

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>23 January 2007</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/06/0168
Planning Proposal:	Erection of 40 Bedroom Lodge

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Roadchef Motorways Ltd
- Location : Bothwell Motorway Service Area  
M74 Southbound  
Bothwell

## 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: Turnkey Design Partnership Ltd
- ◆ Council Area/Ward: 39 Bothwell South
- ◆ Policy Reference(s): **Hamilton District Local Plan**  
Policy EN1a – Greenbelt  
Policy DC1 - Development Control General  
**South Lanarkshire Planning Policies**  
Policy EN1 - Greenbelt  
**Finalised South Lanarkshire Local Plan**  
Policy STRAT3 – Green Belt  
Policy DM1 – Development Management

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

- ◆ Consultation(s):

Amey Highways Ltd (South West Unit)

Environmental Services

Transport Scotland

Roads and Transportation Services (Hamilton Area)

Power Systems

TRANSCO (Plant Location)

Scottish Water

Roads & Transportation Services H.Q. (Flooding)

South Lanarkshire Disability Forum

## Planning Application Report

### 1 Application Site

- 1.1 The application site relates to the existing Bothwell Service Station located on the M74. The site is located adjacent to an existing restaurant and shops, with the petrol filling station located to the north of the site. The application site is at a slightly lower level than the adjacent motorway.

### 2 Proposal(s)

- 2.1 It is proposed by the applicant to erect a 40 bedroom lodge. The building is proposed to be single storey with accommodation formed in the roofspace and extend to approximately 765m<sup>2</sup> and would stand at 7.5 metres in height. It is proposed that the building would use existing parking provision available within the Bothwell Service Station area and would be accessed from the motorway using the same access and exit points as the existing facilities on the site. While the building includes internal stairs to the upper floor accommodation, it is proposed to feature an external spiral staircase to a side elevation as well.

### 3 Background

#### 3.1 Local Plan Status

- 3.1.1 In terms of the adopted Hamilton District Local Plan, the application site is affected by Policy EN1a – Green Belt. This policy states that on land designated as Greenbelt there will be a strong presumption against development, including changes of use, unless it is shown to be necessary for the furtherance of agriculture, forestry or other uses appropriate to the Greenbelt. The policy goes on to state that extensions of existing residential, industrial, retail or commercial premises will be given favourable consideration when they are small in scale, well integrated with the existing buildings and do not create adverse traffic or environmental conditions. This situation is largely supported by Policy STRAT3 of the Finalised South Lanarkshire Plan. Policy DC1, Development Control General, states that all planning applications shall fully take into account the local context and built form - i.e. development should not take place in isolation and must take cognisance of scale, position and materials of adjacent buildings. Policy DM1, Development Management, of the Finalised South Lanarkshire Local Plan supports this policy.

#### 3.2 Relevant Government Guidance

- 3.2.1 There is no government advice relevant to this application.

#### 3.3 Site History

- 3.3.1 There are no applications on this site relevant to this application.

### 4 Consultation(s)

- 4.1 **Roads and Transportation Service:-** Have no objections to the development. Generally a development of this scale would require 40 car parking spaces. However, with the size of the existing car parking facilities the Service do not have any concerns that the development will cause congestion or overspill.

**Response:** Noted.

- 4.2 **Environmental Services:-** Have recommended that a number of conditions be attached relating to control of hours of construction, air handling/condition plant to be suitably isolated from the structure of the building and that a desk study looking into contamination on site be carried out. Environmental Services further requested a Noise Impact Assessment report be produced to assess the level of noise that the

occupants of the lodge will experience from the adjacent motorway and existing petrol filling station and shops.

**Response:** Noted. The appropriate conditions relating to the air conditioning plant and the contamination report will be attached to any consent issued, although it is not considered appropriate to attach a condition control hours of construction due to the location of the application site. A report was submitted to Environmental Services in the form of a Noise Impact Assessment by the applicant and this has been accepted by the Service.

