DEPARTMENT OF PLANNING AND DEVELOPMENT

Planning Applications for consideration of Planning and Development Committee

Committee Date: 6th May 1998

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APPLICATIONS FOR PLANNING AND DEVELOPMENT COMMITTEE 6th May, 1998

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C/98/00296/FUL (P) Section 75 Agreement
Application No: N/97/00291/OUT
Date Registered: 17th. October 1997
APPLICANT: TRUSTEES OF JAMES HARTLEY, c/o J. KIRKHOPE, 3 DROVE HILL, CUMBERNAULD G68 9DL
Agent: John Kirkhope Architects, 3 Drove Hill, Cumbernauld G68 9DL
DEVELOPMENT: RESIDENTIAL DEVELOPMENT IN OUTLINE FOR FIVE DWELLINGS
LOCATION: LAND TO WEST, NORTH AND EAST OF 'HEATHERYKNOWE', HIGH BARRWOOD, KILSYTH
Ward No: 65
Grid: 272835 677837
File Reference: PW
Site History: None
Development Plan: Residential policy area HG3 Kilsyth Local Plan Finalised Draft 1996.
Contrary to Development Plan: No
CONSULTATIONS:
Objection: East of Scotland Water, West of Scotland Water, SEPA
No Objection:
No Reply:
Conditions:
REPRESENTATIONS:
Neighbours: One letter from Cluttons Surveyors representing the estate of Sir Archibald Edmonstone
Newspaper Advert: N/A
COMMENTS: This application seeks outline approval for the development of five residential plots on land to the West, North and East of the property known as 'Heatheryknowe', High Barrwood Road, Kilsyth.

The enclosed report outlines the background and detail relating to the application and an appraisal of the issues raised. It is considered that the proposal for five residential plots is acceptable in terms of density and proposed vehicular access and is appropriate for this residential area. I would therefore recommend that planning permission be granted subject to conditions.

RECOMMENDATION: Grant subject to the following conditions:-

1. That/
1. That the development hereby permitted shall be started, either within five years of the date of this permission, or within two years of the date on which the last of the reserved matters are approved, whichever is the later.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before development starts, a further planning application shall be submitted to the Planning Authority in respect of the following reserved matters:

   a) The siting, design and external appearance of all buildings and other structures;
   b) The layout of the site, including all roads, footways, and parking areas;
   c) The details of, and timetable for, the hard and soft landscaping of the site;
   d) The design and location of all boundary walls and fences;
   e) The provision for loading and unloading of all goods vehicles,
   f) The phasing of the development;
   g) The provision of drainage works;
   h) The disposal of sewage to the satisfaction of West of Scotland Water and SEPA
   i) Details of existing trees, shrubs and hedgerows to be retained;
   j) Details of existing and proposed site levels.

Reason: To enable the Planning Authority to consider these aspects in detail.

3. That within three years of the date of this permission, an application for approval of the reserved matters, specified in condition 2 above, shall be made to the Planning Authority.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

4. That the total number of dwellinghouses within the site shall not be more than five (5).

Reason: To safeguard the amenity of the area and define the use of the site.

5. That the design of the dwellinghouses hereby permitted shall reflect and complement the local character of the surrounding area in scale and use of building materials.

Reason:
-3-

Reason: To safeguard the residential amenity of the area.

6. That no dwellinghouse shall be occupied until the access road and footways leading thereto from the existing public road have been constructed to wearing course level.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.

7. That this outline approval is for a proposed layout with three plots to the east of 'Heatheryknowe' and two plots to the west served by two separate vehicular accesses from High Barrwood Road and constructed to the prescribed Council standards.

Reason: To safeguard the residential amenity of the area and define the use of the site.

8. All foul drainage from the site must be connected to the main foul sewer and must include the provision of pumping facilities with an emergency overflow to a suitable watercourse.

Reason: In order to satisfy the requirements of West of Scotland Water and the Scottish Environmental Protection Agency.

List of Background Papers:

Application form and plans
Kilsyth Local Plan 1996 Finalised Draft

Any person wishing to inspect these documents should contact Paul Williams on 01236-616464.
APPLICATION NO: N/97/00291/OUT

1. SITE AND PROPOSAL

1.1 This application has been submitted by John Kirkhope, Architect, on behalf of the Trustees of James Hartley for the development of five residential plots in outline. The application site is to the North, East and West of the property known as 'Heatheryknowe', High Barrwood Road, Kilsyth. The site covers an area of approximately 0.2 of a hectare.

1.2 Heatheryknowe is a single storey property which was built some 70 years ago on a traditional 'couch' agricultural holding. The site is surrounded to the east and west by residential plot developments which have been erected in the last 15 years. The site is covered by Housing Policy 3 in the Kilsyth Local Plan Finalised Draft 1996 which allows for residential development subject to the appropriate standards.

2. CONSULTATIONS AND OBJECTIONS

2.1 West of Scotland Water, East of Scotland Water and SEPA have been consulted and all have expressed no objections to the proposal. The Transportation section of my Department have been consulted and consider that the proposal is acceptable. This is based on three dwellings served off a separate vehicular access to the East of Heatheryknowe and two dwellings served off a further separate access to the West. Both accesses would be subject to the appropriate roads engineering standards in terms of visibility splays, surface width and general treatment.

2.2 A letter was received from Cluttons Surveyors representing the interests of the Sir Archibald Edmonstone estate who claim ownership of High Barrwood Road. They indicated that any further use of High Barrwood Road will require the specific consent of the landowner. This consent is being sought by Mr. J. Kirkhope, agent for this application who has confirmed that a legal right of access from High Barrwood Road is written into the Title Deeds for the application site.

2.3 The original submission was for six residential plots which was considered to be an excessive number for the application site. The proposal was therefore amended to five plots, with three plots to the East of 'Heatheryknowe' and two to the West served by two separate vehicular accesses onto High Barrwood Road. This amended proposal was formulated on the advice and approval of the Transportation Section of my Department.

3. OBSERVATIONS AND CONCLUSION

3.1 The proposal is therefore considered to be acceptable in terms of vehicular access as described in 2.3 provided that they are constructed to the appropriate standards as prescribed.

3.2 It is also considered that the site can adequately accommodate five residential plots without detriment to the existing surrounding residences subject to the submission of the appropriate detailed proposals. The proposal therefore complies with Housing Policy 3 which covers the site.

3.3 I therefore consider that this proposal is acceptable, and would recommend that this application be granted planning permission subject to conditions.
Application No: N/97/00294/FUL
Date Registered: 8 January 1998
APPLICANT: MR & MRS A WILLIAMS
Agent: I.P.M.(B.Eng) Ltd
DEVELOPMENT: ALTERATIONS AND EXTENSION TO EXISTING COTTAGE
LOCATION: WESTER DULLATUR FARM, DULLATUR.
Ward No: 63
Grid Reference: 274149 677116
File Reference: MT
Site History: 93/0034/PL- Permission granted for the conversion of an existing outbuilding to a dwellinghouse.

Development Plan:
Kilsyth Local Plan 1983
Policy E5 - greenbelt
Kilsyth Local Plan(Finalised Draft) 1996
Policies 1-4,6 - greenbelt, BE 10 - Antonine Wall Amenity Zone.
Forth and Clyde Canal Local Subject Plan 1988
Policy 35 - land use

Contrary to Development Plan: Yes

CONSULTATIONS:
Objection: East of Scotland Water, S.E.P.A
No Objection: Historic Scotland, West of Scotland Archaeological Service
Conditions: No Reply:

REPRESENTATIONS:
Neighbours: Contrary to Development Plan
Newspaper Advert:

COMMENTS:
The proposal involves the alteration and extension to an existing building, described by the applicant as an existing cottage. It is proposed to extend the building, which currently consists of a single room of dimensions 4.8m by 4.4m to create a three bedroom dwellinghouse. The extended accommodation would represent a six fold increase in the floor area of the existing building, which would form a bedroom within the dwellinghouse.

The application site is located within the designated greenbelt and as such a presumption exists against further residential development unless it can be shown to be in the interests of agriculture or other uses appropriate to a rural area. Strict development limitations apply to any proposals within this area.

The applicant has failed to show that the existing building constitutes
an existing dwelling. Accordingly the proposal represents the creation of a new dwelling for which no justification has been provided. Furthermore the scale of the proposed extension would dominate and overwhelm the existing building and is unacceptable.

**RECOMMENDATION:** Refuse for the undernoted reasons:-

1. The current proposal, for which no locational need has been established, would not be in accordance with Policy E5 of the Kilsyth Local Plan which states:

   "There will be a general presumption against any development which is not directly related to basic rural land uses such as agriculture..."

   No claim has been submitted by the applicant that a locational need exists for the creation of a new dwelling and therefore no justification has been presented which would allow the Council to set aside established green belt policy.

2. In the interests of amenity since the proposal would increase the existing accommodation by 600% whilst increasing the existing ridge height by 2.0 metres and would thereby overwhelm the scale and design of the existing building.

3. The proposal, if approved, would be likely to encourage further applications for similar developments which would be unacceptable for the reasons stated above in that the cumulative effect of such proposals would be likely to undermine the Council's green belt policy.

**Background Papers**

Application form and plans  
Kilsyth Local Plan 1983  
Kilsyth Local Plan(Finalised Draft) 1996  
Forth and Clyde Canal Local Subject Plan 1988

Any person wishing to inspect these documents should contact Moray Thomson on 01236-616463.
APPLICATION NO. N/97/00294/FUL

1. PROPOSAL AND SITE

1.1 The application description states that the proposal is to carry out alterations and extension of an existing cottage at Wester Dullatur farm. The application site falls within the designated greenbelt as defined within the Kilsyth Local Plan and its proposed replacement, which is in the form of a finalised draft. Policy E5 states:

"There will be a general presumption against any development which is not directly related to basic rural land uses such as agriculture..."

1.2 Policies GB 1-4,6 and BE10 as contained within the Kilsyth Local Plan (Finalised Draft) are also applicable.

1.3 Policy GB2 restates the general presumption against development within the greenbelt, whilst Policy GB3 specifically presumes against residential development unless shown to be in the interests of agriculture or other uses appropriate to a rural area. Policy GB4 contains a presumption in favour of the restoration and renovation of existing redundant buildings which are of some vernacular interest, however this presumption is further qualified with respect to any extensions proposed as part of restoration being of an appropriate scale and design relative to the existing building.

1.4 Policy BE10 contains a presumption against development within the Antonine Wall Amenity Zone which could adversely affect the setting of the wall.

1.5 The application site also falls to be considered in terms of the Forth and Clyde Canal Local Subject Plan. Policy 35 presumes against proposals within the plan area not compatible with the objective of protecting and improving the recreational and navigational amenity of the canal.

1.6 The proposal effectively represents the creation of a new dwelling within the greenbelt. As no justification exists the proposal is contrary to greenbelt policy as contained in both the current adopted local plan and the finalised draft local plan.

2.0 OBSERVATIONS

2.1 The proposal under consideration the addition of a substantial extension to an existing building to create a three bedroom dwellinghouse. The applicant asserts that the existing building, a small bothy comprising a single room and extending to approximately \(20 \text{ m}^2\) in floor area was, until 1989 occupied on a permanent basis. It was further stated that an outside toilet which had served the building had been demolished following the cessation of occupation. In view of the size of the building and absence of the basic facilities normally associated with a dwellinghouse, the applicant was requested to submit both documentary and if possible anecdotal evidence to substantiate the claim. The further information requested has not been forthcoming and on the basis of the physical evidence, the building cannot readily be considered as a dwellinghouse. Furthermore, even if it were established that the building was formerly in use as a dwellinghouse, the circumstances suggest that the use in any event has been abandoned. In particular, the time which has elapsed since the stated last date of occupation of 1989 in conjunction with the removal of the toilet is suggestive of a lack of intention to resume the use of the building as a dwelling and inconsistent with the retention of the right to resume that use. All in all the building cannot be considered as a dwellinghouse. The proposal to form an extended dwelling therefore necessarily involves the formation of a new dwellinghouse, for which no justification exists.

2.3 Notwithstanding the greenbelt policy considerations, the form of the extension is unacceptable and inappropriate in terms of both its scale and form. In particular, the proposed extension would increase the present floor area by approximately 600% which, in conjunction with the removal of the
existing roof and the construction of a new roofs over the original building and extension, the main ridge of which is approximately 2.0 metres higher than the existing ridge line, would result in the extension dominating the existing building. In addition, the essentially rectilinear form of the proposed extension, which increases the width of the front elevation by approximately 375% further adds to the incongruity of the extension which owes little to the pertinent design features which characterise the original building.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 The consultation responses from East of Scotland Water, The Scottish Environmental Protection Agency and the Transportation Manager do not raise any particular issues.

3.2 Historic Scotland indicate that aspects of the proposal have the potential to affect the scheduled area of the Antonine Wall, however these matters are capable of resolution through negotiation and conditions, if appropriate. West of Scotland Archaeological Service, North Lanarkshire Council’s own archaeological advisors are of the view that the proposal is unlikely to raise direct archaeological issues.

3.3 The consultation responses suggest that the issues raised are capable of resolution by condition if necessary.

3.4 No representations have been received.

4.0 DISCUSSION AND CONCLUSION

4.1 The Kilsyth Local Plan of 1983 and its proposed replacement, the finalised draft of 1996, both reflect the intentions of greenbelt policy which exists at national, strategic and local levels. The intentions of the policy are clear and inescapable and it contains a strong presumption against development unless the proposal falls within one of the specific exceptions. The applicant has not suggested that any locational need exists for the creation of a new dwelling at the farm and accordingly the proposal is contrary to the above policy.

4.2 Notwithstanding the greenbelt policy considerations, the proposal is inappropriate in terms of both its scale and form.

4.3 Section 25 of the Town and Country Planning(Scotland) Act 1997 requires that the application is determined in accordance with the development plan unless material considerations indicate otherwise. In this case the material considerations do not justify setting aside the terms of the development plan and accordingly the application, which is contrary to green belt policy, should be refused.
Application No: N/98/00217/FUL
Date Registered: 13th February 1998
APPLICANT: WEST OF SCOTLAND HOUSING ASSOCIATION
33 TURNBULL STREET
GLASGOW
G1 5PR
Agent: Anderson Christie Architects
382 Great Western Road
Glasgow
G4 9HT

DEVELOPMENT: REHABILITATION OF PROPERTIES AT 23-29 MAIN STREET
AND CHANGE OF USE FROM FLAT TO COMMERCIAL
PREMISES AT 27A MAIN STREET AND CHANGE OF USE
FROM 1 MAISONETTE TO 2 FLATS AT 31 MAIN STREET

LOCATION: 23-31 MAIN STREET, KILSYTH
Ward No: 65
Grid Reference: 271774 677852
File Reference: SD

Site History: No known history for application site
Development Plan: Kilsyth Local Plan adopted 1983
Kilsyth Finalised Draft Local Plan approved Jan 1996

Contrary to Development Plan: No

CONSULTATIONS:
Objection:
No Objection: West of Scotland Water, East of Scotland Water
Conditions:
No Reply:

REPRESENTATIONS:
Neighbours: No response
Newspaper Advert: No response to newspaper advert

COMMENTS: The application is for the rehabilitation of the properties at 23-31 Main Street, Kilsyth. This application forms part of the Housing Action Area proposals for Kilsyth Town Centre and is related to applications N/98/00219/FUL and N/98/00278/CON which are also
under consideration at this Committee. The application site lies within the Town Centre and Conservation Area and the proposal has therefore been advertised. No objections or adverse representations have been received.

The works involve stone cleaning and repairs, re-roofing and the replacement and repair of windows and fascias as well as other structural repairs and upgrading of facilities. Traditional designs, specifications and materials are to be used.

This proposal will represent an improvement in both the standard of accommodation and the visual appearance of the Town Centre. It is, therefore, recommended that planning permission be approved.

**RECOMMENDATION:**

Grant subject to the following conditions:

1. That the development hereby permitted shall be started within five years of the date of this permission.

   **Reason:** To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That a 1 metre square sample panel of the proposed stone cleaning on an inconspicuous part of the building shall be prepared for inspection, to be approved in writing by the Planning Authority, including any modifications as may be required, before the start of the work.

   **Reason:** To safeguard the future of the building and to enable the Planning Authority to retain effective control.

3. That before the development hereby permitted starts, samples of the natural slate to be used for roofworks and natural stone to be used for repairs shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

   **Reason:** In the interest of amenity, to preserve the character of the Conservation Area and to enable the Planning Authority to retain effective control.

4. That a fully detailed schedule of the extent of stonework repairs necessary and details of the treatments proposed shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required, before such work begins.
Reason: In the interest of amenity, to preserve the character of the Conservation Area and to enable the Planning Authority to retain effective control.

5. That any repointing of stonework shall be carried out in lime mortar, avoiding surface smearing of the stone, to the satisfaction of the Planning Authority.

Reason: To safeguard the future of the building and the amenity of the Conservation Area.

6. That all replacement windows shall be traditional, painted timber, sliding sash and casements, to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the building and the Conservation Area.

7. That all gutters and downpipes shall be of cast iron or cast aluminium with a painted finish, to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the building and the Conservation Area.

8. That before the development hereby permitted starts, details of the final colours of all external paintwork shall be submitted to, and approved in writing by, the Planning Authority, including any modifications as may be required.

Reason: In the interest of the amenity of the building and the Conservation Area and to enable the Planning Authority to retain effective control.

9. That before the development hereby permitted starts, a sample of the external render shall be provided for, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: In the interest of the amenity of the building and the Conservation Area and to enable the Planning Authority to retain effective control.

10. That all roof vents shall be recessed into the plane of the roof on which they are positioned, to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the building and the Conservation Area.
11. That all new and replacement leadwork shall be carried out in the appropriate Code of Lead, in accordance with the Guidelines of the Lead Development Association, to the satisfaction of the Planning Authority.

Reason: To safeguard the future of the building and in the interest of the amenity of the building and the Conservation Area.

12. That any damage to the surface of the Main Street pedestrian area arising from these works shall be repaired at the expense of the developer within three months of the completion of the works, to the satisfaction of the Planning Authority.

Reason: In the interest of pedestrian safety and the amenity of the Conservation Area.

