

	<h1>Report</h1>	Agenda Item <h1>5</h1>
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Report to: **Planning Committee**
 Date of Meeting: **10 October 2006**
 Report by: **Executive Director (Enterprise Resources)**

Application No: HM/06/0059
 Planning Proposal: Demolition of Car Showroom & Garage, Erection of Flatted Development (42 Units)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Wilburn Central Ltd
- Location : 3-11 Bothwell Road
Hamilton

2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission (Subject to Conditions – Based on Conditions Listed)

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: MBM Planning and Development
- ◆ Council Area/Ward: 38 Whitehill
- ◆ Policy Reference(s): **Hamilton District Local Plan**
 Policy ED15 – Hamilton Central Area – Office Development
 Policy DC1 – Development Control – General
South Lanarkshire Planning Policies
 Policy SLP10 – Sustainable Urban Drainage Systems

South Lanarkshire Local Plan (Finalised)
 Policy RES2 – Proposed Housing Site
 Policy DM1 – Development Management
 Policy ENV30 – New Housing Development
 Policy ENV34 – Water Supply
 Policy ENV35 – Foul Drainage
 Policy ENV36 – Sustainable Urban Drainage

- ◆ Representation(s):
 - ▶ 0 Objection Letters

Consultation(s):

Roads & Transportation Services

Environmental Services

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

Scottish Water

Economic Development (Business Development & Projects)

Planning Application Report

1 Application Site

- 1.1 The application site relates to the existing garage/showroom business, currently operated by Taggarts Volvo car dealership, at 3-11 Bothwell Road, Hamilton. The site forms the northern half of an urban block bound by Bothwell Road to the east, Barrack Street to the west and Almada Street to the south. Lands relating to Bell College and a two storey commercial property occupy the northern boundary. The southern portion of the site is occupied by a four storey residential block and a small 3 storey commercial building located on Barrack Street.
- 1.2 The site extends to approximately 0.3 hectares in area and has frontages onto Bothwell Road and Barrack Street of 55 metres and 40 metres respectively.

2 Proposal(s)

- 2.1 The applicants propose the demolition of the existing garage/showroom and thereafter the erection of a flatted development.
- 2.2 Initially it was the applicant's intention to provide 38 flatted dwellings and ground floor retail units with associated parking and vehicular access from both Bothwell Road and Barrack Street.
- 2.3 As a result of ongoing discussions, the applicants have revised their proposal. The proposal now comprises 42 residential units in the form of a four storey block. A combination of 1, 2 and 3 bedroom flats would be provided within the development. Vehicular access will be restricted to Barrack Street which will directly access 40 car parking spaces. A further 28 spaces will be provided within a courtyard in the development accessed by a pend access within the site. The retail element of the original proposal has been deleted from the application.

3 Background

3.1 Structure Plan

- 3.1.1 The Glasgow and Clyde Valley Joint Structure Plan give the strategic context for the provision of housing land. There is a projected shortfall of housing provision of 19,000 units across the Glasgow and Clyde Valley conurbation between 2011 and 2018.

3.2 Local Plan Status

- 3.2.1 In terms of the adopted Hamilton District Local Plan the site is identified as being within an area defined for office development (Policy ED15). Through this policy the Council recognises the role of the Almada Street area as an office core within the central area and in particular, as a centre for a range of major public/administrative functions. The Council will promote the continuation and expansion of this role. Any individual proposals for development/change of use will be considered against normal development control criteria. However, the policy advises that in certain locations where uses are mixed or there is a predominant residential use, office development will not be appropriate, notwithstanding the generality of this policy. Policy DC1 – Development Control General of this document requires that all applications for planning permission should take full into account the local context

and built form and must take cognisance of scale, position and materials of adjacent buildings and surrounding streetscene.

3.2.2 Additional policies to those of the local plan are detailed within the South Lanarkshire Planning Policies document. Policy SLP10 – Sustainable Urban Drainage Systems promotes the use of sustainable urban drainage systems in appropriate developments.

3.2.3 With regards to the South Lanarkshire Local Plan (Finalised), which is a material consideration to the determination of this application, the site is identified as being a Proposed Housing Site (Policy RES2), within which the Council will support development for housing included in the Housing Land Audit. Policy DM1 – Development Management Policy requires that all planning applications take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscene. Policy ENV30 – New Housing Development stipulates that new housing development will require to promote quality and sustainability in its design and layout and should make a positive contribution to the character and appearance of the urban and rural environment in which it is located. Policies ENV34 – Water Supply, ENV35 – Foul Drainage and ENV36 – Sustainable Urban Drainage promotes the provision of adequate infrastructure to serve the development.

3.3 Relevant Government Advice

3.3.1 Scottish Planning Policy 3 (SPP3): Planning for Housing emphasises the importance of quality residential environments, of seeking the right places to develop new housing and to ensure an adequate supply of land for housing development. In addition, the Government supports the re-use of brownfield sites within built up areas to meet development needs and assist in the protection of the Greenbelt areas around the conurbation from unnecessary development.