- 4.3 **Scottish Water:-** Formally object to the application, although this objection can be deemed to be withdrawn if the Council attaches a number of conditions relating to confirmation being received that the applicant has reached an agreement with Scottish Water for the provision of a drainage and/or water scheme; the applicant must contact Scottish Water to discuss what measures must be taken to protect any Scottish Water apparatus in the area; that the applicant must demonstrate that the development will not have an impact upon Scottish Water assets; and that Scottish Water supports the use of SUDS.

**Response:** Noted. The appropriate conditions and informatives shall be attached to any consent issued.

- 4.4 **Flood Prevention Unit:-** Raise no objection to the proposed development subject to a number of conditions relating to drainage arrangements being to the satisfaction of Scottish Water, that the requirements for SUDS has been met and that the applicant receive written approval from the Flood Prevention Unit relating to flooding from, and attenuation of surface waters.

**Response:** Noted. The appropriate conditions shall be attached to any consent issued.

- 4.5 **Transport Scotland:-** Recommends a number of conditions be attached to any consent granted relating to ensuring there is no drainage connections from the site to motorway drainage; that measures shall be taken to ensure there is no drainage discharge from the site to within the motorway boundary and that a barrier be erected between the application site and the motorway.

**Response:** Noted. The appropriate conditions shall be attached to any consent issued.

- 4.6 **TRANSCO:-** Have advised of low/medium/intermediate pressure gas main in the proximity of the application site.

**Response:** Noted. The appropriate informative shall be attached to any consent issued.

- 4.7 **South Lanarkshire Disability Forum:-** Have advised that the disabled parking is too far from the entrance to the lodge and have requested detailed specifications of the disabled bedrooms.

**Response:** Noted. The Roads and Transportation Service have not raised any objections to the position of the parking associated to the lodge. The matter of the internal arrangements of the disabled bedrooms is a matter best dealt with through the building warrant process

- 4.8 **Power Systems:-** No response received at time of writing.

**Response:** Noted.

- 4.9 **Amey Highways Ltd (South West Unit):-** No response received at time of writing.

**Response:** Noted. The comments and suggested conditions of Transport Scotland have been taken into consideration in the determination of the application.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the application was advertised as a Development Potentially Contrary to the Development Plan during which period no letters of representation were received against the application.

## **6 Assessment and Conclusions**

- 6.1 This application relates to the proposed erection of a 40 bedroom lodge at the Bothwell Service Station near Hamilton. The main determining factors in assessing the planning application relate to its ability to comply with relevant local plan policy as well as its impact upon the character and amenity of the surrounding area.
- 6.2 Within both the adopted Hamilton District Local Plan and the Finalised South Lanarkshire Local Plan, the application site is identified as being located within Greenbelt and is therefore affected by Policies EN1a and STRAT3 respectively. These policies apply a strong presumption against development, including changes of use, unless it is shown to be necessary for the furtherance of agriculture, forestry or other uses appropriate to the Greenbelt. Proposals for the extension of existing residential, industrial, retail or commercial premises will be given favourable consideration when they are small in scale, well integrated with the existing buildings and do not create adverse traffic or environmental conditions. In terms of the above policies, as the proposed development relates to the extension of an existing business within the Greenbelt, is well integrated with existing buildings on site and will not create any adverse environmental conditions it can be considered to comply with Policies EN1a and STRAT3 of the adopted and Finalised Local Plans respectively.
- 6.3 Policy SLP1 – Greenbelt – as contained within the South Lanarkshire Planning Policies applies the same restrictions on development within the Greenbelt as do Policies EN1a and STRAT3 above. The policy goes on to state that any development the Council considers to be appropriate in principle should be located and designed, where appropriate, in a manner that will not significantly adversely affect the agricultural, natural heritage and amenity value and landscape character of the Greenbelt. The proposed use is considered acceptable as discussed above and it is further considered that as the application site will not adversely affect the agricultural or natural heritage value of the Greenbelt that the proposed development complies with Policy SLP1 of the South Lanarkshire Planning Policies.
- 6.4 In terms of Policies DC1 and DM1 of the adopted and Finalised Local Plans respectively, these Policies are intended to ensure that any new development conforms to the local context and built form and should take cognisance of scale, position and materials of adjacent buildings. It is considered that the scale and position of the proposed building is acceptable when assessed against this policy as it will form a grouping of buildings with the existing adjacent amenity building and petrol filling station. It is proposed that a condition be attached to any consent issued requiring samples of all materials to be used in the development be submitted to the Planning Service for consideration.
- 6.5 Statutory neighbour notification was undertaken and the application was advertised as Development Potentially Contrary to the Development Plan during which period no letters of representation were received.

