Roads and Transportation Service have advised that they are satisfied the proposal will allow for an adequate number of parking spaces to continue to be provided. While the numbers are slightly deficient in terms of current Roads guidance, therefore, the application is considered to be acceptable by the Roads and Transportation Service in terms of parking provision and access to the site. Furthermore, the applicant is proposing to use the existing customer access for deliveries to the foodstore. The Roads and Transportation Service are satisfied with the proposals as it is considered that deliveries to the foodstore will be limited and that smaller vehicles are likely to be used.
- 6.6** In relation to amenity considerations, a condition can be attached to ensure that a satisfactory landscaping scheme is submitted to the south of the application site to minimise the impact of the development upon the surrounding area. This will ensure that the amenity of the surrounding area is protected.
- 6.7** In view of the above, therefore, I consider the proposal does not raise any strategic retail issues, complies with relevant local plan policy and represents an acceptable form of development. It is therefore recommended that the application be granted approval subject to conditions attached.

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

**3 March 2005**

### **Previous References**

None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - TRANSCO (Plant Location) 10/12/2004
  - Environmental Services 15/12/2004
  - Roads and Transportation Services (Hamilton Area) 24/02/2005
  - Roads and Transportation Services (Hamilton Area) 05/01/2005
  - Scottish Water 13/01/2005
- ▶ Representations

### **Contact for Further Information**

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

Jamie McCracken, Planning Officer, Brandon Gate, Hamilton  
Ext. 3552 (Tel :01698 453552 )  
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 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.
- 3 That before any work commences on the site, a scheme of landscaping along the boundary marked in green on the approved plans shall be submitted to the Council as Planning Authority. This landscaping shall take the form of hedging that shall provide adequate screening of the development to the satisfaction of the Council.
- 4 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) 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 Council.
- 5 That the opening and delivery time hours of the premises hereby granted consent shall be limited to between 8.00am and 8.00pm daily.
- 6 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 7 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 Authority has been obtained under the terms of Condition 6 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 8 That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 9 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning 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 before the development starts, a report from a professionally qualified source detailing the nature, concentration and distribution of any contaminants found within the application site, shall be submitted to and approved by the Council as Planning Authority and the development shall not be commenced until such action as is recommended by this report, in order to remove, or render harmless, any

such contaminants, has been implemented and completed to the full specification and entire satisfaction of the Council. The developer shall give the Council at least 7 working days notice in writing prior to the commencement of any decontamination works on the site.

- 12 The operator shall ensure that sufficient water is maintained onsite to address the site's requirement for dust suppression.
- 13 The loading and unloading of all service vehicles visiting the premises shall take place in the loading bay at the service entrance to the satisfaction of the Council as Planning Authority.
- 14 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.
- 15 That at no stage should the construction of the development hereby approved interfere with the existing access to the retail park and a safe and convenient route should be ensured for visitors to the existing units.

## **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 the visual amenity of the area.
- 4 In the interests of amenity.
- 5 To safeguard the amenity of the area.
- 6 These details have not been submitted or approved.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 In the interest of public safety
- 9 To ensure the provision of a satisfactory land drainage system.
- 10 To safeguard the amenity of the area.
- 11 To ensure the site is free from contamination
- 12 To minimise any nuisance and to protect the amenities of neighbouring properties.
- 13 In the interest of public safety
- 14 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 off-site flooding.
- 15 To ensure satisfactory vehicular and pedestrian access facilities to the site.

