

Report to:	Planning Committee
Date of Meeting:	24 May 2011
Report by:	Executive Director (Enterprise Resources)

Application No	HM/09/0579
Planning Proposal:	Erection of Class 1 Foodstore and Formation of Car Park and Associated Access

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Tesco Stores Ltd
- Location : Land occupied by Larkhall Football Club
Larkhall Bowling Club (Part of) and
75-77 Raploch Street
Larkhall

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 the conditions attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Planning consent should be withheld until a Section 75 Obligation between the Council and the applicant has been concluded to ensure the appropriate re-location of Larkhall Thistle Football Club and the provision of associated facilities in addition to the provision of appropriate replacement facilities for Larkhall Bowling Club prior to any work commencing on site. The Council's legal expenses in connection with the Obligation will be borne by the Applicant.

3 Other Information

- ◆ Applicant's Agent: DPP LLP
- ◆ Council Area/Ward: 20 Larkhall
- 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
Strategic Policy 10 – Departures from the
Structure Plan

South Lanarkshire Local Plan (Adopted)

Policy STRAT 1 – Regeneration Priorities
Policy COM 3 – New Retail/Commercial
Development Policy
Policy COM 4 – New Retail/Commercial
Development Proposals
Policy TRA 1 – Development Locations and
Transport Assessment
Policy TRA 2 – Walking, Cycling and Riding
Routes Policy
Policy TRA 4 – Bus Provision Policy
Policy ENV 30 – New Development Design
Policy
Policy DM 1 – Development Management
Policy

- ◆ Representation(s):
 - ▶ 17 Objection Letters
 - ▶ 1 Comments Letter

- ◆ Consultation(s):

Environmental Services

Community Resources: Countryside & Greenspace

Larkhall Community Council

Glasgow and the Clyde Valley Joint Structure Plan

Roads and Transportation Services (Hamilton Area)

Roads and Transportation Services HQ (Transportation)

Roads and Transportation Services HQ (Flooding)

Regeneration Services

Scottish Water

SEPA

Sportscotland

Scotland Gas Networks

Strathclyde Partnership for Transport (SPT)

West of Scotland Archaeology Service (WOSAS)

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of land located on Raploch Street to the west of Larkhall town centre. The site measures approximately 1.0 hectare, it is essentially irregular in shape and it is generally flat with a gentle gradient running northeast to southwest along Raploch Street. The site is bounded to the north, south and west by residential properties and associated open space and to the east by 2 bowling greens and a cutting associated with the adjacent railway line.
- 1.2 The main part of the site is currently occupied by Larkhall Thistle Football Club and comprises a football pitch and associated structures including a club building, stands and terraces. A large area of open rough ground is located in the south-eastern corner of the site in addition to 2 detached dwellinghouses and garages and a social club and club house associated with the adjacent bowling greens. Part of the northernmost bowling green is included within the application site boundary. Access to the site is via Raploch Street.

2 Proposal(s)

- 2.1 This is a detailed planning application for the erection of a Class 1 food-store and formation of a car park and associated access. The structures currently occupying the site would be demolished to facilitate the construction of a new 3,370 square metre gross floor area food-store which would be located within the centre of the site together with associated car parking and store servicing facilities. The food-store would be single storey in height incorporating a gently sloping pitched roof and would be approximately 7 metres in height when measured at its highest point. The exterior of the building would be finished with a mixture of double glazed aluminium curtain walling, timber panels and coloured composite cladding. Two wind turbines measuring approximately 4 metres in height in addition to two metal wind catchers and roof lights would be incorporated on the roof of the building with associated signage incorporated on both the roof and walls.
- 2.2 A service yard would be located towards the north-western corner of the site and car parking spaces would be located to the south of the building. The associated access road and parking would occupy approximately 60% of the site with a new vehicular access point to be formed off Raploch Street in the south-western corner of the site. An electrical sub station and recycling point would be located to the south of the building and the southern, eastern and western boundaries of the site would be screened by new fencing and an acoustic timber fence would screen the service yard. An ATM, trolley bays and cycle racks would also be incorporated in the development.
- 2.3 In order to accommodate the development the proposal involves the re-location of Larkhall Thistle Football Club and the loss of a single bowling green associated with Larkhall Bowling Club. In relation to the loss of the bowling green, the applicant has confirmed that the Bowling Club are looking to down size their current facility to a single green with an amalgamated clubhouse and locker room. The principle of relocating the football club and the alterations to the bowling club has been accepted by both clubs subject to detail agreements being concluded. In turn these proposals will be subject to separate planning applications in due course.
- 2.4 A Planning Statement, Transport Assessment, Noise Assessment, Retail Impact Assessment, Renewable Energy Statement and Bat Survey were submitted with the

application as supporting documents. The applicant undertook a pre-application consultation with the local community and as a consequence a consultation report was also submitted as supporting information.

3 Background

3.1 National Policy Status

3.1.1 Scottish Planning Policy (SPP) provides advice on national planning policy issues. SPP highlights that legislation requires that planning decisions are to be made in accordance with the development plan unless material considerations indicate otherwise. SPP 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 discussed in Section 6 of this report.

3.2 Development Plan Status

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 Policies 1, 6, 9 and 10.

3.2.2 A number of policies set out in the South Lanarkshire Local Plan (SLLP) (adopted March 2009) are relevant to the consideration of the proposal specifically:

Policy STRAT 1 – Regeneration Priorities

Policy COM 3 – New Retail / Commercial Development Policy

Policy COM 4 – New Retail/Commercial Development Proposals

Policy TRA 1 - Development Locations and Transport Assessment

Policy TRA 2 - Walking, Cycling and Riding Routes Policy

Policy TRA 4 – Bus Provision Policy

Policy ENV 30 - New Development Design Policy

Policy DM 1 – Development Management Policy.

3.2.3 One of the most relevant policy considerations in the SLLP is Policy COM 4 above which identifies the application site as being within a site identified at Raploch Street, Larkhall as a proposal for a foodstore. It is worth noting that not all of the land identified for a proposed foodstore under the terms of Policy COM 4 is included in the current planning application site. The local plan site takes in the current planning application site and the whole area currently occupied by the bowling club whereas only part of the bowling club site is included in the current application site.