**LIST OF BACKGROUND PAPERS:**
- Application Form and Plans
- Kilsyth Local Plan adopted 1983
- Kilsyth Local Plan (Finalised Draft) approved January 1996
- Consultation Responses:
  - West of Scotland Water dated 9/3/98
  - East of Scotland Water dated 26/3/98

Any person wishing to inspect these documents should contact Sandra Davies at 01236-616466.
APPLICATION NO.: N/98/00217/FUL

1. PROPOSAL AND SITE
1.1 This application forms part of the Housing Action Area proposals within Kilsyth Town Centre and Conservation Area. It involves the complete rehabilitation of the commercial and residential properties at nos. 23, 25, 27 and 29 Main Street. The proposals also include a change of use to allow the expansion of the existing commercial use at 27 into the flat above (27A) and the subdivision of the maisonette at 31 Main Street into two flats. The application site lies within an area covered by Town Centre and Conservation Area policies as defined by both the Kilsyth local plan adopted April 1983 and the Kilsyth Local Plan (Finalised Draft) approved January 1996. The proposal is in accordance with local plan policy.

2. CONSULTATIONS AND OBJECTIONS
2.1 East of Scotland Water have advised that the commercial water will require to be metered. The architect has advised that these are to be internally housed. West of Scotland Water have no objections to the proposal.

2.2 The Scottish Civic Trust and the Architectural Heritage Society of Scotland were both consulted in relation to this application. The issues they have raised are noted below
- the number of slate vents proposed for the roofs and their obtrusive nature at 69 to 79 Main Street
- the proposed rendering of all the existing chimney stacks and stone piers
- where possible original windows and glass should be repaired rather than replaced.

2.3 The application has been advertised and no objections to the proposal have been received.

3. OBSERVATIONS
3.1 The works involve the re-roofing of the properties in natural slate and the addition of roof vents. The vents require to be recessed into the roof in order to minimise their visual appearance. Most of the existing chimneys are to be repaired, but two stacks on the rear elevation which are in particularly poor condition will be removed.

3.2 Stone repairs are to be carried out on the buildings. At 23-25 Main Street it is proposed that a test cleaning of the existing paint on the stone is to be carried out in order to assess if any damage to the stone will be caused by the paint removal. If this proves unsuccessful then the frontage is to be rendered. Further rendering is to take place at the rear of the buildings. New marine plywood fascias are to be erected on the shopfronts. Most of the windows are to be replaced with timber sash and casements windows. However, there are a few windows on the rear elevation which are to be repaired and restored.

3.3 The change of use at 27A allows the expansion of an existing business whilst the subdivision of 31 provides an additional residence within the central area while assisting the owner with funding his share of the cost of the works.
4. CONCLUSION
4.1 This proposal will lead to an improvement in the appearance of the Conservation Area and an improvement in the standard of living accommodation and commercial property within Kilsyth Town Centre. It is, therefore, recommended that planning permission be approved.
Application No: N/98/00219/FUL
Date Registered: 4th March 1998
APPLICANT: WEST OF SCOTLAND HOUSING ASSOCIATION
33 TURNBULL STREET
GLASGOW
G1 5PR
Agent: Anderson Christie Architects
382 Great Western Road
Glasgow
G4 9HT
DEVELOPMENT: REHABILITATION OF PROPERTIES AT 69-79 MAIN STREET AND ERECTION OF RESIDENTIAL DEVELOPMENT CONSISTING OF 1 HOUSE AND 4 FLATS
LOCATION: 69-79 MAIN STREET, 83-87 MAIN STREET AND 3 BACKBRAE STREET
Ward No: 65
Grid Reference: 271723 677950
File Reference: SD
Site History: No known history for application site
Development Plan: Kilsyth Local Plan adopted 1983
Kilsyth Finalised Draft Local Plan approved Jan 1996
Kilsyth Local Plan Finalised Draft Changes Document February 1998
Contrary to Development Plan: Partly Contrary
CONSULTATIONS:
No Objection:
Conditions:
No Reply:
REPRESENTATIONS:
Neighbours: No response
Newspaper Advert: No response to newspaper advert
COMMENTS: This application is for the rehabilitation of the residential and commercial properties at 69-81 Main Street and the erection of a residential development at 83-87 Main Street and 3 Backbrae Street. The proposal is part of the wider Housing Action Area proposals for
N/98/00217/FUL and N/98/00278/CON also under consideration at this Committee.

The new build proposal involves the loss of some retail space which is contrary to policies contained within the Kilsyth Local Plan. However, the current retail vacancy rate within the Town Centre has to be considered and the proposed new build has been designed in such a way that the lower floor could be converted into shops should demand for retail units increase. The design of the new build, although modern, compliments the existing area in terms of scale and massing. The proposed development will make a positive contribution to the townscape and the incorporation of traditional materials adds to the quality of the proposal.

The rehabilitation proposals are acceptable in terms of design and materials and will go some way to improving the appearance and quality of residential and commercial property within the Town Centre.

It is, therefore, recommended that planning permission be approved.

**RECOMMENDATION:** Grant Planning Permission subject to the following conditions:

1. That the development hereby permitted shall be started within five years of the date of this permission.

   **Reason:** To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted starts, samples of the natural slate to be used for roofwork shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

   **Reason:** In the interest of amenity, to preserve the character of the Conservation Area and to enable the Planning Authority to retain effective control.

3. That before the development hereby permitted starts, a sample of the external render shall be provided for, and approved in writing by the Planning Authority, including any modifications as may be required.

   **Reason:** In the interest of the amenity of the building and the Conservation Area and to enable the Planning Authority to retain effective control.
4. That all roof vents shall be recessed into the plane of the roof on which they are positioned, to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the building and the Conservation Area.

5. That all new and replacement leadwork shall be carried out in the appropriate Code of Lead, in accordance with the Guidelines of the Lead Development Association, to the satisfaction of the Planning Authority.

Reason: To safeguard the future of the building and in the interest of the amenity of the building and the Conservation Area.

6. That all replacement windows shall be traditional, painted timber, sliding sash and casements, to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the building and the Conservation Area.

7. That the window design shown on drawing AL(0)85 for the new building is not approved. Revised details of the window design shall be submitted to, and approved in writing by the Planning Authority, before the development hereby permitted starts.

Reason: To allow improvements to the design to be considered.

8. That all gutters and downpipes shall be of cast iron or cast aluminium with a painted finish, to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the building and the Conservation Area.

9. That before the development hereby permitted starts, details of the final colours of all external paintwork shall be submitted to, and approved in writing by, the Planning Authority, including any modifications as may be required.

Reason: In the interest of the amenity of the building and the Conservation Area and to enable the Planning Authority to retain effective control.
10. That a copy of the signed contract for the construction of the new build element of the scheme shall be submitted to, and approved in writing by, the Planning Authority prior to the commencement of demolition works on the site.

Reason: To safeguard the character of the Conservation Area and to enable the Planning Authority to retain effective control.

11. That any damage to the surface of the Main Street pedestrian area arising from these works shall be repaired at the expense of the developer within three months of the completion of the works, to the satisfaction of the Planning Authority.

Reason: In the interest of pedestrian safety and the amenity of the Conservation Area.

12. That before the development hereby permitted starts, full details and/or samples of the facing materials to be used on all external walls and roofs of the new build element of the scheme shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To enable the Planning Authority to consider these aspects in detail and to preserve the character of the Conservation Area.

13. That before the development hereby permitted starts, full details and/or samples of the hard landscaping materials to be used shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To enable the Planning Authority to consider these aspects in detail and to preserve the character of the Conservation Area.

14. That prior to the occupation of the last two dwellings within the development hereby permitted, all landscaping works shall be completed to the satisfaction of the Planning Authority.

Reason: To safeguard the amenity of future residents and the character of the Conservation Area.
LIST OF BACKGROUND PAPERS: Application Form and Plans
Kilsyth Local Plan adopted 1983
Kilsyth Local Plan (Finalised Draft) approved January 1996
Consultation Responses:
- The Architectural Heritage Society of Scotland dated 13/3/98
- The Scottish Civic Trust dated 17/3/98

Any person wishing to inspect these documents should contact Sandra Davies at 01236-616466.
APPLICATION NO.: N/98/00219/FUL

1. PROPOSAL AND SITE

1.1 The application forms part of the Kilsyth Housing Action Area plans and is for the rehabilitation of the properties at 69-79 Main Street and the erection of a residential development consisting of one house and four flats.

1.2 The application site lies within both Kilsyth Town Centre and the Conservation Area and is covered by Local Plan policies relevant to both. The application site lies within the Kilsyth Central Area Land Use Policy Area, as defined by the Kilsyth Local Plan adopted April in 1983. This policy states that “In this area there will be a presumption in favour of general commercial development on ground floors with offices and residential accommodation on the upper floors of properties. There will also be a presumption in favour of small scale housing developments on appropriate infill sites within the area, but a presumption against exceptionally large retail expansion or developments which would not enhance the character of the Conservation Area.”

1.3 Conservation Area policy BE5, as defined by the Kilsyth Local Plan (Finalised Draft) approved January 1996, states that “There will be a presumption against development which does not preserve and enhance the character of the Kilsyth Conservation Area, or which could adversely affect the setting of the area. Development will be in accordance with the approved policies set out in ‘Development Affecting Conservation Areas and Listed Buildings’ (see Appendix 1)” Policy 9 of Appendix 1 states that “The Council will seek to ensure that the design of all new or altered buildings is sympathetic to their surroundings in terms of scale, proportion and materials”.

1.4 Shopping Policy SC3 (changes documents February 1998) states that “Within the core shopping area of Kilsyth Town Centre there will be a presumption against the loss of shops for the sale of retail goods (Class 1). The Council accepts, however, that there may be limited scope for changes of use from retail to other uses compatible with a retail environment, such as Class 2 (financial, professional and other services) and 3 (food and drink).

1.5 Changes between Classes will have to be justified against the following criteria:-
- The effect of the proposals on the viability and vitality of the core shopping area;
- The compatibility with surrounding land uses, especially residential;
- The avoidance of non-retail frontages, which could be detrimental to the retail performance and character of the core shopping area;
- other plan policies.”

2. CONSULTATIONS AND OBJECTIONS

2.1 A number of bodies were consulted in relation to this application. The Scottish Civic Trust have expressed concern on a number of issues. These are:
- the number of slate vents proposed for the roofs at 69 to 79 Main Street
- the proposed rendering of all the existing chimney stacks and stone piers
2.2 The Architectural Heritage Society of Scotland have made a number of comments relating to both the rebuild and rehabilitation components. Where the rehabilitation is concerned these are as follows:
- the design of the forestair at the rear of the block is alien and should be of a more traditional style
- the roof ventilators are obtrusive and preferably another means of ventilation should be used.
- where possible original windows and glass should be repaired rather than replaced.

2.3 Neither of these consultees commented on the design of the new-build element of the scheme.

2.4 Kilsyth Community Council has made the following comments:
- the need for demolition of numbers 83-87 Main Street and 3 Backbrae Street is disputed.
- concern is expressed at the loss of retail units in the Town Centre, particularly the small shopping units involved.

The Community Council has also expressed concern regarding the nature of the retail units used for decant purposes and has commented on overall aspects of the Town Centre redevelopment. However, these matters are more appropriate for consideration by the Kilsyth Housing Action Area Working Group rather than in relation to an individual planning application.

3. OBSERVATIONS
3.1 The rehabilitation element of this application involves re-roofing including the installation of roof vents. Second hand natural slates are to be used and the vents are to be recessed to minimise their visual impact. Both of the buildings at 69-73 and 75-79 Main Street are to be rendered and the existing windows replaced with new timber framed sash and case windows.

3.2 The roof vents are a requirement of the Building Control Regulations and are to be recessed within the roof planes to minimise their impact. The proposals do not include the rendering of all chimney stacks and stone piers. In past phases of the Housing Action Area windows have been replaced, rather than repaired in the vast majority of cases. Whilst this was not the original intention it has generally been found during the progress of work on site that the condition of windows is such that a repair is not a realistic option.

3.3 The proposed new build which consists of 4 flats and 1 house is of a modern design. The proposed building does, however, compliment the existing tenemental building in its scale, massing and proportion. The line of the shops from 69 to 79 is continued by the line of artificial stone which continues round the building into Backbrae Street. The large window at the corner of Backbrae Street respects the proportion of the shop windows in the Town Centre. In the upper floor of the building the vertical emphasis and size of the windows respects those of the next door tenement. It is considered that the materials to be used, namely a stone appearance on the ground floor and render above, will compliment and enhance the appearance of the Conservation Area. It is also proposed that the building be roofed natural slate.
3.4 The resulting building whilst not a pastiche of traditional building design, is appropriate to and enhances the character of the Conservation Area, with a high quality modern design. In townscape terms the proposed development improves on the existing situation by strengthening the emphasis on the Main Street/Backbrae Street corner and providing greater continuity and a sense of enclosure on Backbrae Street.

3.5 Comments by Kilsyth Community Council regarding the justification for the demolition of buildings have been addressed in the report on application for Conservation Consent for Demolition N/98/00278/FUL which is also being considered by this Committee.

3.6 The loss of retail space is contrary to Local Plan policy. However, the policy as proposed in the Changes Document does recognise that there may be limited scope of changes of use from retail to other uses. When considered against the criteria in the policy, it can be argued that the site lies at the edge of the core shopping area and the effect of the proposal on the viability of the shopping area will therefore be reduced. In any event this new residential accommodation will have the effect of bringing more life into the Town Centre and increasing informal surveillance by those who live there and is clearly compatible with residential use in the Town Centre. Should the economic situation improve in the town, the architects have confirmed that the lower floor is capable of conversion into retail use.

3.7 The development will provide high quality town centre living accommodation with adequate parking.

4. CONCLUSION
4.1 In conclusion, this proposal represents refurbishment works and a sensitively designed residential building which will enhance the character of the Town Centre.
Application No: N/98/00261/FUL
Date Registered: 25th February 1998
APPLICANT: GEORGE WILSON (STONEHOUSE) LTD, LOCHPARK GREEN STREET STONEHOUSE
Agent:
LOCATION: Johnston Road, Gartcosh
Ward No: 69
Grid Reference: 6680 7500
File Reference: MT
Site History: Outline planning permission for the erection of 90 dwellings granted on 26 September 1996 under reference N/96/00178/PL. Detailed planning permission for the erection of 84 dwellings granted on 5 February 1997 under reference N/96/00220/FUL.
Contrary to Development Plan: No
CONSULTATIONS:
Objection: Gartcosh Community Council
No Objection:
Conditions:
No Reply:
REPRESENTATIONS:
Neighbours:
Newspaper Advert: Not required
COMMENTS: The application under consideration proposes a number of changes to the detailed planning permission referred to above. All of the proposed amendments which include the substitution of a two storey semi-detached block with a bungalow, the resiting of a dwelling and changes to ground levels represent an attempt to minimise the impact of elements of the housing development on existing proprietors.
In September concern was expressed by residents within Johnston Road, Gartcosh that the pre-existing ground levels within the development site had increased and were considered to be excessive. A site visit led to a request that details of proposed levels be submitted. The developer was advised to stop work on those plots affected and to submit a fresh planning application to allow the various changes to be considered.

In terms of local plan policy the site is located within the greenbelt as identified in the Strathkelvin District (Southern Area) Local Plan of 1983 although this designation has been superseded by the issuing of the detailed planning permission above. The Northern Corridor Local Plan (Consultative Draft) contains the general development control guidance which is applicable to the site. The proposal is considered to be consistent with local plan policy. The proposed changes are also acceptable in terms of both the existing layout and the amenity of those proprietors living within Johnston Road and Lochend Road. Accordingly it is recommended that permission be granted.

**RECOMMENDATION:**

Grant subject to the following conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission.

   **Reason:** To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. For the avoidance of doubt the houses shall be laid out and constructed strictly in accordance with the details contained within the application drawings.

   **Reason:** That the planning authority shall retain effective control.

**Background Papers:**

Application form and plans
Strathkelvin District (Southern Area) Local Plan 1983
Strathkelvin District Local Plan (Finalised Draft) 1995
North Lanarkshire Council Northern Corridor Local Plan (Consultative Draft) 1998

Any person wishing to inspect these documents should contact Moray Thomson on 01236-616463.
APPLICATION NO. N/97/00294/FUL

1.0 PROPOSAL AND SITE

1.1 The application seeks approval for changes to detailed planning permission reference N/96/00220/FUL.

1.2 During the Autumn of 1997 it became apparent that the developer, Wilson Homes, had departed from the terms of the detailed planning permission. In particular, the ground levels within several plots within the site had been increased from that existing prior to the application being considered.

1.3 The original application plans submitted and subsequently approved by the Council made no reference to amended ground levels nor to any consequences flowing from such changes. Accordingly it was anticipated that in the absence of any information to the contrary, that the ground levels would not be materially different from those existing at the site when the application was determined.

1.4 The applicant was requested to submit details of the levels on which basis the development was proceeding. On receipt of these details the developer was advised to stop work on the affected plots and to submit a planning application to allow consideration of the matters. Authority to serve a stop notice and enforcement notice was obtained, however, in an attempt to resolve the matters amicably negotiations with the developer continued.

1.5 Unfortunately the developer was unwilling to include all affected plots within the current application, particularly those where the dwellings are already under construction or completed. Accordingly, the application is more limited in terms of its scope than would have been hoped for. The application nonetheless addresses the majority of the plots where the levels had been amended.

1.6 The proposals are as follows:-
Plot 45/46 - substitute the previously approved semi-detached block for a single bungalow. The proposal would increase the pre-existing ground levels by approximately 1 1/2 metres.
Plot 54 - to relocate the dwelling 2.0 metres toward the rear of the plot and increase the pre-existing ground level by approximately 30 cm.
Plot 55 - to increase the pre-existing ground level by approximately 15 cm
Plot 56 - to increase the pre-existing ground level by approximately 20 cm

2.0 OBSERVATIONS AND REPRESENTATIONS

2.1 Gartcosh Community Council was consulted on the application and have submitted objections to the proposals which are as follows:-

• The lowering of the levels within Plots 54, 55 and 56 will result in overlooking by Plot 64 which is constructed at a higher level.

Response- Whilst the house within Plot 64 is in an elevated position relative to Plots 55 and 56 the presence of timber screen fencing along the rear boundaries of the all of the plots will minimise any risk of overlooking. It should also be noted that the window to window distances between the existing dwelling within Plot 64 and the house to be erected within Plot 55 satisfies the guidelines contained within the former building regulations in respect of privacy, and which have been incorporated within the North Lanarkshire Council Northern Corridor Local Plan (Consultative Draft).

• That the lowering of the Plots 55 and 56 will result in the cul de sac having a precipitous slope, with safety implications for those who live there.

Response- The slope of the cul de sac serving Plots 55 and 56 will in terms of the planning permission require to comply with the geometric and constructional specification of North
Lanarkshire Council as Roads Authority. The increase in the gradient of the cul de sac will be limited to 1%.

