

# Report

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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>21 June 2011</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/10/0493
Planning Proposal:	Erection of Food Superstore (Class 1), Petrol Filling Station, Car Parking, Landscaping and Access and Alterations and Improvements to Existing Shopping Parade (Planning Permission in Principle)

## 1 Summary Application Information

- Application Type : Permission in principle
- Applicant : Macdonald Estates plc
- Location : Hillhouse Road/Argyle Crescent  
Hamilton

## 2 Recommendation(s)

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

- (1) Grant planning permission in principle (subject to conditions – based on conditions attached)

### 2.2 Other Actions/Notes

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

## 3 Other Information

- ◆ Applicant's Agent: James Barr
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **Scottish Planning Policy**  
**Glasgow and Clyde Valley Structure Plan :**  
**Approved April 2008**  
Strategic Policy 1 – Strategic Development Locations  
  
Strategic Policy 6 – Quality of Life and Health of Local Communities  
Strategic Policy 9 – Assessment of Development Proposals  
**South Lanarkshire Local Plan (adopted 2009)**  
STRAT 1 - Regeneration Priorities  
COM 3 - New Retail/Commercial Development Policy

COM 4 - New Retail/Commercial Developments Proposals  
COM 5 - Retail Masterplan Sites Policy  
COM 6 - Village/Neighbourhood Centres Policy  
TRA 1 - Development Location and Transport Assessment Policy  
TRA 8 - Car Parking Policy  
ENV 11 - Design Quality Policy  
ENV 30 - New Development Design Policy  
ENV 32 - Design Statements Policy  
ENV 35 - Water Supply Policy  
ENV 36 - Foul Drainage and Sewerage Policy  
ENV 37 - Sustainable Urban Drainage Systems Policy

◆ Representation(s):

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Roads and Transportation (Hamilton)

Roads and Transportation (TEM)

Environmental & Strategic Services

Estates

Regeneration

Glasgow and Clyde Valley Structure Plan Team

Scottish Water

Hillhouse and Earnock Community Council

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site, which extends to approximately 3 hectares, relates to land associated with Hillhouse Neighbourhood Centre and associated car park and the vacant site of the former Scottish Milk Dairies on Argyle Crescent. The existing Centre comprises 1 large store and 6 smaller units. The former Hillhouse Inn and bookmakers, which form part of Hillhouse Neighbourhood Centre, are not included within the current application site.
- 1.2 The site fronts directly onto Hillhouse Road, beyond which residential properties can be found. The northern boundary is formed by a combination of residential properties (Hill Street) and a wooded buffer between residential properties and Hillhouse Park Industrial Estate. The remaining boundaries of the site are formed by land and buildings within the Industrial Estate.
- 1.3 The main vehicular access to Hillhouse Neighbourhood Centre is gained directly from Hillhouse Road, whilst access to the former dairies site is taken from Argyle Crescent. At present it is possible to gain access from Hillhouse Road to Argyle Crescent, and vice versa, through the existing centre car park. The former Hillhouse Inn and bookmaker operation are accessed independently of the Hillhouse Neighbourhood Centre from both Hillhouse Road and Pollock Avenue.

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

- 2.1 The applicants seek consent for Planning Permission in Principle for the development of a food superstore (Class1), petrol filling station and associated car wash, car parking, landscaping and access and alterations and improvements to the existing shopping parade.
- 2.2 In support of their proposals the applicants submitted a number of additional documents which include a Design Statement, a Planning and Retail Statement, a Transportation Assessment and a Pre-Application Consultation Report.
- 2.3 The application submission indicates:
  - a) The provision of a new 4,366 sq.m. foodstore being provided within part of the site of the former dairy, to be serviced via Argyle Crescent.
  - b) The refurbishment of the external appearance of the six smaller units which currently exist within Hillhouse Neighbourhood Centre,
  - c) Demolition of the larger unit and the erection of a replacement retail terrace (4 units),
  - d) The provision of a petrol filling station with an associated car wash, within the area currently occupied by the existing car park, and
  - e) The provision of a car park comprising 280 spaces within the remainder of the former dairy site.
- 2.4 It is noted that, as a result of ongoing discussion between the applicants and Council Services, the applicants have submitted a revised Planning and Retail Statement and further information in relation to the Traffic Assessment and have amended their scheme by removing the car wash element and reconfiguring the petrol filling station proposals to increase the parking provision to 326 spaces.
- 2.5 The application proposals are considered a “major” development, as defined by the