3.3 Planning Background

3.3.1 There is no recent planning history directly relevant to the site. However, It should be noted that planning permission in principle was granted to ASDA Stores Ltd and Muse Developments for the erection of a Class 1 retail store with associated petrol filling station, car parking and other associated works on land adjacent to Larkhall Academy to the south of the site at the Planning Committee on 5 April 2011 (HM/09/0360).

3.3.2 As the current application site is identified in the SLLP as the preferred retail site, this application was a material consideration in terms of the assessment of the Asda proposal. Committee may recall that the approval of the Asda application was on the basis that it did not prejudice the consideration of this site which is identified in the local plan as a proposal for a foodstore.

4 Consultation(s)

- 4.1 **Environmental Services** – have no objections to the proposal subject to the inclusion of conditions requiring the submission of full details relating to the proposed ventilation system, dust mitigation measures, a contaminated land investigation and a condition specifying acceptable noise levels for the development. Informatives should also be included providing advice in relation to noise, demolition, asbestos removal, smoking shelters, pest control and other health and safety matters.
Response:- Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.
- 4.2 **Community Resources: Countryside & Greenspace** – The submitted bat survey confirms that the site has low potential as a bat feeding, roosting or hibernating site and that no evidence was found for the presence of bat species. It is considered that the report is acceptable and that its recommended mitigations and conclusions should be conditioned as part of any consent granted. Whilst the submitted landscape plan is generally acceptable in terms of the proposed specification of the various soft landscaping components there are some deficiencies in terms of boundary treatment, specifically the separation along the southern boundary of the site between the rear gardens and the access route to the properties in Neil Street is particularly weak. It appears from the proposed boundary treatment plan that this will comprise of a simple post and wire fence. It would be desirable to strengthen the treatment of this boundary to provide a more robust and defensible separation between the development and adjacent residential properties. The proposed new native hedgerow planting is welcomed and will introduce a modest amount of new biodiversity potential. This treatment could be extended further around the perimeter of the site (supplemented with additional tree planting) particularly in the area referred to above and adjacent to the properties at 87 to 95 Raploch Street to help strengthen the boundary and reinforce the separation between the development and adjacent residencies. It is welcomed that cycle parking facilities are to be provided and that pedestrian access into the site from Provostgate will be enhanced.
Response: Noted. Any consent granted would incorporate conditions requiring the submission of a landscaping scheme and details of boundary treatment for the Council's approval.
- 4.3 **Larkhall Community Council** – no response to date to the formal planning consultation.
Response:- Noted.
- 4.4 **Glasgow and the Clyde Valley Joint Structure Plan** – noted that the assessment of the application against strategic policies have been carried out and that the development and that the development of the site is in accordance with Strategic Policy 10.
Response: Noted.
- 4.5 **Roads and Transportation Services (Hamilton Area)** – have no objections to the food superstore and car park. The proposed parking addresses the Council's requirements and servicing is available, there is sufficient space to provide trolley and secure cycle storage facilities with good footway links. It should be noted that the footway link to Provost Gate is through land out with the applicants control and is not part of the public road network. Conditions should be attached to any consent requiring the provision of appropriate visibility splays, 250 car parking spaces and surface water trapping within the site. There is also a requirement for road works junction improvements.
Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.

- 4.6 **Roads and Transportation Services HQ (Transportation)** – following the submission and assessment of a Transport Assessment (TA) and supplementary information, they have no objections to the proposal subject to the inclusion of conditions requiring the submission of details relating to access, pedestrian crossing facilities and traffic signals, road safety features, cycle parking and cycle way connections throughout the site and linkages to the National Cycle Route, and a travel plan for the Council's approval. Thereafter, the approved works should be carried out to the Council's satisfaction.
Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.
- 4.7 **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. The applicant's attention should be drawn to a history of flooding to a residential property at Graham Place adjacent to the application site.
Response: - Noted. A copy of the Council's SUDS design criteria has been forwarded to the applicant and they have been advised of the above flooding matter.
- 4.8 **Regeneration Services** – have no objections to the proposal. In economic development and regeneration terms the development of a Class 1 food-store on this site will bring benefits in terms of job opportunities while potentially reducing the number of residents leaving the town to access such a facility. Due to the location close to the existing town centre the store will support the existing traders by enabling combined shopping trips thus retaining expenditure within the town centre. It is understood that satisfactory arrangements have also been put in place for the relocation and accommodation of the Larkhall Thistle Football Club and the bowling club who will both be affected by the development. Regeneration Services supports this application, as arrangements have been put in place to accommodate the existing occupiers and as a result of the support, in economic development terms, that the new store will potentially bring to the existing retail centre.
Response:- Noted.
- 4.9 **Scottish Water** – have no objections to the proposal subject to the provision of an acceptable sewerage system and a sustainable urban drainage system for the development. They have stated that Skellyton Waste Water Treatment Works currently has sufficient capacity to service the proposed development.
Response:- Noted. Any consent granted would incorporate conditions to ensure the provision of an acceptable sewerage system and a sustainable urban drainage system for the development.
- 4.10 **Strathclyde Partnership for Transport (SPT)** - the submitted Transport Assessment states that there are a number bus services operating on Church Street to east of the proposed development. There is potential to divert some of the existing commercially operated services along MacNeill Street and Raploch Street if adequate infrastructure is in place and potential patronage figures meet operators' expectations. If funding support were required, consideration should be given to establish an interim Section 75 Obligation with the developers. SPT's Bus Operations Department can advise impartially on all aspects of bus network planning and have contacts across the bus industry.
Response: Noted. It is considered that it would not be necessary for this matter to be addressed by a legal agreement and that any consent granted could incorporate appropriately worded conditions to ensure the submission and implementation of a public transport strategy for the Council's approval in consultation with SPT for bus service provision at the site.