4 **Consultation(s)**

4.1 **Roads and Transportation Services** – have advised that they raise no objection to the revised scheme. Furthermore, the Flood Prevention Unit of Roads and Transportation Services have offered no objections to the proposal subject to the developments compliance with the Council's current design criteria for Sustainable Urban Drainage Systems (SUDs) and flood prevention.

Response:- Noted. It is confirmed that the requirement for compliance with current guidelines in respect of SUDs and flood prevention can be conditioned a part of any consent.

4.2 **Environmental Health Service** – have raised no objection to the proposal subject to conditions relative to noise control, dust control and confirmation of the application to both SEPA and Scottish Water.

Response:- Noted. Environmental Health Services requirements can be included as conditions, where appropriate.

4.3 **Economic Development** - have offered no comment.

Response:- Noted.

- 4.4 **Scottish Environmental Protection Agency** – have advised that they raise no objection to the proposal subject to conditions relative to the provision of adequate sewerage and drainage, the treatment of surface water being in accordance with the principles of Sustainable Urban Drainage Systems and the undertaking of an assessment of potential contamination within the site.

Response:- Noted. SEPA's requirements can be included as conditions attached to any such consent.

- 4.5 **Scottish Water** – have not yet responded to the consultation request.

Response:- Noted.

5 Representation(s)

- 5.1 Statutory Neighbour Notification was undertaken by the applicants and the proposal advertised as Development Potentially Contrary to the Development Plan. No letters of representation were received in respect of the proposal.

6 Assessment and Conclusions

- 6.1 The applicants seek detailed planning consent for the redevelopment of the site for residential purposes. The initially submitted scheme has been amended and the current proposal has been the subject of lengthy discussions with this Authority.
- 6.2 The main consideration in the determination of this application are the proposals compliance with development plan policies, other applicable Council policies and guidance, traffic implications and the impact on the amenity and character of the area.
- 6.3 In terms of the local plan position, the site is affected by Policy ED15 – Hamilton Central Area – Office Development in the adopted Hamilton District Local Plan which identifies the land as being within an area suitable for office development. However, this policy also recognises that alternative development may be appropriate and that individual applications should be treated on their merits. With regards to the finalised South Lanarkshire Local Plan the site is identified as a Proposed Housing Site (Policy RES2) and is therefore acceptable in this regard. Additional policies within both the adopted and emerging local plans also apply, these are set out within Section 3 of this report. These seek to achieve good quality design and development which makes a positive contribution to the local environment. Overall, I consider that the resulting properties satisfactorily achieve a balance between providing a modern residential environment which respects the surrounding established area and does not contravene the requirements of these policies.
- 6.4 The proposed building will sit within a plot which provides amenity and parking space to serve the development which is comparable with surrounding properties. In terms of the design, orientation and external finishes, the development will compliment the variety of designs and styles that exist adjacent to the site. With regards to off-street parking provision, Roads and Transportation Services are of the opinion that the level of provision proposed is sufficient to serve the development.
- 6.5 The statutory consultees have raised no objection to the proposals, subject to conditions which can be attached, where appropriate, to any consent. No third party representations have been received in respect of the proposals.

- 6.6 Whilst the application was advertised as a Development Potentially Contrary to the Development Plan, on detailed examination the proposals are compliant with local plan policy and any other applicable guidance.
- 6.7 In view of all the above, the proposal is acceptable and it is recommended that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal is consistent with policies of the adopted Hamilton District Local Plan, emerging South Lanarkshire Local Plan (Finalised Draft) and the guidelines contained within the South Lanarkshire Planning Policies document and the Council's approved Residential Development Guide. There are no significant adverse amenity or environmental issues arising from this approval.

Iain Urquhart
Executive Director (Enterprise Resources)

21 September 2006

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Economic Development (Business Development & Projects) 16/02/2006
 - S.E.P.A. (West Region) 10/03/2006
 - Roads & Transportation Services 22/02/2006
 - Planning & Building Control (East Kilbride Area Office) 16/05/2006
- ▶ Representations
 - None

