

Application No: **S/06/01454/REM**

Date Registered: 29th August 2006

**Applicant:** **Showland (Motherwell) Ltd**  
**6 Woodlands Roads**  
**Barnes**  
**London**  
**SW13 0JZ**

Agent RGP Architects  
135 Buchanan Street  
Glasgow  
G1 2JA

**Development:** **Erection of 141 Apartments and 8 Townhouses**

**Location:** **Traction Business Centre**  
**Tinkers Lane**  
**Motherwell**  
**ML1 3BJ**

Ward: 1 Ladywell Councillor Michael Ross

Grid Reference: 274256 656566

File Reference: S/PL/BF/13/8/GL/MM

Site History: Formerly part of the Bus Depot Site. Various changes of use applications approved since 1992 for Indoor Karting and Leisure, Offices and Training Centre, Nursery, Carpet Distribution and Retail, and Fitness Club.

S/04/01671/OUT Residential Development (in outline) of 132 Flatted Dwellings and 10 Townhouses – approved 17 March 2006.

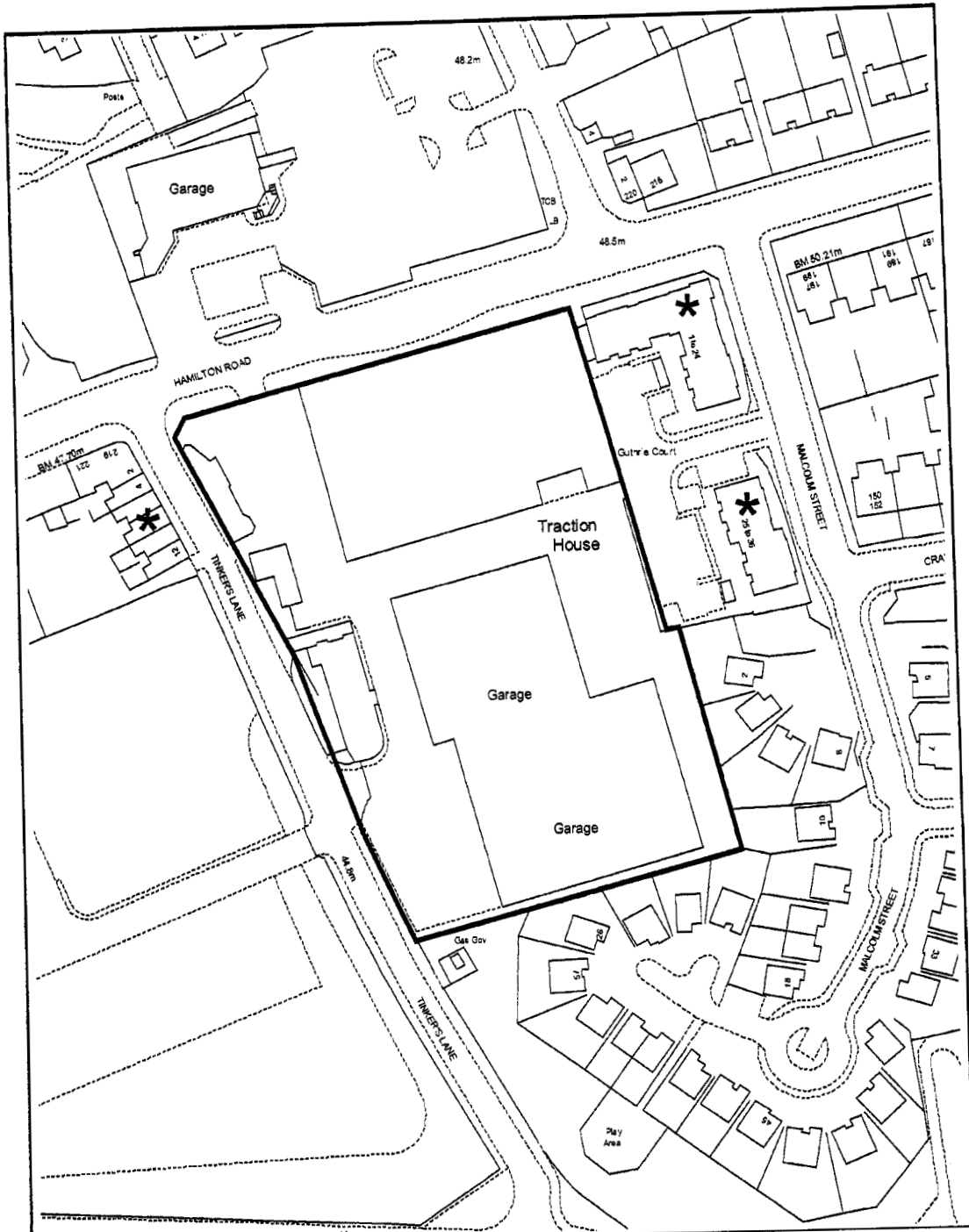
Development Plan: The site is zoned as 'Other Commercial Uses' in the Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005).