4.11 **SEPA** – have no objections to the application subject to the provision of satisfactory sewerage and surface water systems and any issues in relation to contaminated land being addressed.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

4.12 **Sportscotland** – providing the football pitch and associated facilities are used only by the football club Sportscotland has no objection to the relocation of the facilities to elsewhere in the town on the following basis:

- (a) that the developer enters into a Section 75 Obligation with the Council which specifies the facilities that are to be provided at the new location (these to be at least commensurate with what exists at present) and that the new facilities are to be fully operational prior to any development on the application site which would prevent its use;
- (b) that Sportscotland has sight of the wording of the Obligation;
- (c) that the Obligation is completed prior to the issuing of any planning permission;
- (d) that if the pitch is used for training programmes or other community access, the new pitch should be in a location which is convenient for these users.

In relation to the bowling green, provided that acceptable replacement or compensatory facilities for those which are to be lost are provided within a stated timescale, Sportscotland has no objection to the application. As with the loss of the football pitch, Sportscotland would expect the delivery of these improvements to be secured by a Section 75 Obligation.

Response:- Noted. A Section 75 Obligation, in consultation with Sportscotland, would be concluded prior to any consent being issued in consultation with Sportscotland to address the matters raised above. This matter is discussed in detail in Section 6 of this report.

4.13 **Scotland Gas Networks** – have no objections to the proposal. They have highlighted the presence of their Low/Medium/Intermediate Pressure gas main in the proximity of the site. No mechanical excavations are to take place above or within 0.5 metres of the low pressure system, 2 metres of the medium pressure system and 3 metres of the intermediate pressure system.

Response:- Noted. This information will be forwarded to the applicant.

4.14 **West of Scotland Archaeology Service (WOSAS)** – have no objections to the application as no known archaeological issue is raised by the proposal.

Response:- Noted.

5 Representation(s)

5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under Article 12 (5) Due to the Nature or Scale of Development and under Non-Notification of Neighbours in the Hamilton Advertiser. Seventeen letters of objection were received in addition to one letter of comment. The grounds of objection are summarised as follows:

- (a) **The Tesco application is dependent on a footbridge being built between Caledonian Road and the new store, this should be conditional in the planning application for the sake of the retailers on Union Street.**

Response: As highlighted in Section 3.3 of the report, the site is identified as a foodstore proposal in the SLLP. The issue of providing a footbridge in

connection with this development was given consideration during the preparation of the SLLP however it is not a specific requirement of Policy COM4.

- (b) **Another supermarket store will have a negative impact on the current retail shops on Union Street.**

Response: The use of this site as a foodstore has already been established in the adopted SLLP and consideration of this issue took place at this time. In addition, an RIA has been submitted in support of the current application and this is considered in more detail in Section 6 of the report.

- (c) **There are concerns that the Tesco store is being squeezed into the Larkhall football club site which is not adequate to make any substantial impact on the leakage leaving Larkhall unlike the ASDA proposal. If any expansion of the store is planned the proposed car park will not be adequate and the surrounding roads will experience another increase in traffic causing more congestion problems.**

Response: It is acknowledged that the application site does not cover the whole area of land identified in the SLLP for a foodstore and therefore the proposed foodstore is smaller than anticipated in the local plan. However matters relating to retail capacity were considered in detail during the consideration of the Asda proposal (which has now been granted planning permission) and it was evident that due to the smaller size of store proposed by Tesco retail capacity remained to accommodate the Asda proposal as well. This is discussed in detail in Section 6 of this report. In relation to comments about any future expansion of the current store, each planning application is assessed on its own merits and the applicant has not given any indication that they may wish to expand the size of the store. Roads and Transportation Services are satisfied that the car parking required to serve the development can be accommodated within the site.

- (d) **Raploch Street and McNeil Street, which will be the main access roads for customers and delivery trucks to the store, are already busy and congested roads; this additional concentration of traffic and roadside parking will cause traffic problems and create a safety hazard for other motorists. The added congestion will have an effect on emergency services response times.**

Response: The proposals were the subject of a TA and Roads and Transportation Services are satisfied that sufficient car parking can be accommodated within the site and that that the proposal raises no access or road safety issues.

- (e) **The new store will overlook adjacent residential properties. This will lead to a loss of privacy and will impact on the enjoyment of homes and gardens.**

Response: I am satisfied that the proposed store would be located a sufficient distance away from existing residential properties to ensure that there is no adverse impact on the amenity of those residents in terms of overlooking or loss of privacy.

- (f) **The store and car park lighting will cause light pollution to adjacent properties.**

Response: Environmental Services raised no objection to the proposal in this regard. However, any consent granted would incorporate a condition

requiring the submission of details of proposed car park lighting for the Council's approval.

- (g) **The main entrance to the Tesco car park will be behind the gardens of adjacent properties causing noise disturbance, pollution and dust at all times of the day and night.**

Response: Environmental Services raised no objection to the proposal subject to the inclusion of conditions and informatives specifying acceptable noise levels for the development and the requirement for the submission of dust mitigation measures for the Council's approval. Any consent granted would incorporate appropriately worded conditions and informatives to address these matters.

- (h) **A major issue will be the recycling point which will be used by the public 24 hours a day causing noise disturbance.**

Response: The acoustic assessment submitted with the application recommended that the use of the recycling centre be restricted to between 7.00 am and 11.00 pm and any consent granted would incorporate conditions and informatives advising the applicant of acceptable noise levels for the development.

- (i) **An electrical substation is going to be sited behind residential properties. This substation should be moved as far away as possible from residential properties for health and safety reasons and due to the noise they produce.**

Response: Environmental Services raised no adverse comments in relation to the proposed substation and as discussed above any consent granted would incorporate conditions and informatives advising the applicant of acceptable noise levels for the development.

- (j) **With such a large area being paved and tarmac there are concerns that properties will be subjected to flood water running off the car park. The corner of the football pitch currently floods after rain fall, with the added tarmac this will not allow rain water to soak away so it will run off in the direction of adjacent dwellings.**

Response: Roads and Transportation Services (Flooding) raised no objections to the application subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document.

