

Report to: **Planning Committee**
 Date of Meeting: **29 November 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No HM/11/0412
 Planning Proposal: Matters Specified in Conditions Application to Address Conditions 1 (A-I), 13, 21, 24 & 28 of Planning Permission HM/09/0360 for the Layout, Design and External Appearance of Class 1 Retail Store, Petrol Filling Station, Access Infrastructure, Car Parking, Landscaping and Land Regrading

1 Summary Application Information

- Application Type : Approval of matters specified in conditions
- Applicant : Asda Stores Ltd and Muse Developments
- Location : Land at Larkhall Academy
Larkhall

2 Recommendation(s)

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

- (1) Grant matters specified in conditions - Subject to Conditions (based on the conditions attached).

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: GVA Grimley
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
 Policy ENV 30 - New Development Design Policy
 Policy DM 1 - Development Management Policy
 Policy TRA 1 - Development Location and Transport Assessment Policy
 Policy TRA 2 - Walking, Cycling and Riding Routes Policy
 Policy TRA 4 - Bus Provision Policy

- ◆ Representation(s):

- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

Strathclyde Partnership for Transport

SP Energy Network

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

Roads & Transportation Services H.Q.(Traffic and Transportation)

The Coal Authority - Planning and Local Authority Liaison Department

Roads & Transportation Services H.Q. (Geotechnical)

Larkhall Community Council

Sustrans

TRANSCO (Plant Location)

Environmental Services

Countryside & Greenspace

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located to the south of Larkhall Town Centre. The site extends to approximately 5.7 hectares and is bounded to the north by a mixture of residential properties, open space, semi mature trees and areas of scrub, to the south and east by residential properties, the Larkhall Leisure Centre and Larkhall Academy and to the west by a mix of rough grassland, trees and scrub. A former railway embankment runs through the site along its south-eastern boundary. Access to the site is via Broomhill Road.

2 Proposal(s)

- 2.1 This application, for the approval of matters specified in conditions (MSC), has been submitted by ASDA Stores Ltd and Muse Developments to address Conditions 1 (A-I), 13, 21, 24 and 28 of planning permission HM/09/0360 for the layout, design and external appearance of a Class 1 retail store, petrol filling station, access infrastructure, car parking, landscaping and land re-grading.
- 2.2 The details being brought forward with this MSC submission include the design, layout and materials of a 2,927 square metre (gross) foodstore, petrol filling station and associated car parking and the submission includes boundary details, landscaping and drainage information to address the requirements of the various parts of Condition 1. A design and access statement has been provided to set out the evolution of the design for the store and its relationship to the site context. To address the terms of Conditions 13, 21, 24 and 28 the details submitted include details of the turning circle for the service yard, a site investigation report, an archaeological written scheme of investigation and details relating to the enabling works and engineering required to create the development platform, deliver the new access road with associated roundabout and works to divert the Raploch Burn including necessary culverting. Three further MSC applications which cover additional works required to deliver the proposal have been submitted for the Council's approval and the details of these applications are set out in Section 3.3 of this report.
- 2.3 In line with the details approved under the application for planning permission in principle the proposed foodstore with associated petrol filling station and car parking would be located to the west of the new Larkhall Academy school and the site would be accessed via a new roundabout located at the junction between Broomhill Road and Church Street with an additional roundabout located adjacent to the Leisure Centre on Broomhill Road. It should be noted, however, that following a recent submission of a proposal of application notice (PAC) the applicant intends to submit an application to amend the wording of Conditions 4 and 5 of planning permission HM/09/0360 to allow for a signalised junction to be developed instead of a roundabout at Church Street. The proposed retail store would be of a contemporary design with the elevations broken up by a variety of materials. The main frontage elevation of the store would feature areas of timber cladding alongside large areas of glazing fronting onto the car park with a large overhanging atrium with integrated signage. The petrol filling station would be located to the east of the store with the entrance to the service yard via a separate road to the side of the car park.