Town & Country Planning (Hierarchy of Developments)(Scotland) Regulations 2009 and therefore the applicants undertook a Pre-Application Consultation (PAC), in accordance with the Town & Country Planning (Development Management Procedure)(Scotland) Regulations 2008, with the local community. A public exhibition was held in the St. Ninian's Church Hall, St. Ninian's Road, Hamilton on the 29 June 2010. The outcome of the exhibition and the response of the applicants to comments received are detailed within their PAC Report.

### **3 Background**

#### **3.1 Relevant Government Advice/Policy**

3.1.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2010 which advises on national planning policy issues. SPP highlights that legislation requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. It also provides planning policy advice on a number of issues, including sustainable economic growth, town centres and retailing and open space and physical activity. These matters will be fully considered in Section 6 of this report.

#### **3.2 Structure Plan**

3.2.1 The Glasgow and Clyde Valley Joint Structure Plan includes a number of policies which are relevant to the assessment of the proposal. These include Strategic Policy 1 – Strategic Development Priorities, Strategic Policy 6 – Quality of Life and Health of Local Communities and Strategic Policy 9 – Assessment of Development Proposals.

#### **3.3 Local Plan Background**

3.3.1 Policy STRAT1 – Regeneration Priorities sets out the Council's priorities for regeneration within the adopted South Lanarkshire Local Plan (2009), which includes the Hillhouse Neighbourhood Management Area.

3.3.2 In land use terms the site is identified as being both a Retail Masterplan Site and a Village/Neighbourhood Centre (Policies COM5 and COM6 respectively). With regards to Hillhouse Neighbourhood Centre Policy COM5 requires a co-ordinated approach be taken to the regeneration of the centre and neighbouring land. It advises that an appropriate scale of convenience floorspace, determined through a retail assessment, can be developed in association with the physical regeneration of the neighbourhood centre. Policy COM6 requires that changes of use to operations in the existing centre will be assessed with regard to the appropriate mix of uses, retaining a retail element to serve the local needs of the area, and with further regard to the amenity of the surrounding area.

3.3.3 Given the nature of the application proposals Policies COM3 – New Retail/Commercial Development and COM4 – New Retail/Commercial Development Proposals also apply. Policy COM3 – New Retail/Commercial Development specifies the criteria against which new retail and commercial developments will be assessed. This criterion includes that:

- a) They follow the sequential approach as set out within SPP8 – Town Centres and Retailing
- b) They do not undermine the vitality and viability of town centres (Policy COM1) and/or village/neighbourhood centres (Policy COM6)
- c) They can be supported by the areas' catchment population
- d) They compliment regeneration strategies for the area, and
- e) They promote sustainable development by:

- i) taking account of the development location and accessibility (Policy TRA1)
- ii) minimising environmental and traffic impact
- iii) promoting design quality
- iv) taking account of drainage and service infrastructure implications

3.3.4 Policy COM 4 confirms that the Council will support and promote the development of new retail and/or commercial facilities at identified locations, which includes the Hillhouse Neighbourhood Centre and adjacent land,

3.3.5 In addition to the above policy designations the site is affected by a number of additional policies within the local plan. Design Policies ENV11 – Design Quality Policy, ENV30 – New Development Design Policy and ENV32 – Design Statements are applicable as they seek to ensure the highest quality design for the development. Policy DM1 – Development Management states that all planning applications will require to take due cognisance of the local context.