- (k) **The building will be visually overbearing and will be inappropriate in its design for this part of the town. Such a large building would be totally out of keeping with the neighbouring sand stone properties on McNeil Street, which are mainly smaller cottage style houses.**

Response: The proposed foodstore would be single storey in height. Whilst the building would be of a contemporary design I am satisfied that the store has been designed appropriately with a high standard of finish materials to ensure that it will not be out of keeping with the existing development in the area.

- (l) **An ATM cash machine is proposed for the site which will cause 24 hour traffic in and out of the Tesco car park causing noise disturbance even when the store is closed.**

Response: Neither Roads and Transportation nor Environmental Services raised any objections to the inclusion of the proposed ATM. Again, any

consent granted would incorporate conditions and informatives advising the applicant of acceptable noise levels for the development.

- (m) **Deliveries to the store can be carried out between 6 am and 11pm. It is unacceptable that a store in a residential area can have such early and late delivery times. Delivery trucks will have to negotiate the congested streets which were never designed for the size, scale and weight of traffic proposed.**

Response: The acoustic assessment submitted with the application recommended that deliveries be restricted between 7.00 am and 11.00 pm with the exception of two deliveries between 6.00 am and 7.00 am required for operational reasons. Neither Roads and Transportation nor Environmental Services raised any objection to the proposal in relation to delivery vehicles or delivery times.

- (n) **There are concerns regarding loitering youths driving cars in the car park at night, using it as a meeting place and private race track and causing anti-social behaviour. These are current problems at other stores.**

Response: Anti social behaviour would be a matter for the police to address.

- (o) **Hours of trading do not seem to be listed in the planning application. Residents will experience activity at the store from early in the morning until late at night. Will there be future consideration to opening the store 24 hrs?**

Response: The applicant anticipates that the store would trade between the hours of 7.00 am and 11.00 pm. However, if alternative hours were proposed these would have to be the subject of further consideration by the Planning Service.

- (p) **There are two different applications proposed for Larkhall (ASDA & Tesco). Tesco will create 150 jobs and ASDA will create 350 new jobs for local people, surely the ASDA offer is more appealing when considering new jobs.**

Response: The current planning application site is identified in the SLLP as being an acceptable location for a foodstore. However, the issue of whether or not there was scope to allow a further site to permitted retail use was considered during processing of the planning application for the Asda proposal. As noted in Section 3.4.1 of this report, planning permission in principle was granted to ASDA Stores Ltd and Muse Developments for the erection of a reduced scale Class 1 retail store with associated petrol filling station, car parking and other associated works at the Planning Committee on 5 April 2011(HM/09/0360). Further details examination of this issue is contained within Section 6 of the report.

- (q) **It is repeatedly reported by independent advisors that Tesco have higher prices than ASDA which will cause people still to travel to ASDA in Hamilton. The Tesco proposal will not be big enough or sited in an area convenient enough that it will convince people travelling from Lesmahagow, Stonehouse, Netherburn etc to divert there trip from ASDA Hamilton to Larkhall Tesco.**

Response: Again, the site has the benefit of being included in the adopted SLLP as a proposed foodstore and matters relating to retail capacity are discussed in detail in Section 6 of this report.

- (r) **The proposal will have a detrimental effect on the local independent economy, which will struggle to compete on both price and convenience with Tesco's economies of scale. These will be short term gains for Larkhall residents but in the long term people will regret the loss of the unique suppliers and outlets which differentiate Larkhall from other towns and give it its individual character. Larkhall will become another ghost town, its high street left to charity shops and transient retailers with little opportunity for real, organic, sustainable business.**

Response: A retail impact assessment was submitted for the proposal which concludes that the proposed store will not have an adverse impact on the vitality and viability of the town centre. This matter is discussed in detail in Section 6 of this report.

- (s) **The demolishing of the Larkhall football club sport grounds built in 1881 (the only Junior park to have hosted Scottish Junior Cup finals) will be very irresponsible of the Council. The fact that they will be removing sporting grounds from the centre of Larkhall will be limiting the catchment area for growing children and youths thus depriving them of sporting amenities. They will also be demolishing valuable Larkhall history.**

Response: Following detailed discussions between the applicant and the Council arrangements have been put in place to facilitate the re-location of the Football Club to an alternative site at Hareleeshill to the south east of Larkhall town centre. The development of the site for retail purposes would not commence until the Football Club has been relocated and enhanced facilities have been provided for Larkhall Bowling Club. As discussed, SportsScotland raised no objections to the proposal subject to these matters being addressed through the conclusion of a Section 75 Obligation.

- (t) **If the Tesco application is dependent on the relocation of Larkhall Thistle football club then why has the new football club site not been agreed. No planning application has been submitted to the Council.**

Response: As discussed above, the relocation of Larkhall Thistle Football Club to Hareleeshill has been agreed in principle by the parties concerned and will be subject to a separate planning application in due course.

- 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 This is a detailed planning application for the erection of a Class 1 food-store and formation of a car park and associated access within the site. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, all applications must be determined in accordance with the development plan unless 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 this instance the development proposals comprise 2 distinctive elements; firstly the development of the site for retail purposes and secondly the relocation of the existing use on site as a football club and alterations to an existing bowling club. These elements are considered in detail below.