2.2 In addition, whilst not strictly a representation to the current proposals, the Community Council are critical of the scope of the application which does not address the plots within which changes to ground levels have already occurred. In particular in relation to the dwelling completed and occupied at plot 64 and the building works already commenced in relation to Plot 65.

2.3 Although authority exists to pursue the breaches of planning control within these plots, enforcement action would, in the case of the house at Plot 64 involve the demolition of the house and its re-erection at the approved level, some $1\frac{1}{4}-1\frac{1}{2}$ metres below the level as constructed. Enforcement action in respect of Plot 65 would require that the existing foundations and underbuilding be removed and the reconstruction undertaken approximately 1 metre below its current level.

2.4 Whilst such steps might provide the most satisfactory solution from the perspective of the Community Council, Scottish Office guidance in respect of pursuing enforcement action is that it should only be pursued where it can be shown to be in the public interest. This exercise requires consideration of all the circumstances. In the case of Plot 64 for example that would involve the demolition and reconstruction of an already occupied house. On balance it is not considered that enforcement action in the above terms could be justified.

3.0 DISCUSSION AND CONCLUSION

3.1 The proposal under consideration has been assessed in terms of the development plan and taking account of all material considerations.

3.2 The proposals comply with the relevant development control guidance contained within the North Lanarkshire Council Northern Corridor Local Plan (Consultative Draft) in terms in respect of residential development. The proposals are satisfactory in terms of the achievement of good standards of daylighting, sunlighting and privacy both within the dwellings and garden areas. In addition the implications upon existing residential properties and garden areas within Lochend Road and Johnston Road have also been considered and found to be acceptable.

3.3 In particular, the replacement of a semi-detached block within Plot 45/46 by a bungalow will, reduce the impact on adjoining properties.

3.4 The changes within the remaining plots, whilst increasing the ground levels over those existing prior to permission being granted are not considered to be such as to warrant refusal.

3.5 Taking account of the foregoing, and the presumption in favour of approval, it is recommended that the proposals should be approved.
Application No: N/98/00278/CON
Date Registered: 4th March 1998
APPLICANT: WEST OF SCOTLAND HOUSING ASSOCIATION
33 TURNBULL STREET
GLASGOW
G1 5PR

Agent: Anderson Christie Architects
382 Great Western Road
Glasgow
G4 9HT

DEVELOPMENT: DEMOLITION OF 83-87 MAIN STREET AND 3 BACKBRAE STREET AND DEMOLITION OF 71 (REAR) MAIN STREET (UPPER FLOORS FORMING HOUSE)

LOCATION: 83-87 MAIN STREET, REAR 71 MAIN STREET AND 3 BACKBRAE STREET

Ward No: 65
Grid Reference: 271723 677950

File Reference: SD

Site History: No known history for application site

Development Plan: Kilsyth Local Plan adopted April 1983
Kilsyth Finalised Draft Local Plan approved Jan 1996

Contrary to Development Plan: Partly Contrary

CONSULTATIONS:

Objection: The Scottish Civic Trust, The Architectural Heritage Society of Scotland

No Objection:

Conditions:

No Reply:

REPRESENTATIONS:

Neighbours: No response
Newspaper Advert: No response to newspaper advert
COMMENTS: The application is for the demolition of the properties at 83-87 Main Street and 3 Backbrae Street. In addition, it is proposed to demolish the rear extension of 71 Main Street. This forms part of the Kilsyth Housing Action Area programme and application N/98/00219/FUL contains the new build proposals which are also under consideration at this Committee.

Structural surveys have been undertaken for 83-87 Main Street and the rear of 71 Main Street which have indicated that extensive repair would be required. In addition, 83-87 Main Street has a Dangerous Buildings Notice served on it in the past.

RECOMMENDATION: Grant Planning Permission subject to the following conditions:

1. That the development hereby permitted shall be started within five years of the date of this permission.

   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That a copy of the signed contract for the construction of the new build element of the scheme shall be submitted to, and approved in writing by, the Planning Authority prior to the commencement of demolition works on the site.

   Reason: To safeguard the character of the Conservation Area and to enable the Planning Authority to retain effective control.

3. That before development starts a scheme of temporary works to protect the areas of the adjacent remaining buildings exposed by the demolition works shall be submitted to, and approved in writing by, the Planning Authority.

   Reason: To safeguard the future of these buildings, to protect the character of the Conservation Area and to enable the Planning Authority to retain effective control.

4. That any damage to the surface of the Main Street pedestrian area arising from these works shall be repaired at the expense of the developer within three months of the completion of the works, to the satisfaction of the Planning Authority.

   Reason: In the interest of pedestrian safety and the amenity of the Conservation Area.
LIST OF BACKGROUND PAPERS: Application Form and Plans
Kilsyth Local Plan adopted 1983
Kilsyth Local Plan (Finalised Draft) approved January 1996
Consultation Responses:
The Architectural Heritage Society of Scotland dated 13/3/98
The Scottish Civic Trust dated 17/3/98

Any person wishing to inspect these documents should contact Sandra Davies at 01236-616466.
APPLICATION NO.: N/98/00278/CON

1. PROPOSAL AND SITE
   1.1 The application is for the demolition of the properties at 83-87 Main Street and 3 Backbrae Street. In addition, it is proposed to demolish the rear extension of 71 Main Street. This forms part of the Kilsyth Housing Action Area programme and application N/98/00219/FUL contains the new build proposals.

   1.2 These properties lie within the Kilsyth Conservation Area and are covered by Policies set out in Appendix 1 (Development Affecting Conservation Areas and Listed Buildings) of the Kilsyth Finalised Draft Local Plan approved January 1996. Policies 3 and 10 relate to demolition and these are noted below.

   Policy 3: “The Council will only consider proposals for demolition works which include a full structural report and explanation of why renovation is not an achievable option and which are linked by an appropriate timescale to approved re-development proposals.”

   Policy 10: “The Council will resist wholesale demolition, unless it can be established that any property subject of such an application has deteriorated to such an extent that it has become a danger and/or that the building is no longer capable of beneficial use.”

2. CONSULTATIONS AND OBJECTIONS
   2.1 The Scottish Civic Trust and The Architectural Heritage Society of Scotland have been consulted in connection with this application. Both bodies have objected to the demolition of 83-87 Main Street and 3 Backbrae Street because of their current contribution to the townscape. The Civic Trust have also argued that the removal and replacement of these building is unsustainable in terms of resources.

   2.2 It should be noted that at the time of their objections no structural survey reports had been provided by the applicant in support of the application.

3. OBSERVATIONS
   3.1 The buildings proposed for demolition comprise three discrete different units. It is necessary for all of these to be demolished in order that the redevelopment of this part of the town centre may take place. The demolition proposals can be divided into three discreet sections, namely 83-87 Main Street, 3 Backbrae Street and the rear of 71 Main Street. A structural survey has been undertaken for 2 of these sections.

   3.2 The repairs required at 83-87 Main Street are extensive with the main problems being associated with the roof covering, chimneys, first floor integrity and layout and the structural condition of the close. The Building Control Section have also served a Dangerous Buildings Notice on this property in the past. The structural report identifies the repairs required in more detail. Taking into account the very poor residential accommodation that this building provides and the vacancy rate of shops it would appear to be uneconomic to rehabilitate this building. The estimated cost of works for refurbishment are significantly higher than for other buildings within the Housing Action Area and would place an excessive burden on the owners in terms of meeting their share of costs. Whilst it would be possible to design an infill scheme
which included retail units, it would be difficult to find funding for this type of mixed development and it is doubtful whether retailers could be found to occupy the units in the short term.

3.3 Although it currently contributes the streetscape, this building is of little individual architectural merit. The proposed new-build scheme provides an opportunity to re-define and improve the streetscape in this part of the town centre.

3.4 The rear portion of 71 Main Street which is also to be demolished under this scheme is of no architectural merit. It is a poorly built extension of timber construction which detracts from the appearance of the rear of the building. In addition, it is in a poor structural condition as highlighted in the Structural Report which has been carried out. There have been no objections to its demolition from consultees, neighbours or as a result of the press advert.

3.5 The demolition of no.3 Backbrae Street is required in order that the site can be redeveloped in a sensible manner. In order for the new build to complement the Town Centre and Conservation Area a site which turns the corner into Backbrae Street is necessary. This will make it look less like an extension to the existing tenement block and allow the new build to contribute to the character of the Town Centre in a strategic corner location. It is intended to place a condition on to this consent which would require the redevelopment works to commence as soon as the demolition has been completed in order to avoid an unsightly gap site persisting for a long period of time.

4. CONCLUSION

4.1 While it is conceded that both 83-87 Main Street and 3 Backbrae Street do contribute to the character of the Conservation Area and Town Centre of Kilsyth, the rehabilitation of these properties is considered to be too expensive and impractical in terms of the type of accommodation which could be formed when compared with the proposed new build. The Housing Action Area proposal provides an opportunity to bring further residential use into the Town Centre thus introducing additional vitality and surveillance into the vicinity. The retail vacancy rate in this area of Kilsyth is high and it is considered that the Council should take an innovative approach to its revitalisation. It is therefore recommended that this Conservation Area Consent for demolition be approved.
Application No: N/98/00283/LBC
Date Registered: 5th March 1998
APPLICANT: MRS J M CAMPBELL, 8 LADYBANK, WESTERWOOD, CUMBERNAULD, G68 0HT
Agent: Wilkie Moore Architects, Crofthead, 31 Locksley Avenue, Cumbernauld, G67 4EN
DEVELOPMENT: ALTERATIONS TO FRONTAGE & ERECTION OF FASCIA SIGN
LOCATION: 29 MAIN STREET THE VILLAGE CUMBERNAULD G67 2RR
Ward: 52
Grid Reference: 276811 676104
File Reference: MS
Site History: No Applications of Relevance
Development Plan: Cumbernauld Local Plan Policies SH 2-4 & 8 Conservation Area
Contrary to Development Plan: No
CONSULTATIONS: 
Objection: 
No Objection: 
No Reply: 
Conditions: Architectural Heritage Society Of Scotland
REPRESENTATIONS: 
Neighbours: No Response 
Newspaper Advertisement: No Response 
COMMENTS: This application is related to applications N/98/00283/ADV and N/98/00285/FUL, which are also under consideration at this Committee.

The applicant proposes to carry out alterations to the frontage of the commercial unit on the ground floor of this Category B(Gp) Listed Building in connection with a proposal to change the use of the unit to Class 3 (Food and Drink). The proposed alterations are acceptable in terms of design and materials in terms of the character of the Listed Building and the Conservation Area.

The Architectural Heritage Society commented that they would wish to see traditional stained glass used in the front windows and this can be secured by use of conditions. No objections were received.

RECOMMENDATION: Grant, subject to the following conditions:
1. That the development hereby permitted shall be started within five years of the date of this permission.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That the proposed front windows shall be glazed with traditional stained glass, full details of the design of which shall be submitted to and approved in writing by the Planning Authority prior to the opening of the premises for business, including any modifications as may be required.

Reason: In the interest of the amenity of the Conservation Area and to maintain the character of the Listed Building and to enable the Planning Authority to retain effective control.

List of Background Papers:
Application form and plans received 4th March 1998
Consultation Response from the Architectural Heritage Society Of Scotland dated 26th March 1998

Any person wishing to inspect these documents should contact Mary Stewart at 01236 616473.
Application No: N/98/00284/ADV
Date Registered: 4th March 1998
APPLICANT: MRS J M CAMPBELL, 8 LADYBANK, WESTERWOOD, CUMBERNAULD, G68 0HT
Agent: Wilkie Moore Architects, Crofthead, 31 Locksley Avenue, Cumbernauld, G67 4EN
DEVELOPMENT: ERECTION OF FASCIA SIGN
LOCATION: 29 MAIN STREET THE VILLAGE CUMBERNAULD G67 2RR
Ward: 52
Grid Reference: 276811 676104
File Reference: MS
Site History: No Applications of Relevance
Development Plan Cumbernauld Local Plan Policies SH 2-4 & 8 Conservation Area
Contrary to Development Plan: No
CONSULTATIONS:
Objection: No Objection: Transportation Manager
No Reply: Conditions
REPRESENTATIONS:
Neighbours: No Response
Newspaper Advertisement: No Response
COMMENTS: This application is related to applications N/98/00284/LBC and N/98/00285/FUL, which are also under consideration at this Committee.

The applicant proposes to erect a timber fascia sign and window lettering on the fanlight above the shop door. Both advertisements are appropriate both to the character of the building and the Conservation Area in terms of size, positioning, materials and design.

RECOMMENDATION: Grant, subject to the standard advertisement conditions.

List of Background Papers:
Application form and plans received 4th March 1998

Any person wishing to inspect these documents should contact Mary Stewart on 01236 616473.
Application No: N/98/00285/FUL
Date Registered: 5th March 1998
APPLICANT: MRS J M CAMPBELL, 8 LADYBANK, WESTERWOOD, CUMBERNAULD, G68 0HT
Agent: Wilkie Moore Architects, Crofthead, 31 Locksley Avenue, Cumbernauld, G67 4EN
DEVELOPMENT: CHANGE OF USE FROM RETAIL (CLASS 1) TO FOOD AND DRINK (CLASS 3) AND ALTERATIONS TO FRONTAGE
LOCATION: 29 MAIN STREET THE VILLAGE CUMBERNAULD G67 2RR
Ward: 52
Grid Reference: 276811 676104
File Reference: MS
Site History: No Applications of Relevance
Development Plan: Cumbernauld Local Plan Policies SH 2-4 & 8 Conservation Area
Contrary to Development Plan: No
CONSULTATIONS:
Objection: No Objection:
No Reply: Conditions
REPRESENTATIONS:
Neighbours: No Response
Newspaper Advertisement: One Letter of Objection from The Village and Castlecary Community Council
Five Letters of Objection from Members of the Public
COMMENTS:
This application is related to applications N/98/00284/LBC and N/98/00285/FUL, which are also under consideration at this Committee.

The applicant proposes to change the use of this vacant ground floor retail unit to Food and Drink (Class 3). The Coffee House would be open from 8:30 - 6:00 pm daily. Whilst in the broadest sense the proposal could be seen as contrary to Policy SH4 of the Cumbernauld Local Plan and the Retail Policy in the Village Plan, it would be unlikely to have a significant adverse effect on residential amenity. In both these documents the prime concern behind the policies was the problems created by hot food take away uses, particularly in the evenings. Due to recent legislative changes these take away uses no longer form part of Class 3 Food and Drink and the current proposal relates to daytime operation.
RECOMMENDATION:

Grant, subject to the following conditions:

1. That the development hereby permitted shall be started within five years of the date of this permission.

   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That the opening hours of the premises hereby granted planning permission shall be limited to between 8:00 a.m. and 6:30 p.m. daily.

   Reason: To safeguard the amenity of the area.

3. That the proposed front windows shall be glazed with traditional stained glass, full details of the design of which shall be submitted to and approved in writing by the Planning Authority prior to the opening of the premises for business, including any modifications as may be required.

   Reason: In the interest of the amenity of the Conservation Area and to maintain the character of the Listed Building and to enable the Planning Authority to retain effective control.

4. That as shown on the approved plans, only two flush fitting extract vents shall be installed on the rear elevation of the property and no further extraction equipment shall be installed without the specific approval of the Planning Authority.

   Reason: For the avoidance of doubt and to enable the Planning Authority to retain effective control.

5. That before the outdoor seating area indicated on the approved plan is brought into use, fully detailed plans showing the proposed seating layout and its relationship with the public footpath area shall be submitted to, and approved in writing by, the Planning Authority, including any modifications as may be required.

   Reason: To enable the Planning Authority to consider these aspects in detail and in the interest of traffic and pedestrian safety.
List of Background Papers:
Application form and plans received 5th March 1998
Undated Letter of Objection from Mrs Joyce A Thorburn, 31 The Wynd, The Village, Cumbernauld, G67 2ST
Undated Letter of Objection from The Village and Castlecary Community Council, per Mr D Boyle, 8 Springfield Road, The Village, Cumbernauld, G67 2RD
Letter of Objection dated 19th March from Mrs Rachel Rae, 73 Main Street, The Village, Cumbernauld.
Letter of Objection dated 19th March from Ms Agnes Donaghy, The Auld Bakery, 66 Main Street, The Village, Cumbernauld
Letter of Objection dated 19th March from Ms Ruby Cormack, 68 Roadside, The Village, Cumbernauld
Letter of Objection dated 23rd March from Mr Charles Archibald, 22 The Wynd, The Village, Cumbernauld

Any person wishing to inspect these documents should contact Mary Stewart at 01236 616473.
1. **Description of Site and Proposal**

1.1 The application site comprises the ground floor commercial unit within a two storey Category B(Gp) Listed Building. The property lies within the Conservation Area on the Main Street of Cumbernauld Village. The upper floor comprises a single residential flat.

1.2 The applicant proposes to change the use of the unit from Class 1 (Retail) to Class 3 (Food and Drink), including alterations to the frontage and internal layout.

2. **Background**

2.1 The commercial unit was last used as a curtain and blind shop and has been vacant for the past four months. Whilst the use could broadly be described as retail, in terms of the means of operation the past use was actually better described as a sewing and alterations workshop. Class 3 of The Town and Country Planning (Scotland) (Use Classes) Order was recently re-defined to exclude use as a Hot Food Take Away.

3. **Development Plan**

3.1 The property is covered by Policies SH2-4, & SH8 in the Adopted Cumbernauld Local Plan. The property is also covered by Cumbernauld Village Plan, Appendix 8 of which specifies retail policy for the area, namely:

*There will be a presumption against changes of use of retail shops to uses outwith Class 1.*
*There will be a presumption against changes of use from Class 1 to Class 3.*
*There will be a presumption against changes of use from Class 2 to Class 3.*

3.2 These policies aim to protect retail vitality within the Village. From the text of the Village Plan itself (paras. 84(F), 85 and 111) it is also clear that the intent behind these policies was to inhibit further evening activity which was seen by residents of the area as a major problem. The Plan highlights the effects on the amenity of residential properties of evening noise, activity and traffic generation resulting particularly from the concentration of video shops and hot food take aways. These policies, therefore, seek to restrict the number of hot food shops.

3.3 It should be noted that at the time these policies were formulated no distinction was made between premises used for supply of food and drink (Cafes, Restaurants etc.) and premises for the sale of take away food. A recent change in the Use Classes Order, however has removed hot food take aways from Class 3. This is in recognition of the different environmental issues raised by take aways such as litter, noise, longer hours and extra traffic and pedestrian activity when compared to restaurants and cafes. A consent granted for a restaurant or cafe i.e. Class 3 does not allow the premises to operate predominantly as a hot food take away.