3 Background

3.1 Local Plan Policy

3.1.1 The application site is located within an area designated for residential use in the adopted South Lanarkshire Local Plan. However, the principle of retail use on the site was previously established when planning permission in principle was granted for the development by the Planning Committee in April 2011 following an assessment of the application against the relevant land use policies at a national, structure plan and local plan level. This current application relates mainly to the detailed design of the development and the relevant policies in terms of the assessment of the application are Policies ENV 30 - New Development Design Policy, DM 1 – Development Management Policy, TRA 1 - Development Locations and Transport Assessment, TRA 2 - Walking, Cycling and Riding Routes Policy and TRA 4 – Bus Provision. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.3 **Planning Background**

3.3.1 Planning permission in principle was granted to ASDA Stores Ltd and Muse Developments in April 2011 for the erection of a Class 1 retail store with associated petrol filling station, car parking and other associated works (HM/09/0360). As noted, three separate matters specified in conditions (MSC) applications relating to this permission which cover all other works required to deliver the proposal have been submitted for the Council's approval and these details are set out below.

3.3.2 A related MSC application to address Conditions 1 (D, F & G), 2, 30, 33 & 39 of Planning Permission HM/09/0361 for enabling works including access infrastructure, landscaping, land re-grading and associated works was submitted to the Council in September 2011 by Asda Stores Ltd and Muse Development and is currently being assessed (HM/11/0414). A portion of the enabling works necessary to deliver the proposed retail store fall outwith the current application site boundary and this separate application brings forward some of these details.

3.3.3 A related MSC application addressing Conditions 17, 20, 31 and 32 of planning permission HM/09/0360 in respect of the required Public Transport Strategy, Noise Report, Flood Risk Report and Ecological Surveys was submitted to the Council in October 2011 by Asda Stores Ltd and Muse Development and is currently being assessed (HM/11/0485).

3.3.4 A related MSC application addressing Conditions 1(c), (d), (g) and part of 4 of planning permission HM/09/0360 in respect of road infrastructure was submitted to the Council in November 2011 by Asda Stores Ltd and Muse Development and is currently being assessed (HM/11/0498).

3.3.5 In addition, a proposal of application notice (PAC) was submitted to the Council in relation to an application under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary the wording of Condition 34 of planning permission in principle HM/09/0360 from 'That the Class 1 retail store shall not exceed 2,927 sq. metres (gross) floor area, with a maximum net sales floor area of 1,858 sq. metres with a dedicated floorspace split of 1,301 sq. metres (net) convenience and 557 sq. metres (net) comparison' to 'That the Class 1 retail store shall not exceed 2,927 sq. metres (gross) floor area, with a maximum net sales floor area of 1,858 sq. metres of which no more than 30% of the net sales area shall be used for the sale of comparison goods.' The public consultation required for this future application has been undertaken and the applicant intends to submit the application in December 2011 (HM/11/X0472/NEW).

3.3.6 A further proposal of application notice (PAC) was submitted to the Council in October 2011 in relation to an application under section 42 of the Town and Country

Planning (Scotland) Act 1997 to amend the wording of planning Conditions 4 and 5 to allow for a signalised junction to be developed instead of a roundabout at Church Street and the deletion of condition 26 of the planning permission HM/09/0360. The public consultation required for this future application has been undertaken and the applicant intends to submit the application in December 2011 (HM/11/X0510/NEW).

- 3.3.7 The proposal being considered in this report forms part of a wider masterplan for the 'Larkhall Cherryhill Redevelopment'. Planning permission in principle was granted in April 2011 for a mixed use development incorporating the erection of 367 residential units, medical centre, 60 bed care home, children's nursery, restaurant, associated car parking and ancillary works (HM/09/0361). The mixed use application site extends to 19.3 hectares and would bound the application site on all sides

4 Consultation(s)

- 4.1 **Countryside & Greenspace** - generally the plans look acceptable. However, it would be preferable to see the use of ramps rather than steps on the tarmac footpath to deal with level changes which would be more user friendly for prams and wheel chair users. If possible the identified unsurfaced track should be surfaced in bound gravel. It would also be beneficial if some additional native tree/shrub planting could be accommodated along the realigned burn embankments.

Response:- Noted. Amended plans were submitted showing additional tree/shrub planting along the realigned burn embankments. Any consent granted would incorporate appropriately worded conditions to address the additional matters raised.

