

**AGENDA ITEM No. 1**

**Application No.** S/99/00311/OUT  
**Date registered** 25 March 1999  
**APPLICANT** BAVAIRD DEVELOPMENTS, CENTRE POINT, OLYMPIA, EAST KILBRIDE G74 1LX  
**Agent** Premier Design Associates, 26 Howard Court, East Kilbride  
**DEVELOPMENT** CONSTRUCTION OF TWO STOREY BUILDING, INCORPORATING TWO BARS AND BETTING SHOP ON GROUND FLOOR, DISCOTHEQUE AND CLUB ROOM ON FIRST FLOOR  
**LOCATION** 245 BRANDON STREET, MOTHERWELL, LANARKSHIRE ML1 1RS

**Ward No.** 11  
**Grid Reference** 275583 656738

**File Reference** S/PL/B/12/25(179)/GMcK/AB

**Site History** No recent site history

**Development Plan** Land with Unclassified Development Potential, Southern Area Local Plan (Finalised Draft)

**Contrary to Development Plan** No

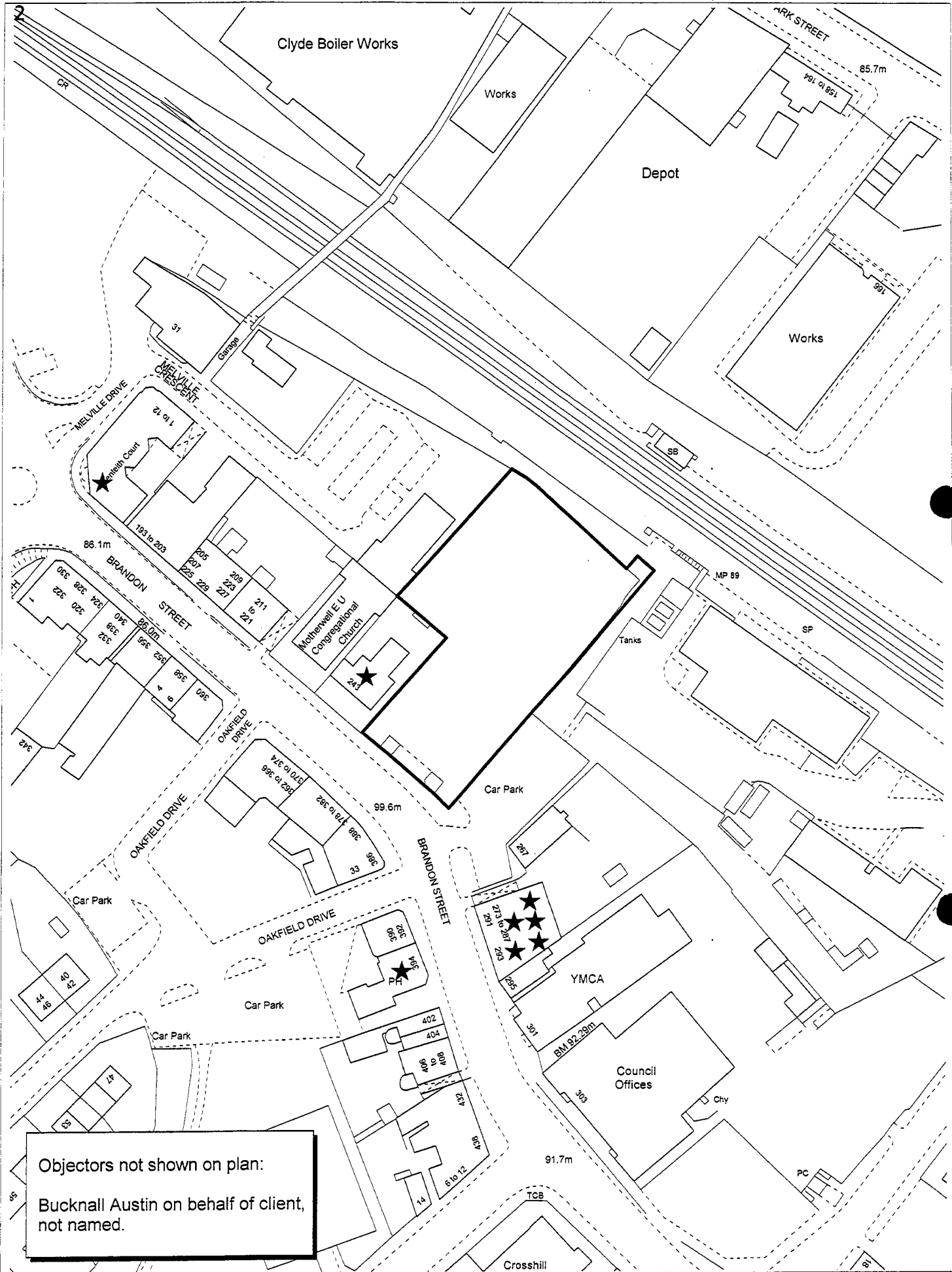
**CONSULTATIONS**

**Objection**  
**No Objection** West of Scotland Water Authority, The Coal Authority, British Telecom, Scottish Power, British Gas Transco  
**Conditions** Railtrack  
**No Reply**