- 6.6 All points raised within the consultation responses have been assessed and appropriate conditions and informatives are proposed to be attached to any consent issued. During the determination of the planning application, Environmental Services requested that a Noise Impact Assessment be produced to assess the level of noise that occupants of the lodge would be subject to from the adjacent motorway, restaurant and petrol filling station. This was submitted to the Council for consideration and the conclusions of the report has been accepted by Environmental Services.
- 6.7 As has been discussed above, while the planning application was advertised as Development Potentially Contrary to the Development Plan, following detailed examination it is considered that the proposals comply with Policy EN1a of the adopted Hamilton District Local Plan and Policy STRAT3 of the Finalised South Lanarkshire Local Plan as it represents an extension of an existing business within the Greenbelt which is appropriate to its location.
- 7 Reasons for Decision**
- 7.1 The proposed development complies with Policy EN1a and Policy DC1 of the adopted Hamilton District Local Plan, as well as Policy STRAT3 and Policy DM1 of the Finalised South Lanarkshire Local Plan. The proposal is also in accordance with SLP1 of the South Lanarkshire Planning Policies and raises no infrastructure issues that cannot be dealt with by means of planning conditions.

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

**28 December 2006**

#### **Previous References**

- ◆ None

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

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - Roads and Transportation Services (Hamilton Area) 06/06/2006
  - South Lanarkshire Disability Forum 18/05/2006
  - TRANSCO (Plant Location) 05/04/2006
  - Scottish Water 08/03/2006
  - Environmental Services 07/04/2006
  - Roads & Transportation Services H.Q. (Flooding) 11/04/2006

- ▶ Representations  
None

**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](mailto: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 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.
- 5 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 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 All mechanical air handling/air conditioning plant shall be suitably isolated from the structure of the building, and fan units positioned in ducted systems shall be isolated from the ducting by means of flexible connections.
- 7 That all of the contaminated material on the site shall be treated to the specification and satisfaction of the Council as Planning Authority and that the developer shall give the said notice in writing at least 7 working days prior to the commencement of these decontamination works.
- 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 no development shall commence on site without written approval from the Council's Flood Prevention Unit with respect to flooding from, and attenuation of surface waters to the Council's requirements.
- 10 That there shall be no drainage connections from the site to the motorway drainage system.
- 11 That measures shall be taken to ensure that there is no drainage discharge from the site to within the motorway boundary.



- 12 That a continuous barrier of a type approved by the Planning Authority shall be provided and maintained by the applicant adjacent to the motorway boundary fence. This barrier should be located a minimum distance of 1 metre from the motorway fence within the development site for maintenance purposes.

## **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 These details have not been submitted or approved.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 In the interests of amenity.
- 7 To ensure the site is free from contamination
- 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 a satisfactory land drainage system.
- 10 To ensure that the efficiency and integrity of the motorway drainage system is not reduced.
- 11 To minimise the risk of any damage to the motorway embankment.
- 12 To minimise the risk of any pedestrians and animals gaining uncontrolled access to the motorway.

## **INFORMATIVES**

- 1 The developer should note the presence of Low/Medium/Intermediate Pressure gas main in the proximity of the application site. No mechanical excavations are to take place above or within 0.5m of the Low pressure system, 2m of the medium pressure system and 3 metres of the intermediate pressure system. The position of mains should where required be confirmed using hand dug trial holes.

For information only

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