4. **Representations and Consultations**

4.1 The Area Transportation Manager had no objections to the proposal provided that the outdoor seating area indicated on the plans would not be implemented. This is dealt with by Condition.

4.2 The Community Council objected on the grounds that the Village is more than amply supplied with food and drink outlets. This was repeated in each of the five individual objections from
members of the public. Specific concerns related to traffic generation, parking deficiencies, noise generation, and cooking smells. Several objectors also mentioned the status of the Village as a Conservation Area.

5. Planning Assessment and Conclusions

5.1 The Area Transportation Manager had no objection to the proposal in terms of additional traffic generation or deficiencies in parking provision. Whilst there a number of food and drink uses within the Village, the majority of problems experienced by residents appear to relate to the opening hours of the premises and the combination of hot food take aways, restaurants, pubs and video shops, all of which could be expected to conduct the majority of their business in the evenings. This does tend to result in a concentration of visitors within the Village area after 5 p.m.

5.2 The current proposal is for a Coffee House open only during the day. This type of facility has previously been available within the area. Whilst the Use Class would allow a subsequent change to a different type of Food and Drink operation (but not a take away), the Condition restricting opening hours would remain, making the property unattractive to operators relying heavily on evening trade.

5.3 The issue of cooking smells is more appropriately dealt with under Licensing and Environmental Services Registration procedures.

5.4 The idea that Conservation Area objectives and Class 3 Uses are mutually exclusive is unfounded. The current proposal includes alterations to the existing frontage which will have a positive benefit in terms of the character of the area, and the use could provide a useful meeting place, community facility and attraction for visitors within the area.
Application No: N/98/00462/FUL
Date Registered: 27th March 1998
APPLICANT: VRS (SCOTLAND) LEISURE LTD., 78 CARLTON PLACE, GLASGOW G5 7TH
Agent: Christie Consultants, The Cottage, Aileymill Gardens, Greenock PA16 0QF
DEVELOPMENT: CHANGE OF USE FROM A VACANT SHOP UNIT (FURNITURE SHOWROOM) TO A FAST FOOD TAKE AWAY
LOCATION: 25 TAY WALK, TOWN CENTRE, CUMBERNAULD G67 1BU
Ward No: 53
Grid: 275866 - 674546
File Reference: GLA
Site History: PA83/045 - Alterations, Application Richmond
PA82/085 - Change of Use, Applicant Richmond
Development Plan: Zoned shopping centres - to be retained predominantly in shopping uses. Preferred location for new shopping in the Adopted Cumbernauld Local Plan 1993
Contrary to Development Plan: No
CONSULTATIONS:
Objection:
No Objection:
No Reply:
Conditions:
REPRESENTATIONS:
Neighbours: No response
Newspaper Advert: One letter of objection
COMMENTS:
This proposal is for the change of use from a shop unit (furniture showroom) to a fast food take away. The shop unit is currently lying vacant and it is located at 25 Tay Walk which is within Phase 1 of the Town Centre. The enclosed report includes a summary of the objections and my comments on the matters they raise. This is however an acceptable town centre use in this location and I would recommend, therefore, that planning permission should be granted subject to conditions.

The/
RECOMMENDATION: Grant planning permission subject to the following condition:

1. That development hereby permitted shall be started within five years of the date of this permission.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Order 1992.

List of Background Papers:

Planning application forms and plans registered on 27th. March 1998
Adopted Cumbernauld Local Plan 1993

Any person wishing to inspect these documents should contact Gillian Anderson on 01236-616478

Comaps98/9800462/ga/jk
APPLICATION NO: N/98/00462/FUL

1. SITE AND PROPOSAL

1.1 The application site is zoned "Shopping Centres - to be retained predominately in shopping uses; preferred location for new Shopping" as defined by the Cumbernauld Local Plan 1993.

1.2 The application site is a former furniture showroom which is currently lying vacant. The proposal is for a change of use to a fast food take away. The retail unit is approximately 38 sq.m. in floor area. Whilst the unit will remain the same size for the proposed use, there will be internal alterations to accommodate its use as a fast food take-away. This includes a service counter/display cabinet; shelving; refrigerator; pot wash and vegetable preparation section; donner machine; pizza table and pizza oven.

2. CONSULTATIONS

2.1 Local Plans, Estates Department, East of Scotland Water (Water) and West of Scotland Water (Sewers) did not make any representations regarding this application.

2.2 Environmental Services have no objections subject to conditions covering the technical operation of the business. These are matters which can be controlled through their powers.

3. OBJECTIONS

3.1 Following the advertising of the proposal, one letter of objection was received from Franchi Finnieston Solicitors and Notaries on behalf of their client Mrs. Gonella, 27 Tay Walk, Cumbernauld.

3.2 The objector’s premises are located at 27 Tay Walk, Cumbernauld which is just to the exterior of the Phase 1 shopping development. The objector is opposed to this proposal on two separate grounds. Firstly because the objector believes that if permission is to be granted for this proposal then that would equate to the over provision of hot food take-away units in the vicinity of the Town Centre, therefore, they fear it would be a detrimental factor to allow the change of use to proceed on trading grounds. The second ground for objection was that because the subjects at 25 Tay Walk are actually inside the shopping centre the objector believes it will cause an increase in litter and odours permeating around the Centre.

4. CONCLUSIONS

4.1 It is not appropriate or valid for the Planning Authority to refuse permission on the grounds that a proposal would result in the over provision of hot food take-aways and also affecting the trade of nearby similar retail outlets. Environmental Health did not raise litter and odour nuisances as a valid concern for refusing this application planning permission.

4.2 It also must be borne in mind that this proposal would provide an opportunity to bring a currently vacant unit back into use. Accordingly, it is recommended that planning permission be granted.
Application No. C/95/00284/FUL
Date registered 2 June 1995
APPLICANT CENTRAL MOTORS, 105 CARLISLE ROAD, AIRDRIE

Agent Construction Design Associates, 6 Church Street, Coatbridge
DEVELOPMENT PART REMOVAL OF RAILWAY EMBANKMENT TO FORM LEVEL AREA OF GROUND (RETROSPECTIVE)
LOCATION CENTRAL MOTORS LTD, 105 CARLISLE ROAD, AIRDRIE

Ward No. 49
Grid Reference 277250 664670

File Reference C/PL/AIC2081050000/CM/KH
Site History 89307 Erection of Dwellinghouse (Outline) Refused 25 August 1989

Development Plan Under the terms of the Adopted Monkland District Local Plan 1991 the application site is located within an area covered by the following policies:-
ECON 8 General Urban Area

Contrary to Development Plan Yes

CONSULTATIONS

Objection NLC Director of Environmental Services, MDC Leisure Services
No Objection
Conditions
No Reply

REPRESENTATIONS

Neighbours No Response
Newspaper
Advertisement No Response

COMMENTS The application has been considered in retrospect and the infill works are now complete. I consider the regrading works are acceptable. The visual amenity of this part of the Central Motors site has improved and it is recommended that the retrospective application is approved subject to the applicant undertaking additional landscape works.

RECOMMENDATION
Grant subject to the conditions on the attached sheet.
List of Background Papers

- Planning application form and Accompanying Plans
- Adopted Monklands District Local Plan 1991
- Consultation Response from NLC Environmental Services dated 7 October 1996
- Consultation Response from MDC Leisure Services dated 28 November 1995

Any person wishing to inspect the above background papers should telephone Coatbridge 812376 and ask for Mr Colin Marshall.
CONDITIONS

1. That within 2 months of the date of this consent a scheme of landscaping shall be submitted to, and approved by, the Planning Authority and it shall include:-
   a) details of any earth mounding and hard landscaping grass seeding and turving;
   b) a scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted; and
   c) details of a management and maintenance scheme for these works.

Reason: In order to protect the visual amenity of the surrounding area.

2. That all landscaping works approved under the terms of condition No1 above shall be completed before 31 March 1999 to the satisfaction of the Planning Authority.

Reason: In order to protect the visual amenity of the surrounding area.

3. That within 6 months of the date of this permission, all planting, seeding, turfing and earth mounding included in the scheme of landscaping and planting, approved under the terms of condition 1 above shall be completed and any trees, shrub or areas of grass which die, are removed, damaged, or become diseased, within 2 years of the completion of the planting scheme, shall be replaced within the next planting season with others of a similar size and species and shall therefore be maintained to the satisfaction of the Planning Authority in accordance with the maintenance scheme approved under the terms of condition 1(c) above.

Reason: In order to protect the visual amenity of the surrounding area.
APPLICATION NO. C/95/00284/FUL

REPORT

1. SITE AND PROPOSAL

1.1 Planning Consent is being sought in retrospect for the part removal of a railway embankment to form a level area of ground and establish a related landscape scheme to the rear of the Central Motors Depot at 105 Carlisle Road, Airdrie.

1.2 The application site forms part of the larger Central Motors Depot located to the east of Carlisle Road, Craigneuk, Airdrie. The infill extends to approximately 0.4ha and forms part of the northern boundary of the depot site. The site is bounded to the north and east by undulating disused waste ground, located to the west are 3 dwellinghouses with the main garage workshop and offices situated centrally within the main site area.

1.3 This retrospective proposal involved the removal of a former railway embankment solum and the extracted materials used as infill to create a level area of ground to the north of the Central Motors site. The infill material consisted of a mix of hardcore and building rubble which is generally considered as inert material. The overall intention of the applicant is to improve the visual amenity of this sector of the depot.

2. LOCAL PLAN POLICIES/PROPOSALS

Under the terms of the adopted Monklands District Local Plan 1991 the application site lies within an area covered by the following policies and proposals:

ECON 8 - General Urban Area

3. CONSULTATION/REPRESENTATION

3.1 No objections were received from the Director of Environmental Services.

3.2 No adverse representations were received in regard to the application.

4. ASSESSMENT

4.1 This application has been considered in retrospect and the infill works are now completed. Although the applicant has undertaken some replanting works I consider further reseeding and tree planting works would further improve the visual amenity of the site. This notwithstanding I consider the visual amenity of this part of the Central Motors site has been improved and it is therefore my recommendation that the retrospective application is approved subject to the provision of additional landscaping works.
The application relates to the erection of a workshop/office/weighbridge and waste transfer unit at an existing scrap metal dealer's site off Sykeside Road, Airdrie. The proposal would generally improve the efficiency of the existing scrap metal operation and both SEPA and NLC Environmental Services raised no objection to the proposal. The proposal will result in an increase in the number of larger vehicles visiting the site however the applicant is to undertake improvements at the site access. The overall siting and design of the proposed workshop/office weighbridge and waste transfer unit are considered acceptable and I am satisfied that no significant disamenity would arise as a result of the proposal. I therefore recommend the application is approved subject to conditions.

RECOMMENDATION

Grant, subject to the conditions on the attached sheet.
APPLICATION NO: C/97/00529/FUL
PROPOSAL/SITE: ERECTION OF WORKSHOP/OFFICE/WEIGHBRIDGE AND WASTE TRANSFER UNIT ON LAND AT SYKESIDE ROAD, AIRDRIE

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List of Background Papers

- Application Form and accompanying plans.
- Adopted Monklands District Local Plan 1991
- Consultation Response from NLC Environmental Services received on 27 January, 11 March 1998
- Consultation Response from the Coal Authority received on 19 January 1998
- Consultation Response from West of Scotland Water/Sewerage received on 19 January 1998
- Consultation Response from British Gas/Transco received on 21 January 1998
- Consultation Response from SEPA received on 23 February 1998
- Consultation Response from British Waterways Board received 17 April 1998

Any person wishing to inspect the above background papers should telephone Coatbridge 812376 and ask for Mr Marshall
CONDITIONS:

1. That the development hereby permitted shall be started within 5 years of the date of this permission.
   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

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 Planning Authority.
   Reason: In order to safeguard the property itself and the amenity of the surrounding area.

3. That before development starts, full details and/or samples of the facing materials to be used on all external walls and roofs shall be submitted to, and approved by, the Planning Authority.
   Reason: To enable the Planning Authority to consider these aspects in detail.
   Reason: In order to safeguard the property itself and the amenity of the surrounding area.

4. That before the development hereby permitted is completed or brought into use the proposed alterations to the site entrance (including road widening, provision of footpaths and gates and 7 no. car visitor parking area) as indicated on amended drawing number 462 shall be constructed to the satisfaction of the Planning Authority.
   Reason: In the interests of traffic safety at the locus.

5. That a visibility splay of 4.5 metres by 60 metres, measured from the road channel, shall be provided on both sites of the vehicular access and before the development hereby permitted is completed, or brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sightline areas as indicated in green on the approved plan and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sightline areas.
   Reason: In the interests of traffic safety at the locus.
   Reason: In the interests of public safety.

6. That the first 2.0 metres of the access road shall be constructed to the specification details of the Roads Authority and as described in the Roads Guidelines published by the said Roads Authority.
   Reason: In the interests of traffic safety at the locus.

7. That the access shall be a minimum width of 6.0 metres and be surfaced with an impervious material over a minimum length of 16 metres with dedicated drainage facility to the satisfaction of the Planning Authority.
   Reason: In the interests of traffic safety at the locus and to prevent deleterious material being carried on to the adjoining footpath and road.
8. That before any construction works commence on site the applicant shall provide details of measures necessary to protect the two sewers traversing the site, to the satisfaction of the Planning Authority acting in consultation with the West of Scotland Water Authority.

Reason: To enable the Planning Authority to consider these aspects in detail.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

9. That before the development hereby permitted is brought into use a litter/debris catchfence shall be provided along the western boundary of the site as indicated in yellow on the approved plans, and design details of the catchfence shall be submitted to and approved in writing by the Planning Authority.

Reason: In order to protect the visual amenity of the surrounding area.

10. That the catchfence approved under the terms of condition 9 above shall be cleared of all windblown litter/debris on a monthly basis to the satisfaction of the Planning Authority.

Reason: In order to protect the visual amenity of the surrounding area.
APPLICATION NO. C/97/00529/FUL

REPORT

1. SITE AND PROPOSALS

1.1 The applicant seeks planning permission to erect a workshop/office/weighbridge and waste transfer unit on land located to the south of Sykeside Road, Airdrie.

1.2 The application site relates to an existing scrap metal dealers yard that extends to some 0.25 ha in area. The site is bounded to the north by the garden curtilage of Cairnhill Cottage, to the east by an existing garage/workshop/yard to the south by rough grazing land and to the west by the Monkland Canal.

1.3 The current use of the site involves the storage of all types of ferrous and non ferrous metals including vehicle bodies and associated waste. The site operator has a Waste Disposal Licence for the scrapyard as approved by the former Monklands District Council on 28 October 1992.

1.4 The proposal would involve the provision of a workshop/office block/weighbridge, waste transfer area, visitor parking area and access improvement at its junction with Sykeside Road.

1.5 The workshop/office block would consist a two storey unit measuring 13m x 9m and would be located at the north end of the application site. This building would be finished in facing brick with concrete tiles provided on a pitched roof, the apex of which would extend to some 7.25m above ground level. The roof design would also incorporate 8 No. roof lights to provide daylight to the workshop area. The office accommodation incorporates a toilet, entrance hall and stairway to an upper meeting room.

1.6 Immediately adjacent to the office unit the applicant intends to provide a weighbridge to monitor levels of materials entering and leaving the site. Within the site boundaries it is also proposed to provide a visitor parking area for 7 no. cars and waste transfer area that would consist of a concrete platform, platform measuring 20m². The remaining site area would be used for open storage of materials and skips and skip vehicles.

1.7 The applicant also intends to improve access to the site by widening the entrance, providing drainage and footpaths. New access gates would be set back approximately 16 metres from Sykeside Road.

2. PLANNING POLICY

2.1 Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by policy ECON 2 (Existing General Industrial Areas) The Council generally supports the retention of a predominantly industrial character of these designated areas.

3. CONSULTATIONS/REPRESENTATIONS

3.1 During consideration of this application the Director of Environmental Services requested that an assessment on the noise impact of the proposed development would be required. The applicant provided information on the type of machinery to be used on the site and this was forwarded to Environmental Services who subsequently advised they would have no objection to the application.

3.2 The Coal Authority advised that an existing mine shaft or adit was located within 20 metres of the application site and advised that the developer should seek appropriate technical advice before any works are undertaken on site. Responsibility for carrying out the development in a safe manner rests with the developer.
3.3 A consultation response from West of Scotland Water advised that the application site is traversed by two sewers which would need to be protected from the proposed works. The agent acting on behalf of the applicant has advised that suitable construction arrangements have been agreed with West of Scotland Water and no further amendments to the siting of the workshop or weighbridge will be required.

3.4 British Gas (Transco) advised they have no plant within the vicinity of the application site.

3.5 SEPA (West Region) confirmed the applicant currently holds a Waste Management Licence authorising the treatment and keeping of used motor vehicles. Although the proposal for a Waste Transfer Station would require a modification to the existing licence or application for a secondary licence SEPA had no objection to the current proposal.

3.6 British Waterways Board had no objection to the proposal.

4 ASSESSMENT

4.1 The proposal generally accords with the terms of policy ECON 2 as noted above. Although the proposal would require an alteration to the applicants current waste disposal licence the use would not constitute a change of use from the existing scrap yard operation.

4.2 The proposal would in effect improve the means by which scrap material is processed and recycled. The type of vehicle visiting the site would generally consist of skip transporters, however the overall number of visits would remain similar to the existing position. Currently the scrap yard attracts ad-hoc visits by members of the public and these would be reduced due to the nature of the proposed operation. The existing access is considered to be substandard however the proposal would result in a significant improvement and I am satisfied that traffic safety would not be compromised.

4.3 The proposed workshop/office block extends to some 7.25 metres in height however its overall scale, design and proposed finish would be considered acceptable at this location. It is my view that the general site arrangements as proposed are acceptable and would represent an improvement to the overall organisation of scrap metal yard.

4.4 It is noted that an existing dwellinghouse is located immediately north of the application site. However as this house has co-existed with the scrap metal use for many years I do not consider the proposal would result in any further loss of amenity. The proposed office/workshop is located some 28 metres to the south of the dwellinghouse and most machine activity would take place at the southern boundary of the site. Both the NLC Environmental Services and SEPA West had no objection to the proposal.

4.5 It is further noted the application site is traversed by two sewers and an existing mine shaft or adit is located within 20 metres of the application site. Despite these constraints I am satisfied that appropriate measures can be taken by the applicant to ensure the site can be developed in an appropriate and safe manner.