Contrary to Development Plan: No

**Consultations:** Scottish Natural Heritage No Objection  
Scottish Environment Protection Agency Comments  
Scottish Water Comments  
Scottish Power No Objection  
Strathclyde Police (Wishaw) Comments

**Representations:** 3 letters of Representation

Newspaper Advertisement: Not Required



PLANNING APPLICATION No. S / 06 / 01454 / REM  
 ERECTION OF 141 APARTMENTS AND 8 TOWNHOUSES  
 TRACTION BUSINESS CENTRE, TINKER'S LANE,  
 MOTHERWELL

\* Representation

Site Area = 1.4 ha.

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**Recommendation: Approve Subject to the Following Conditions:-**

1. That the development hereby permitted shall be started not later than 17th March 2009.

**Reason:** To accord with the outline permission.

2. That before the occupation of the first dwelling unit, yellow junction box road markings shall be provided, to the satisfaction of the Roads Authority and funded by the developer, at the junctions of Tinkers Lane with Hamilton Road and Airbles Road.

**Reason:** In the interests of traffic safety.

3. That before the first unit of the development hereby permitted is occupied, all existing dropped kerb vehicular connections and radius junctions associated with the site shall be removed and replaced with full upstand kerbs and footways at the expense of the developer and to the satisfaction of the Planning Authority.

**Reason:** In the interests of traffic and pedestrian safety.

4. That a visibility splay of 4.5 metres by 90 metres to the left and 4.5 metres to the junction with Hamilton Road to the right, measured from the road channel, shall be provided from the development access onto Tinkers Lane and before the first unit of the development hereby permitted is occupied, 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 safety.

5. That a visibility splay of 9 metres by 120 metres, measured from the road channel, shall be provided to the right from Tinkers Lane onto Hamilton Road and no boundary fences/ walls or landscaping exceeding 1.05 metres in height above the road channel level shall be located within this sight line area 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 safety.

6. That before the occupation of the first unit of the development hereby permitted, a new 5 metre wide footway shall be constructed along the Hamilton Road frontage of the site and a new 2 metre wide footway along the Tinkers Lane frontage 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 pedestrian safety.

7. That no flat or townhouse shall be occupied until all of the associated parking and manoeuvring areas shown on the approved plans, including the visitor parking bays, shared accesses and communal parking areas, are 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 in the interests of residential amenity and road safety.

8. That before any residential units within the development hereby permitted are occupied, the

means of vehicular and pedestrian access shall be constructed in accordance with the approved plans.

**Reason:** To ensure satisfactory vehicular and pedestrian access facilities to the dwellings in the interests of residential amenity and road safety.

9. That no residential unit hereby permitted shall be occupied until the road and footways adjacent to it have been constructed to basecourse standard and the road and footway shall be maintained thereafter to the satisfaction of the Planning Authority during the construction phase.

**Reason:** To ensure the provision of satisfactory vehicular and pedestrian access facilities.

10. That before the last of the flats/townhouses hereby permitted is occupied, all roads and footways shall be completed to final wearing course.