- 4.2 **Environmental Services** – have no objections to the application subject to the inclusion of conditions relating to the submission of a noise assessment and an updated air quality assessment for the Council's approval, acceptable noise levels which can be emitted from the premises, waste control matters and the restriction of the hours of operation of the premises. In terms of the submitted site investigation report the findings and recommendations made by Woolgar Hunter Limited are considered to be acceptable. However, should any previously unsuspected contamination become evident during the development of the site it should be brought to the attention of the Council and a further more detailed site investigation carried out to determine the extent and nature of the contaminant and remedial action required. Informatives should also be attached advising the applicant of acceptable construction noise levels at the site, demolition and pest control.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the above matters where necessary. It should be noted that a noise assessment has been submitted under a separate MSC application and is currently being assessed by Environmental Services. With regard to the operating hours of the development it is considered that it would be onerous to restrict the hours of operation for the foodstore and petrol station given the considerable distance that they are located from existing residential properties. In terms of future residential development on the adjacent land bounding the site a significant landscape buffer is proposed which would also protect the amenity of those properties.

- 4.3 **Larkhall Community Council** – no response to date.

Response: Noted.

- 4.4 **Roads and Transportation Services (Hamilton Area)** – have no objections to the proposal subject to the inclusion of conditions relating to the access to the site, visibility splays, car parking and surface water trapping. The shared footway for

pedestrians and cyclists requires to be widened from the 2 metres shown to 3 metres and there is a requirement for the submission of an independent safety audit.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the above matters. In relation to cycle provision the applicant has agreed to fund works to improve the existing disused railway line as a multi-purpose footpath, cycle way and green corridor. Whilst indicative drawings were submitted with this application showing the route of the cycle way the applicant intends to submit a separate MSC application to address this requirement. The required safety audit would be submitted as part of the roads construction consent.

- 4.5 **Roads and Transportation Services HQ (Traffic & Transportation)** – have no objection to the application. The proposals are satisfactory with the exception of disabled parking where 13 spaces should be provided. However, whilst a swept-path drawing of a service vehicle accessing the yard has been submitted, details of the vehicle movements from the proposed roundabout access, details of access to and from the proposed petrol filling station and the size of vehicle likely to be making these manoeuvres are required. Conditions should be attached to any consent granted requiring the submission of full details relating to the proposed roundabout on the junction between Church Street and Broomhill Road and details relating to pedestrian crossing facilities and traffic signals, road safety features, and full details of cycle way connections throughout the site and linkages to the National Cycle Route for the Council's approval.

Response:- The applicant has been advised of the above matters. Any consent granted would incorporate appropriately worded conditions to address the matters raised.

- 4.6 **Roads and Transportation Services HQ (Flooding)** – have no objection to the proposed development subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document. They have advised that the submitted information makes no reference to the existing culvert intersecting Broomhill Road and Broomhill Court. This requires to be investigated as it will require upgrading to accommodate the new access road and roundabout. The application does not provide any information as to the drainage of the access road. The location, size and construction makeup of the proposed swales should be submitted to the Council for approval. The drainage details of the entire site should be demonstrated on a single drawing for clarity.

Response: - Noted. The Council's Sustainable Urban Drainage Systems (SUDS) design criteria has been forwarded to the applicant. It should be noted that the required information relating to the culvert and the drainage of the site has been submitted under a separate MSC application which is currently being assessed by Roads and Transportation Services.

- 4.7 **Roads and Transportation Services HQ (Geotechnical)** – there is quite a bit of cut and fill at the site, most of which is restricted to 1:3 or less. Along the back of the car park, between it and the realigned burn, there is a long length of high slope which appears to be at 1:2. If this was a natural slope it would be unlikely to be stable, however, as it is engineered fill, it is expected the developer will have considered the design. Nevertheless this is something which should either be resolved prior to granting or covered by a condition in the consent. To clarify matters in advance some design work is required from the applicant showing that the slope will be stable. Should this not be available then it is recommended that a condition is inserted to cover the stability and to obtain written confirmation that the slope will be engineered.

Response: - Noted. The applicant has been advised of this matter. However, it is considered that the matter can be adequately addressed through the use of appropriately worded conditions which would be attached to any consent granted.