5 CONCLUSION

5.1 In view of the foregoing consideration I would conclude that the proposal would be acceptable as it concurs with the Councils policy for this area, the site layout and design of the proposed buildings are considered appropriate, improvements would be made to the existing sub-standard assess and the operation of the site would be better organised. Moreover the proposal would not result in any significant detrimental impact on surrounding properties. It is therefore recommended the application is approved subject to conditions.
Application No. C/98/00241/AMD
Date registered 6th March 1998
APPLICANT MR W BANKS, 2B DUNDYVAN ROAD, COATBRIDGE, ML5 1DN
Agent -
DEVELOPMENT LOCATION ERECTION OF MOTOR VEHICLE TESTING STATION
99 MAIN STREET, GLENBOIG
Ward No. 33
Grid Reference 272030668560
File Reference C/PL/GBM030099/CM/KH
C/98/00512/FUL - Erection of Motor Vehicle Testing Station Refused 4 February 1998
Development Plan Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by the following policies and proposals.
ECON8 General Urban Area
LR7 Develop Network of Long Distance Parking
Contrary to Development Plan No
CONSULTATIONS
Objection No
No Objection The Coal Authority, NLC Environmental Services, West of Scotland Water
Conditions Sustrans
No Reply
REPRESENTATIONS
Neighbours Three
Newspaper No Response
Advertisement
COMMENTS The proposal relates to the erection of a single service bay Motor Vehicle Testing Station on part of a disused railway solum located to the south of Main Street, Glenboig. It should be noted that planning permission was refused for a related proposal on 4 February 1998. The main difference between the current and the previous proposal relates to the reduction in size of the test station and method of access. Previously a 2 service bay test station was proposed. Despite this amended design it remains my view that the proposal represents a significant over development of the site as there is insufficient site width to provide satisfactory access, segregated cycle track/footway and 2 metre wide service strip. The proposal would result in unsatisfactory parking and manoeuvring areas. In addition, the access to Main Street is considered to be too close to an existing private road. As such the means of access to the site is considered to be unsatisfactory and detrimental to road safety.
RECOMMENDATION Refuse for the following reasons:-

1. That the proposal would result in an over development of the site as there is unsatisfactory parking provisions, inadequate access and manouevering arrangements which would be detrimental to road safety and would be contrary to the aims of Policy ECON8 of the Adopted Monklands District Local Plan 1991.

2. That the proposed use would encourage on-street parking which would be detrimental to both road safety and the existing amenity of the surrounding area.

3. That the proposal would be contrary to Policy LR7(4) Develop Network of Long Distance Paths as the development would compromise the Councils intention to provide a long distance path at this location.

List of Background Papers

- Application Forms and Plans
- Letter from the Applicant dated 19 January 1998
- Adopted Monklands District Local Plan 1991
- Consultation response from The Coal Authority dated 23 March 1998
- Consultation response from West of Scotland Water dated 19 March 1998
- Consultation response from NLC Environmental Services dated 6 April 1998
- Letters of Objection from following:-
  
  Mr and Mrs G Batchen, 3 Carrick View, Glenboig received 9 March 1998
  Mr and Mrs P Lawless, 94 Main Street, Glenboig received 31 March 1998
  Mr and Mrs Smith, 101 Main Street, Glenboig received 5 March 1998

Any person wishing to inspect the above background papers should telephone Coatbridge 812376 and ask for Mr Colin Marshall.
APPLICATION NO. C/98/00241/FUL

REPORT

1. SITE DESCRIPTION & PROPOSALS

1.1 Planning permission is being sought for the erection of a Motor Vehicle Testing Station at 99 Main Street, Coatbridge.

1.2 The application site consists part of a disused railway solum and extends to some 585m² (13.0 metres wide x 45 metres in length). The site is bounded to the north by Main Street, to the east by a private road (Carrick View) to the south by the railway solum and to the west by an adjacent residential property.

1.3 The Motor Vehicle Test Station would comprise a single storey building with pitched roof measuring 6.1 metres wide and 12.0 metres in length with parking facilities located to the rear.

1.4 Finishing materials would consist a mix of render/facing brick walls with profile steel roof sheeting. An entrance doorway would be provided to the rear of the proposed workshop with a pedestrian access provided to the front elevation. 3 no. high level windows would be provided on the east and west elevation.

1.5 The proposed site would have an ‘open plan’ aspect in that there would be no security fencing and it would be the applicants intention to share the open parking access and manoueversing area with cyclists/pedestrians once the long distance footpath is established. (Proposals LR7 as noted below).

2. PLANNING POLICY

2.1 Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by the following policies and proposals.

ECON8 General Urban Area
LR7 Develop Network of Long Distance Paths

3. CONSULTATIONS

3.1 The Coal Authority, NLC Environmental Services and West of Scotland Water had no objection to the proposal.

3.2 Although Sustrans were consulted no reply was offered.

4. REPRESENTATIONS

4.1 A total of three letters of objection were received in regard to this application.

4.2 A letter of objection dated 12 December 1997 was received from Mr and Mrs W Smith, 101 Main Street, Glenboig. This particular objector considered that the development would compromise road safety as Main Street carried high levels of speeding traffic including large vehicles. The objector further considered the proposal would result in increased noise levels particularly if the proposed business would be in operation 7 days per week. It was also considered that increased fumes would be detrimental to the general environment.

4.3 A letter of objection from Mr and Mrs P Lawless, 94 Main Street, Glenboig was received on 15 December 1997. The objection is based on a consideration that the proposed location for this business is inappropriate and that it would create parking and access problems that would be detrimental to road safety.
4.4 A letter of objection from Mr and Mrs G Batchen, 3 Carrick View, Glenboig was received on 17 December 1997. In summary the objector considered the proposal to be unacceptable as it would cause serious problems with traffic, parking and access, would lead to increased noise levels and have an impact on the natural environment within a highly proportioned residential/agricultural area.

5. ASSESSMENT

5.1 Under the terms of the development plan the application site is located within an area covered by Policy ECON8 (General Urban Area). Within these designated areas, a mix of land use is considered acceptable. However, new proposals for offices, light industry and other business uses need to meet appropriate requirements for access, plot size, built form and amenity. In this instance the proposed use of the site as a motor testing station may be acceptable in principle. However it is my view that the detailed layout and arrangement of the application site is not acceptable for road safety reasons, would constitute an over development of the site and would as a result have a detrimental affect on the existing amenity of the surrounding area.

5.2 The access to the site from Main Street is situated too close to the adjacent private road junction at Carrick View and such an arrangement would prejudice road safety in this area. In addition, the operational layout of the site is restrictive. Access to the site would require to be gained via a 5.5 metre wide footway crossing. Adjacent to this, but segregated from the vehicle access, should be a width of 3.0 metres for the shared cycleway/footpath. Furthermore, on the east side of the site at Carrick View a 2 metre service strip is required. Taking into account these widths and the width of the proposed building (6.0 metres) there is insufficient land available to accommodate these minimum requirements.

5.3 The minimum parking requirements for this proposal would be 4 No. spaces per service bay plus 1 No. space per 2 staff members. It is therefore estimated that approximately 5 No. car parking spaces would be required. It is clear from the indicated site plan that this could be accommodated within the boundary however, the site width is too narrow to encompass both a turning/manoeuvring area and segregated cycle track.

5.4 It is noted from the submitted plans that the proposed cycleway would share the access with the proposed MOT station, however this would not be considered appropriate on road safety grounds as such a facility would need to be segregated from the customer vehicle manoeuvring area. It is therefore my view that the proposals would have a detrimental impact on the viability of the Councils proposal to provide a safe off road cycle route and as such would be contrary to Policy LR7.

5.5 Turning to the objections raised by the neighbours I would conclude that whilst the principle of developing this site for an MOT station may accord with Policy ECON8, the detailed layout of this particular proposal is unacceptable for reasons noted above and I would therefore concur with the concerns over road safety aspects expressed by the objectors. I would further agree that as road safety would be compromised the surrounding area's existing amenity would be reduced. It was further claimed by objectors that the proposed development would lead to increased noise and fume emissions. Whilst the operation of such a business would undoubtedly result in increased activity I do not consider this would be significant enough to represent a disamenity. Moreover, the Director of Environmental Services had no objection to the proposal.

6. CONCLUSION

6.1 In view of the foregoing it is my view that the use of this site as a Motor Vehicle Test Station would be unacceptable in this instance. The site is not large enough to accommodate satisfactory access and parking arrangements and would compromise the viability of the Councils proposal for a long distance footpath/cycle track. I consider the proposal would represent an over development of the site.

6.2 In view of the above considerations, it is my view that the proposal is not acceptable and recommend that permission is refused.
<table>
<thead>
<tr>
<th>Application No.</th>
<th>C/98/00287/FUL</th>
</tr>
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<tbody>
<tr>
<td>Date registered</td>
<td>11 March 1998</td>
</tr>
<tr>
<td>APPLICANT</td>
<td>JANINE RAE, 84 WAVERLEY CRESCENT, KIRKINTILLOCH</td>
</tr>
<tr>
<td>Agent</td>
<td>-</td>
</tr>
<tr>
<td>DEVELOPMENT</td>
<td>SITING OF CATERING TRAILER</td>
</tr>
<tr>
<td>LOCATION</td>
<td>9-11 PALACECRAIG STREET, COATBRIDGE</td>
</tr>
<tr>
<td>Ward No.</td>
<td>38</td>
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<tr>
<td>Grid Reference</td>
<td>273335 663221</td>
</tr>
<tr>
<td>File Reference</td>
<td>C/PL/CTP070/MH/ES</td>
</tr>
<tr>
<td>Site History</td>
<td>No relevant site history</td>
</tr>
<tr>
<td>Development Plan</td>
<td>Under the terms of the Monklands District Local Plan 1991 the site is located within an area covered by policy ECON2 Existing General Industrial Areas</td>
</tr>
<tr>
<td>Contrary to Development Plan</td>
<td>No</td>
</tr>
</tbody>
</table>

**CONSULTATIONS**

| Objection | - |
| No Objection | NLC Environmental Services |
| Conditions | - |
| No Reply   | - |

**REPRESENTATIONS**

| Neighbours | No Response |
| Newspaper  | No Response |
| Advertisement | No Response |

**COMMENTS**

The application relates to the siting of a catering trailer at 9-11 Palacecraig Street, Coatbridge. The siting is appropriate, being within an existing industrial estate and taking into account all material considerations it is considered that planning permission should be granted for a temporary period of 3 years.

**RECOMMENDATION**

Grant, subject to the condition on the attached sheet.

**List of Background Papers**

- Application form and plans
- Adopted Monklands District Local Plan 1991
- Consultation response from NLC Environmental Services dated 18th March 1998

Any person wishing to inspect the above background papers should telephone Coatbridge 812371 and ask for Marlaine Haley.
CONDITIONS:

1. That the permission hereby granted is for a temporary period only and shall expire 3 years from the date of this notice.

   Reason: To enable the Planning Authority to retain effective control.
APPLICATION NO. C/98/00287/FUL

REPORT

1. APPLICATION SITE & PROPOSAL

1.1 This application relates to the siting of a catering trailer at 9-11 Palacecraig Street, Coatbridge.

1.2 The site is located within an area covered by policy ECON2 Existing General Industrial Areas in terms of the Monklands District Local Plan 1991. It is located within an industrial estate in a position which is adjacent to an existing access road.

2. REPRESENTATIONS & CONSULTATIONS

2.1 The application was advertised in the local press as being a Bad Neighbour Development and no representations were received.

2.2 The Council’s Environmental Services Department was consulted and has no objections.

3. OBSERVATIONS

3.1 The application is zoned in the Local Plan as ECON2 Existing General Industrial Areas and as such the proposed development may be seen to contribute to the facilities available on the site.

It is not anticipated that the proposal would adversely impact upon the use of the factory parking area or the amenity of the surrounding area. Nor would it be likely to cause any obstruction to traffic movement.

I have no objection to planning permission being granted, however, I believe a temporary consent of 3 years would be appropriate for a development of this type which is not a permanent structure.

4. CONCLUSION

4.1 It is concluded that the proposal is acceptable from a planning viewpoint and that in accordance with normal practice relating to developments of this type, a temporary consent shall be granted for a period of 3 years with the opportunity for the applicant to reapply at the end of this period for further planning approval, if appropriate.
Application No. C/98/00296/FUL
Date registered 5 March 1998
APPLICANT MR A HIGGINS, 'LINAIRGH', DRUMBATHIE ROAD, AIRDRIE

Agent Mr J McGowan, 'Merrylea', Drumbathie Road, Airdrie, ML6 6EW
DEVELOPMENT CHANGE OF USE OF BUILDERS YARD TO CAR DISPLAY AND SALES AREA
LOCATION 28 FORSYTH STREET, AIRDRIE, ML6 6AX

Ward No. 50
Grid Reference 276046 665560
File Reference C/PL/AIF7480028/CM/MD

Site History

Development Plan Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by the following policies
ECON 13 Improvement of Industrial Sites
ECON 9 Secondary Core Areas

Contrary to Development Plan No

CONSULTATIONS

Objection No Objection Conditions No Reply

REPRESENTATIONS

Neighbours Two
Newspaper Advertisement Not Required

COMMENTS Planning permission is being sought for a change of use of an existing builders yard to a car sales and display area at a site located to the west side of Forsyth Street.

The site area would extend to some 360m² and accommodate a maximum of 6 no. display vehicles. 4 no. visitor parking spaces would also be provided. The existing building would be used as a car sales office. As the site area is not considered large enough to accommodate multi-car transporters the applicant has agreed to enter into a Section 75 Agreement to control the method of delivering vehicles to site. Such an Agreement would prohibit the use of multi-car transporter parking on Forsyth Street. Provided such specific requirements are adhered to I consider the proposal could operate satisfactorily with no detrimental impact on the property or surrounding area. I have considered the terms of representation made by neighbours but conclude the proposal is unlikely to have an adverse impact on existing levels of amenity. However, I am fully aware that the scale of successful car sales businesses can escalate. I would suggest the Council should demonstrate a degree of caution and recommend that planning permission be granted for a temporary period of 1 year.
APPLICATION NO: C/98/00296/FULL
PROPOSAL/SITE: CHANGE OF USE OF BUILDING YARD TO CAR DISPLAY AND SALES AREA AT 28 FORSYTH STREET, AIRDRIE
RECOMMENDATION

Grant, subject to the condition on the attached sheet.

List of Background Papers

- Application Form and Plans
- Adopted Monklands District Local Plan
- Letter of Objection from Mr T J Rennie, 21 Forsyth Street, Airdrie received 16 March 1998
- Letter of Objection from Ms Elizabeth Fegan, 17 Forsyth Street, Airdrie received 16 March 1998.

Any person wishing to inspect the above background papers should telephone Coatbridge 812376 and ask for Mr Marshall.
CONDITIONS:

1. That the development hereby permitted shall be started within five years of the date of this permission.
   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That the permission hereby granted is for a temporary period only and shall expire 12 months from the date of the decision notice.
   Reason: To enable the Planning Authority to retain effective control over the use of the site as a car sales and display area.

3. That the car sales display area shall be restricted to the area coloured red on the plan hereby approved.
   Reason: To safeguard the amenity of the area and define the use of the site.

4. That before the development hereby permitted is brought into use, 4 no. off street customer parking spaces shall be provided within the site and identified for the use of customers, as described on the approved plans and shall thereafter, be maintained as customer car parking spaces.
   Reason: To safeguard the amenity of the area and define the use of the site.

5. That the premises shall be used for the purposes of car sales and display only.
   Reason: To safeguard the amenity of the area and define the use of the site.

6. That before the development is brought into use a 1.5 metre high metal fence shall be erected to the front of the office premises as indicated in green on the approved plan to the satisfaction of the planning authority.
   Reason: In the interests of traffic and pedestrian safety.

7. That the proposed boundary wall extension shall be constructed in materials to match the existing wall and that the repositioned security gate shall be designed to ensure it does not open out into the public road.
   Reason: In the interests of traffic safety and in the interests of the visual amenity of the area.
1. The applicant has agreed to enter into an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of the proposed car sales display area. The planning consent should not be issued until these matters have been concluded.
APPLICATION NO. C/98/00296/FUL

REPORT

1. SITE DESCRIPTION AND PROPOSAL

1.1 Planning permission is sought for a change of use of a vacant builders yard to a car display and sales area at 28 Forsyth Street, Airdrie.

1.2 The application site relates to existing office premises and yard area located to the west of Forsyth Street. The site is generally screened by 6ft. high brick wall and is bounded to the north by a public house, to the east by Forsyth Street, to the south by a residential property and to the west by rear garden curtilages of properties located in Hallcraig Street and Johnstone Street. Residential flats are located opposite the application site frontage.

1.3 The proposal would involve the demolition of a boundary wall between the existing builders yard and public house to provide a site area measuring approximately 20m x 18m (360m²). Within the site a car display area would be restricted to 6 no. vehicles with 4 no. customer parking spaces located to the rear. The existing premises which would serve as a car sales office. A new wall would be constructed off the front of the office to enable security gates to be repositioned. No car repair operations are intended.

2. DEVELOPMENT PLAN

2.1 Under the terms of the Adopted Monklands District Local Plan 1991 the application site is located within an area covered by policies ECON 13 (Improvement of Industrial Sites) and ECON 9 (Secondary Core Area). Within these designed areas the principal of mixed uses are acceptable provided there would be no adverse environmental impact.

3. CONSULTATIONS/REPRESENTATIONS

3.1 There were no external consultees involved in the consideration of this application.

3.2 Two letters of objection were received from residents of the adjacent residential flats and the terms of the objections raised can be fairly summarised as follows:

(a) That the proposal would result in an increase in levels of noise and fumes.

(b) That the proposal would lead to increased traffic congestion in Forsyth Street as over use of the site may result in sales vehicles/customers using the street for parking.

(c) It is envisaged that traffic congestion would be detrimental to road safety particularly at the road junction between Forsyth Street and Hallcraig Street.

(d) The proposal would have a detrimental impact on the Conservation Area.

(e) Concern was expressed over the likelihood of the applicant using multi-car transporters which would significantly have an impact on road safety.

(f) Associated activities relating to car sales areas i.e. car valeting and car repairs would be detrimental to the surrounding area.

4. ASSESSMENT

4.1 The proposal generally conforms to the terms of the Adopted Local Plan policies however the issues raised by the objectors suggest that a significant disamenity would result. In consideration of these matters the following assessment has been made.
The proposal is restricted to change of use of a builders yard to car sales and display area. The applicant has advised that no car repairs would be carried out on site. It is my view that whilst a car repair operation such as a workshop or garage could result in increased noise levels the nature of a car sales/display area is relatively benign and activities are generally limited to customers viewing and/or test driving of display vehicles away from the site.