3.3.6 Policies ENV35 – Water Supply, ENV36 – Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems Policies seek to ensure that the site is adequately served in terms of water and sewerage infrastructure and that the proposed surface water drainage will be sustainable.

3.3.7 In terms of transportation issues Policy TRA1 – Development Location and Transport Assessment Policy requires that the traffic implications of major developments be set out within a Transport Assessments and that Green Travel Plans will be required. Policy TRA8 – Car Parking advises that maximum parking standards will be identified to help limit demand for individual journeys by car for new developments that act as trip destinations.

### **3.4 Planning History**

3.4.1 There is no recent planning history directly relevant to the site.

## **4 Consultation(s)**

4.1 **Roads and Transportation (Hamilton)** – have advised that they recommend the deferral of the decision until the proposals have been fully assessed by the Roads and Transportation Services: Transport Engineering Management Section (TEM).

**Response** – Noted. Transport Engineering Management's response to the application is detailed at 4.2 below. Notwithstanding these comments, the Area Roads Manager has advised that the rear servicing area of the existing neighbourhood centre should be terminated with a turning head, to permit vehicles to exit in forward gear.

4.2 **Roads and Transportation (TEM)** – have advised that they offer no objections to the proposals, subject to following:

- that the parking (16 spaces) adjacent to the PFS be reserved for staff,
- the monitoring of parking on Argyle Crescent during construction and first year of operation and the commitment (by the applicants) to fund a Traffic Regulation Order if appropriate,
- the provision of a pedestrian island crossing on the access road,
- that the vehicular access to the north of the existing shop units, between the proposed main access and Argyle Crescent, should be pedestrianised and vehicular traffic prevented from crossing this pedestrian strip
- the undertaking of agreed junction and access arrangements necessitated by the development

**Response** – Noted. These requirements can be included as conditions and/or advisory notes attached to any consent given.

4.3 **Environmental & Strategic Services** – have offered no objections subject to the inclusion of conditions and advisory notes relative to noise, contamination and health and food safety.

**Response:** Noted. These requirements can be addressed through the use of conditions and advisory notes, where appropriate.

4.4 **Estates Service** – no response to date.  
**Response:** Noted.

4.5 **Regeneration Services** – have no objections to the proposals.  
**Response:** Noted.

4.6 **Glasgow and Clyde Valley Structure Plan Team** – have advised that, on the basis of the strategic observation undertaken in respect of the proposals, they would offer no objections.  
**Response:** Noted

4.7 **Scottish Water** – have offered no objections to the application proposals.  
**Response:** Noted.

4.8 **Hillhouse and Earnock Community Council** – no response to date.  
**Response:** Noted

## **5 Representation(s)**

5.1 Statutory neighbour notification was undertaken and the proposals advertised in the local press. No letters of representations were received in respect of the application proposals.

## **6 Assessment and Conclusions**

6.1 This application seeks consent for planning in principle for the erection of a class 1 retail foodstore and petrol filling station, associated car park and improvement to existing shopping parade at Hillhouse Road, Hamilton. In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. In this case, the development plan comprises the Glasgow and Clyde Valley Joint Structure Plan and the adopted South Lanarkshire Local Plan 2009. These will be considered in turn in addition to any other material considerations including Scottish Planning Policy (SPP).

6.2 In terms of relevant national policy, Scottish Planning Policy (SPP) states that the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places. Planning authorities should take a positive approach to development recognising and responding to economic and financial conditions in considering proposals that could contribute to economic growth. In relation to retail proposals, SPP states that the sequential approach should be used when selecting locations for all retail uses unless the development plan identifies an exception. The sequential approach was undertaken in connection with the identification of retail opportunities in Hamilton, with the Hillhouse Neighbourhood Centre being identified as a Retail/Commercial development opportunity, in association with the refurbishment of the existing centre,

in the adopted Local Plan. On this basis I am satisfied that the proposal accords with SPP in this regard.