- 4.8 **SP Energy Networks** – have advised that SP Distribution have a high voltage overhead line and HV underground cables within the vicinity of the proposed development. At the present time, therefore, SP Distribution have no option but to object to the development as proposed on the basis that they have received no intimation as to whether their apparatus will be affected by the proposal and if so, to what extent.

Response:- Noted. The applicant has been made aware of the above objection and is currently involved in discussions with SP Energy Networks to address the matter.

- 4.9 **Scottish Water** – have no objections to the application. However, they have advised that Skellyton Wastewater Treatment Works currently has limited capacity to serve this new demand. The Developer should discuss their development directly with Scottish Water.

Response:- Noted. The applicant has been advised to contact Scottish Water to discuss this matter.

- 4.10 **SEPA** – have no objections to the application. They have reviewed the submitted information and are satisfied that the issues in relation to their interests have been adequately addressed. They have advised that they have no concerns regarding the discharge of conditions. A range of planning enclosures have been provided in support of the landscaping and enabling works and SEPA are also aware that a formal Controlled Activities Regulation (CAR) license has been applied for in terms of the proposed burn diversion. Based on the robust Flood Risk Assessment (FRA) and additional information provided it is considered that the proposals are adhering to the FRA recommendations and should not have a significant effect on flood risk and, therefore, complies with the principles of Scottish Planning Policy (SPP).

Response:- Noted.

- 4.11 **Strathclyde Partnership for Transport (SPT)** – in SPT's response to the application for permission in principle for this development, it was requested that the internal site layout be designed to accommodate a MyBus service. It is noted that the internal layout of the site would enable such provision. However, SPT would suggest that clear provisions should be made for a pick-up/drop off point convenient for the main entrance to the store. The provision of a general use bus stop as part of this development is welcomed. It is understood that there are restrictions on locating a stop. As plans are brought forward for future phases of the development, to provide a through route for the site, the bus stop for the supermarket could be provided closer to the store entrance. SPT would ask that new bus stops and lay-bys are provided on the spine road, at the leisure centre, to encourage use of the use of diverted bus services to access the leisure centre. SPT would suggest that the potential to provide a dedicated taxi lay-by adjacent to the superstore main entrance is investigated. Such provision could assist in supporting public transport modal split, as shoppers often use the bus on the outward journey and make the return leg with their shopping by hiring a taxi.

Response:- Noted. The applicant has submitted a Public Transport Strategy under a related MSC application which is currently being assessed by the Council in consultation with Strathclyde Partnership for Transport which would require to be implemented prior to the opening of the development as appropriate. It is considered that the above matters could be adequately addressed under the assessment of that application.

4.12 **Sustrans** – Sustrans have advised that they are keen to have the developer build the National Cycle Network 74 route as part of the Cherryhill Masterplan. The development of National Cycle Network 74 has been ongoing for a number of years in a phased approach and the route is now established from its start point in Uddingston through to Chatelherault. The next phase is to take it through to Larkhall as part of the Connect2 project by the close of the 2012/13 financial year. As a result the proposed route through the Asda development links in very well with this and will ensure NCN 74 is an integrated part of Larkhall allowing it to become part of everyday travel in and around the town.

Response:- Noted. The applicant has agreed to fund works to upgrade the existing disused railway line as a multi-purpose footpath, cycle way and green corridor. Whilst indicative drawings were submitted with this application showing the route of the cycle way the applicant intends to submit a separate MSC application to address this requirement.

4.13 **The Coal Authority** – have no objections to the application. Having reviewed the submitted documents, the Coal Authority is satisfied with the conclusions outlined in section 6.5 of the Development Appraisal – Rev. A, which are informed by the intrusive site investigation works that have been undertaken within the application site; that coal mining legacy issues are not likely to be significant beneath the footprint of the proposed retail unit and are therefore unlikely to pose a risk to the proposed development. Accordingly, the Coal Authority is satisfied that condition 21 of planning permission HM/09/0360 can be discharged.

Response:- Noted.

4.14 **TRANSCO** – no response to date.

Response:- Noted.

