

Application No: S/04/02082/FUL

Date Registered: 30th November 2004

Applicant: **Asda Stores Ltd**
Asda House
Southbank
Great Wilson Street
Leeds
LS11 5AD

Agent: GVA Grimley
Sutherland House
149 St Vincent Street
Glasgow
G2 5NW

Development: **Erection of Class 1 Retail Superstore (70,800sq ft gross) with Associated Access Parking, Landscaping and Infrastructure, Including Improvement of Pedestrian Links to Town Centre**

Location: **Watsonville Playing Fields Watson Street Motherwell Lanarkshire**

Ward: 11: Watsonville Councillor Alan Valentine

Grid Reference: 275314 656600

File Reference: **S/PL/B/12/24/RC**

Site History: S/98/00553/OUT Outline planning permission for 5667sqm 61,000sq ft retail development approved 1998
S/98/01693/REM Detailed planning permission for 5667 sq m retail development approved 1999
S/04/00621/FUL Extension of 906sqm (9750sq ft) to above consented retail development, approved 2004

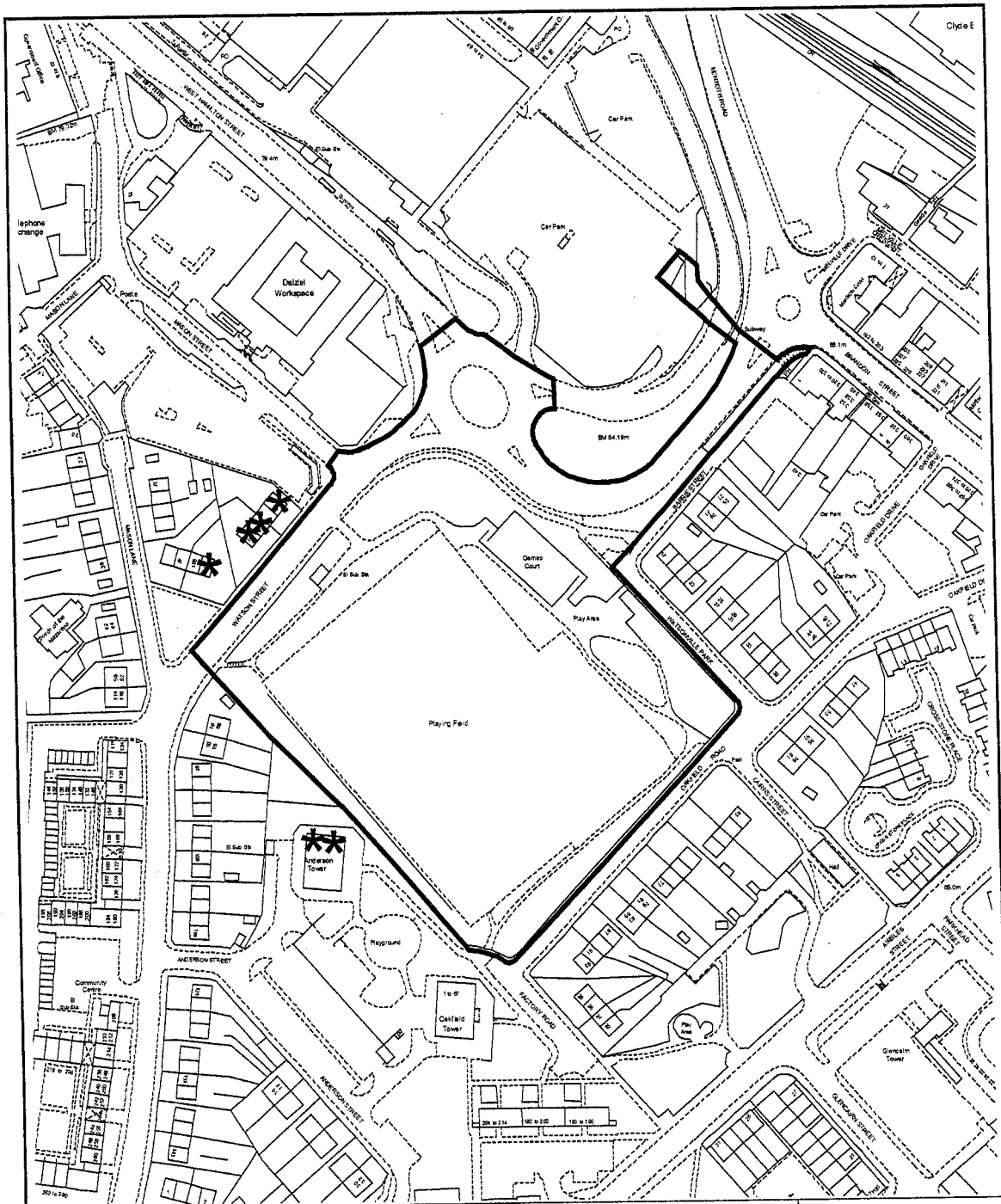
Development Plan: Zoned as a Retail Development Opportunity site within defined Motherwell Town Centre in the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004). Policies RTL1, RTL2, ENV16, ENV22, RTL4, RTL5 and RTL11 are relevant.