## STRUCTURE PLAN

- 6.3 In terms of the policies within the Glasgow and Clyde Valley Structure Plan (2006) the main policies which are relevant to this application are Strategic Policy 1, Strategic Policy 6c and Strategic Policy 9.
- 6.4 Strategic Policy 1 (SP1) identifies strategic town centres in Schedule 1(a) as a priority for future investment. Within the catchment area of the proposal as defined by the applicant in the accompanying Retail Impact Assessment (RIA), there are two strategic centres, Hamilton and Blantyre. Strategic Policy 6 (c) requires the protection, management and enhancement of Town Centres as the preferred locations for retailing and other community focused activities. The impact of the proposal on these 2 policies is considered in paragraphs 6.6 – 6.10 below.
- 6.5 The application also requires to be assessed against Strategic Policies 9, which identifies the criteria which should be applied in the assessment of any planning proposal in order to determine if it accords with the Structure Plan. Strategic Policy 9A relates to the need for the development in terms of the relevant demand assessment. Criteria 9A(iv) relates to the criteria set out in Schedule 6(c)(i) Assessment of Significant Retail Proposals and the requirements identified in Schedule 6(c)(iv) Additional Retailing Opportunities.
- 6.6 In assessing the application proposals against the above requirements is confirmed that a Retail Impact Assessment (RIA), which sets out the policy implications of the proposal, retail considerations and within that, and the quantitative assessment on retail impact, has been submitted in support of the application. The initial RIA was amended to provide clarification of the information provided.
- 6.7 The RIA considers a split of convenience to comparison floorspace (70:30 convenience/comparison split) providing 2,035 sqm net convenience floorspace and 873 sqm net comparison floorspace. The RIA identifies the main catchment as Hamilton, Ferniegair, Quarter, Blantyre, Bothwell and Uddingston and that within the catchment area there is a potential capacity of £34m in 2015 from using the National Survey of Local Shopping Patterns (NSLSP) data. The proposed store's turnover for convenience goods sales is £21.36m, with 90% £19.2m being generated from the catchment area. Therefore the RIA indicates that there is adequate capacity to support the development.
- 6.8 With regards to the cumulative impact of the proposed development, the RIA demonstrates that there will be 6.8% impact on Hamilton Town Centre which results in £4.8m being diverted from existing convenience stores, with the majority of this impact being on Asda Hamilton. There is also an impact of 6.8% on Blantyre Town Centre which results in £2.8m being diverted from existing convenience stores. The analysis undertaken indicates that there will be no trade diversion from Uddingston, Bothwell and other neighbourhood centres. I consider that this level of impact will not have a significant effect on the performance of the town centres as a whole and that the quality of retail provision in the Hillhouse area will improve with no significant threat to the vitality and viability of the existing town centre convenience stores.
- 6.9 Strategic Policy 9B relates to the location of the development, with the following criterion being relevant to this proposal:

- a) 9B iii) b) – ‘safeguard and promote the vitality and viability of town centres identified in schedule 1 (a) by taking a sequential approach to proposals for retail, office (class 2), cultural and leisure development as set out in schedule 6 (c) (ii).
- b) 9B vi) a) and b) – ‘promote sustainable transport by a) the application of the Hierarchy of Accessibility as set out in Schedule 3 (a) (i) and b) the application of criteria for sustainable locational choices as set out in Schedule 3 (a) (ii)

6.10 In terms of 9B iii) b), the sequential approach to retailing and other town centre uses must be applied unless the development plan identifies an exception. As stated at 6.2, in line with Government guidance, this approach was undertaken through the preparation of the Local Plan. Sites, including Hillhouse Neighbourhood Centre, have been identified as retail/commercial opportunities in accordance with Structure Plan floorspace shortfalls. The Local Plan specifically designates the application site as a retail masterplan site, with the scale of retail floorspace to be determined through a retail assessment. With regard to 9B vi) the proposed site is an out of centre location, designated in the Local Plan as a retail masterplan site to contribute to the regeneration of the area. Furthermore, the application site is well served by a choice of transport modes such which offer travel to the wider Hamilton Area. The proposals therefore comply with Policy 9B, and as it is identified within the Development Plan as a retail site, there is no requirement to consider the sequential approach further.