**Reason:** To ensure the provision of satisfactory vehicular and pedestrian access facilities.

11. That before the development hereby permitted 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 in writing by the Planning Authority. For the avoidance of any doubt, this shall include:

- a) Lockable gates to the rear of each terraced townhouse with rear access and communal lockable gates at the points marked BLUE on the approved plans;
- b) A 2-metre high close boarded fence between the development and Guthrie Court; and
- c) Stone walling with railings around the perimeter of the site.

**Reason:** To enable the Planning Authority to consider these aspects in detail and to ensure the adequate security for each property in the interest of crime prevention.

12. That before any of the townhouses hereby permitted are occupied, the fence, or wall, as approved under the terms of Condition 11 above, shall be erected.

**Reason:** To safeguard the residential amenity of the area.

13. That before the development hereby permitted starts, full details of all external materials to be used in construction, including walls, roofs, windows, doors, gutters and downpipes, shall be submitted to, and approved in writing by the Planning Authority. For the avoidance of doubt, this shall include sandstone features and grey roof tiles/ridging tiles on the front elevation to Hamilton Road.

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

14. That before the development hereby permitted starts, there shall have been submitted to, and approved in writing by the Planning Authority, full section and contour drawings showing the existing topography of the site, with proposed changes to ground levels and proposed levels of buildings. These shall be adhered to in the course of the development unless the Planning Authority gives prior approval, in writing, of any variation.

**Reason:** In order that the Planning Authority can retain effective control over this matter in the interests of the visual amenity of the area and the amenity of adjacent residents.

15. That all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting (drawing no's 6183 L(PL)0018, dated 17.08.06), shall be completed in accordance with a timetable to be agreed in writing by the Planning Authority prior to any development taking place, final completion of which shall be no later than prior to the occupation of the last 8 flats or townhouses; and any trees, shrubs, or areas of grass which die, are removed, damaged, or

become diseased within two 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 amenity.

16. That the management and maintenance scheme submitted with landscaping scheme detailed in condition 15 above, shall be implemented in accordance with a timetable to be agreed in writing by the Planning Authority under the terms condition 15 above. Furthermore, before any development starts on site, the trees hatched GREEN on the approved plans shall be fully protected in accordance with British Standard BS 5837. These protective measures shall remain in place through the course of the development.

**Reason:** To ensure proper maintenance of the area and the protection of existing trees.

17. That prior to any of the residential units hereby approved being occupied, written confirmation shall be submitted to the Planning Authority from a suitably qualified person that the recommendations of the noise report by Robin Mackenzie Partnership, submitted in respect of the application, dated 29th August 2006, have been implemented in full. Thereafter these measures must be maintained to the satisfaction of the Planning Authority.

**Reason:** To protect future residents from unsatisfactory levels of noise.

18. That no integral garage of the townhouses shall be altered for use as a habitable room without the prior written consent of the Planning Authority.

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

19. That no works of any description shall be commenced on the application site, until written confirmation is provided by the Planning Authority that the proposed surface water drainage system submitted with the application (drawing numbers CL(52) 01 rev A and CD(52)01) is acceptable. For the avoidance of doubt the surface water drainage scheme must comply with the principles of Sustainable Urban Drainage Systems (SUDS) in terms of the relevant CIRIA Manual, other advice published by the Scottish Environment Protection Agency (SEPA) and with all requirements of Scottish Water. If any change to the site layout is required as a result of assessment of this scheme, an amended planning application shall be submitted to and for the approval of the Planning Authority PRIOR to any works of any description being commenced on the application site, unless otherwise agreed in writing with the said Authority.

**Reason:** To ensure that the drainage scheme complies with best SUDS practice to protect adjacent watercourses and groundwater, and in the interests of the amenity and wellbeing of existing and future residents adjacent to and within the development site respectively.

20. That the SUDS compliant surface water drainage scheme approved in terms of Condition 19 above shall be implemented contemporaneously with the development and before the last townhouse or flat is occupied, the SUDS scheme shall be completed and a certificate (signed by a responsible Civil Engineer) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant CIRIA Manual and the approved plans.

**Reason:** To safeguard adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future residents.

21. That PRIOR to any works of any description being commenced on the application site, unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation report shall be submitted to and approved in writing by the said Authority. The investigation must be carried out in accordance with current best practice advice, such as BS 10175: The Investigation

of Potentially Contaminated Sites, or CLR 11. The report must include a site specific risk assessment of all relevant pollution linkages and a conceptual site model. Depending on the results of the investigation, a detailed Remediation Strategy may be required.

