

Report

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Report to:	Hamilton Area Committee
Date of Meeting:	17 November 2010
Report by:	Executive Director (Enterprise Resources)

Application No	HM/10/0432
Planning Proposal:	Erection of MCC Kiosk and Formation of Hardstanding Area at 1 Land West of Hamilton Palace Sports Ground, off Motehill, Hamilton

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Scottish Water
- Location : 1 Land West of Hamilton Palace Sports Grounds off Motehill 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

The Area Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Plan**
Policy DM1 – Development Management
Policy COM1 – Town Centre Land Use

- ◆ Representation(s):

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

- ◆ Consultation(s):

Environmental Services
Roads and Transportation Services (Hamilton Area)
S.E.P.A. (West Region)

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of open space to the west of Hamilton Palace Sports Grounds. The site has a slight upward gradient from east to west. The application site is bounded to the north and east by the entrance road to the adjacent sports grounds, to the west by Mote Hill and to the south by Palace Grounds Road, which forms part of the A72. The site extends to 0.07 hectares and access is taken from the north of the site off the access road to Hamilton Palace Sports Grounds.

2 Proposal(s)

- 2.1 The applicants seek detailed planning permission for the erection of a MCC Kiosk as well as the formation of a landscaped hardstanding area. A new vehicular access to the site would be constructed from the entrance road to the adjacent sports facilities at the north of the site. Additional statutory undertaker's apparatus is also proposed to be installed below ground level, however these additional works are classed as 'Permitted Development' and therefore do not require Planning consent. The proposed works are intended to reduce pollution and improve the water quality of a number of water courses that flow through the Hamilton area and into the River Clyde.

3 Background

3.1 Relevant Government Advice/Policy

- 3.1.1 There is no specific Government guidance or advice relevant to the proposed development.

3.2 Local Plan Status

- 3.2.1 The Adopted South Lanarkshire Local Plan identifies the entire application site as being within Hamilton Town Centre. Policy COM1 – Town Centre Land Use is therefore of relevance to this application. Policy DM1 – Development Management is also considered to be of relevance to the application. The content of the above policies and how they relate to the proposal is assessed in Section 6 of this report.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Hamilton):** Offered no objections to the proposal subject to the imposition of a condition relating to the provision of wheel washing facilities during the construction process to ensure that no mud or debris is deposited onto the public road network.

Response: Noted. Any consent granted would be conditioned to this effect.

- 4.2 **Environmental Services:** Offered no objection to the proposal subject to the imposition of conditions relating to noise and potential contamination issues. Specifically they have requested that a condition be attached to any consent requiring a detailed contamination assessment to be carried out within the site.

Response: Noted. Any consent granted would contain a condition relating to noise emissions as requested. It is considered that, given the small scale nature of the works that require planning consent, it would be unreasonable for the applicant to be required under the terms of the consent to carry out a detailed contamination assessment. However, an informative would be added to any consent issued with regard to potential contamination issues.

- 4.3 **SEPA:** Offered no objection to the proposed development.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the local newspaper. No letters of representation were received.

6 Assessment and Conclusions

- 6.1 The applicants, Scottish Water, seek permission to erect a MCC (Motor Control Centre) kiosk and create an area of hardstanding within the site, to improve the water quality within water courses in the Hamilton area. The application site at present consists of an area of grassed open space. The determining issue that requires to be addressed in respect of this application are its compliance with Government Guidance and advice, Local Plan policy as set out in the Adopted South Lanarkshire Local Plan as well as any other material considerations.
- 6.2 With regards to Government guidance and advice, given the nature and scale of the proposed development, there is no relevant Government guidance against which the proposal requires to be assessed. It is therefore considered that there are no significant issues raised by the proposal in this regard.
- 6.3 In terms of Local Plan policy, the application site is affected by Policy COM1 which relates to town centre land use. This policy states that the Council will allow a mixture of uses compatible with the role of a town centre as a commercial and community focal point. Examples of compatible uses are shops, offices, housing, pubs and restaurants, leisure facilities and community, health and social facilities. The site in question is not one which would be considered suitable for any of the above uses due to its small size. As a result, it is considered to be a suitable location in principle for the provision of this form of apparatus. Indeed there is similar apparatus on the opposite side of Barbeth Drive, which in part will become redundant. The proposal is therefore considered acceptable in terms of Policy COM1.
- 6.4 Policy DM1 states that all planning applications must take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. It is not considered that the proposed development will have any adverse impact on the surrounding amenity or built form. In terms of design and layout, given that the site is located at the entrance to the town centre area, it is considered appropriate for a detailed landscaping scheme to be implemented to integrate the development with the surrounding natural and built environment. Landscaping details have been submitted with the application and a condition would be attached to any consent issued allowing further landscaping details to be submitted in advance of commencement of works on site. Furthermore, a condition would be added to any consent issued requiring all landscaping works to be carried out during the first available planting season following completion of the development and requiring the site to be maintained thereafter to the satisfaction of the Council. Subject to these conditions it is considered that the proposal will be compatible with the surrounding area in terms of design, layout and appearance. The proposed development is therefore considered to be in compliance with Policy DM1.
- 6.5 Statutory neighbour notification procedures were undertaken and the application was also advertised for neighbour notification purposes. No letters of representation have been received regarding the proposed development. In terms of statutory consultations undertaken, Environmental Services and Roads and Transportation

Services have advised that they have no objection to the proposal subject to the attachment of conditions and advisory notes. Where appropriate and justified, relevant conditions and advisory notes have been imposed.

- 6.6 Given the scale and nature of the proposed development and given that it accords with the local plan the application would in normal circumstances have been determined under 'delegated powers'. However, as the application site is in Council ownership, the Council's approved Scheme of Delegation requires that the application be considered at Committee.
- 6.7 In light of the above, it is considered that the proposal accords with Policies DM1 and COM1 of the Adopted South Lanarkshire Local Plan. I would therefore raise no objections to the proposal and would recommend that detailed planning permission be granted for this development.

7 Reasons for Decision

- 7.1 The proposal has no significant impact on amenity and complies with Policy DM1 and Policy COM1 of the Adopted South Lanarkshire Local Plan 2009.

Colin McDowall
Executive Director (Enterprise Resources)

2 November 2010

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan 2009
- ▶ Neighbour notification letter, dated 6 September 2010
- ▶ Press advertisement, Hamilton Advertiser, 16 September 2010
- ▶ Consultations
 - S.E.P.A. (West Region) 13/09/2010
 - Roads and Transportation Services (Hamilton Area) 13/09/2010
 - Environmental Services 04/10/2010

Contact for Further Information

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

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Detailed Planning Application

PAPER APART – APPLICATION NUMBER : HM/10/0432

CONDITIONS

- The consent shall be carried out strictly in accordance with drawing numbers:
- 1
031426-0000-20-DRG-9901-0A,
031426-0000-20-DRG-9902-0A,
031426-0000-20-DRG-9903-0A,
031426-0000-20-DRG-9904-0A,
031426-0000-20-DRG-9677-0A,
031426-0000-20-DRG-9800-0A.
 - 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, throughout the construction process, suitable wheel washing facilities will be provided to ensure that no mud or debris is deposited onto the public road network, to the satisfaction of the Council as Roads and Planning Authority.
 - 4 That, notwithstanding the landscaping details shown on drawing 031426-0000-20-DRG-9800-0A of the approved plans, before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and 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.
 - 5 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following completion of the development hereby approved, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interest of road safety
- 4 In the interests of the visual amenity of the area.
- 5 In the interests of amenity.

For information only

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