6.11 Given the above assessment and the fact that the proposals will not adversely affect the town centres listed in Schedule 1 (a) of the Structure Plan, they are in accordance with the terms of Structure Plan Policies 1 and 6(c).

6.12 In assessing the application against applicable Structure Plan Policies, detailed above, it is considered that the proposals are in accordance with all of these policies.

## LOCAL PLAN

6.13 In terms of local plan policy, the site is affected by a number of policies relevant to the assessment of the proposal (as detailed on page 1 of this Report).

6.14 With regard to the Local Plan strategy, Policy STRAT 1 – Regeneration Priorities is relevant. Policy STRAT 1 identifies town centres as a particular Regeneration Priority and maintaining the vitality and viability of town, village and neighbourhood centres is an integral part of the strategy. Whilst the proposal is not within the town centre it has been identified as a foodstore opportunity in the local plan. As such I am of the view that it is broadly supportive of Policy STRAT 1 as it is complementary to the wider aims of the Local Plan strategy to promote economic growth and provide enhanced facilities for the community.

6.15 As a retail proposal the application requires to be assessed against Policies COM 3 - New Retail/Commercial Development Policy, COM4 - New retail/Commercial Development Proposals, COM 5 - Retail Masterplan Sites Policy and COM6 – Village/Neighbourhood Centres.

6.16 Policy COM 3 sets out the criteria (as detailed at paragraph 3.3.3 above) to assess new retail development proposals and reflects the national and strategic policy framework for assessing new development. In assessing the proposals against these criteria they are considered acceptable. This is on the basis that the Local Plan specifically designates this location as a retail masterplan site, with the scale of retail



floorspace to be determined through a retail assessment. The submitted RIA, which is considered acceptable, demonstrates that, in terms of cumulative impact, the proposals do not undermine the vitality and viability of town, village or neighbourhood centres. In addition the level of impact will not have a significant effect on their performance as a whole and will not undermine the vitality and viability of the town centres. The area's catchment population can also support the proposed development without threatening the vitality and viability of the town centres. Furthermore, the quality of retail provision in the Hillhouse area will improve and the proposal will complement the regeneration strategies for the area and the application site is well served by existing bus services, offering travel to the wider Hamilton Area. The proposals therefore comply with Local Plan Policy COM3.