**REPRESENTATIONS**

**Neighbours**  
**Newspaper**  
**Advertisement** Ten letters of objection

**COMMENTS** This application seeks outline planning permission for the construction of a two storey building incorporating two bars and betting shop at ground floor level and a discotheque and club room on the upper level at 245 Brandon Street, Motherwell. The site was formerly occupied by County Bingo and is presently vacant. Details of the consultation responses and representations received and my observations on the planning issues affecting this application are included in the accompanying report.



Objectors not shown on plan:  
 Bucknall Austin on behalf of client,  
 not named.

Produced by  
 Department of Planning and Environment  
 Southern Division  
 303 Brandon Street  
 MOTHERWELL  
 ML1 1RS  
 Telephone 01695 302100 Fax: 01695 302102  
 OS Licence LA 09041L

Planning Application No. S/99/00311/OUT  
 Construction of Two Storey Building, Incorporating Two Bars and Betting  
 Shop on Ground Floor, Discotheque and Club Room on First Floor  
 245 Brandon Street, Motherwell

★ Location of Objectors



1:1250



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## 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) details for management and maintenance of the areas identified in (d) above;
  - (f) the design and location of all boundary walls and fences;
  - (g) the provision for loading and unloading of all goods vehicles;
  - (h) the provision of drainage works;
  - (i) the disposal of sewage.

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

2. 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.

3. That notwithstanding the generalities of condition 1 the detailed design and materials of the frontage of the building shall blend harmoniously with the traditional building form which predominates in the area, in particular the materials to be used on the frontage shall be of stone or a stone type material.

Reason: In the interests of visual amenity.

4. 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.

5. 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.

6. That before development starts, details of a scheme, which provides sufficient space within the curtilage of the application site for:-
- (a) the parking and manoeuvring of cars;
  - (b) the loading and unloading of service vehicles, and
  - (c) the provision of turning areas so that all vehicles enter and leave the site in forward gear shall be submitted to and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: In the interests of traffic and pedestrian safety.

7. That a visibility splay of 4.5 metres by 90 metres, measured from the road channel, shall be provided on both sides of the vehicular access and before the development hereby permitted is 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 traffic and pedestrian safety.

8. That notwithstanding the generalities of condition 7 the bus shelter shall be moved outwith the visibility splay to the satisfaction of the Planning Authority.

Reason: In the interests of traffic and pedestrian safety.

9. That notwithstanding the generalities of condition 1 above, full details shall be submitted to the Planning Authority along with any reserved matters application for;

- (a) the design, siting and access arrangements for any external bin storage
- (b) the design, siting and access arrangements for all service/delivery arrangements to any site building
- (c) the design and position of any site floodlight arrangements
- (d) the design and positioning of any external plant and equipment including flues, extractors and gas and electricity equipment.

Reason: In the interests of the residential amenities of the general area.

10. That before the development is brought into use, details of all noise attenuation measures to be included in the building, and designed to a standard to ensure that the development does not adversely affect nearby residential properties, shall be submitted to and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To ensure that adequate sound insulation is incorporated.

11. That the details of any noise insulation measures approved under condition 10 above, shall be fully installed to the complete satisfaction of the Planning Authority prior to the development hereby permitted being brought into use.

Reason: To ensure that adequate sound insulation is incorporated.

12. That notwithstanding the generalities of condition 1 details of a scheme for the erection of a 1.8 metre high concrete post and weldmesh fence along the boundary marked BROWN on the approved plans shall be submitted to the Planning Authority, including any modifications as may be required.

Reason: In the interest of traffic and pedestrian safety.