4.15 **West of Scotland Archaeology Service (WOSAS)** – have no objections to the application. They received a revised version of the required Written Scheme of Investigation which appeared to represent an acceptable programme of evaluation. It is considered that the trial trenching programme of work can go ahead on the basis of the Written Scheme of Investigation. However, WOSAS advise that the condition attached to the planning permission in principle should not be discharged until such time as the evaluation (and any subsequent phases of work that may prove necessary) has been completed, and a report outlining the results has been submitted.

Response:- Noted. As requested, the condition attached to the planning permission in principle would not be discharged until such time as the evaluation and any subsequent phases of work that may prove necessary has been completed and a report outlining the results has been submitted.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised Due to the Nature or Scale of Development and under the category of Non-Notification of Neighbours in the Hamilton Advertiser. Two letters of objection were received. The grounds of objection are summarised below:

(a) **There are concerns regarding the increased traffic through Broomhill Road and the safety of school children and elderly residents as there is a school and sheltered housing in this vicinity.**

Response: Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues subject to conditions relating to the proposed roundabout and alterations to the existing mini-

roundabout, pedestrian crossing facilities and traffic signals, road safety features etc.

- (b) **The applicant has managed to procure two neighbouring houses at Church Street which will facilitate a roundabout. It will, however, not solve the purpose as the road will still narrow down and there is not scope for expansion (already existing houses and pensioners home on both sides)**

Response: As discussed, Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues subject to conditions relating to the proposed roundabout and alterations to the existing mini-roundabout, pedestrian crossing facilities and traffic signals, road safety features etc.

- (c) **Increased traffic, shoppers and associated noise after 8pm onwards are of concern. The addition of an extra supermarket, jobs and competitive prices are welcomed but at what cost.**

Response: Subject to the inclusion of appropriately worded conditions none of the consultees raised any adverse comments in relation to the above matters. Therefore, it is considered that the proposed development will not have a significant adverse impact on residential amenity.

- (d) **The additional traffic in the area will increase levels of pollution.**

Response: Neither SEPA nor Environmental Services raised any adverse comments in this regard.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The determining issues that require to be addressed in respect of this application are compliance with local plan policy, the visual impact of the proposal and its impact on the amenity of the adjacent properties and on the surrounding road network.
- 6.2 This application for the approval of matters specified in conditions (MSC) has been submitted by ASDA Stores Ltd and Muse Developments to address Conditions 1 (A-I), 13, 21, 24 and 28 of planning permission HM/09/0360 for the layout, design and external appearance of a Class 1 retail store, petrol filling station, access infrastructure, car parking, landscaping and land re-grading.
- 6.3 In terms of the adopted South Lanarkshire Local Plan, the application site is located within an area designated for residential use. However, the principle of retail use on the site was previously established when planning permission in principle was granted by the Planning Committee in April 2011. This followed an assessment of the application against the relevant land use policies at a national, structure plan and local plan level. This current application relates mainly to the detailed design of the development and the relevant policies in terms of the assessment of the application are Policies ENV 30 - New Development Design Policy, DM 1 – Development Management Policy, TRA 1 - Development Locations and Transport Assessment, TRA 2 - Walking, Cycling and Riding Routes Policy and TRA 4 – Bus Provision.
- 6.4 In terms of the design and layout of the development, Policies ENV 30 and DM 1 generally require all development to take into account the local context and built form of the area and require that new development support quality and sustainability in its

design and layout and enhance or make a positive contribution to the character and appearance of the environment. It is considered that the scale, design and general layout of the development is acceptable and that it would not be detrimental to the amenity of the area. The proposed foodstore is single storey in height and is of a contemporary design incorporating a high standard of finish materials and it is considered that it will not be out of keeping with existing development in the surrounding area. The proposed landscaping scheme is also considered to be acceptable and would allow for a large landscape buffer between the store and future residential development on the adjacent land bounding the site. It is considered, therefore, that the proposal meets the terms of the above policies.