Foodstore, formation of car park and associated access

- 6.3 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 a retail opportunity in Larkhall and in this instance, the Raploch Street site was identified as the preferred site and subsequently identified as a Retail/Commercial development opportunity in the adopted Local Plan. On this basis I am satisfied that the proposal complies with SPP in this regard.
- 6.4 As noted previously, Policy COM 4 of the local plan identifies the site as a retail/commercial development proposal. In identifying the site through the local plan process the Council took into account relevant policies of the Structure Plan. Whilst the site is not located within the town centre, but rather edge of centre, it may be argued that the proposal is not technically consistent with SP 1. However a further assessment of the site and the proposal against SP 6 and 9 concludes that it can be supported by the Structure Plan. Nonetheless, and for sake of completeness, the proposal was assessed against SP 10. In this regard it is considered that the proposal can be supported in terms of retail provision, and economic and social benefits. On this basis I am of the view that the proposal is supported by Structure Plan policies and this is consistent with the consultation response received from the Structure Plan Manager. It is noted that a detailed assessment under Policy COM 3 is set out below dealing with retail issues such as catchment area, retail capacity and impact.
- 6.5 In terms of local plan policy, there are a number of policies relevant to the assessment of the proposal. 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 a site to contribute to the vitality and viability of Larkhall town centre. 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.
- 6.6 Policy COM 4 – New Retail/Commercial Development Proposals 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 application site is identified as a development opportunity for a food-store in Table 5.3 and therefore the principle of this retail development is acceptable. In this regard the Structure Plan identified a surplus of expenditure in the Larkhall/Lesmahagow catchment area and in accordance the adopted Local Plan addressed the shortfall in floorspace through identifying the opportunity at Raploch Street. The proposal therefore accordingly complies with the terms of Policy COM 4.

6.7 Although the principle of development is accepted through the terms of Policy COM4, the proposal still requires to be assessed in terms of retail issues to ensure that it does not undermine the vitality and viability of the town centre and can be supported by the areas catchment population in line with the requirements of local plan Policy COM3. This assessment is detail below.

6.8 A detailed RIA was prepared by applicant's agent DPP and submitted in support of the retail proposals. A subsequent RIA Addendum was also submitted after a request by the Service for additional information. The RIA provides a review of existing shopping provision and is informed by a town centre health check. Larkhall town centre contains a wide and varied range of services which contribute to its vitality and viability.

6.9 The main operator for the superstore is Tesco and for the quantitative analysis the RIA has utilised turnover figures based on data from Verdict UK Food & Grocery Retailers (Sept 2010). The proposed retail store has the following floorspace split:

Superstore

Total Floorspace	3,370 sq. metres gross (2,359 sq. metres net)
Convenience	1,769 sq. metres net
Comparison	590 sq. metres net
(75:25 convenience/comparison split)	

6.10 Policy COM 3 – New Retail/Commercial Development Policy sets out the criteria to assess new retail development proposals and reflects the national and strategic policy framework for assessing new retail development. With regard to criterion (a) - the sequential approach has been undertaken in the RIA to assess town centre sites and it concluded that potential sites identified are not of sufficient size to accommodate a store of the appropriate size to supply the range and goods necessary to claw back expenditure leakage. I am satisfied that the sequential approach has been followed and, therefore complies with Local Plan Policy COM 3(a).

6.11 Local Plan Policy COM 3 criteria (b), requires that proposals do not undermine the vitality and viability of town, village or neighbourhood centres. In terms of cumulative impact, the RIA demonstrates that there will be 1% impact on Larkhall Town Centre which results in £4.23m being diverted from existing convenience stores. I do not consider that at this level it will undermine the vitality and viability of the convenience sector of Larkhall town centre. Otherwise, the impact is demonstrated to be on Asda, Hamilton, Hamilton Town Centre and Hamilton Retail Park convenience stores, which in total would divert trade of £11.86m in 2012, which is not considered detrimental. It should be noted that RIA does not include the recently consented Asda store, at Broomhill Road, Larkhall. In this regard should the ASDA consent be implemented, it is reasonable to conclude that it is more likely the impact on Hamilton stores will be reduced, as there will be trade diversion from the Asda store in Larkhall which is not accounted for in the RIA. From the Council's analysis the proposed Tesco store and consented Asda store can be accommodated within the catchment area without undermining the vitality and viability of Larkhall town centre and other centres such as Hamilton. I am satisfied that the proposed development accordingly complies with Local Plan Policy COM 3(b).

6.12 With regard to criteria (c) which requires the proposal to be supported by the areas' catchment population, the catchment area identified in the RIA Addendum covers Larkhall, Netherburn, Stonehouse, Ashgill, Ferniegair, and Allanton (ML9-1, ML9-2, ML9-3). The Council has undertaken its own analysis taking account of the

information provided in the retail assessments submitted by Tesco for this proposal and by Asda/ Muse Developments for the consented foodstore, Broomhill Road, Larkhall. The NEMS household shopping survey 2008, commissioned by Asda, confirms the validity of the catchment area ML9-1, ML9-2, ML9-3. On this basis the proposed Tesco and consented Asda stores can be accommodated without unacceptable impacts on the town centre.

- 6.13 In the applicant's RIA Addendum, the proposed turnover of the store's convenience goods sales is £21.17m with 100% being generated from the catchment area. The RIA Addendum states the available expenditure for the catchment area in 2012 is £53.07m, and that the turnover of existing convenience stores in the catchment area is £21.26m in 2012. In terms of the applicant's RIA Addendum the available capacity is therefore £31.81m.
- 6.14 The baseline data and assumptions differ between the retail assessments for Tesco and Asda proposals. While taking cognisance of these assessments, from the Council's own analysis the following points are noted. The turnover of existing convenience stores in Larkhall town centre is £15.6m in 2012. The consented Asda proposes a convenience turnover of £16.96m and as above Tesco proposes a convenience turnover of £21.17m. The total of these turnovers amounts to £53.73m which is very marginal more, than that set out in the applicant's RIA Addendum's available expenditure of £53.07m. The baseline data and assumptions used in retail assessments can vary by retail consultant. However, from the Council's own analysis I am of the view there is sufficient capacity to support the proposed Tesco store, which therefore complies with Local Plan policy COM 3(c). Furthermore, I am satisfied that the area's catchment population can support the proposed development and the consented Asda without threatening the vitality and viability of the town centres.
- 6.15 With regard to criteria (d) the proposal requires to complement regeneration strategies for the area. The Roderick MacLean Associates Ltd (RMA), Retail Capacity Assessment, August 2007 concluded that there is spare capacity in Larkhall to support a new supermarket of around 5,000 sqm gross floorspace. The proposal at Raploch Street site and the consent for Asda retail store amounts to 6,297sqm gross retail floorspace. This is an excess of the floorspace identified in the Council's Retail Capacity Assessment i.e. c. 5,000 sqm gross. However, having regard to the overtrading of stores identified in the RIA and supported by the recent NEMS survey it is considered that this combined floorspace will not be detrimental to the town centre. The quality of retail provision in Larkhall will also significantly improve with no significant threat to the vitality and viability of the existing convenience stores, and the proposal will complement the regeneration strategies for the area including the Larkhall Community Growth Area, thus complying with Local Plan Policy COM 3(d).
- 6.16 The proposed site is an edge-of-centre location, which is in close proximity to the town centre, and easily accessible by a choice of transport modes such as rail, bus and cycle and therefore complies with Local Plan policy COM 3(e).
- 6.17 With regard to the additional Local Plan policies relevant to the application site 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 which has 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 food-store where appropriate and to ensure the submission of a Travel Plan for further assessment. I am therefore satisfied that the proposals are compatible with the terms of Policy TRA1.