**Reason:** To establish whether or not site decontamination is required in the interests of the amenity and wellbeing of future residents.

22. That any remediation works identified by the site investigation required in terms of Condition 21 above shall be carried out to the satisfaction of the Planning Authority. A certificate (signed by a responsible Environmental Engineer) shall be submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

**Reason:** To ensure that the site is free of contamination in the interests of the amenity and wellbeing of future residents.

**NOTE TO COMMITTEE:**

**If granted, the planning permission will not be issued until an Agreement under Section 69 of the Local Government (Scotland) Act 1973 has been concluded with the applicant/landowner in respect of securing a contribution of £39,250 towards upgraded play facilities nearby, in lieu of on-site provision.**

**Background Papers:**

Application form and plans received 28th August 2006 and revised plans dated 16<sup>th</sup> November & 21<sup>st</sup> December 2006 and 18<sup>th</sup> January 2007.

Drainage Assessment, Harley Haddow Engineers received 29<sup>th</sup> August 2006

Site Investigation by Waterman Environmental received 29<sup>th</sup> August 2006

Road Traffic Noise Assessment, RMP Acoustic Consultant received 29<sup>th</sup> August 2006

Letters and amended plans from RGP Architects received 17<sup>th</sup> November and 20<sup>th</sup> December 2006

Letters from Scottish Natural Heritage received 21<sup>st</sup> September 2006 and 15<sup>th</sup> January 2007

Letters from Scottish Environment Protection Agency received 5<sup>th</sup> October and 6<sup>th</sup> November 2006

Letter from Scottish Water received 7<sup>th</sup> September 2006

Letter from Scottish Power received 11<sup>th</sup> September 2006

Memo from Head of Protective Services received 11<sup>th</sup> September 2006

Memo from Director of Education received 21<sup>st</sup> September 2006

Email from Head of Legal Services received 10<sup>th</sup> November 2006

Memos from Geotechnical Team Leader received 18<sup>th</sup> and 20<sup>th</sup> September 2006

Memo from Traffic and Transportation Team Leader received 8<sup>th</sup> September 2006

Memo from Landscape Services Manager received 20<sup>th</sup> September 2006

Letters from Mr Gary & Mrs Bryson, 23 Guthrie Court, Motherwell, ML1 3FR received 4<sup>th</sup> and 12<sup>th</sup> September 2006.

Letter from Mr Jack Gilmour, 8 Tinkers Lane, Motherwell, ML1 3BJ received 11<sup>th</sup> September 2006.

Letter from Bryan McNally, 30 Guthrie Court, Malcom Street, Motherwell, ML1 3FR received 13<sup>th</sup> September 2006.

Glasgow and Clyde Valley Joint Structure Plan 2000 (as amended)

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

Any person wishing to inspect these documents should contact Mr Gordon Liddell at 01698 302128.