The submitted site plan indicates that the car display area would be limited to 6 vehicles and that provision would be made for 4 no. visitor parking spaces. Given this layout I consider the site is large enough to accommodate this level of use and provided the applicant adheres to the agreed display area I consider the use of the site would not result in increased traffic congestion in Forsyth Street. Consequently, I consider the proposal would not be detrimental to road safety.

The objector was concerned that the proposal would be detrimental to the character of the Airdrie and Town Centre Conservation however I would confirm that the application site is not located within a conservation area.

It is clear from the site measurements that it would be difficult to service the car sales area using a multi-vehicle car transporter and the parking of this type of vehicle in Forsyth Street (whilst delivering sales vehicles to the site) would be unacceptable. I would therefore concur with the objector’s concerns in this matter. However, the applicant has advised that it is his intention to drive road worthy sales cars to the site and does not intend to use a car transporter. Whilst such an arrangement would be considered acceptable, this would need to be controlled via a Section 75 Agreement. The applicant has since agreed to enter into an agreement with the Council and I am satisfied that such a measure would offer the Council adequate control over the method used to deliver vehicles to the site.

The use of the site would be limited to the display and sale of motor vehicles as previously noted. Whilst it would be acceptable to allow the applicant to undertake minor valeting works, an escalation of such associated activities that would include car repairs or valeting service for the general public would require consideration via the submission of a further planning application. However, I am satisfied that adequate controls can be imposed on the proposed use of the site through appropriate conditions. Having considered the matters raised by the objectors it is my view that the proposal would have no detrimental impact on the existing levels of amenity of the surrounding area.

Notwithstanding the above considerations I am fully aware that the scale of successful car sales businesses can escalate to such a degree that amenity standards can be affected. It is therefore my view that a certain degree of caution should be demonstrated and recommend that planning permission be restricted to a 1 year period.

The proposal accords with the terms of the adopted local plan policies and I recommend that application is approved for a temporary period of 1 year, subject to conditions and the satisfactory completion of a Section 75 Agreement.
Application No. C/98/00299/FUL
Date registered 5 March 1998
APPLICANT O.T.S AIRDRIE LTD, 560 MAIN STREET, MOSEN, BELLSHILL

Agent Alan C Daly & Partners, 17 Bell Street, Airdrie, ML6 0BS
DEVELOPMENT CHANGE OF USE FROM CAR PARKING AREA TO CAR SALES CENTRE
LOCATION O T S AIRDRIE LTD HOGG STREET AIRDRIE LANARKSHIRE ML6 9JH

Ward No. 50
Grid Reference 276382 665029

File Reference C/PL/AI567/DB/ES

Site History The application site is part of the former North West Factory which has been sub-divided

Development Plan In terms of the adopted Monklands Local Plan 1991 the site is located in an area zoned Econ 2 Existing General Industrial Area and Econ 13 Improvement to Industrial/Commercial Sites

Contrary to Development Plan Yes

CONSULTATIONS

Objection -
No Objection NLC Environmental Services
Conditions -
No Reply -

REPRESENTATIONS

Neighbours No response
Newspaper Advertisement No response

COMMENTS The applicant seeks consent to change the use of a vacant yardspace and office to form a car sales area. Following a full assessment of the proposal, taking into account all material considerations, it is considered that planning consent should be granted subject to conditions.

RECOMMENDATION
Grant, subject to the conditions on the attached sheet.
List of Background Papers

- Application form and plans
- Adopted Monklands District Local Plan 1991
- Consultation response from NLC Environmental Services dated 23rd March 1998.

Any person wishing to inspect the above background papers should telephone Coatbridge 812372 and ask for Mr Baxter
CONDITIONS

1. That the development hereby permitted shall be started within five years of the date of this permission.
   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted is completed, occupied or brought into use, a 2.8 metre high, weld mesh, security fence shall be erected along the boundaries marked GREEN on the approved plans.
   Reason: In the interests of amenity.

3. That before the development hereby permitted is completed or brought into use the 3 parking spaces outlined in ORANGE on the approved plans are clearly marked out, and shall thereafter, be maintained as customer parking area.
   Reason: In the interests of traffic safety.
APPLICATION NO. C/98/00299/FUL

REPORT

1. APPLICATION SITE & PROPOSAL

1.1 This application relates to the proposed change of use of yardspace and office, at Hogg Street, Airdrie to a car sales area.

1.2 The proposal will involve the display of approximately 13 cars for sale and 3 customer parking spaces on part of the yardspace which formed part of the former North West Factory. The application site has its own access onto Hogg Street.

2. REPRESENTATIONS & CONSULTATIONS

2.1 The application was advertised in the local press as being contrary to the Development Plan and no representations were received.

2.2 The Council’s Environmental Services Department was consulted and has no objections so long as the premises comply with the requirements of the Health and Safety at Work etc. Act 1974.

3. OBSERVATIONS

3.1 The proposed change of use is contrary to the Development Plan in that it does not represent an industrial use. I do not consider, however, that the loss of this site to a commercial use would adversely impact upon the industrial character of the area and would indeed bring a currently vacant property back into productive use.

3.2 As the proposal meets with current traffic guidelines in terms of parking and manoeuvring areas I recommend that the application be granted subject to the attached conditions.
Application No. C/98/00354/FUL
Date registered 10th March 1998
APPLICANT JAMES HIGGINS, 45 MAVISBANK STREET, AIRDRIE, ML6 0JA

Agent -
DEVELOPMENT LOCATION SITING OF HOT FOOD MOBILE SNACK BAR CAR PARK AT AIRDRIE SPORTS CENTRE MOTHERWELL STREET AIRDRIE LANARKSHIRE ML6 7HP

Ward No. 43
Grid Reference 277316 666073
File Reference C/PL/AIM850/DB/SOH

SITE HISTORY
Planning consent was granted on 13 November 1978 for the erection of a Sports Centre, planning consent no. 78/304.
Planning consent was granted on 10 January 1985 for the construction of Sports Pitches and Floodlighting, planning consent no. 84/441.
Planning consent was granted on 20 March 1989 for the Extension to Sports Centre, planning consent no. 89/027.

Development Plan Under the terms of the Monklands District Local Plan 1991 the site is located within an area covered by policy LR11 Improve Public Open Space

Contrary to Development Plan No

CONSULTATIONS
Objection -
No Objection NLC Environmental Services
Conditions -
No Reply -

REPRESENTATIONS
Neighbours No Response
Newspaper Advertisement No Response

COMMENTS The application relates to the siting of a mobile hot food snack bar in the car park of Airdrie Sports Centre. Following a full assessment of the proposal, taking into account all material considerations it is considered that planning permission should be granted for a temporary period of 1 year.

RECOMMENDATION Grant, subject to the conditions on the attached sheet.
APPLICATION NO: C/98/00354/FUL
PROPOSAL/SITE: SITTING OF HOT FOOD MOBILE SNACK BAR AT CAR PARK AIRDRIE SPORTS CENTRE
MOTHERWELL STREET, AIRDRIE

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NORTH ↑
SCALE 1: 2500
List of Background Papers

- Application form and plans
- Adopted Monklands District Local Plan 1991
- Consultation response from NLC Environmental Services dated 25 March 1998

Any person wishing to inspect the above background papers should telephone Coatbridge 812372 and ask for Mr Baxter
CONDITION:

1. That the permission hereby granted is for a temporary period only and shall expire 1 year from the date of this notice.
   
   Reason: To enable the Planning Authority to retain effective control.

2. The snack bar hereby approved shall be located a minimum distance of 15 metres from the kerb line of the A73, as indicated on PLAN A.

   Reason: To prevent customer parking on the A73.
APPLICATION NO. C/98/00354

REPORT

1. APPLICATION SITE & PROPOSAL

1.1 This application relates to the siting of a mobile hot food snack bar in the car park of Airdrie Sports Centre, Motherwell Street, Airdrie.

1.2 The site is located within an area covered by policy LR11 Improve Public Open Space in terms of the Monklands District Local Plan 1991.

2. REPRESENTATIONS & CONSULTATIONS

2.1 The application was advertised in the local press as being a Bad Neighbour Development and no representations were received.

2.2 The Council’s Department of Environmental Services was consulted and raised no objections.

3. OBSERVATIONS

3.1 The proposal does not conflict with the Local Plan zoning and could be seen to contribute to the facilities available on the site. It is not anticipated that the proposal would adversely impact on the use of the sport centre parking area or the amenity of the surrounding area. I have no objection to planning permission being granted, however, I believe a temporary consent of 1 year would be appropriate in order to allow monitoring to be carried out to assess the impact on existing car parking provision for the Sports Centre.

4. CONCLUSION

4.1 It is concluded that the proposal is acceptable from a planning viewpoint and that for the reason stated above it is considered that, a temporary consent should be granted for a period of 1 year with the opportunity for the applicant to reapply at the end of this period for further planning approval, if appropriate. It is therefore recommended that planning permission is granted subject to this condition.
Cf98f00418fAMD
25 March 1998
BAVAIRD DEVELOPMENTS, MAIN STREET, COATBRIDGE, ML5 2RD
Premier Design Associates, 26 Howard Court, Nerston, East Kilbride
CHANGE FROM PROPOSED RESTAURANT TO DISCOTHEQUE AND
FROM PROPOSED AMUSEMENT ARCADE TO BETTING SHOP AND
EXTENDED BAR AREA AND ALTERATION TO PROPOSED ROOF DESIGN
(AMENDMENT TO PLANNING CONSENT C/96/048).
146-168 MAIN STREET, COATBRIDGE, LANARKSHIRE, ML5 3RD
34
273488 664976
C/PL/CTM030/GPQ/JW
On the 19 June 1996 planning permission (C/96/048) was granted for the erection
of a two-storey and basement commercial development comprising disco/public
house/amusement arcade/licensed restaurant and hot food carry out.
Under the Adopted Monklands District Local Plan 1991, the site is covered by the
following policies/proposals.
HG3/38:- Proposal for private sector residential development (as an alternative or
supplement to proposal ECON7 below)
ECON7:- Proposal for offices/business use/light industry (as an alternative or
supplement to proposal HG3/38 above)
ECON9 (Secondary Core Areas):- Policy covering areas where the principle of a
mixture of land uses will be accepted including office, light industry and business
use and shopping and related uses (classes 1, 2 and 3) (for example building
societies and estate agents).
No
West of Scotland Water/Sewerage, NLC Environmental Services, The Coal
Authority, British Gas (Transco)
Scottish Power and British Telecom
No Response
No Response
The applicant seeks planning permission for amendments to the commercial
development proposal previously approved under planning permission no
C/96/048. This previous proposal which took the form of a two-storey and
basement building, is in the process of being implemented and is at an advanced
stage of construction. The applicant, presumably on testing the market situation,
intends to pursue some different uses for some of the accommodation proposed namely a discotheque use on the basement floor as opposed to the previously proposed restaurant, and a betting shop use on the first floor as opposed to an amusement arcade. The applicant also intends to extend the previously approved bar area into 50% of the floorspace previously allocated for the amusement arcade. In addition to these proposed changes to the use of the building, the applicant also seeks planning permission for a change to the roof design to achieve a stepped arrangement as opposed to the uniform structure previously proposed. This alteration has in fact already been constructed, and therefore is a retrospective aspect of the proposals.

On assessment, it is considered that in policy terms the proposed alternative uses would not raise any planning objections in view of the site and building characteristics, and the close proximity to the established Coatbridge Town Centre. As for the physical change to the building’s roof design, again there is no objection from a planning viewpoint. Indeed, the proposed alteration achieves a superior design solution for the building.

It is considered therefore that planning permission can be granted for these proposed amendments subject to conditions of a normal nature.

RECOMMENDATION

Grant, subject to the conditions on the attached sheet.

List of Background Papers

- Planning Consent No C/96/048
- Application form and accompanying drawings
- Adopted Monklands District Local Plan 1991
- Strathclyde Structure Plan 1991
- Memo from Head of Protective Services dated 8 April 1998
- Letter from West of Scotland Water dated 3 April 1998
- Letter from British Gas (Transco) dated 15 April 1998
- Letter from The Coal Authority dated 16 April 1998

Any person wishing to inspect the above background papers should telephone Coatbridge 812381 and ask for Mr Quinn.
C/98/00418/AMD

CONDITION

1. The amendments hereby approved shall comply with the conditions of planning permission no. C/96/048.

Reason: To accord with the original planning permission.

Advisory Note:

The development should comply with the following legislation enforced by the Local Authority:

- The Food Safety (General Food Hygiene) Regulations 1995
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Control of Pollution Act 1974
APPLICATION NO. C/98/00418/AMD

REPORT

1. THE SITE

1.1 The application site concerned comprises approximately 0.25 hectares of vacant land currently occupied by a partly constructed two-storey and basement commercial development previously approved under planning consent no. C/96/048. This site and building both lie in a prominent location adjacent to the eastern edge of Coatbridge Town Centre.

1.2 The applicant proposes to amend the existing planning consent covering this building such as to legitimise different uses within some areas of the accommodation. Specifically, the applicant seeks an amendment to allow a discotheque on the basement floor as opposed to the previously approved restaurant. The applicant also seeks an amendment to allow a betting shop to be located in 50% of the floor area previously approved for use as an amusement arcade. The remaining 50% of that area is proposed to be used as an extension to the currently approved ground floor bar. As far as the structure of the building is concerned the applicant also seeks an amendment to allow an alternative form of roof design. This alteration has in fact already been constructed, and therefore is a retrospective aspect of the proposals.

2. LOCAL PLANNING POLICIES

2.1 Under the Adopted Monklands District Local Plan 1991, the following policies/proposals apply to the site:

HG3/38:- Proposal for private sector residential development (as an alternative or supplement to proposal ECON7 below).

ECON7:- Proposal for offices/business use/light industry (as an alternative or supplement to proposal HG3/38 above).

ECON9:- Policy covering areas where the principle of a mixture of land uses will be accepted including office, light industry and business use, and shopping and related uses (classes 1, 2 and 3) (for example building societies and estate agents).

3. CONSULTATIONS/REPRESENTATIONS

3.1 No objections were received from any of the consultees, whilst no representations were received from any other third parties.

4. ASSESSMENT

4.1 First of all, as far as the current Local Plan is concerned, it is clear that the proposals expressed by HG3/38 and ECON7 have been superseded by the currently approved commercial development under construction on site.

4.2 The main point of Local Plan reference therefore is policy ECON9 which deals with the principle of the uses within the site. In this regard, it is considered that all of the new uses are acceptable from a planning viewpoint, being compliant with policy ECON9. Moreover, given the site location, close to the established town centre, there should be no adverse effects in terms of amenity or environment. Indeed, it is considered that the uses, like the currently approved uses, would complement the existing town centre.

4.3 As far as road safety is concerned, there would be no net impact from the proposed amendments in comparison with the components already approved.
4.4 As far as the alteration to the built structure is concerned, there is no planning concern in terms of design, scale or materials. Indeed, it is considered that the amended roof design in fact represents an improvement in urban design and architectural terms.

5. RECOMMENDATION

5.1 On the basis of the foregoing, it is recommended that planning permission be granted subject to the attached conditions.
This application seeks retrospective planning permission for engineering works to upgrade agricultural land at Garrionburn Farm, Gillhead, Wishaw. The application site lies between the access road to Garrionburn Farm and Garrionburn Water. It is steeply sloping and has an uneven surface. Material has been deposited and it is the applicant's intention to infill and grade the slope. A layer of topsoil would then be spread and resown with a grass seed mixture. The application site would then be used to graze farm stock. No objections have been received in relation to this application. Due to the nature of the work however the Scottish Environment Protection Agency will be monitoring the progression of the works. It is considered that this development would be an appropriate use for a greenbelt area and would therefore recommend that planning permission is granted.
RECOMMENDATION

Grant, subject to the following conditions:-

(1) That as far as reasonably practical the restoration of ground levels at the site, shall be carried out progressively, to the satisfaction of the Planning Authority.

Reason: In the interests of effective land management.

(2) That within 6 months of the completion of the grading works a layer of top soil to a depth of at least 3 inches shall be spread and sown with a mixture of grass seed to the satisfaction of the Planning Authority.

Reason: In the interests of effective land management.

(3) That no work shall be undertaken within 9 metres of the bank of the Garrionburn Water.

Reason: In the interests of effective land management.

List of Background Papers

Application form and accompanying plans dated 9/12/97
Letter from applicant dated 4/2/98
(Written Statement) Wishaw Local Plan
Letter from West of Scotland Water Authority dated 29/12/97
Memo from NLC Environmental Services dated 7/1/98
Letter from Scottish Office Agriculture, Environment and Fisheries Department dated 14/1/98
Fax from Scottish Environment Protection Agency dated 22/1/98
Fax from Scottish Environment Protection Agency dated 26/2/98
Fax from Scottish Environment Protection Agency dated 2/3/98
Fax from Scottish Environment Protection Agency dated 11/3/98

Any person wishing to inspect the above background papers should telephone Motherwell 302139 and ask for Gwen McKillop.
Application No. S/97/00789/FUL
Date registered 19 December 1997
APPLICANT BEAZER HOMES LTD., BEAZER HOUSE, 1 NAPIER PARK, WARDPARK NORTH, CUMBERNAULD G68 0BH
Agent
DEVELOPMENT CONSTRUCTION OF 214 DWELLINGHOUSES WITH ASSOCIATED ROADWORKS AND LANDSCAPING
LOCATION CARBARNES ROAD, NETHERTON, WISHAW

Ward No. 15
Grid Reference 278000-654400
File Reference S/PL/B/2/6/JL/AB
Site History No significant planning history.
Development Plan Consultative Draft Motherwell Local Plan.
Contrary to Development Plan No

CONSULTATIONS

<table>
<thead>
<tr>
<th>Objection</th>
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<th>Conditions</th>
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<td>West of Scotland Water, Scottish Power, British Telecom, Health and Safety Executive</td>
<td>NLC Environmental Services, The Coal Authority, NLC Leisure, Transco, SEPA</td>
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REPRESENTATIONS

<table>
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<th>Neighbours</th>
<th>Newspaper</th>
<th>Advertisement</th>
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</thead>
<tbody>
<tr>
<td>One letter of concern</td>
<td>Not Required</td>
<td></td>
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</tbody>
</table>

COMMENTS

The applicant seeks planning consent for the erection of 214 dwellinghouses with associated roadworks and landscaping on a 7.49 hectare site at Carbarnes, Netherton, Wishaw. The land was formerly owned by North Lanarkshire Council and has recently been disposed of to the applicant. Approximately $\frac{1}{3}$ of the site has been used for industrial processes in the past, the remainder is undeveloped. The former Motherwell District Council invested a considerable amount of money in the 1980s reclaiming the industrial part of this site to accommodate development at a later stage. It is considered that the redevelopment of this site will, first of all, bring a vacant brownfield site into productive use and secondly, help revitalise the Wishaw area. I therefore recommend that planning consent is granted subject to conditions.
Planning Application No. S/97/00789/FUL
Erection of Dwellinghouses with associated Roadworks and Landscaping
Carbarns Road
Wishaw
RECOMMENDATION
Grant, subject to the following conditions:-

(1) That the development hereby permitted shall be started within five years of the date of this permission.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

(2) That before development starts, full details and/or samples of the facing materials to be used on all external walls and roofs shall be submitted to, and approved by, the Planning Authority.