- 6.5 Policy TRA 1 – Development Location and Transport Assessment Policy states that the Council will promote transport and land use planning principles which encourage and support the use of land in highly accessible locations for predominantly people-based development and seek to ensure that development takes account of the need to provide proper provision for walking, cycling and public transport. The transportation implications of major developments as defined by the Council's Guidelines for Development Roads will require to be set out in a Transport Assessment and the preparation of Green Travel Plans will be required for such developments. A Transport Assessment was submitted with the application for planning permission in principle which assessed the impact on the local road network. Conditions would be attached to any consent granted to ensure that the required infrastructure improvements would be completed prior to the opening of the development where appropriate.
- 6.6 Policy TRA 2 – Walking, Cycling and Riding Routes Policy states that the Council will seek to safeguard existing and proposed walking and cycling routes within the Local Plan area as identified on the Proposals Map. Particular support is given to the development of the Clyde Walkway and National Cycle Network Routes 74 and 75 on or around the lines identified. In addition, linear routes, such as former railway lines, will be safeguarded to provide walking, cycling and riding opportunities. Development proposals adjacent to or on the line of a route as defined above will require to take account of the route and where appropriate, developer contributions will be sought for the provision or upgrading of the route. The applicant proposes to retain the existing disused railway line and has agreed to fund works to improve the railway line as a multi-purpose footpath and cycle way and as a green corridor. Whilst indicative drawings were submitted with this application showing the route of the cycle way the applicant intends to submit a separate MSC application to address this requirement.
- 6.7 Policy TRA 4 – Bus Provision Policy seeks to ensure that developers of major developments work with Strathclyde Partnership for Transport (SPT) and bus operators to extend bus services and improve bus infrastructure at or in the vicinity of the site. The submitted plans show the provision of a bus lay by situated on the access road leading up to the foodstore and the applicant has been advised of SPT's comments in relation to the provision of enhanced facilities as noted under Section 4.11 of this report. The applicant has submitted a Public Transport Strategy under a related MSC application which is currently being assessed by the Council in consultation with SPT and which would require to be implemented prior to the opening of the development as appropriate. The above matters would, therefore, be addressed under the related MSC application (HM/11/0485). It is considered that the proposed improvements to walking, cycling and public transport infrastructure and the required improvements to the road network can be achieved satisfactorily and that the proposal conforms with Policies TRA1, TRA 2 and TRA 4.

6.8 Whilst the issues of access and additional traffic generation have been raised as matters of concern for 2 local residents Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues and it is considered that these concerns can be addressed through the use of appropriate conditions.

6.9 In summary, it is considered that the application conforms with local plan policy and it is therefore recommended that this application for matters specified in conditions be approved.

7 Reasons for Decision

7.1 The proposal has no adverse impact on residential or visual amenity and complies with Policies ENV 30, DM 1, TRA 1, TRA 2, TRA 4 of the adopted South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

15 November 2011

Previous References

HM/11/0498
HM/11/0485
HM/11/0414
HM/09/0361
HM/09/0360
HM/04/0322

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Roads & Transportation Services H.Q. (Traffic and Transportation) 03/11/2011
&
14/11/2011

 - Roads & Transportation Services H.Q. (Flooding) 31/10/2011

 - Environmental Services 03/10/2011
& 14/11/11

 - Roads and Transportation Services (Hamilton Area) 18/10/2011

 - Roads & Transportation Services H.Q. (Flooding) 31/10/2011

 - SP Energy Network 21/09/2011

 - West of Scotland Archaeology Service 29/09/2011
&

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| | 17/11/2011 |
| Roads & Transportation Services H.Q. (Geotechnical) | 11/11/2011 |
| Countryside & Greenspace | 10/11/2011 |
| Sustrans | 10/11/2011 |
| Strathclyde Partnership for Transport | 10/09/2011 |
| SEPA | 27/10/2011 |
| Scottish Water | 21/09/2011 |
| The Coal Authority | 30/09/2011 |

► **Representations**

Representation from : Miss Kim McQueen, 2A Broomhill Road, Larkhall, ML9 1QW, DATED 23/09/2011

Representation from : Dr Saurabh Kumar, 50 Church Street, Larkhall, ML9 1HE, DATED 20/09/2011

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Contact for Further Information

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

Jim Blake, Planning Officer, Montrose House, Hamilton
Ext 3657 (Tel :01698 453657)
E-mail: planning@southlanarkshire.gov.uk