18<sup>th</sup> January 2007

## **APPLICATION NO. S/06/01454/REM**

### **REPORT**

#### **1. Description of Site and Proposal**

- 1.1 This is a Reserved Matters application for planning permission for the erection of 141 apartments and 8 townhouses on the site of the Traction House Business Centre and existing ex-tramshed commercial units at Tinkers Lane and Hamilton Road, Motherwell.
- 1.2 The site is generally rectangular in shape with a slight decline in levels from east to west. To the east of the site are existing 3 and 4 storey flats at Guthrie Court. Also to the east are 2-storey dwellinghouses at Malcolm Street which extend around the southern boundary of the site, with a further small area of open space and trees also located to the south. To the west is Tinkers Lane with the First Bus Depot opposite. There is also a 2-storey tenement building at the corner of Hamilton Road and Tinkers Lane which comprises some flats and a shop. To the north, opposite on Hamilton Road, is a petrol filling station and the Parks of Hamilton car sales forecourt. The units within the site currently consist of a mix of commercial uses and vacant premises.
- 1.3 The applicant proposes 141 flats and 8 townhouses. The flats are proposed in five blocks of a similar size. Two of the blocks are positioned to form a frontage onto Hamilton Road with some further landscaping to the front. One of the frontage blocks is also configured in a north-south direction to shadow the flats at Guthrie Court. The three remaining flatted blocks run in an east-west direction, perpendicular to Tinkers Lane, although being L-shaped, these still form a street frontage. The blocks within the site are mainly 4-storey in height with 3-storey sections adjacent to the existing flats on Tinkers Lane and Guthrie Court. Finally, at the south-eastern corner of the site, a further block of 8 townhouses is proposed. These are located to the west and north of existing houses on Malcolm Street. The townhouses (8 in total) are 3-storeys in height with the exception of the eastern most unit which is 2-storeys in height. The 3-storey townhouses have integral garages.
- 1.4 Access is taken from a single access point on Tinkers Lane with an internal road and parking layout serving each block. Also, proposed throughout the site are buffers of open space around each block, with dedicated private gardens for each of the townhouses.
- 1.5 The previous outline application S/04/01671/OUT was for a 'Residential Development (in outline)' of 132 Flatted Dwellings and 10 Townhouses. The indicative plans submitted with the outline consent detailed a layout extremely similar to that currently submitted. While none of the details of the outline consent were specifically approved, condition 3 of that consent stated that the reserved matters should generally conform with the principles contained in the outline plans submitted. There is a marginal increase in the number of units (9 flats), albeit the number of townhouses has reduced by 2.

#### **2. Development Plan**

- 2.1 The application is not of strategic significance and therefore can be assessed against Local Plan Policies.
- 2.2 The site is allocated for business purposes in the Burgh of Motherwell and Wishaw Part Development Plan 1953. The site is zoned as RTL9 'Other Commercial Uses' in the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005).
- 2.3 Policies HSG10 (Assessing Applications for Housing Developments) and TR13 (Assessing the

Transportation Implications of Development) are also relevant.

### **3. Consultations and Representations**

- 3.1 My Transportation Team Leader has made comments on the access and layout requirements, which have been substantially incorporated in the layout.
- 3.2 My Pollution Control Team Leader has confirmed that the findings of the noise/vibration survey submitted with the application in respect to the surrounding roads and land uses are acceptable. The findings are that acoustic glazing is required along the Hamilton Road frontage. A site investigation relating to ground contamination is required and has been submitted, although there are no comments on its acceptability as yet. Other issues raised include construction noise and control of dust throughout development.
- 3.3 Scottish Natural Heritage highlighted the requirement for assessment of any protected species using the site and have confirmed their acceptance of the submitted report.
- 3.4 Scottish Water have confirmed that providing a suitable mitigation scheme is agreed, connection to their infrastructure will be accepted, and this includes surface water. Surface water drainage should be provided in accordance with a Sustainable Urban Drainage System, the latter also being requested by SEPA. SEPA have highlighted their non-objection to the proposals on this basis that surface water is connected to the public sewer. SEPA also make comment on construction, demolition and domestic waste.
- 3.5 My Geotechnical Team Leader has raised issues in relation to ground stability and has detailed further information required in relation to drainage infrastructure, particularly how the proposed drainage system will cope in the 1 in 200 year storm event.
- 3.6 The Community Services Department highlighted their acceptance of the proposed planting and maintenance plan.
- 3.7 The Strathclyde Police Architectural Liaison Officer has no objections to the proposed layout although makes comment on crime prevention in relation to the physical materials to be used in doors, windows, bin stores and boundary walls.
- 3.8 NLC Education Department highlight that local schools in the vicinity have sufficient capacity to accommodate the levels of housing proposed.
- 3.9 Transco British Gas made no response and Scottish Power raise no objections to the application.
- 3.10 3 letters of objection have been received from residents of Guthrie Court and Tinkers Lane, as well as an additional letter requesting a Committee site visit. The points of objection can be summarised as follows:
  - a) 4-storey blocks opposite the properties on Tinkers Lane are too high, intrusive and will result in overshadowing and will prevent reception of an acceptable digital TV signal – 2 or 3 storeys at this location would be more desirable.
  - b) The area currently has predominantly 3-storey flats and the proposed 4-storey flats will over-power neighbouring properties.
  - c) The proposed flats behind Guthrie Court have been changed from 50% 3-storey and 50% 4-storey (in the outline application) to predominantly 4-storey and this will have an impact on the view currently enjoyed from Guthrie Court.
  - d) The 4-storey flats opposite Guthrie Court will also result in overshadowing, loss of light and overlooking.