#### List of Background Papers

Application form and accompanying plans registered 25/3/99

Southern Area Local Plan (Finalised Draft)

Letter dated 22/3/99 from First Engineering

Letter dated 13/4/99 from Scottish Power

Letter dated 14/4/99 from British Gas Transco

Letter dated 15/4/99 from West of Scotland Water

Letter dated 19/4/99 from British Telecom

Letter dated 21/4/99 from The Coal Authority

Letter dated 7/4/99 from John Danskin, 9 Menteith Court, Motherwell

Letter dated 14/4/99 from Wrights Solicitors and Estate Agents on behalf of Mr M Ross, Brandon Bar, Brandon Street, Motherwell

Letter dated 30/4/99 from Bucknall Austin on behalf of client not named

Fax dated 28/5/99 from Julian P. Kemble, Kemble Estates Limited, Grove House, 55 Brampton Grove, London

Letter dated 10/6/99 from Julian P Kemble, Kemble Estates Limited, Grove House, 55 Brampton Grove, London

Letter dated 13/6/99 from David Brown, 281 Brandon Street, Motherwell

Letter dated 13/6/99 from Euphemia Sym, 277 Brandon Street, Motherwell

Letter dated 13/6/99 from Alexander Sym, 285 Brandon Street, Motherwell

Letter dated 13/6/99 from Andrea Hunter, 279 Brandon Street, Motherwell

Letter dated 15/6/99 from Jim Walker, 287 Brandon Street, Motherwell

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

## APPLICATION NO. S/99/00311/OUT

## REPORT

## 1.0 APPLICATION SITE AND PROPOSAL

- 1.1 This outline application relates to the construction of a two storey building, incorporating two bars and betting shop at ground floor level and a discotheque and club room on the upper level at 245 Brandon Street, Motherwell. The site was formerly occupied by County Bingo, however the building was demolished and the site has been vacant for the past two years.
- 1.2 The site is bounded by Cavoc, a charitable organisation and the Motherwell EU Congregational Church to the north west. To the north east the site is bounded by the Glasgow to London West Coast Main Railway Line and to the south east by Railtrack's depot and a public car park. To the south west the site is bounded by Brandon Street.

## 2.0 CONSULTATIONS

- 2.1 British Gas Transco, West of Scotland Water, The Coal Authority, Scottish Power and British Telecom have no objections to the proposed development.
- 2.2 First Engineering, on behalf of Railtrack has no objections in principle to the proposal subject to the safe development of the site and the erection of a 1.8 metre high concrete post and weldmesh fence along the site's north eastern boundary.

## 3.0 REPRESENTATIONS

- 3.1 Ten letters of objection have been received in relation to this application based on the following grounds:
- (a) The proposed development would cause additional noise pollution and nuisance at unsocial hours. This would be detrimental to the amenity of the area.
  - (b) It would not be environmentally friendly
  - (c) This proposal is not required. The locality is already adequately served by a Bookmakers and licensed premises.
  - (d) Consideration has not been given to the quality of life of residents who have been encouraged to move back to the town centre.
  - (e) The proposed development would make a severe impact on the amenity of the locality. Off-street parking is at a premium and the proposal would lead to more on-street parking.
  - (f) If this proposal is allowed to proceed a large site near the town centre would no longer be available for any alternative uses which might be of more benefit to the Community.
  - (g) The proposed development would be detrimental to the economic viability of existing nearby licensed premises.

- (h) Two new vehicular accesses would be created and the type of heavy delivery vehicles which would serve the proposal would have a detrimental effect on pedestrian safety and traffic circulation on Brandon Street.
- (i) The proposed development would dwarf 243 Brandon Street and would have a detrimental effect on its value.
- (j) Residents living nearby would not be safe.

#### 4.0 PLANNING OBSERVATIONS

- 4.1 The application site is identified in the Southern Area Local Plan (Finalised Draft) as Land with Unclassified Development Potential under policy ENV3 Vacant and Derelict Land. This policy implements the Council's aim to encourage the appropriate reuse of vacant and derelict sites within the urban area.
- 4.2 Although the proposed development would lie outwith the Motherwell Town Centre as designated within the local plan the site is designated as a Village, Neighbourhood and Secondary Commercial Area. The types of entertainment and leisure uses proposed for this site are generally acceptable in Secondary Commercial Areas provided that they are compatible with surrounding land uses. The site is located close to a number of retail outlets, offices, bars and cafes and is therefore considered an acceptable use for the site.
- 4.3 The application site lies close to a number of residential properties. To some extent, residents in this area are already accustomed to a certain level of noise and disturbance, caused by traffic using this A class road to and from Motherwell and from a number of nearby licensed premises.
- 4.4 It must be acknowledged however that the proposal has the potential to create a source of additional noise disturbance, particularly during the evening hours. To some extent, such problems may be addressed under the licensing regulations, where scope exists to restrict opening hours taking into account the proximity of residential property. If planning permission is granted, however I would recommend that it is subject to the conditions that the applicant assess the likely impact, if any of noise, arising from the proposed development and that details of any noise mitigation such as building design and equipment used are submitted for appraisal.
- 4.5 The proposed development would bring back into use a vacant site. The redevelopment of this brownfield site is therefore considered to be sustainable development.
- 4.6 The objectors' concern that the locality is already well served by a Bookmakers and licensed premises is noted. This however does not constitute a valid planning consideration.
- 4.7 The application site is located within a Village, Neighbourhood and Secondary Commercial Area and is a preferred location for applications of this type. Consideration however must be given to the quality of life of residents who live within the area. Notwithstanding the proposed layout submitted it is recommended that if planning permission is granted, conditions are imposed to ensure the resulting building and associated servicing and parking areas are designed in a satisfactory manner.
- 4.8 The location of the application site is adjacent to a public car park and is nearby to the public car park in Oakfield Place. Whilst these car parks are well used during business hours they are largely under utilised during evening hours when the proposed development would be at its busiest. Furthermore the site is located within a Secondary Commercial Area, adjacent to