Approval of matters specified in conditions

PAPER APART – APPLICATION NUMBER : HM/11/0412

CONDITIONS

- 1 That unless otherwise agreed, this decision relates to drawing numbers:
 - PL - 01 REV B
 - PL - 02 REV B
 - PL - 03 REV I
 - PL - 04 REV B
 - PL - 05 REV D
 - PL - 06 REV B
 - PL - 08 REV A
 - PL - 09 REV B
 - PL - 10 REV B
 - PL - 11 REV D
 - PL - 12 REV B
 - PL - 15 REV B
 - PL - 16
 - PL - 17
 - LL - 01 REV D
 - LL - 02 REV A
 - 910 REV A
 - 911
 - 912
 - 913
 - 914 REV A
 - 915
 - 916
 - 940 REV A
 - 941 REV A
 - S(90) 101 REV B
 - S(90) 102 REV B
 - S(90) 103
 - S(90) 104 REV A

- 2 That unless otherwise agreed, prior to the opening of the retail store a detailed design of the new roundabout on Church Street at Broomhill Road along with alterations to the existing roundabout on Broomhill Road/Broomhill Drive/Margaretvale Drive generally in accordance with drawing no's 60034706-SK2062 and 60034706 SK2071 shall be submitted for the consideration and detailed approval of the Council as Planning Authority.

- 3 That unless otherwise agreed, prior to the opening of the retail store or any approved mixed use development, construction of the new roundabout on Church Street at Broomhill Road along with alterations to the existing roundabout on Broomhill Road/ Broomhill Drive/Margaretvale Drive shall be undertaken to the satisfaction of the Council as Planning Authority.

- 4 That unless otherwise agreed, prior to the opening of the retail store a detailed design of pedestrian crossing facilities within the site and new controlled pedestrian crossing points on Church Street shall be submitted for the consideration and detailed approval of the Council as Planning Authority.

- 5 That unless otherwise agreed, prior to the opening of the retail store pedestrian

crossing facilities as identified in Condition 4 above shall be constructed to the satisfaction of the Council as Planning Authority.

- 6 That unless otherwise agreed, prior to the opening of the retail store a detailed assessment of the need for traffic signals at Church Street/John Street shall be submitted for the consideration and detailed approval of the Council as Planning Authority.
- 7 That unless otherwise agreed, prior to the opening of the retail store alterations to the traffic signals at Church Street/John Street shall be undertaken to the satisfaction of the Council as Planning Authority.
- 8 That unless otherwise agreed, prior to the opening of the retail store details of SCOOT or MOVA control measures with associated operational costs at the following junctions shall be submitted for the consideration and detailed approval of the Council as Planning Authority.
 - 1) Machan Road/Keir Hardie Road
 - 2) Church Street/John Street
 - 3) Church Street/McNeil Street/Union Street/Muir Street
 - 4) Union Street/Raploch Street/Wellgate Street
 - 5) Duke Street/Hamilton Street/Wellgate Street/Drygate Street
 - 6) Hamilton Street/Hamilton Road/Summerlee Road
- 9 That unless otherwise agreed, prior to the opening of the retail store implementation of the agreed SCOOT and MOVA control measures at the following junctions required under the terms of Condition 8 shall be undertaken to the satisfaction of the Council as Planning Authority.
 - 1) Machan Road/Keir Hardie Road
 - 2) Church Street/John Street
 - 3) Church Street/McNeil Street/Union Street/Muir Street
 - 4) Union Street/Raploch Street/Wellgate Street
 - 5) Duke Street/Hamilton Street/Wellgate Street/Drygate Street
 - 6) Hamilton Street/Hamilton Road/Summerlee Road
- 10 That unless otherwise agreed, prior to the opening of the retail store details of the new traffic signal junction along with staging and timing plans at Duke Street/Hamilton Street/Wellgate Street/Drygate Street shall be submitted for the consideration and detailed approval of the Council as Planning Authority, generally in accordance with drawing no 60034706 SK2022.
- 11 That unless otherwise agreed, prior to the opening of the retail store implementation of the new traffic signal junction along with staging and timing plans at Duke Street/Hamilton Street/Wellgate Street/Drygate Street shall be undertaken to the satisfaction of the Council as Planning Authority.
- 12 That unless otherwise agreed, prior to the opening of the retail store details of suitable road safety features and the extension/alterations to the existing Part Time Mandatory 20 mph speed limit shall be submitted for the consideration and detailed approval of the Council as Planning Authority and thereafter this shall be implemented with timescales set by and to the Council's satisfaction unless otherwise agreed.
- 13 That should any previously unsuspected contamination become evident during the

development of the site it should be brought to the attention of the Council as Planning Authority and a further more detailed site investigation carried out to determine the extent and nature of the contaminant and remedial action required.