Contrary to Development Plan: No

Consultations: Scottish Water (No response)
British Gas Transco (Comments)
Scottish Power (Comments)
Strathclyde Police Architectural Liason Officer (Comments)
Strathclyde Fire Brigade (No objection)
Strathclyde Passenger Transport (Comments)
British Telecom (No response)
South Lanarkshire Council (No objection)

Representations: 6 Representation Letters

Newspaper Advertisement: 9th December 2004



North Lanarkshire Council
 Planning and Environment
 Headquarters
 Suite 501, Fleming House
 2 Tryst Road
 CUMBERNAULD
 G67 1 JW

Telephone 01236 616210
 Fax: 01236 616232

OS Licence 100023369 2004



PLANNING APPLICATION No. S / 04 / 02082 / FUL

ERECTION OF CLASS 1 SUPERSTORE (6575 sq. m. / 70,800 sq. ft.)
 WITH ASSOCIATED ACCESS PARKING, LANDSCAPING AND
 INFRA STRUCTURE, INCLUDING IMPROVEMENT LINKS TO
 TOWN CENTRE.

WATSONVILLE PLAYING FIELDS, WATSON STREET,
 MOTHERWELL.

* Representation

Site Area = 3.07 ha.

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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, a noise assessment report based on BS4142, shall be submitted to and agreed in writing by the Planning Authority. This request shall incorporate proposed mitigation measures, which shall include:-
 - (a) car park management measures to be followed for any opening hours of the store outwith 8am – 10pm and
 - (b) a delivery driver code which prevents the use of reversing alarms, and ensures engines are switched off when stationary.

Reason: To safeguard the amenity of residential properties in the area.

3. That before the 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.

4. That before the development hereby permitted starts, a report setting out proposed detailed measures to treat and ensure the future stability of land in the vicinity of a former mine shaft and air shaft present near the northwest and southwest boundaries of the site, shall be submitted to and agreed in writing by the Planning Authority, and development shall not be commenced until these works have been completed.

Reason: To ensure the stability of the development and adjoining land, including all access roads and footpaths.

5. That before development starts, full details of a surface water drainage scheme which complies with the Scottish Environment Agency (SEPA) principles of Sustainable Urban Drainage Systems (SUDS) shall be submitted to and approved in writing by the Planning Authority, in consultation with Scottish Water.

Reason: To safeguard the amenity of the area and to ensure that the proposed drainage system complies with the latest SEPA guidance.

6. That prior to the commencement of development full details of proposed site levels, including banking regrading proposals, shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interests of amenity and as these details have not yet been submitted.

7. That before development starts, detailed schemes for the creation of new footways, a bus stop

and slip lane (all as indicated on the approved plans), new and improved puffin pedestrian crossing facilities for Watson Street and West Hamilton Street respectively, and upgrade of the Barrie Street underpass to better link the new store to the town centre, including the provision of CCTV, shall be submitted to, and approved in writing by the Planning Authority.