- 6.18 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. Conditions would be attached to any consent granted requiring the submission of details of the proposed cycle way connections through the site and its linkages to the National Cycle Route 74. In addition as the applicant has proposed a pedestrian route at the south eastern edge of the site leading to McNeil Street, conditions will be attached to ensure that this route is provided to an acceptable standard.
- 6.19 Policy TRA 4 – Bus Provision Policy seeks to ensure that developers of major developments will work with Strathclyde Partnership for Transport and bus operators to extend bus services and improve bus infrastructure at or in the vicinity of the site and on this basis the applicant would be required to prepare a public transport strategy for the Council's approval in consultation with Strathclyde Partnership for Transport and to implement the strategy prior to the opening of the development as appropriate. It is considered, therefore, 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.
- 6.20 In terms of design and layout issues, Policies ENV 30 and DM 1 are also relevant to the assessment of the application. These policies 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, layout and design of the proposed development is acceptable and that the foodstore has been designed appropriately to ensure that it is not out of keeping with the existing development in the area. I am satisfied that the development includes a high standard of finish materials and the proposal also incorporates an energy efficient design. It is considered that a sufficient amount of car parking and landscaping would be provided for the development and I am satisfied that the store and car parking would be positioned a sufficient distance away from existing residential properties to ensure that there will be no significant adverse impact to those properties in terms of overshadowing or loss of privacy. Furthermore, Roads and Transportation Services are satisfied with the conclusions and recommendations of the submitted Transport Assessment and consider that sufficient car parking can be accommodated within the site and that that the application raises no access or road safety issues. I am, therefore, satisfied that the proposal conforms with the terms of Policies ENV 30 and DM 1.
- 6.21 In relation to other material planning considerations, a total of 19 letters of representation were received in connection with the proposals. These are considered

in detail in Section 5 of the report and none of the concerns expressed in the 18 letters of objection were significant enough to warrant refusal of the application.

Relocation of existing football club facility and alterations to existing bowling club.

6.22 With regard to open space and physical activity, Scottish Planning Policy states that playing fields and sports pitches should not be redeveloped except where:

- the proposed development is ancillary to the principal use of the site as a playing field,
- the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training,
- the playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area, or
- a playing field strategy prepared in consultation with SportsScotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.

6.23 In addition, Circular 7/2007: Consultation on and Notification of Planning Applications for Outdoor Sports Facilities and Open Space 2007 states that planning authorities are required to consult SportsScotland on any application for planning permission for development which is likely to lead to the loss, or prejudice the use, of certain outdoor sports facilities (either in current use or last used for that purpose).

6.24 The application site incorporates a stadium and facilities associated with Larkhall Thistle Football Club and part of one of two bowling greens associated with Larkhall Bowling Club. In order to accommodate the development the proposal involves the re-location of the Football Club facilities and the loss of a single bowling green. In terms of assessing the proposal against the above Scottish Planning Policy it is considered that the existing sports facilities on the site would be replaced by facilities of an enhanced quality with greater benefit for sport in a location which is convenient for its users and which improves the overall playing capacity in the area.

6.25 With regard to the football stadium the applicant has been involved in detailed discussions with the Council to facilitate the re-location of the Football Club to an area of open space at Hareleeshill which is located to the south-east of Larkhall town centre. A separate planning application would be required to erect the new football stadium on this land and this application would require the provision of two Grade A grass football pitches for community use to replace and enhance the existing area of open space which currently occupies the site. The re-location and associated works would be controlled through the completion of a Section 75 Obligation which would be concluded prior to the issuing of any planning permission for the food-store development and would ensure that the new facilities would be fully operational prior to any development taking place on the application site at Raploch Street.

6.26 With regard to the loss of the bowling green, the applicant has confirmed that the Bowling Club are looking to down size their current accommodation to a single green

with an amalgamated clubhouse and locker room facility and the negotiations on these matters is nearing a conclusion. As with the loss of the football stadium, the delivery of these improvements would be secured through the proposed Section 75 Obligation. SportsScotland was consulted on the application and raised no objection to the application subject to the above planning obligation being concluded. In view of the above I am, satisfied that the proposal conforms with Scottish Planning Policy in this regard.

6.27 In conclusion, the proposal to develop the site for retail use is considered to conform with national, structure and local planning policies. The application is for a convenience retail development on an edge of centre site which is designated for retail/commercial use in the adopted South Lanarkshire Local Plan. It is considered that there is capacity within the catchment area to support this retail development and the recently approved ASDA proposal at Larkhall Academy, without threatening the vitality and viability of the town centre. Whilst issues relating to access and additional traffic generation have been matters of concern amongst local residents it is considered that these concerns can be addressed through the use of appropriate conditions. The site can be safely accessed with adequate levels of car parking provision and the proposal raises no significant environmental or infrastructure issues. Similarly the relocation of the football club and the alterations to the bowling club are compliant with SPP and will be the subject of a Section 75 Obligation to ensure that they are delivered. On this basis, I recommend that detailed planning permission be granted for the proposals.