- 6.17 The New Retail/Commercial Development Proposals Policy (Policy COM 4) states that the Council will support and promote the development of comparison retail facilities to deliver the opportunities set out in Table 5.2 'Opportunities for Additional Comparison Retail Floorspace', and of new retail and/or commercial facilities, as identified in Table 5.3 'Retail/Commercial Development Proposals'. The Hillhouse Neighbourhood Centre is identified as being a development opportunity for a food-store/local centre redevelopment and therefore the proposals comply with the terms of Policy COM 4.
- 6.18 With regard to Local Plan Policy COM 5 the Local Plan has identified sites which require masterplans to be prepared and address the requirements in Table 5.4 of the Local Plan. The appropriate scale of convenience floorspace has been demonstrated through the RIA and the physical regeneration of the existing neighbourhood centre is included within the application. The southern part of the site identified in the Local Plan as the retail masterplan, which contains a former public house, is unfortunately out with the application site. Nevertheless, the wider benefits of bringing this currently vacant site back into use and the needed refurbishment of the existing units allows me to be satisfied that the proposal complies with the principle aims of Local Plan Policy COM 5. Any future proposals for the areas excluded from the current planning application will require to be developed in a way that is complimentary to the approved Masterplan.
- 6.19 In terms of Policy COM6 – Village/Neighbourhood Centres, which seeks ensure that an appropriate mix of uses, retaining a retail element to serve the needs of the local area is maintained, the proposals raise no issues.
- 6.20 In terms of transportation matters the application proposals have been the subject of a detailed Transport Assessment, the findings of which are now acceptable to Roads and Transportation Services. Initial concerns raised in respect of the level of parking provision have now been addressed through a revision of the proposals to allow an increase in parking spaces. It is therefore considered that the development accords with Policies TRA1 - Development Location and Transport Assessment and TRA8 – Car Parking.
- 6.21 In terms of the design policies of the local plan (Policies ENV11 – Design Quality, ENV30 – New Development Design and ENV32 – Design Statements Policy) the application has been accompanied by a Design Statement, prepared in accordance with applicable guidance which accords with the various criteria of local plan policies. In addition, any future detailed/reserved matters applications will be the subject of further design assessments to ensure the provision of a high quality of design.
- 6.22 The application proposals have been assessed favourably by relevant bodies in

terms of Policies ENV12 – Flooding, ENV35 – Water Supply, ENV36 – Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems of the Local Plan.

- 6.23 In relation to other material planning considerations, no letters of representations have been received in respect of the application proposals and in terms of responses from statutory consultees it is noted that these raised no objections to the proposals, subject to the inclusion of conditions and advisory notes, which can be included where appropriate.
- 6.24 In conclusion, the proposal to develop the site for retail use conforms with national, structure and local planning policies. The application is for a convenience retail development, with the associated upgrading of the existing Hillhouse Neighbourhood Centre, on a site which is designated for retail/commercial use in the adopted South Lanarkshire Local Plan. The proposals also raise no issues in terms of infrastructure.
- 6.25 On this basis, it is recommended that planning permission in principle be granted for the proposals.

## **7 Reasons for Decision**

- 7.1 The proposed development accords with the terms of SPP and relevant policies contained in the approved Glasgow and Clyde Valley Joint Structure Plan and the adopted South Lanarkshire Local Plan. The proposals also raise no amenity or road safety issues and will result in the development of a vacant former industrial site and the upgrading/redevelopment of Hillhouse Neighbourhood Centre.

## **Executive Director (Enterprise Resources)**

**14 June 2011**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

Environmental Services	25/10/2010
Regeneration Service	16/12/2010
Enterprise Resources - Estates	16/12/2010
Scottish Water	25/10/2010
Roads and Transportation Services (Hamilton Area)	05/11/2010
Glasgow & Clyde Valley Structure Plan Team	07/11/2011

- ▶ Representations

None

**Contact for Further Information**

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

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Permission in principle

PAPER APART – APPLICATION NUMBER: HM/10/0493

## CONDITIONS

- 1 This decision relates to drawing numbers:  
G2275 AL(0)02 - Existing Site Plan  
G2275 AL(0)01 - Location Plan  
G2275 AL(0)03 revision C - Indicative Masterplan
  
- 2 Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority. These matters are as follows:
  - (a) the layout of the site, including all roads, footways, parking areas and open spaces;
  - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
  - (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
  - (d) the means of access to the site;
  - (e) the design and location of all boundary treatments including walls and fences;
  - (f) the design and location of all retaining walls;
  - (g) the means of drainage and sewage disposal;
  - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above). Following approval, the development shall be implemented in accordance with the approved scheme, or as otherwise agreed; and
  - (i) an Access Plan
  
- 3 The application(s) for approval of these further matters must be made to the Council as Planning Authority before whichever is the latest of the following:
  - (a) expiry of 3 years from when permission in principle was granted
  - (b) expiry of 6 months from date when an earlier application for approval was refused, and
  - (c) expiry of 6 months from date on which an appeal against the refusal was dismissed.