Reason: To accord with the terms of the application, to assist and promote public transport and pedestrian movement to the store and linked trips to the town centre, and to assist vehicular and pedestrian movement in the locality.

8. That before the store hereby approved opens, the schemes approved under the terms of condition 7 above shall either be implemented or have secured funding to implement them provided by the developer, to the satisfaction of the Planning Authority.

Reason: To accord with the terms of the application, to assist and promote pedestrian movement to the store and linked trips to the town centre, and to assist vehicular and pedestrian movement in the locality.

9. That prior to the commencement of development, a scheme for the provision of a work of public art shall be submitted to, and approved in writing by the Planning Authority, and the agreed scheme shall be completed prior to the opening of the store.

Reason: To comply with the terms of the application and enhance the local environment and town centre in accordance with local plan policies.

10. That before the development hereby permitted starts, full details of the following structures to be erected on the site shall be submitted to, and approved in writing by the Planning Authority:
- (a) all retaining walls, as shown on the approved layout plan;
 - (b) the pedestrian access ramp from the Barrie Street approach (which should include a direct stepped alternative);
 - (c) the independent ATM pod in front of the store;
 - (d) any proposed exterior lighting for the car park and service yard areas.

Reason: That these details have not yet been submitted.

11. That before the development hereby permitted starts, full details 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.

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

12. That before the development hereby permitted starts, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority, and it shall include:-
- (a) details of any earth moulding, 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, both within the areas shown for soft landscaping on the approved layout plan, and including some large tree specimens adjacent to car parking areas;
 - (c) an indication of all existing trees, plus details of those to be retained, and measures for their protection in the course of development;
 - (d) details of proposed refurbishment of the metal boundary railings to Oakfield Road and

Watsonville Park and any new boundary treatment for the northern and northwestern site boundaries;

- (e) proposals to remove the existing footpath through the open space area parallel to Oakfield Road and replace it with a new access path link from Oakfield Road to the northwest corner of the store; and
- (f) details of the phasing of these works.

Reason: In the interests of visual amenity and nature conservation.

13. That within one year of the opening of the store hereby permitted, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition 12 above, shall be completed and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within two years of the opening of the store, shall be replaced within the following year with others of a similar size and species.

Reason: In the interests of visual amenity and nature conservation.

14. That, prior to the opening of the store, new street lighting and associated electrical equipment for the footway from Anderson Tower to Watson Street (alongside the southwest boundary of the site) and for Oakfield Road shall be provided or funded by the developer, to a specification which has been agreed in writing by the Planning Authority.

Reason: To comply with the terms of the application and to ensure adequate lighting of pedestrian approaches to the store, in the interests of pedestrian security.

15. That the hours for deliveries to the store hereby granted planning permission shall be limited to between 8am and 10pm on any day, unless otherwise agreed in writing by the Planning Authority, following the submission of a BS4142 Noise Report (required by Condition 2) which assesses the noise impact of deliveries outwith these hours.

Reason: To safeguard the amenity of residential properties in the area.

16. That before the opening of the store hereby permitted, all the parking and manoeuvring areas shown on the approved plans, shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing work 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.

17. That before the opening of the store hereby permitted, the means of vehicular and pedestrian access shall be constructed in accordance with the approved plans, or as otherwise agreed in writing by the Planning Authority after the submission of amended plans.

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

18. That before the opening of the store hereby permitted, the existing vehicular access to the application site, marked BROWN on the approved plans, shall be closed off and the ground, within the area formerly occupied by the access, shall, thereafter, be reinstated as a footway.

Reason: In the interests of traffic and pedestrian safety.

19. That before the opening of the store hereby permitted, a separate advertisement application for all proposed signage within the site and for pedestrian links to the town centre, shall have been submitted to and approved by the Planning Authority.