- 14 That the surface of access road shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 15 That the mitigation measures and best practice measures detailed in Section 6.7 of the Environmental Statement undertaken by RPS in July 2009 shall be implemented to the satisfaction of the Council as Planning Authority in consultation with SNH.
- 16 That unless otherwise agreed, an Ecological Clerk of Works shall be appointed to oversee the implementation of the proposed mitigation proposals outlined in the submitted Environmental Statement undertaken by RPS in July 2009 to the satisfaction of the Council in consultation with SNH.
- 17 That prior to the opening of the retail store details of the storage of waste arising from the commercial activity shall be submitted for the consideration and detailed approval of the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.
- 18 That no planting shall obstruct the visibility splay at the roundabout at the entrance to the retail store.
- 19 That unless otherwise agreed, all car park drainage shall be contained, controlled and discharged into the Scottish Water system, to the complete satisfaction of the Council as Planning Authority in consultation with SEPA and Scottish Water. No private or surface water drainage shall be discharged into the road drainage system
- 20 That unless otherwise agreed, a slope stability report for all slopes steeper than 1:3. based on parameters obtained from intrusive ground investigation and testing and making design recommendations shall be submitted. This report shall be approved by the Council before any construction work commences on site and thereafter implemented to the satisfaction of the Council as Planning Authority.
- 21 That unless otherwise agreed, the design and analysis of all slopes steeper than 1:3 incorporating any recommendations made in the slope stability report and details of any walls or reinforcement which may be required shall be submitted. The design and analysis shall be approved by the Council before any construction work commences on site and thereafter implemented to the satisfaction of the Council as Planning Authority.
- 22 That prior to work commencing on site details of the existing footpaths within the site and the proposed measures for incorporating them into the development shall be submitted for the approval of the Council as Planning Authority and thereafter implemented to the Council's satisfaction.
- 23 That unless otherwise agreed, prior to work commencing on site details of vehicle movements from the roundabout access to the north of the retail store in addition to details of access to and from the proposed petrol filling station and the size of vehicle likely to be making these manoeuvres shall be submitted for the approval of the Council as Planning Authority and thereafter implemented to the Council's

satisfaction.

- 24 That unless otherwise agreed, prior to work commencing on site further details of the proposed boundary treatment at the junction between Church Street and Broomhill Road shall be submitted for the approval of the Council as Planning Authority and thereafter implemented to the Council's satisfaction.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interest of public and road safety.
- 3 In the interest of public and road safety.
- 4 In the interest of public and road safety.
- 5 In the interest of public and road safety.
- 6 In the interest of public and road safety.
- 7 In the interest of public and road safety.
- 8 In the interest of public and road safety.
- 9 In the interest of public and road safety.
- 10 In the interest of public and road safety.
- 11 In the interest of public and road safety.
- 12 In the interest of public and road safety.
- 13 To avoid unacceptable risks to human health and the environment and to ensure that the land is remediated and made suitable for its proposed use.
- 14 In the interest of public safety.
- 15 To ensure there is no adverse impact on protected species.
- 16 To ensure there is no adverse impact on protected species.
- 17 To minimise nuisance, littering and pest problems to nearby occupants
- 18 In the interest of road safety.
- 19 In the interest of public safety.
- 20 To ensure that the proposed development is protected in the long term from possible ground movements related to slope stability.
- 21 To ensure that the proposed development is protected in the long term from possible ground movements related to slope stability.
- 22 In the interests of amenity and in order to retain effective planning control.
- 23 In the interest of public and road safety.
- 24 In the interests of amenity and in order to retain effective planning control.

For information only

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