Approval of the further specified matters can be made for -

- (i) different matters, and
- (ii) different parts of the development at different times.

Only one application for approval of matters specified in conditions can be made after 3 years from the grant of planning permission in principle..

- 4 That notwithstanding the terms of Condition 2 above the Class 1 retail store shall not exceed 4,366 sq. metres (gross) floor area, with a maximum net sales floor area of 2,908 sq. metres. Providing 2,035 sqm net convenience floorspace and 873 sqm net comparison floorspace. For the avoidance of doubt and

notwithstanding the proposed provision in the Planning etc. (Scotland) Act 2006 that a mezzanine floor will require planning permission.

- 5 That all future planning applications as required by condition 2 above shall be accompanied by a detailed Design Statement which shall set out the design principles.
- 6 That within 12 months, or as otherwise agreed, of the consent being issued the developer shall submit details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing unless otherwise agreed by the Council as Planning authority. Following approval, the development shall be implemented in accordance with the approved scheme.

That the submitted phasing plan shall detail the development of the site including proposals for the implementation of infrastructure works (including off-site road works), road access and public transport provision.

- 7 That prior to the commencement of any works, or as otherwise agreed by the Council, the detailed design of all roads and transportation infrastructure improvements identified in the Transport Assessment, or in subsequent discussions with Roads and Transportation Services, and required by the Council as Roads Authority (and Transport Scotland as Trunk Roads Authority) shall be agreed with the Council as Planning and Roads Authority.
- 8 That prior to any work starting on site, or as otherwise agreed with the Council as Planning Authority, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority (and the Scottish Executive as Trunk Roads Authority).
- 9 That the further application(s) required under the terms of Condition 2 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 10 That prior to any work starting on site, the submitted Flood Risk Assessment, shall be the subject of independent verification, in accordance with the Council's current design criteria, which should be submitted to and approved in writing by the Council as Planning and Roads Authority in consultation with SEPA.
- 11 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by water and sewerage schemes designed in accordance with Scottish Water's standards.
- 12 That prior to works commencing on site a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:

(i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);

(ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;

(iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

- 13 That remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.

That on completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.

That any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

- 14 That the further application(s) required by condition 2 shall include details of the storage of waste arising from the commercial activity to the satisfaction of the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.

- 15 That notwithstanding the terms of Condition 2 above, the future application(s) shall include provision for the following:

- i) That the proposed parking (16 spaces) adjacent to the petrol filling station shall be reserved, and promoted, as staff parking;
- ii) That a pedestrian island shall be provided on the access road, the location of which is to be agreed by the Council as Roads Authority;
- iii) That the vehicular access to the north of the existing shop units between the proposed main access and Argyle Crescent, should be pedestrianised and vehicular traffic prevented from crossing this pedestrian strip;
- iv) That the rear servicing area for the existing neighbourhood

Centre shall be terminated by a hammerhead.

- 16 That notwithstanding the terms of Condition 2 above, the future application(s) shall include provision for the monitoring of parking on Argyle Crescent during the construction period, and also during the first year that the Retail Development is fully operational. The finding of which shall be submitted to, and agreed by the Council, as Planning and Roads Authority.

The Applicant shall be required to fund the promotion of a suitable Traffic Regulation Order, or other measures, to be agreed with Roads & Transportation Services if this monitoring identifies a problem.

#### REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision is made.
- 2 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 4 In order to retain effective planning control.
- 5 In order to retain effective planning control.
- 6 These details have not been submitted or approved.
- 7 In the interest of road and public safety and in order to retain effective planning control.
- 8 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 9 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.
- 10 These details have not been submitted or approved.
- 11 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.
- 12 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 13 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 14 To minimise nuisance, littering and pest problems to nearby occupants.
- 15 In the interests of traffic and public safety.
- 16 In the interests of traffic and public safety.

For information only

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