Reason: To ensure satisfactory signage and as these details have not yet been submitted.

20. That the design, installation and operation of all air conditioning/ ventilation and other plant associated with the development shall be such that any noise generated, when measured within any nearby dwelling (with windows open), shall not exceed the equivalent of Noise Rating Curve NRC35 between the hours of 7am and 8pm, and Noise Rating Curve NRC25 at all other times.

Reason: To safeguard the amenity of residential properties in the area.

21. That the maximum gross retail floorspace of the approved development shall be limited to 70,800 square feet.

Reason: To define the permission.

Background Papers:

Application form and plans received 30th November 2004, and letters and plans received 20th January, 7th February and 14th February 2005

Memo from NLC Transportation Section received 9th February 2005

Memo from NLC Protective Services received 20th December 2004

Memo from NLC Community Services received 17th January 2005

Letter from British Gas Transco received 8th December 2004

Letter from Scottish Power received 2nd December 2004

Letter from Strathclyde Police Architectural Liason Officer received 14th December 2004

Letter from Strathclyde Fire Brigade received 13th January 2005

Letter from Strathclyde Passenger Transport received 10th February 2005

Letter from South Lanarkshire Council received 23rd December 2004

Letter from Isobel Swinburne, 27 Anderson Tower, Motherwell, Lanarkshire, ML1 1XW received 9th December 2004.

Letter from R G Brown, 58 Anderson Tower, Motherwell, ML1 1XW received 10th December 2004.

Letter from Annabella Johnson, 98 Watson Street, Motherwell, ML1 1YL received 13th December 2004.

Letter from Mr Charles Quinn, 106 Watson Street, Motherwell, ML1 1YL received 17th February 2005.

Letter from Mrs A Welsh, 100 Watson Street, Motherwell, ML1 1YL received 11th February 2005.

Letter from Mrs E Graham, 94 Watson Street, Motherwell, ML1 1YL received 22nd February 2005.

NPPG8 Town Centres and Retailing

SPP17 Transport and Planning Annex: Maximum Parking Standards

Southern Area Local Plan Finalised Draft (Modified 2001 and 2004)

Any person wishing to inspect these documents should contact Richard Cartwright at 01698 302136.

APPLICATION NO. S/04/02082/FUL

REPORT

1. Description of Site and Proposal

- 1.1 This application seeks consent for a new superstore for Asda, on the site of the former Watsonville Playing Fields. Detailed planning consent has already been granted for a similar amount of retail floorspace on this site and this remains valid as implementation of site works commenced. The present application, made by and for the known user Asda, differs from what already has consent in that the proposed store footprint is of 70 metres by 70 metres in the southern corner of the site (whereas the previous scheme was for a rectangular building extending further along the southwestern site boundary). It is now proposed to provide 900 sq m (10,000 sq ft) of the retail floorspace on a mezzanine first floor, together with a customer restaurant and staff accommodation. Building design follows a typical Asda pattern, using white cladding panels. A 3 metre high brick wall along the southwest boundary would enclose a service yard and unloading area between the store and that boundary.
- 1.2 Proposed service access is from Watson Street at the western corner of the site (same position as already approved). However, it is now proposed to construct a new roundabout in Watson Street, from which to take both the service access road, and a separate access for the car park. 350 car parking spaces would be provided, including 18 disabled persons and 18 parent and toddler spaces (this compares with 318 spaces for the previous scheme). A landscaped buffer 12 metres wide would be provided to the Oakfield Road southeastern frontage, and an area averaging 7 metres wide to the Watsonville Park northeast side.
- 1.3 A number of significant additional works to assist pedestrian and vehicular movement in the locality, to assist and promote public transport and pedestrian movement to the store and linked trips to the town centre, and to improve the environment, are being offered by Asda as part of the this proposal. These are:
- (i) a new bus stop at the bend in Barrie Street, adjacent to the northeastern pedestrian entrance to the site;
 - (ii) an extended slip lane to assist vehicles moving from Barrie Street into Watson Street and West Hamilton Street;
 - (iii) a new puffin pedestrian crossing across Watson Street (between Mason Street and West Hamilton Street);
 - (iv) an upgrade of the existing pedestrian crossing at the south end of West Hamilton Street to puffin standard;
 - (v) new finishes, lighting and CCTV for the Barrie Street underpass and its approaches, and a new footway link to Asda;
 - (vi) an upgrade of street lighting in Oakfield Road, to serve the pedestrian approach from this side; and
 - (vii) a major work of public art to link the new site to the town centre.