Reason: These details have not been submitted.

(3) That before development starts, full details of the design and location of all fences and walls to be erected on the site shall be submitted to, and approved by, the Planning Authority.

Reason: These details have not been submitted.

(4) That notwithstanding the generalities of condition (3) above, a 1.8 metre high facing brick wall shall be erected along the northern boundary, marked A-B on approved plan, to the satisfaction of the Planning Authority. The precise details of this work shall be submitted to and approved by the Planning Authority prior to its erection.

Reason: To safeguard the amenity of future residents.

(5) That before the development hereby permitted is occupied, or brought into use, all the fences, or walls, for which the permission of the Planning Authority has been obtained under the terms of conditions (3 and 4) above, shall be erected.

Reason: In the interests of amenity.

(6) That before development starts, a scheme of landscaping shall be submitted to, and approved by, the Planning Authority and it shall include:-

(a) details of any earth moulding and hard landscaping, grass seeding and turfing;

(b) a scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;

(c) 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, and

(d) details of the phasing of these works.

Reason: In the interests of the visual amenity of the area.

(7) That within one year of the occupation of the last dwellinghouse within the development hereby permitted, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition (6) above, shall be completed; and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased
within 2 years of the completion of the development, shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of amenity.

(8) That before development starts, a scheme for the provision of 2 play areas within the sites, hatched RED on the approved plans, shall be submitted to, and approved by, the Planning Authority and this shall include:-

(a) details of the type and location of play equipment, seating and litter bins to be situated within the play areas;

(b) details of the surface treatment of the play areas, including the location and type of safety surface to be installed;

(c) details of the fences to be erected around the play areas, and

(d) details of the phasing of these works.

Reason: To ensure the provision of adequate play facilities within the site.

(9) That prior to the occupation of the last 5 dwellinghouses within the development, all the works required for the provision of equipped play areas and, included in the scheme approved under the terms of condition (8) above, shall be completed, and, thereafter, that area shall not be used for any purpose other than as a play area.

Reason: To ensure the provision of adequate play facilities within the site.

(10) That, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no integral garage shall be used as a habitable room, without the prior written consent of the Planning Authority.

Reason: To enable the Planning Authority to retain effective control and to ensure the provision of adequate parking facilities within the plot.

(11) That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no gates, fences, walls, or other means of enclosure, shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: To safeguard the amenity of future residents.

(12) That prior to the commencement of development on site, a scheme for the future maintenance of all landscaped areas of public open space and the designated play areas shall be submitted and approved by the Planning Authority.

Reason: To safeguard the residential amenity of the area.

(13) That no dwellinghouse shall be occupied until the access roads and footways leading thereto from the existing public road have been constructed to base course level.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
(14) That within 6 months of the date of completion of the final dwellinghouse hereby permitted, all access roads and footpaths leading thereto, from the existing public road, shall be constructed to wearing course level.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.

(15) That before any of the dwellinghouses hereby permitted are occupied, a 2 metre wide footway shall be constructed along the Carbarns Road and Carbarns frontages of the site, in accordance with the specifications of the Roads Authority and as described in the Roads Guidelines published by the said Roads Authority.

Reason: In the interests of public safety.

(16) That visibility splays of 9 metres by 90 metres, measured from the road channel, shall be provided on both sides of the vehicular accesses onto Carbarns Road and Carbarns and before the development hereby permitted is completed, or brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: In the interests of public safety.

(17) That before any of the dwellinghouses hereby permitted are occupied 2 car parking spaces shall be provided within the curtilage of each plot and outwith the public road or footway.

Reason: To ensure the provision of adequate parking facilities within the site.

(18) That before development starts, a report, from a professionally qualified source, describing the soil and ground conditions prevailing over the application site (including details of the nature, concentration and distribution of any contaminants), shall be submitted to the Planning Authority and the works required in order to remove or render harmless these contaminants, having regard to the proposed use of the site, shall be agreed in writing with the Planning Authority, and development shall not be commenced until it is certified by a professionally qualified source that these works have been completed.

Reason: To ensure the site is free of contamination.

(19) That before the development starts, a certificate, from a recognised firm of chartered engineers, shall be submitted to the Planning Authority confirming the mineral stability of the site and this certificate shall be based on a professionally supervised and regulated boring programme.

Reason: To ensure the mineral stability of the area.

(20) That no domestic garage shall be constructed within the curtilage of any dwellinghouse, unless the materials to be used match those on the respective house to the satisfaction of the Planning Authority, from whom written consent shall be obtained prior to the commencement of the construction of the garage.

Reason: In the interests of the visual amenity of the area.
List of Background Papers

Application form and plans dated 19/12/97
Amended plans dated 16/3/98, 30/3/98 and 20/4/98
Letter dated 27/3/98 from Beazer Homes
Finalised Wishaw Local Plan
Consultative Draft Motherwell Local Plan
Letter dated 5/1/98 from West of Scotland Water
Memo dated 30/12/97 from NLC Environmental Services
Letter dated 31/12/97 from The Coal Authority
Letter dated 8/1/98 from Scottish Power
Memo dated 5/1/98 from Director of Leisure Services
Memo dated 19/1/98 from Education Department
Letter of clarification dated 19/1/98 from Mr & Mrs Thomas Scott

Any person wishing to inspect the above background papers should telephone Motherwell 302142 and ask for Jim Lennon.
1. SITE AND PROPOSAL

1.1 The applicant seeks detailed planning permission for the construction of 214 dwellinghouses at a site in Netherton known as Carbarns. Part of the site was previously used for industrial purposes, approximately $\frac{1}{3}$, the remainder being previously undeveloped.

1.2 The site itself extends to some 7.49 hectares and is located in a predominantly residential area, surrounded on three sides by Scottish Homes, Local Authority housing, and by a row of private houses on its northern side. A small neighbourhood shopping parade, completed in 1987 is situated at the north western corner of the site.

2. BACKGROUND AND HISTORY

2.1 The site has been used for a number of different uses. The area to the east of the site contained the former East Netherton Colliery. This Colliery was served by a mineral railway crossing the site with its central part greenfield and former agricultural land. The remains of the demolished Netherton House lie in the partially wooded area in the east of the site. The western part of the site was occupied by Ward’s Scrap Yard. This was used for the storage and extraction of scrap metal for the former Clydesdale Foundry located in the south west corner of the site. A number of other properties extended along Carbarns Road, including some shops and an area of lock-ups. These were acquired and demolished by the former Motherwell District Council, to facilitate development.

2.2 The former Motherwell District Council engaged the Scottish Development Agency in works to remedy the contamination caused by the scrap metal operations on the western part of the site. This involved stripping of the contaminated material and storing it in a mound at the south western corner. The material was then capped and the mound landscaped. The former scrap yard has lain vacant for 8 years or so and has not been subject to any investigative works.

3. CONSULTATIONS

3.1 Formal consultations have been carried out with the following organisations:

a) West of Scotland Water, Scottish Power, British Telecom, Transco and Health and Safety Executive have no objections to the proposal.

b) The Coal Authority have indicated that a mine entry exists within the application site and that clarification of the treatment of this entry should be sought.

c) SEPA have requested a copy of the site investigation report detailing the contamination present and means of treatment. This will be forwarded in due course.

d) NLC Environmental Services have requested a detailed site investigation which should include details of the nature of any site contaminants and the programme of works required to remove or render harmless any contaminants found.
e) NLC Leisure Services (Head of Sport and Recreation) are liaising with the Developer regarding the precise details of the play area provision.

- NLC (Parks and Amenity) have recommended that the existing trees at the north eastern boundary of the site should be retained along with the trees at the perimeter of the site at junctions of Carbarns Road/Carbarns.

3.2 One letter of clarification was received from a neighbouring property occupier who was concerned that the private track and turning facility to the rear of the dwellinghouses fronting Netherton Road may be lost to the development. This right has been safeguarded and the facility is outwith the development site.

4. CONCLUSION

4.1 The former Motherwell District Council have anticipated residential development on this site for the past 10 years or so. The application by Beazer Homes can only enhance the Netherton area and bring a redundant, partially brownfield site back into productive use. This development site meets with the Council's general aspirations for residential development land, in that, it is close to a main road, has local shopping facilities, has an infrastructure that can readily accommodate this scale of development, and does not involve peripheral greenfield expansion.

4.2 As stated above, the Council's aims and objectives are to encourage brownfield sites to be developed in preference to greenfield release sites, and this development provides one such opportunity. I would suggest that this proposal will significantly enhance the character and amenity of the area, and improve the urban form of Netherton. Suitable conditions can be imposed to ensure that the physical constraints within the site, i.e. underground stability conditions and contamination are properly investigated and addressed prior to the commencement of site works.

4.3 I therefore consider this application acceptable, and recommend that planning permission be granted.
This application seeks outline planning permission for a vehicle sales area incorporating servicing, valeting, coffee shop and office accommodation at the former BP Oil Depot, Netherton Road and Caledonian Road junction, Wishaw. No objections have been received from the consultees however two letters of objection have been received from adjoining business operators. Full details of these objections and my comments are given in the accompanying report. I consider, given
the site’s current land use zoning that planning permission should be granted. Any consent would require the imposition of conditions to ensure that this prominent site is upgraded by the developer. I therefore recommend that planning permission be granted subject to conditions.

RECOMMENDATION
Grant, subject to the following conditions:-

1. That before development starts, a further planning application shall be submitted to the Planning Authority in respect of the following reserved matters:-
   (a) the siting, design and external appearance of all buildings and other structures;
   (b) the means of access to the site;
   (c) the layout of the site, including all roads, footways, and parking areas;
   (d) the details of, and timetable for, the hard and soft landscaping of the site;
   (e) the design and location of all boundary walls and fences;
   (f) the provision for loading and unloading of all goods vehicles;
   (g) the provision of drainage works;

   Reason: To enable the Planning Authority to consider these aspects in detail.

2. That the development hereby permitted shall be started, either within five years of the date of this permission, or within two years of the date on which the last of the reserved matters are approved, whichever is the later.

   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

3. That within three years of the date of this permission, an application for approval of the reserved matters, specified in condition 1 above, shall be made to the Planning Authority.

   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

4. That the only vehicular or pedestrian access to the application site shall be from the point marked A on the approved plans.

   Reason: In the interests of road safety.

5. That before development hereby permitted starts, a report describing the soil and ground conditions prevailing over the application site (including details of the nature, concentration and distribution of any contaminants), shall be submitted to the Planning Authority and the works required in order to remove or render harmless these contaminants, having regard to the proposed use of the site, shall be agreed in writing with the Planning Authority, and development shall not be commenced until these works have been completed.

   Reason: To ensure the site is free of contamination.
6. That notwithstanding the requirement to submit a landscaping scheme under the terms of condition (1) above, specifically the area hatched green on the approved plans shall be included within any overall scheme for the site.

Reason: In the interests of amenity.

7. That no outside storage of materials shall take place within the application site.

Reason: To safeguard the amenity of the area and define the use of the site.

8. That a visibility splay of 9 metres by 120 metres at the Netherton Road access, measured from the road channel, shall be provided on both sides of the vehicular access and before the development hereby permitted is completed, or brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: In the interests of public safety.

9. That a visibility splay of 9 metres by the distance to the railbridge to the left at the junction of Netherton Road with Caledonian Road, measured from the road channel, shall be provided and before the development hereby permitted is completed, or brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: In the interests of public safety.

10. That before the development hereby permitted is completed or brought into use, the existing vehicular accesses to the application site, marked B & C on the approved plans, shall be closed off and the ground, within the area formerly occupied by the accesses, shall, thereafter, be reinstated as a footway and verge.

Reason: In the interests of public safety.

List of Background Papers

Application form and plans dated 16.2.98
Letter from applicant’s agent dated 20.3.98
Finalised Wishaw Local Plan
Consultative Draft Motherwell District Local Plan
Letter dated 20.2.98 from Scottish Power
Letter dated 23.2.98 from First Engineering
Letter dated 3.3.98 from The Coal Authority
Letter dated 5.3.98 from Transco
Memo dated 3.3.98 from Director of Environmental Services
Memo dated 12.3.98 from Director of Environmental Services
Memo dated 9.4.98 from Director of Environmental Services
Letter dated 18.2.98 from Netherton Coachworks, 3 Netherton Road, Wishaw
Letter dated 27.2.98 from Autotec Unit 3, Netherton Road, Wishaw ML2 0DD
Letter dated 20.4.98 from Scottish Environmental Protection Agency

Any person wishing to inspect the above background papers should telephone Motherwell 302125 and ask for David McFarlane.
APPLICATION NO. S/98/00248/OUT

REPORT

1. THE SITE & PROPOSAL

1.1 The application site is the former BP Oil depot at the junction of Caledonian Road on Netherton Road, Wishaw. The site extends to approximately 1 hectare (2.4 acres). It is bounded to the north by the Glasgow-London railway line; to the east by an area of open ground across Caledonian Road; to the south by a variety of commercial premises at the former Pickerings works across Netherton Road, and to the west by the Millbank Caravans premises.

1.2 There are three existing vehicular access points to the site from Netherton Road. The site has been substantially cleared since being vacated by BP Oils. However, three small single storey buildings remain. Two of these are located within the western half of the site and one is located at the site's south eastern boundary at the junction of Netherton Road and Caledonian Road. The only other structure which remains on site is a one metre high former oil tank bund measuring approximately 30 metres by 30 metres which is located within the eastern half of the site. The perimeter is secured by 2 metre high concrete post and chain link fencing. The site has lain vacant for a number of years and as such has become overgrown in places. It has been used as a temporary storage area for cable conduits but in general the area has become more and more of an eyesore over time.

1.3 Committee will recall that a proposal to establish a scrap yard and house on the site was refused by the Secretary of State following an appeal.

1.4 This proposal is in outline only, however, the applicant has indicated that he would wish to retain the existing buildings whilst reorganising the internal layout of the site to form sales areas for different groupings of cars. Each sales area would have its own sales pavilion. The existing buildings would be remodelled and used as office space, coffee shop, servicing and valeting areas. The applicant has also indicated that hard and soft landscaping would screen and link areas of the site to provide an attractive setting for the various site functions. A new fence would be installed along the Netherton Road and Caledonian Road frontage. Finally, of the three existing access points, only the westerly one would be retained, with the others being reinstated as verge and footway.

2. CONSULTATIONS

2.1 None of the consultees had any objection to the proposal subject to their individual requirements being accommodated by the developer.

2.2 Because of the site's former use as an oil storage and distribution depot, there is known to be contamination on the site. The Director of Environmental Services has commented that a full site investigation to ascertain soil and ground conditions prevailing over the site will be required prior to development starting. The report will also require to provide a programme of works required to remove or render harmless any contaminants found.
3. OBJECTIONS

3.1 Two letters of objection have been received to the proposal and their concerns can be summarised as follows:

- There are 6 vehicle businesses located within the site's immediate vicinity and there is no requirement for further businesses of this type.
- Traffic congestion is already excessive at the junction of Caledonian Road and Netherton Road and the proposal would aggravate this situation.

4. PLANNING CONSIDERATIONS AND CONCLUSIONS

4.1 The proposed use for the application site in land use terms accords with planning policy for the area. The site itself has lain vacant for some time and as it occupies a prominent location, its continuing neglected appearance affects the image of the area. A car business for such a site is visually not the most attractive use which could have been considered. However the area is typified by mixed use industrial and car based business uses and subject to suitable conditions being imposed, a real improvement could be initiated on the site through this development. The developer has indicated his willingness to comply with such conditions if consent is granted.

4.2 With regard to the consultation responses, no objections have been received and any committee requirements can be accommodated by the imposition of appropriate conditions. Such conditions would be capable of being complied with.

4.3 The objectors raised concerns about the number of vehicular businesses there were in the immediate vicinity of the site. This is not a planning consideration when the objection is of a trading and competition nature. The objectors also raised concerns about the proposal contributing to problems already being experienced in the area of traffic congestion. Whilst the proposal is a vehicle based business and will undoubtedly contribute to the volume of traffic in the area, in terms of the overall usage of Netherton Road any additional traffic movements resulting from this proposal are considered to be minimal. Most traffic using Netherton Road is through traffic, most noticeable at peak periods. A car sales area is likely to attract customers at times throughout the day and not just at peak periods and as such I consider the likely impact of the development to be minimal. It should be noted that it is accepted that the Caledonian Road, Netherton Road junction is overloaded at peak times and as such a possible improvement scheme has been raised for inclusion within this years capital programme.

4.4 I consider that this proposed use should be granted since there are no valid objections to the proposal, the use accords with the planning policy for the area and with the imposition of conditions, a real improvement to the condition of this site could be effected. The proposed use would bring economic development activity to the area and remove a derelict site from a prominent location in Wishaw. I therefore recommend that planning permission be granted.
Application No.  S/98/00251/FUL
Date registered  24 February 1998
APPLICANT  DR G D ROSE AND PARTNERS, 102/104 HAMILTON ROAD, MOTHERWELL ML1 3DG
Agent  Roxby, Park and Baird, 11 Bothwell Street, Glasgow G2 6LY
DEVELOPMENT LOCATION  MEDICAL CENTRE AND ASSOCIATED PARKING
LOCATION  LAND WEST OF FARM STREET CORNER, LADYWELL ROAD, MOTHERWELL

Ward No.  2
Grid Reference  274880 657180
File Reference  S/PL/B/13/4(432)/GMcK/AB
Site History  No recent planning history
Development Plan  Zoned as Vacant and Derelict Land with Development Potential (Consultative Draft) Motherwell District Local Plan
Contrary to Development Plan  No

CONSULTATIONS
Objection  Scottish Power, BG Transco, West of Scotland Water, The Coal Authority, NLC Leisure Services
No Objection
No Reply
Conditions  NLC Environmental Services
No Reply

REPRESENTATIONS
Neighbours  Five letters of objection
Newspaper  Not Required
Advertisement

COMMENTS  This application seeks planning permission for the erection of a medical centre and associated parking at land west of Farm Street Corner, Ladywell Road, Motherwell. The proposed development would be erected on this vacant site and would provide employment for five general practitioners, one registered practice nurse, eight secretarial staff and a part-time cleaner. Five letters of objection have been received from adjoining neighbours and are detailed in my accompanying report. After consultation no objections were received. For the reasons contained in my accompanying report it is recommended that planning permission is granted.
Planning Application No. 98/00251/FUL
Medical Centre & Associated Parking
Land West of Farm Street Corner, Ladywell Road
Motherwell
★ Location of Objector(s)
RECOMMENDATION
Grant, subject to the following conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission.
   Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted starts, full details of the design and location of all fences, walls and gates to be erected on the site shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.
   Reason: To enable the Planning Authority to consider these aspects in detail.