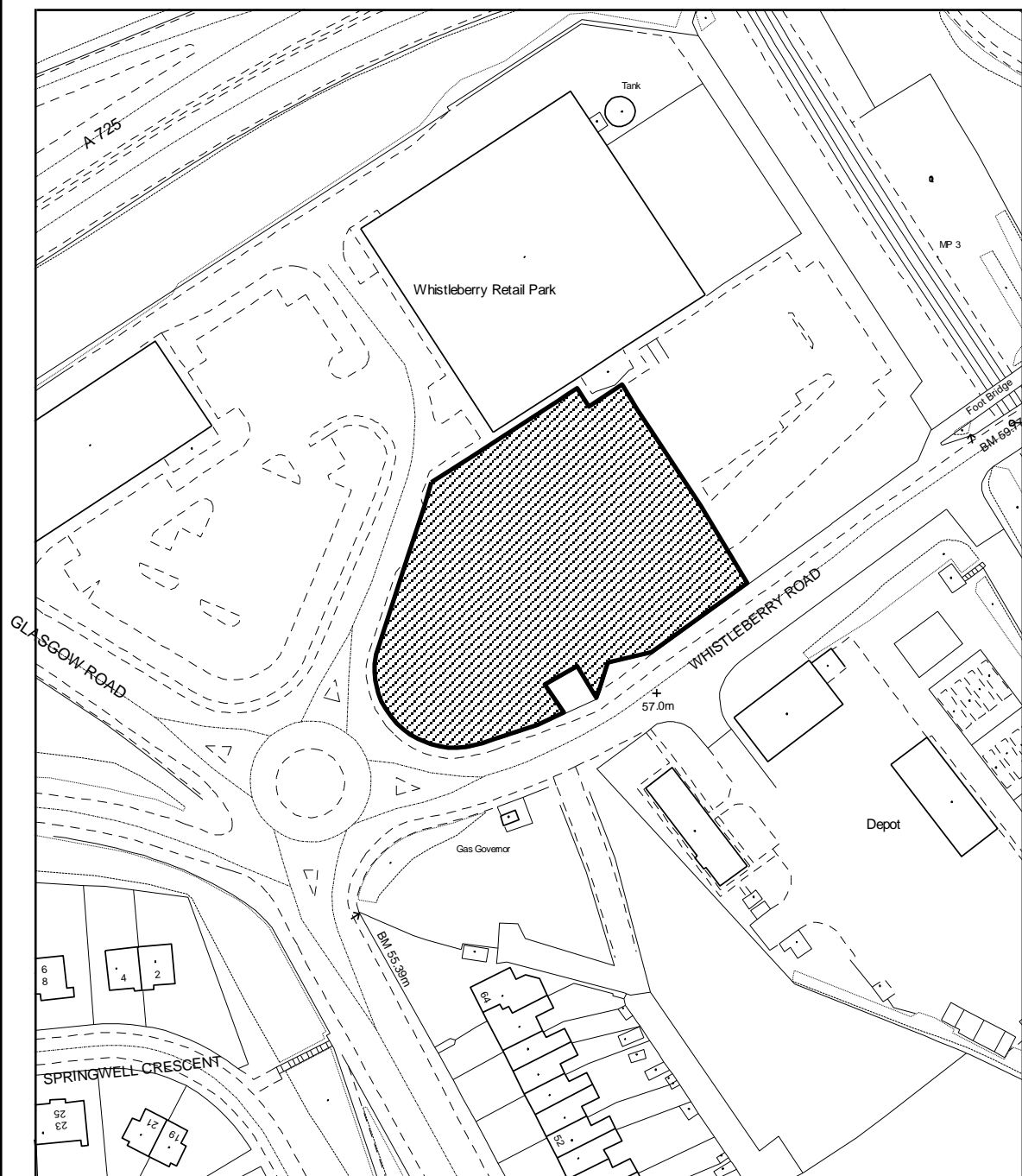
## **INFORMATIVES**

- 1 That during the development of the site the developers shall make themselves aware of the position any gas main or plant on site and shall ensure that no such apparatus is damaged. During construction on site work shall be carried out in such a manner that TRANSCO is able to gain access to its apparatus if required.





**HM/04/0895 - ADAM & CO PROPERTY PARTNERSHIP**  
**WHISTLEBERRY RETAIL PARK, BLANTYRE**



**Map at Scale 1:1250**



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Drawn 24/02/2005