2. Development Plan

- 2.1 This application conforms with the development plan zoning as a Retail Development Opportunity site within the defined Motherwell Town Centre, in the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004), and is supported by Police RTL1 and RTL5. Policies RTL4 and RTL11 set out detailed criteria for assessing the current retail application. Other relevant policies are Policy RTL2 which seeks to improve the environment of town centres and shopping facilities, Policy ENV16 which gives support for CCTV, and Policy ENV22 which seeks to secure public art contributions as part of major developments through a percent for art policy.

3. Consultations and Representations

- 3.1 NLC Transportation Section are concerned that 350 car parking spaces may be insufficient to serve the development. Other detailed comments are addressed by the latest submissions or can be secured by conditions, including on the access roundabout and retaining wall details, the provision of new and upgraded puffin crossings in Watson Street and West Hamilton Street, and ensuring an adequate service yard turning circle. Strathclyde Passenger Transport support the planned new bus stop and the provision of new puffin crossings. NLC Geotechnical Section have confirmed that the applicants proposals to treat and stabilise land around an old mine shaft at the west end of the car park, and an air shaft just beyond the southwestern site boundary, are satisfactory subject to detailed control by condition.
- 3.2. NLC Protective Services have made comments on the need to agree a site contamination investigation report and associated treatment, and measures to control construction hours and dust generation. On noise issues, they propose a noise curve condition to deal with plant and equipment noise, and accept that with a condition requiring car park management measures there is no need to restrict store opening hours. However, on the issue of service delivery vehicle noise, they consider deliveries should be restricted to 8am and 10pm (which are the current intended store opening hours), unless otherwise agreed following the submission of a fuller Noise Assessment Report than has so far been submitted. Protective Services have also confirmed, in the light of the proposed Air Quality Management Area for Motherwell, that there is no requirement for the current application for Asda to undertake an air quality impact assessment.
- 3.3 NLC Community Services Department seek the repair of the existing metal railing boundary fence to the Oakfield Road and Watsonville Park sides. They also seek to agree the details of a landscaping scheme for the edges of the site and adjacent to car parking areas. All these matters can be addressed by conditions. Strathclyde Police noted that security can be added by aggressive shrubbery edges to car park landscaping, support the extension of CCTV, and made comments on the location of ATM's which have been incorporated in amended plans. Strathclyde Fire Brigade and South Lanarkshire Council have no objection to this application and Scottish Power and Transco have noted the presence of their apparatus within or nearby the site.
- 3.4 Six letters of objection have been received to this application from neighbouring residents, two from Anderson Tower and four from Watson Street, raising the following concerns:
- (a) noise from the deliveries and generators at night;
 - (b) car and delivery vehicle noise and fumes;
 - (c) smells from rubbish, litter and abandoned trolleys;
 - (d) parking problems, traffic congestion and a safety risk to children in Watson Street and suggested alternative access from north side;
 - (e) objection to the new access roundabout close to driveway of 100 Watson Street and disruption of access to 94 Watson Street;
 - (f) a suggestion that established rights of way could exist over the site;
 - (g) disruption from building work.

4. Planning Assessment and Conclusions

- 4.1 The principle of 6,575 square metres (70, 750 sq ft) of retail development on this site, with service access taken along the southwestern boundary, and 318 car parking spaces to serve the development, has already been established by previous planning permissions, which remain valid as site implementation commenced.