3. That before the development hereby permitted starts, full details and/or samples of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.
   Reason: To enable the Planning Authority to consider these aspects in detail.

4. That before the development hereby permitted starts, a scheme of landscaping, including boundary treatment, shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required, and it shall include:
   (a) details of any earth moulding and hard landscaping, grass seeding and turfing;
   (b) a scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted;
   (c) 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
   (d) details of the phasing of these works.
   Reason: In the interests of the visual amenity of the area.

5. That within one year of the occupation of the medical centre hereby permitted, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition (4) above, shall be completed and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within 2 years of the completion of the development, shall be replaced within the following year with others of a similar size and species.
   Reason: In the interests of the visual amenity of the area.
6. That before development starts, details of the surface finishes to all parking and manoeuvring areas shall be submitted to and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To enable the Planning Authority to consider these aspects in detail.

7. That before the development hereby permitted is completed or brought into use, all areas covered by the scheme, approved under the terms of condition (6) above, shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing works, and clearly marked out and shall, thereafter, be maintained as parking and manoeuvring areas.

Reason: To ensure the provision of adequate parking facilities within the site.

8. That a visibility splay of 2.5 metres by 60 metres, measured from the road channel, shall be provided to the east of the vehicular access and before the development hereby permitted is completed, or brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: In the interests of public safety.

9. That a visibility splay of 2.5 metres to the junction with Orchard Street, measured from the road channel, shall be provided to the west of the vehicular access and before the development hereby permitted is completed, or brought into use, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and, thereafter, nothing exceeding 1.05 metres in height above road channel level shall be planted, placed, erected, or allowed to grow, within these sight line areas.

Reason: In the interests of public safety.

10. That a forward visibility splay of 60 metres across the Ladywell Road/Farm Street bend shall be maintained.

Reason: In the interests of public safety.
List of Background Papers

Application form and accompanying plans dated 24/2/98
Amended plans submitted 2/4/98
(Consultative Draft) Motherwell District Local Plan
Letter dated 4/3/98 from West of Scotland Water
Letter dated 4/3/98 from Scottish Power
Letter dated 5/3/98 from BG Transco
Letter dated 9/3/98 from The Coal Authority
Memo dated 16/3/98 from NLC Environmental Services
Memo dated 31/3/98 from NLC Leisure Services
Letter dated 9/3/98 from Elizabeth and Denis McCormack, 85 High Road, Motherwell
Letter dated 7/3/98 from Mr and Mrs K Dyson, 62 Orchard Street, Motherwell
Letter dated 11/3/98 from John Jackson, 60 Orchard Street, Motherwell
Letter dated 16/4/98 from Tom H Young, 20 Farm Street, Motherwell
Letter dated 22/4/98 from Mr and Mrs K Dyson, 62 Orchard Street, Motherwell

Any person wishing to inspect the above background papers should telephone Motherwell 302139 and ask for Gwen McKillop.
SITE AND PROPOSAL

1.1 The applicant seeks planning consent for the erection of a medical centre and associated parking on the site of an existing open space area, west of Farm Street Corner, Ladywell Road, Motherwell. The Council owned land is used as a pedestrian through route to and from Motherwell centre from nearby residential areas and has been landscaped.

1.2 The application site is bounded to the north by an area of landscaped ground, to the east, by Farm Street which is made up of a mixture of uses including residential properties, a bowling club and commercial uses. To the south and west the site is bounded by a public house and residential properties, respectively.

1.3 The proposed building would form a ‘T’ shape. It would comprise of six consulting rooms, a waiting room, a treatment room, toilets, reception area, office space, storage rooms, porch, lobby and interview room, at ground floor level. An upper level however would also form part of the new building and it would comprise of a doctors’ common room, cloakroom, staff room kitchen, typing room, fund manager’s office, district nurse/health visitors room, toilets and store rooms.

1.4 The one and a half storey section of the ‘T’ shape would be erected parallel to the rear gardens of the residential properties on Orchard Street and would be 19 metres from the dividing boundary. The remaining one storey section of the proposed building would project out towards Farm Street.

1.5 Access to the proposed medical centre would be off Ladywell Road. Forty five car parking spaces would be provided and these would be located along the western and southern boundaries of the site. A half metre wide strip of planting would separate the proposed parking along the western boundary from the rear garden wall of the properties on Orchard Street.

CONSULTATIONS

2.1 After consultation, Scottish Power, British Gas Transco, West of Scotland Water and The Coal Authority had no objection.

2.2 NLC Leisure Services stated that the proposed palisade fence along the southern boundary of the site would be an improvement as it would screen the rear of the Flower of Scotland.

2.3 The proposed development would allow the retention of the majority of the existing shrub planting and is considered acceptable. It would be more appropriate, however to have new planting associated with the centre.

2.4 The proposal would remove the existing footpaths crossing the site. It is considered however that this would not be of great inconvenience to the public as a public footpath surrounds the north and eastern boundaries of the site.
2.5 The tree groups to be removed will not be of great loss and can be replaced with trees along part of Farm Street and Ladywell Road.

2.6 NLC Environmental Services has advised that a history of past usage of the site be ascertained to clarify if the site has been used for any contaminate purposes as further works may be required to ensure that all ground criteria for the proposed development are met.

2.7 No reply was received from British Telecom.

3. REPRESENTATIONS

3.1 Five letters of objection have been received in relation to this application based on the following grounds:-

(a) Vehicular access to properties on Farm Street would be hazardous due to the proposed Farm Street access.

(b) The proposal would have a detrimental impact on the natural environment through the loss of a landscaped area.

(c) The use of this site is unnecessary as there is a vacant site available for development between the Heritage Centre and the Flower of Scotland.

(d) The proposed development would cause severe traffic, parking and access problems.

(e) The proposal would have a detrimental impact on residential amenity. The upper floor windows would overlook the residential properties in Orchard Street and the car parking adjacent to the dividing boundary would cause noise.

(f) The proposed car parking adjacent to the dividing boundary between the site and the properties in Orchard Street is too close and the wall is likely to be damaged during construction. Furthermore planting adjacent to the wall may also result in damage.

(g) Children using the rear gardens of properties within Orchard Street would have to restrict their play for fear of being injured if their ball left the confines of the garden.

(h) There are old mine workings in the area and construction could upset the general stability of neighbouring land.

(i) The erection of a 6ft high metal rail fence along the perimeter is unacceptable aesthetically.

(j) The proposed metal rail fence would reduce visibility for vehicles entering Farm Street and would be dangerous.

(k) During construction the site and properties within Orchard Street would not be secure. Furthermore after construction the proposed development would not be secure outwith opening hours.
4. OBSERVATIONS

4.1 A total of 11 grounds of objection have been raised by neighbouring residents. My consideration of each of these in turn is laid out below.

4.2 Originally the applicant proposed to have two accesses into the site. After discussion with the agent the scheme was amended and the proposed Farm Street access was removed. The adjoining neighbours were renotified and objection (a) was withdrawn.

4.3 After consultation NLC Leisure Services had no objection to the proposal. It is also the applicant's intention to implement a scheme of landscaping and to retain existing trees and shrubs where possible. It should also be noted however that there is a similar existing landscaped area nearby to the application site on the opposite of Ladywell Road. It is therefore considered that the proposal would not be detrimental to the visual amenity of the area.

4.4 Although it is the objector's consideration that the development of the site is unnecessary as there is a nearby vacant site available, this is not a planning consideration.

4.5 Originally the applicant proposed to have two accesses into the site and to locate the medical centre closer to the Ladywell Road frontage. In terms of road safety this layout was not considered acceptable and the scheme was amended. The proposed development is now considered to meet access, parking, manoeuvring and sightline requirements.

4.6 The application site is bounded, to the west, by the rear gardens of the residential properties in Orchard Street. Although the one and a half storey section of the proposed new building would face this elevation the upper floor windows would be 21 metres away from the dividing boundary and 49 metres away from the closest residential property. It is considered that this distance is sufficient to ensure that there would be no significant overlooking.

4.7 The proposed car parking adjacent to the western boundary would be separated by a 0.5 metre wide planting strip. In addition to a minimum rear garden depth of 28 metres it is therefore considered that any additional noise would not be significant.

4.8 The objector's concern that the existing wall along the western boundary of the site may be damaged during construction or by planting is noted. This however is a non planning issue and is a matter that should be taken up with the developer, if required.

4.9 Objection (g) is also noted. The control of children's play however is not a planning matter.

4.10 After consultation the Coal Authority had no objection to the proposal. It is therefore considered that the proposed development would not alter the general stability of neighbouring land.

4.11 Originally the applicant proposed to erect a 6 ft high metal rail fence along the northern and eastern boundaries of the site. The proposed fence however would be within the visibility splay of the access and within the forward visibility splay required for vehicles entering Farm Street.
4.12 To be outwith these visibility splays the majority of the fence would have to be moved inwards and the applicant has agreed to revise this matter. It is considered that if planning permission is granted it would be subject to conditions ensuring that a suitable scheme is submitted including design.

4.13 During construction it is not considered that the properties in Orchard Street would be any less secure than they are presently.

4.14 With regard to security within the site during construction this is not considered a planning matter and would be a matter for the developer/contractor to control.

4.15 After construction it is the applicant’s intention to ensure the building is kept secure at all times.

5. CONCLUSION

5.1 The proposed development is considered to be an acceptable use for the site. It would provide a beneficial service to the local community and is considered to be acceptable both in terms of design and impact upon neighbouring residents. It is therefore recommended that planning permission is granted.
This proposal relates to the installation of an automatic teller machine (ATM) to the existing shop front of a small general store. The site lies within an area of mixed use in Viewpark. The proposal is the subject of one letter of objection from two neighbouring residents. I have considerable concerns about the location of this proposal from a road safety point of view to the extent which justifies refusal of planning permission.

RECOMMENDATION

Refuse, on the following grounds:-

(1) That the proposed development would encourage on street parking resulting in traffic congestion and would create a road safety hazard to the detriment of pedestrian and vehicular traffic.
List of Background Papers

Application form and accompanying plans dated 10 March 1998
Memo dated 27 March 1998 from Transportation Team Manager (South)
Letter dated 3 April 1998 from Strathclyde Police
Letter dated 16 March 1998 from Mrs M Harrison and Mr J Grant, 658/660 Old Edinburgh Road, Viewpark, Uddingston

Any person wishing to inspect the above background papers should telephone Motherwell 302098 and ask for Miss Penman.
APPLICATION No. S/98/00368/FUL

REPORT

1. DESCRIPTION OF SITE AND PROPOSALS

1.1 The applicant seeks planning permission for the installation of an Automatic Teller Machine (ATM) to the existing shop front at 657 Old Edinburgh Road, Viewpark, Uddingston.

1.2 The premises comprise a small general store which is located in an area of mixed use. To the north, south and west of the site is residential property while to the east lie commercial premises and a primary school. The site is within 50 metres of a pelican crossing on Old Edinburgh Road close to the junction with West Avenue to the south and St Brides Avenue to the north.

2. DEVELOPMENT PLAN

2.1 The site lies within an area zoned primarily for residential use in the Uddingston-Tannochside Town Map 1973. However departmental records indicate that the premises have been in retail use for a considerable number of years.

3. REPRESENTATIONS AND CONSULTATIONS

3.1 One letter of objection has been received from two residents living on the south side of Old Edinburgh Road opposite the site. The main grounds of objection can be summarised as follows:

- residents are currently experiencing problems gaining access to and from their driveways which are blocked by vehicles parking outside the shop.
- the existing problems of on street parking at this location will be exacerbated with the introduction of an Automatic Teller Machine.
- the residents anticipate that there would be an increase in the level of noise and disturbance at the site from car engines starting and doors being closed at all hours of the night.

3.2 Strathclyde Police have no adverse comments on the proposal.

4. PLANNING ASSESSMENT AND CONCLUSIONS

4.1 The proposal relates to the installation of an Automatic Teller Machine (ATM) to the existing shop front of a general store located in an area of mixed use. While there is a servicing and parking area to the rear of the premises it is considered unlikely that individuals using the cash machine would park in this area. As the concept of the ATM is based on the provision of a quick banking service, it is more likely that individuals would park on Old Edinburgh Road immediately outside the store.

4.2 When considering this application it should be borne in mind that there are already three ATMs available for use along Old Edinburgh Road at the following locations:
Bank of Scotland, Thorniewood Road
Scotmid Retail Development
Spar Grocers, Viewpark Shopping Centre

Off street parking is provided adjacent to the ATM facility at each of these locations thus avoiding problems with traffic congestion on Old Edinburgh Road.

4.3 The site is located close to a pelican crossing and the junction of Old Edinburgh Road with West Avenue and St Bride’s Avenue to the west with St. Columba’s Primary School to the east. Problems currently exist with on street parking at this location.

4.4 I share the concerns raised by the objections to this proposal with respect to on street parking. I consider that any intensification of the use of the store such as the installation of an ATM would result in further on street parking and traffic congestion to the detriment of road safety for both pedestrians and vehicular traffic at the site. I recommend, therefore, that the application be refused for the reason noted above.
Application No. S/98/00416/AMEND
Date registered 12 March 1998
APPLICANT THOMAS McWHINNIE, 18 LANGHOLM CRESCENT, WISHAW ML2 7HE
Agent
DEVELOPMENT NON-COMPLIANCE WITH CONDITION NO. 4 OF CONSENT NO. S/97/00305/FUL TO ALLOW SUNDAY WORKING AND RENEWAL OF TIME CONDITION FOR TEMPORARY WORKSHOP FACILITY
LOCATION LAND TO REAR OF 19-27 MILLBANK ROAD, WISHAW

Ward No. 14
Grid Reference 278870 654330
File Reference S/PL/B/10/12(111)/JL/AB

Site History Planning permission refused in November 1984 for change of use from caravan sales yard, store and access road to area for the repair and storage of heavy goods vehicles (reference 342/84). Planning permission granted in March 1987 for parking of commercial vehicles (ref. 5/87). Temporary planning permission granted in September 1991 for change of use from commercial vehicles parking area to auto salvage and breakers yard (expired 4/9/93). Planning consent was granted in September 1994 for storage and sale of caravans (ref. no. 148/94). Planning consent was granted in September 1997 for part change of use to light engineering and car repairs yard, incorporating the construction of workshop facilities (ref. no. S/97/00305/FUL).

Development Plan Area of Mixed Land Use on Finalised Wishaw Local Plan
No change on Consultative Draft Motherwell Local Plan

Contrary to No
Development Plan

CONSULTATIONS

Objection No Objection Conditions
No Reply

REPRESENTATIONS

Neighbours One letter of concern
Newspaper Not Required
Advertisement
The applicant has applied for non-compliance with condition no. 4 of consent no. S/97/00305/FUL to allow Sunday working and renewal of time condition for temporary workshop facility at Millbank Road, Wishaw. The latest consent granted at the site prohibited Sunday working to help safeguard the residential amenity of the area, however, the applicant feels that his business is suffering due to the fact that he cannot offer Sunday working, should any leasee require it. It should be noted that a number of businesses within close proximity to the application site operate on a Sunday without any planning controls. The original planning application was fairly contentious in that there were 5 objections, 4 from notified neighbours. The same neighbours have been notified of this proposal and have no objection to the Sunday working subject to reasonable working hours. Granting temporary consent for the site would enable the Council to monitor the development and review the permission after one year.

The temporary building is not causing concern, I therefore recommend that this building is allowed to remain in its present position for a further year.

RECOMMENDATION
Grant, subject to the following conditions:-

(1) That the temporary building hereby permitted (shaded GREEN on the approved plans) is for a limited period only and shall be removed within one year from the date of this permission.

Reason: To enable the Planning Authority to retain effective control.

(2) That the permission hereby granted shall relate to the use of the site solely for storage and sale of caravans, and for light industrial workshop facilities.

Reason: To enable the Planning Authority to retain effective control.

(3) That there shall be no retail sale of goods or components from within the application site.

Reason: In the interests of the amenity of the adjoining residential area and to ensure the provision of adequate parking facilities within the site.

(4) That operations on the site, for which planning permission is hereby granted, shall take place only between the hours of 8 am and 6 pm on Monday to Friday, and 9 am and 12 noon on Saturday.

Reason: In the interests of amenity.

(5) That the Sunday working hereby permitted is for a temporary period only, shall be between the hours of 10 am and 4 pm and shall expire on 6th May 1999.

Reason: To safeguard the residential amenity of the area and to enable the Planning Authority to retain effective control.
(6) That the processes carried out, or any machinery installed on the site, shall be such as may be carried out on, or used in, any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Reason: To safeguard the amenity of the area and to define the use of the land.

(7) That within 3 months of the date of this permission a 8 metre wide dropped kerb access shall be constructed at the site's junction with Millbank Road and that this shall lead to a 6 metre wide driveway access, the first 15 metres of which shall be fully surfaced.

Reason: In the interests of public safety and to prevent deleterious material being carried onto the highway.

(8) That within one month of the date of this permission, details of a scheme, which provides sufficient space within the curtilage of the application site for:-

(a) the parking and manoeuvring of 8 cars;

(c) the provision of turning areas so that all vehicles enter and leave the site in forward gear shall be submitted to, and approved by, the Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

(9) That within 3 months of the date of this permission, all the area covered by the scheme, approved under the terms of condition (8) above, shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing works, and clearly marked out and shall, thereafter, be maintained as:-

(a) parking areas;
(b) manoeuvring areas.

Reason: To ensure the provision of adequate parking facilities within the site.

(10) That within the area HATCHED BLUE on the approved plans there shall be no storage of materials or other operations relating to the approved uses on the site.

Reason: To define the use of the site and in the interests of amenity.

List of Background Papers

Application form and plans dated 12/3/98
Finalised Wishaw Local Plan and Consultative Draft Motherwell Local Plan
One letter of concern dated 30/3/98 from 4 nearby residents.

Any person wishing to inspect the above background papers should telephone Motherwell 302142 and ask for Jim Lennon.