7 Reasons for Decision

7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and conforms with Policies COM 3, COM 4, STRAT 1, TRA 1, TRA 2, TRA 4, ENV 30 and DM 1 of the adopted South Lanarkshire Local Plan. The proposal is also supported by Scottish Planning Policy in relation to Town Centres and Retailing and Strategic Policies 1, 6, 9 and 10 of the adopted Glasgow and the Clyde Valley Joint Structure Plan.

Colin McDowall
Executive Director (Enterprise Resources)

17 May 2011

Previous References

- ◆ HM/09/0360

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Environmental Services 25/11/09
 - Roads and Transportation Services (Hamilton Area) 05/02/10

Roads & Transportation Services (Transportation)	06/05/11
Roads & Transportation Services (Flooding)	15/01/10
Scottish Water	01/12/09
Glasgow and the Clyde Valley Joint Structure Plan	24/04/11
Community Resources: Countryside & Greenspace	25/11/09 & 28/04/11
Sportscotland	18/01/10 & 08/10/10
SEPA	15/01/10
WOSAS	24/11/09
Scotland Gas Networks	26/11/09
Strathclyde Partnership for Transport	27/04/11
Regeneration Services	09/05/11

► Representations

- Representation from : Yvonne Reid, 95 Raploch Street, Larkhall, ML9 1AJ, DATED 04/12/2009
- Representation from : Munro Reid, 95 Raploch Street, Larkhall, ML9 1AJ, DATED 04/12/2009
- Representation from : Colin and Leigh Jackson, 91 Raploch Street, Larkhall, ML9 1AJ, DATED 04/12/2009
- Representation from : SPT, Consort House, 12 West George Street, Glasgow, G2 1HN, DATED 26/11/2009
- Representation from : Mary A Brash, 24 Watson Street, Larkhall, ML9 1BT, DATED 26/11/2009
- Representation from : James Hutchens, 2 Provost Gate, Larkhall, ML9 1DN, DATED 07/12/2009
- Representation from : Isobel Waddell, 6 Mossblown Street, Larkhall, ML9, DATED 07/12/2009
- Representation from : Owner/Occupier, 7 Mossblown Street, Larkhall, ML9, DATED 07/12/2009
- Representation from : Graham Duncan, 6 Provost Gate, Larkhall, ML9 1DN, DATED 07/12/2009
- Representation from : Roy Jackson, Fairholm Orchard, Larkhall, ML9 1RB, DATED 07/12/2009

- Representation from : John and Davinia Hutton, 87 Raploch Street, Larkhall, ML9,
DATED 07/12/2009
- Representation from : Paul Tracey, 86 MacNeil Street, Larkhall, ML9 1BN, DATED
08/12/2009
- Representation from : Mrs M McKillop, 84 McNeil Street, Larkhall, ML9 1BN,
DATED 03/11/2009
- Representation from : John & Phyllis Cameron, 68 McNeill Street, Larkhall, ML9
1BN, DATED 03/11/2009
- Representation from : John Morgan, 5 Provost Gate, Larkhall, ML9 1DN, DATED
03/11/2009
- Representation from : Laura Ross, 11 Moseblown Street, Larkhall, ML9 1BZ,
DATED 03/12/2009
- Representation from : Grace McGhee, 76 McNeill Street, Larkhall, ML9 1BN,
DATED 03/11/2009
- Representation from : Mrs Hayley Duncan, 6 Provost Gate, Larkhall, ML9 1DN,
DATED 07/12/2009

Contact for Further Information

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

Jim Blake, Planning Officer, Brandon Gate, Hamilton
Ext 3508 (Tel :01698 453508)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- This decision relates to drawing numbers:
- 1 1130 (PL) 002
1130 (PL) 003
1130 (PL) 004
1130 (PL) 005
1130 (PL) 006
1130 (PL) 007
1130 (PL) 008
1130 (PL) 009
1130 (PL) 010
1130 (PL) 011
SK/1/06 Rev C
SK/1/13 Rev B
SK/1/14
 - 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
 - 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
 - 4 That before 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 occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
 - 6 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
 - 7 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 6 above, shall be erected and thereafter maintained to the satisfaction of the Council.

- 8 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 a sewerage scheme designed in accordance with Scottish Water's standards.
- 9 That the development shall not be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 10 That before the development hereby approved is completed or brought into use, 240 no. parking spaces shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 11 That before the development hereby approved is completed or brought into use, a visibility splay of 9 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 12 The surface of the 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.
- 13 That the recommended mitigations and conclusions detailed in the submitted Bat Appraisal undertaken by TMCC in 2009 shall be implemented to the satisfaction of the Council as Planning Authority.
- 14 That the Class 1 retail store hereby approved shall not exceed 3,370 sq. metres (gross) floor area, with a maximum net sales floor area of 2,359 sq. metres. For the avoidance of doubt and notwithstanding the proposed provision in the Planning etc. (Scotland) Act 2006 a mezzanine floor will require planning permission.
- 15 That prior to the opening of the retail store, construction of the new priority junction access point on Raploch Street shall be undertaken to the satisfaction of the Council as Planning and Roads Authority generally in accordance with drawing no. 1130 (PL) 003.
- 16 That prior to the opening of the retail store, details of the upgrading of the pedestrian link to the store from Provost Gate shall be submitted for the approval of the Council as Planning and Roads Authority and thereafter implemented by the applicant to the Council's satisfaction.
- 17 That prior to the opening of the retail store, details of the proposed connections to National Cycle Route 74 from London Street to Millheugh Bridge shall be submitted for the approval of the Council as Planning and Roads Authority.
- 18 That unless otherwise agreed, prior to the opening of the retail store, the approved cycle route National Cycle Route 74 connections shall be implemented to the satisfaction of the Council as Planning and Roads Authority.
- 19 That prior to the opening of the retail store the proposed traffic signal design for the junction Duke Street / Drygate / Wellgate shall be submitted for approval of the Council as Planning and Roads Authority generally in accordance with drawing no.

SK/1/14.