4.2 Whereas the previously approved scheme had a service access at the western end of the Watson Street frontage, and a car park access from the Watson Street midway along that frontage, the current proposal is to take both service and car park access from a new roundabout in Watson Street at the site's western end. This is considered preferable as it will slow the traffic using Watson Street, remove potential visibility concerns and result in easier egress from and access to the site. The parking provision shown for 350 cars, including 18 disabled persons and 18 parent and child spaces, is considered satisfactory.

4.3 There are no outstanding issues with the proposed design of the new store, subject to conditions to control detailed finishes. The layout for both the store (with entrances and direct pedestrian accesses facing both Watson Street and Barrie Street) and the car parking is satisfactory, also the areas shown for landscaping around the perimeters of the site (subject to conditions). Boundary treatment can be secured by condition and it is proposed to refurbish the existing railings to Oakfield Road and Watsonville Park. Various works to improve links between the new store and the rest of Motherwell Town Centre, which form part of this application, are listed in paragraph 1.3 above. Asda have agreed to undertake or pay for these works, which are all on land controlled by the Council, and it is proposed to secure the details of these works and completion of or payment for them prior to the store opening, by condition.

4.4 I turn now to address the particular concerns set out in the letters of objection which have been received, as set out in paragraph 3.4 above. In terms of the impact of vehicle movements, my Protective Services Section consider that concerns about vehicle noise can be satisfactorily dealt with by conditions which

- (a) limit delivery times to 8am to 10pm;
- (b) require any night time car parking to be restricted to the northern part of the site (not adjacent to residential properties); and
- (c) require a delivery driver code of conduct, requiring engines to be switched off during deliveries and the switching off of reversing alarms.

In terms of external plant and generators, Protective Services propose a condition limiting noise output, which is included in my recommendation. Turning to the means of access proposed to serve the development, I consider this to be the most suitable option and an improvement to the already consented scheme. I do not consider there would be any undue disruption to parking or access for dwellings in Watson Street. There are existing waiting restrictions in Watson Street from 7am –10pm Monday to Saturday, no existing accesses would be adversely affected (access to No 100's driveway would be retained); only No. 106 Watson Street's frontage would become unavailable for parking at any time, however, alternative parking will still be available nearby. I do not consider that, with construction of the new roundabout access and footways to Council standards, there should be any undue road safety hazard created. Problems associated with litter are covered by non-planning legislation and concerning abandoned trolleys, it is understood that Asda intend to install a buried loop system to prevent trolleys being taken off-site. I do not believe that any of the informal footpaths presently crossing the site have been clearly defined and in continuous use for 20 years as required for them to become established rights of way, and alternative routes around and through the site are in any case being provided as part of the proposals. Possible disruption during building work is not strictly a planning matter, but I would propose a Note to the Applicant advising of construction hours acceptable to the Protective Services Section.

4.5 Other outstanding issues on this application relate to matters where further details and information would be required to be submitted by condition. These matters are:

- (a) treatment of land around former mine and air shafts in the west corner and to the west of the site;
- (b) details of all proposed retaining walls;
- (c) a site contamination investigation report and amelioration measures;
- (d) drainage and finished levels details; and
- (e) details of a pedestrian access ramp and ATM pod proposed within the Asda site.

Other conditions which would be required as a result of consultation replies relate to dust control and construction hours. Following responses from Scottish Power and Transco, notes to the applicant are recommended to alert the presence of their equipment.

- 4.6 In conclusion, the principle of a retail superstore development of this size, served by 30 fewer car parking spaces than the 350 spaces now proposed, has already been agreed by previous consents. The current application complies with the relevant local plan policies. Site access details and improvements being proposed between the site and the town centre are considered preferable to the previous scheme's arrangements. Concerns raised by third parties and consultees are considered capable of satisfactory control by appropriate conditions. Whilst no firm proposals for the existing Asda store are yet available for once the new store is opened (planned for Christmas 2005), it is understood the landlords are seeking other tenants. I am satisfied that, together with the town centre access, environmental and linkage improvements being offered, the current proposed new store will be a significant benefit to Motherwell Town Centre. I therefore recommend approval for this application subject to conditions.

