

Application No: S/06/01361/FUL

Date Registered: 21st August 2006

**Applicant:** Mr Edward Coakley  
19 Newhut Road  
Motherwell  
ML1 3ST

**Agent**

Wagner & Co. Architects  
Terregles Avenue  
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Glasgow  
G41 4LX

**Development:** Alterations to Front Elevation of Public House and Formation of Rear Door

**Location:** 61 Hamilton Road  
Bellshill  
Lanarkshire

**Ward:** 24 Bellshill North Councillor Harry McGuigan

**Grid Reference:** 273153 660004

**File Reference:** S/PL/B/7/73/SM/MM

**Site History:** None Relevant

**Development Plan:** The site is zoned as Policy RTL 6 (Secondary, Village and Neighbourhood Commercial Areas) within the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005).

**Contrary to Development Plan:** No

**Consultations:** None Required

**Representations:** 4 Representation Letters

**Newspaper Advertisement:** None Required

**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 facing materials to be used for in-filling the current doorway, shall be submitted to, and approved in writing by the Planning Authority.

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

**Background Papers:**

Application form and plans received 10th August 2006

Letter from Mr Marc Duffy, Flat 4, 3 Crossgates, Bellshill, received 30th August 2006.

Letter from Nicholas J. Scullion & Co. Solicitors and Notaries on behalf of Ian & Sandra McLean, 3 Crossgates, Bellshill, received 30th August 2006

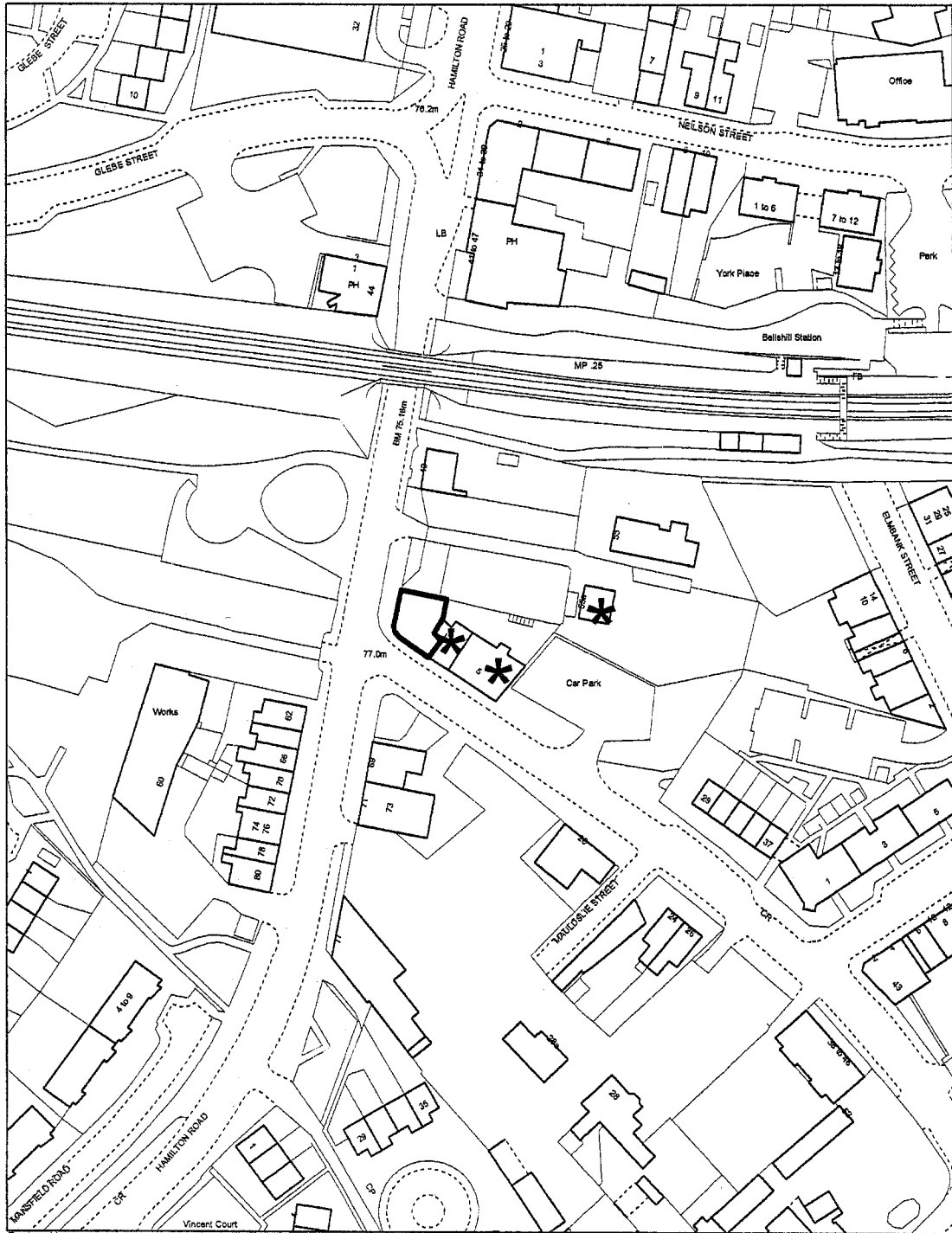
Letter from J. McIntyre, 55A Hamilton Road, Bellshill, received 28<sup>th</sup> August 2006

Letter from Ian & Sandra McLean, 25 Laburnum Lea, Hamilton, received 14 September 2006

Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005)

Any person wishing to inspect these documents should contact Mr Stewart MacCallum at 01698 302085.