- 20 That unless otherwise agreed, prior to the opening of the retail store, the approved traffic signal design for the signals at Duke Street / Drygate / Wellgate shall be constructed and SCOOT implemented to the satisfaction of the Council as Planning and Roads Authority.
- 21 That prior to the opening of the retail store the proposed traffic signal design for the junction Duke Street / Muir Street / Burnside Place shall be submitted for the approval of the Council as Planning and Roads Authority generally in accordance with drawing no. SK/1/06 Rev C.
- 22 That unless otherwise agreed, prior to the opening of the retail store, the approved traffic signal design for the signals at Duke Street / Muir Street / Burnside Place shall be constructed and SCOOT implemented to the satisfaction of the Council as Planning and Roads Authority.
- 23 That prior to the opening of the retail store the proposed traffic signal design for the junction Muir Street / Church Street / McNeil Street shall be submitted for the approval of the Council as Planning and Roads Authority generally in accordance with drawing no. SK/1/13 Rev B.
- 24 That unless otherwise agreed, prior to the opening of the retail store, the approved traffic signal design for the signals at Muir Street / Church Street / McNeil Street shall be constructed and SCOOT implemented to the satisfaction of the Council as Planning and Roads Authority.
- 25 That unless otherwise agreed, prior to the opening of the retail store, the implementation of SCOOT control measures shall be implemented at the traffic signal junction Church Street / Machan Road / Broomhill Road to the satisfaction of the Council as Planning and Roads Authority.
- 26 That unless otherwise agreed, prior to the opening of the retail store SCOOT control measures shall be implemented at the traffic signal junction London Street / Wellgate Street / Union Street / Raploch Street to the satisfaction of the Council as Planning and Roads Authority.
- 27 That unless otherwise agreed, prior to the opening of the retail store SCOOT control measures shall be implemented at the controlled pedestrian crossings on Union Street to the satisfaction of the Council as Planning and Roads Authority.
- 28 That the design and layout of all new infrastructure and improvements shall be in accordance with the "Design Manual for Roads and Bridges" and the Council's "Guidelines for Development Roads" unless otherwise agreed by the Council as Planning and Roads Authority.
- 29 That prior to the opening of the retail store a Travel Plan shall be submitted for the consideration and detailed approval of the Council as Planning and Roads Authority and any measure to reduce car trips shall be implemented and thereafter monitored as specified by the Council as Planning Authority.
- 30 That prior to the opening of the retail store a transport strategy detailing the frequency and routing of new/amended bus services shall be submitted for the consideration and detailed approval of the Council as Planning Authority in discussion with Roads and Transportation Services and Strathclyde Partnership

for Transport. The strategy shall include public transport infrastructure (bus stops and shelters), travel information to ensure users are aware of pedestrian, cycle and public transport provision which shall also include for the provision of real time information unless otherwise agreed by the Council.

- 31 That before any development is operational on the site the recommendations of the public transport strategy, outlined in Condition 30 above, shall be implemented to the satisfaction of the Council as Planning and Roads Authority.
- 32 Before the development is brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The development shall not be brought into use until the ventilation systems are operational in accordance with the approved details.
All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.
The ventilation system shall:
- a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.
 - b) Be constructed by employing best practical means to minimise noise and vibration transmission via plant and the building structure.
 - c) Noise associated with the business shall not give rise to a noise level, assessed with the windows closed, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.
- 33 Prior to the development being brought into use, details of the storage of waste arising from the commercial activity shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.
- 34 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 35 Between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90(1/2hour)) by more than 4dB (A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
Between the hours of 2000 and 0800 the noise emitted from the premises (LAeq (5mins)) shall not exceed the pre-existing background noise level (L A90 (1/2hour)) by more than 4dB(A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
- 36 (a) Prior to commencement of any works 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'.

(b) 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.

(c) 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.

- 37 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 38 That notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, no fascia signs, adverts or projecting signs shall be erected on the premises without the prior written consent of the Council as Planning Authority.
- 39 That no development shall commence until details of the proposed car park lighting have been submitted to and approved in writing by the Council as Planning Authority.
- 40 That unless otherwise agreed with the Council, the trading hours for the food-store shall be limited to between 7.00 am and 11.00 pm.
- 41 That unless otherwise agreed with the Council, deliveries to the food-store shall be limited to between 7.00 am and 11.00 pm with the exception of two deliveries between 6.00 am and 7.00 am .

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 interests of amenity and in order to retain effective planning control.
- 4 In the interests of the visual amenity of the area.
- 5 In the interests of amenity.
- 6 These details have not been submitted or approved.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 To ensure the provision of a satisfactory sewerage system.
- 9 To ensure the provision of a satisfactory sewerage system.
- 10 To ensure the provision of adequate parking facilities within the site.

- 11 In the interest of road safety
- 12 In the interest of public safety
- 13 To ensure there is no adverse impact on protected species.
- 14 In order to retain effective planning control.
- 15 In the interest of public and road safety.
- 16 These details have not been submitted or approved.
- 17 These details have not been submitted or approved.
- 18 In the interest of public and road safety and to encourage sustainable travel to and from the development.
- 19 These details have not been submitted or approved.
- 20 In the interest of road safety.
- 21 These details have not been submitted or approved.
- 22 In the interest of road safety.
- 23 These details have not been submitted or approved.
- 24 In the interest of public and road safety.
- 25 In the interest of public and road safety.
- 26 In the interest of public and road safety.
- 27 In the interest of public and road safety.
- 28 In the interest of public and road safety.
- 29 To encourage sustainable travel to and from the development.
- 30 To encourage sustainable travel to and from the development.
- 31 To encourage sustainable travel to and from the development.
- 32 To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.
- 33 To minimise nuisance, littering and pest problems to nearby occupants.
- 34 To minimise the risk of nuisance from dust to nearby occupants.
- 35 To minimise noise disturbance to adjacent occupants.
- 36 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 37 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.
- 38 In the interests of amenity and in order to retain effective planning control.
- 39 These details have not been submitted or approved.
- 40 To safeguard the amenity of the area.
- 41 To safeguard the amenity of the area.

For information only

For information only