NORTH LANARKSHIRE COUNCIL

SUPPLEMENTARY REPORT

To: PLANNING AND ENVIRONMENT COMMITTEE	Subject: ERECTION OF CLASS 1 RETAIL SUPERSTORE (70,800 SQ FT) WITH ASSOCIATED ACCESS & IMPROVEMENT WORKS- AT WATSONVILLE PLAYING FIELDS, WATSON STREET, MOTHERWELL
From: DIRECTOR OF PLANNING AND ENVIRONMENT	
Date: 21 March 2005	Ref: S/04/02082/FUL/RC

1. Purpose of Report

- 1.1 The purpose of this report is to advise Members of a 144 signature petition received on this application and to recommend approval of this application with amended conditions.

2. Background

- 2.1 The planning application S/04/02082/FUL for a superstore at the Watsonville Playing Fields site in Watson Street, Motherwell, was continued at the Planning Committee on 2 March 2005 for a Site Visit and Hearing. This was at the request of the local Member and following receipt on 2 March of a 144 signature petition from residents, predominantly from the Watson Street/ Mason Lane area. The residents, whilst not opposing the building of the Asda store on this site, are opposed to the proposals for a new roundabout access from Watson Street.
- 2.2 The access proposals have arisen following discussion with NLC Transportation Section, who have no objection to the access proposed to serve this development being in the form of a new roundabout from Watson Street. NLC Transportation do not consider that there would be any alternative site access arrangements which would be preferable. As noted in paragraph 4.2 of my original report, the current access proposal is considered preferable to the previously approved scheme (which had two separate accesses for service vehicles and customers, both from Watson Street), as the roundabout access will slow the traffic using Watson Street, remove potential visibility concerns and result in easier egress from and access to the site.
- 2.3 One of the specific concerns raised by the residents of Watson Street close to the proposed new access, is a worsening of parking problems in Watson Street. Whilst my original report notes (paragraph 4.4) that I do not consider there would be any undue disruption to parking or access for dwellings in Watson Street, I would draw the attention of Members to a new measure which could be taken to compensate for any limited affect on parking which might arise. It would be possible to create a new car parking area in a triangle of grassed land at the junction of Mason Lane and Watson Street. Asda have confirmed their agreement to fund such accommodation works, and I would therefore recommend an amended condition, to add this to the list of works for which schemes must be agreed with the Council and either carried out or funding provided for by the applicant.

3. Sustainability Implications

- 3.1 There are no sustainability implications.

4. Corporate Considerations

- 4.1 There would be some future maintenance liability for the Council's Roads Section, which I consider acceptable.
- 4.2 Agreement on these accommodation works could only be finalised following the agreement of the Community Services Department (who maintain this land) and the relevant Committee.

5. Recommendations

- 5.1 It is recommended that Members note the receipt of the petition outlined above and the offer from Asda of additional off-site accommodation works to create a car parking area at the junction of Watson Street and Mason Lane.
- 5.2 It is recommended that the application be approved subject to an amended condition which would add to the list of works required by Condition 7 (for which detailed schemes would need to be submitted to and agreed by the Council), the following item: accommodation works in the form of car parking in the triangle of land at the junction of Mason Lane and Watson Street. The amended Condition 7 would now read:

That before development starts, detailed schemes for the creation of new footways, a bus stop and slip lane (all as indicated on the approved plans), new and improved puffin pedestrian crossing facilities for Watson Street and West Hamilton Street respectively, upgrade of the Barrie Street underpass to better link the new store to the town centre, including the provision of CCTV, and accommodation works in the form of car parking in the triangle of land at the junction of Mason /Street and Watson Street, shall be submitted to, and approved in writing by the Planning Authority.



David M. Porch
DIRECTOR OF PLANNING AND ENVIRONMENT
21 March 2005

Local Government Access to Information Act: for further information about this report, please contact Richard Cartwright, on 01698 302136.