Contact for Further Information

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

James Watters, Planning Officer, Brandon Gate, Hamilton
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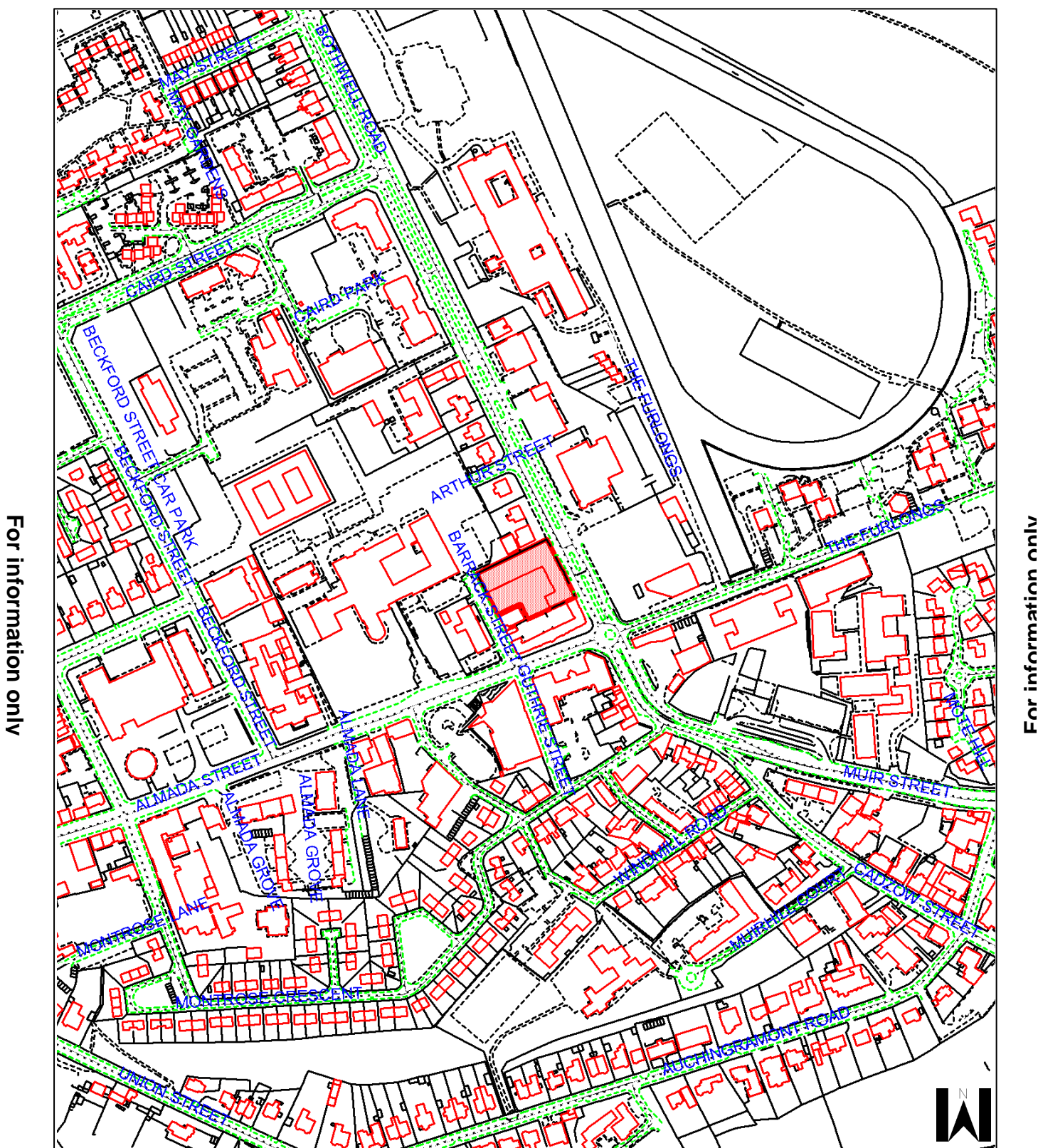
CONDITIONS

- 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 the open space relating to the development shall be laid out simultaneously with the development or each phase thereof, and shall be completed to the satisfaction of the Council as Planning Authority within 3 months of the occupation of the first flatted property.
- 5 That proposals for the maintenance of all areas of open space within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.
- 6 That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.
- 7 That before the development hereby approved is completed or brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 8 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out and constructed to the satisfaction of the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 9 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.
- 10 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.
- 11 That the development hereby approved shall not be commenced until the land drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 10 above.

- 12 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 13 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.
- 14 The following hours should be adopted as 'standard' for the carrying out of all works and ancillary operations which are audible at the site boundary.
Monday - Friday 8.00 am - 7.00 pm
Saturday 8.00 am - 1.00 pm
Sunday None
Any deviation from the above should only occur when:
a) The applicant has satisfied the Council that the works can only be carried out at times outwith the standard hours for operational reasons or;
b) The Council is of the opinion that the works require to be carried out at times outwith the standard hours to prevent or minimise noise problems.
- 15 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 contaminant, has been implemented and completed to the full specification and entire satisfaction of said Authority. The developer shall give the Council's Director of Public Protection notice in writing at least 7 days prior to the commencement of any decontamination works on the site.

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.
- 5 In the interests of amenity.
- 6 These details have not been submitted or approved.
- 7 In the interest of public safety.
- 8 To ensure the provision of adequate parking facilities within the site.
- 9 In order to retain effective planning control.
- 10 To ensure the provision of a satisfactory land drainage system.
- 11 To ensure the provision of a satisfactory land drainage system.
- 12 To ensure the provision of a satisfactory sewerage system.
- 13 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.
- 14 In the interests of amenity and in order to retain effective planning control.
- 15 To ensure the site is free from contamination.



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