Date: 3 October 2006



Produced by  
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Planning Application No. S / 06 / 01361 / FUL

Alterations to Front Elevation of Public House and  
 Formation of Rear Door

61 Hamilton Road, Bellshill

\* Representation



## APPLICATION NO. S/06/01361/FUL

### REPORT

#### 1. Description of Site and Proposal

- 1.1 The applicant seeks permission to block up an existing doorway to create a window and to form a replacement doorway (from a previous opening), on the frontage of the public house at 61-62 Hamilton Road, Bellshill. In addition, it is proposed to form a new doorway on the rear of the premises to facilitate staff access to the drying area and bin store.
- 1.2 The public house occupies a visually prominent corner position and thus, presents two principal frontages on Crossgates and Hamilton Road. The building is constructed of traditional design and incorporates several attractive architectural features and is finished in red sandstone. The site is located within a mixed use area close to Bellshill Town Centre, where commercial and residential properties prevail.

#### 2. Development Plan

- 2.1 The site is covered by Policy RTL 6 "Secondary, Village and Neighbourhood Commercial Areas" within the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005). Policy RTL 10 "Design Guidance for Commercial Frontages" is also considered relevant to this proposal.

#### 3. Consultations and Representations

- 3.1 No consultations were required for this proposal.
- 3.2 Four letters of objection were received from three neighbours regarding the proposal. The points of objection are summarised as follows: -
- (1) Concerns that the rear door indicated on the plans would be used to allow access to the rear of the building for members of the public for a smoking/beer garden area, causing a loss of amenity due to anti-social behaviour.
  - (2) Any possible future complaints/nuisance would be a matter for investigation by Protective Services.
  - (3) The rear door would allow noise to come from the public house to the nearby residential properties.
  - (4) The public house has no legal right of access to the backcourt area.
  - (5) The proposed creation of the rear door would not comply with standards needed for a fire escape door.
  - (6) The doorway would allow access into the public house from the rear of the building through the back court area and would increase the risk of loitering

#### 4. Planning Assessment and Conclusions

- 4.1 The application raises no strategic issues and therefore can be assessed in terms of the local plan policies. The primary issues to be considered here are the compliance with the relevant development plan policies and the affect the proposal will have on the neighbouring properties.
- 4.2 In terms of the Local Plan, Policy RTL 6 (Secondary, Village and Neighbourhood Areas), of the Southern Area Local Plan Finalised Draft (Modified 2001,2004 and 2005) seeks to support other types of commercial activity where such development does not adversely affect the character

and amenity of the relevant commercial areas and accords with the provisions of Policy RTL 11 Bad Neighbour Developments. The public house has been established for many years and its use is not being intensified or altered, thus, the application accords with these policies.

4.3 Policy RTL 10 (Design Guidance for Commercial Frontages) lists criteria which will be taken into account in assessing such proposals and includes the following:-

- (1) The overall impact of the proposal on the character and amenity of the surrounding area;
- (2) Sympathy of design with the original architecture of the building, and of adjoining properties;
- (3) The consideration given to building materials, colour scheme, window size, and
- (4) Provision made for improving public access, security and lighting.

The proposal involves the re-creation of a doorway from a former opening and the blocking up of an existing doorway to form a window on the frontage, with the formation of a new doorway to the rear. Given that the changes are cosmetic only, it is considered that the character and amenity of the area will remain unchanged. The doorways and new window are sized and positioned in complement with the rhythm of other openings on the building thereby ensuring that the external appearance of this attractive building is maintained. A condition will be imposed to ensure the use of appropriate finishing materials to further retain the character of the building. Lastly, the formation of the rear door will facilitate staff access to drying areas and communal bins. Overall, I consider the proposal to accord with policy RTL 10.

4.4 With regard to the concerns raised by the objections I would comment as follows:

- (1) The applicant was advised by letter that if they were proposing to use the area at the back of the building as a smoking area/beer garden, they would require a change of use application. The applicant has advised that the proposed doorway to the rear of the building would be to allow access for staff only to the communal area to access bins and also to dry towels within the drying area.
- (2) Any possible future noise complaint / nuisance would be a matter for investigation by Protective Services.
- (3) The legality of the applicant having access to the communal/drying backcourt area is a civil matter to be resolved between the applicant and the owners of that area.
- (4) The door is indicated as an access to the communal/drying backcourt area. If the doorway was to be a fire escape then it would be a matter to be dealt with by Building Standards should it require a Building Warrant and would not be a planning matter.
- (5) The applicant has advised that the rear door is for staff use only and a condition will be imposed to that effect. In any case, issues of loitering and anti-social behaviour are matters to be dealt with by the enforcing authorities namely the Police, not the Planning Authority.

4.5 In conclusion, I am satisfied that the design and impact of the proposed alterations to the building are acceptable from a planning viewpoint and that the proposal is therefore in compliance with the development plan. Notwithstanding the objections raised by the neighbours, and for the reasons stated above, it is recommended that planning permission be granted subject to conditions.

4.6 It should be noted that an objector has requested that a site visit and hearing be conducted prior to a decision being made on the application.