busiest. Furthermore the site is located within a Secondary Commercial Area, adjacent to Motherwell Town Centre. Car parking is well provided for and is considered to be at a level to meet the demands of a development of this type.

- 4.9 The applicant however has indicated an area for car parking within the site and if planning permission is granted it is recommended that notwithstanding the proposed layout submitted conditions are imposed to ensure the provision of adequate staff parking.
- 4.10 The objectors' concern that a large site near the town centre would no longer be available for any alternative uses is noted. The application site however, is located within a Village, Neighbourhood and Secondary Commercial Area and the proposed development is considered to be an acceptable use of this site.
- 4.11 The objectors' concern that the proposed development would be detrimental to the economic viability of existing nearby licensed premises is noted. This, however is not a valid planning consideration.
- 4.12 The applicant proposes to use two access points into the site, an entrance and an exit. These accesses would utilise the two used by the former County Bingo. A bus shelter is located between these two points and at present is within the visibility splay of these accesses. Scope is available to move the shelter back to be outwith the visibility splay of these points and it is recommended that if planning permission is granted it is subject to conditions to ensure this is carried out.
- 4.13 The two access points however infringe at either end of the bus bay and there is no scope available for it to be moved. Although the access points are not totally clear of the bus bay, these points have already been established and were used by the former County Bingo building. It is therefore considered that their use had already been secured.
- 4.14 The applicant has indicated that if he is successful in gaining outline planning permission it is his intention to apply for detailed consent to build a two storey building. Whilst 243 Brandon Street is 1½ storeys in height, the application site is located within an area with a number of 2-3 storey buildings nearby. It is therefore considered that if planning permission is granted a two storey building would be acceptable in terms of scale within the area.
- 4.15 The application site however is located within an area of Motherwell that contains several traditional tenemental sandstone properties. It is therefore recommended that if planning permission is granted careful consideration should be given to the detailed design and use of materials on the frontage and it is recommended that this is subject to a condition to ensure that this is carried out.
- 4.16 The objector's concern that the proposal would be detrimental to the value of 243 Brandon Street is noted. This, however is not a planning consideration.
- 4.17 The application site is designated within the Local Plan as a Secondary Commercial Area and is located close to a number of other licensed premises. Whilst the objector's concern regarding the safety of local residents is noted this proposal would not introduce a commercial activity into a previously homogenous residential location and is considered to be an acceptable use.
- 4.18 Whilst records indicate that the application site was formerly occupied by County Bingo it is considered that a history of past usage should be ascertained from the applicant. A site



investigation may be required to ascertain soil and ground conditions of the site, and remedial action implemented as a result. It is therefore recommended that if planning permission is granted it is subject to the imposition of conditions to ensure this work is carried out if necessary.

## 5.0 CONCLUSION

- 5.1 The proposed use of this vacant site is considered to be in keeping with the policies of the relevant local plan for the area, in which the site is zoned as a Secondary Commercial Area.
- 5.2 The concerns of the objectors are acknowledged. However, having examined the proposal in light of the above concerns, I am of the opinion that these issues may be adequately addressed, through the imposition of planning conditions, if planning permission is granted. Furthermore the proposed development would also require the submission of an additional detailed planning application. The opportunity may be taken at that stage to further control the form and layout of the future development in order to ensure that both the design and impact of the proposal on the surrounding land uses are adequately controlled.
- 5.3 Having taken the above factors into consideration it is concluded that the proposed development represents a suitable use for this vacant and prominent site and with appropriate conditions I recommend that outline planning permission is granted.