- e) The close proximity of Guthrie Court in relation to the proposed building 4 and its communal gardens will result in noise pollution for its residents.
- f) The proposal floods the area with flats. Townhouses are more in keeping with the properties in the surrounding area.
- g) The single access point on Tinkers Lane will exacerbate existing traffic problems i.e. congestion. This will be made worse by any further development of the First Bus Depot. The proposals will also have an unacceptable impact on Hamilton Road in respect to traffic generation and congestion.
- h) The proposals will result in unauthorised parking at Guthrie Court.
- i) The proposals will result in general disruption and noise for the objectors, one of whom is a shift worker.
- j) The proposals will result in an adverse impact of property prices of existing houses.

#### **4. Planning Assessment and Conclusions**

- 4.1 Planning applications require to be assessed against the Development Plan and any other material considerations. In this instance the application does not give rise to any strategic issues and fails to be assessed against the relevant Local Plan policies.
- 4.2 The adopted Burgh of Motherwell and Wishaw Part Development Plan 1953 zones the site for business purposes, although this plan is significantly out of date. In the emerging Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005) the site is allocated for 'Other Commercial Uses,' reflecting the range of businesses operating (currently and previously) from the existing units. Notwithstanding this policy zoning, planning permission has already been granted for residential development (through outline consent S/04/01671/OUT) and the principle of such has already been established as acceptable. It is necessary, therefore, to assess the development in terms of the issues set out in Southern Area Local Plan Policies HSG10 and TR13, matters raised by consultation responses and objectors and any other material considerations.
- 4.3 Policy HSG10 Assessing Applications for Housing Development sets out criteria against which new residential developments should be assessed. These include:
  - Impact on the existing built and natural environment;
  - Detailed design;
  - Density, layout and mix of housing;
  - Landscaping/Open space;
  - Consideration to crime;
  - Transportation;
  - Existing mineral and contamination status of the site; and
  - Flood risk.
- 4.4 The outline approval sets out the general parameters by which this detailed application has been developed. This included a condition that specified no more than 4-storey development. The site currently consists of a range of large business/light industrial buildings of no real visual quality and these would be displaced by the proposed development. The surrounding area is predominantly residential, with other examples of 2, 3 and 4 storey flats, as well as there being established housing, a petrol filling station and a car sales forecourt in the close vicinity. In terms of both the current uses on the site, its poor visual appearance and the presence of adjacent housing, residential redevelopment will not have an unacceptable impact on the existing built environment in general terms. On the contrary, the redevelopment of the site with a good quality residential development and landscape plan will have a net improvement on the appearance of the area. In respect to the natural environment, there are currently no aspects of the site of notable ecological value and the site's redevelopment is therefore considered acceptable in this respect. A line of trees along a section of the eastern site boundary can be

protected through the course of development which could be included as a planning condition, should permission be granted. In design terms, I consider the proposals to be of a good standard and materials can be controlled via a planning condition. The site layout is such that it does not give rise to any unreasonable levels of overlooking, loss of privacy or loss of light. The development as a whole is considered acceptable in terms of its relationship with the wider area and impact on surrounding land-uses. Existing flats at Guthrie Court comprise a mix of 3 and 4 storey blocks. While the 4-storey proportion of the development is greater in this instance, I consider the blocks are positioned and set far enough back from Guthrie Court to ensure there will be no unacceptable impact. The sections of the block directly adjacent to Guthrie Court are 3-storeys in height and this adequately reflects those at Guthrie Court. Similarly, the section of the block opposite the existing 2-storey flats on Tinkers Lane has also been dropped from 4 to 3-storey from the initial submission, to ensure a better relationship between these two buildings. This, together with the distance between the buildings will ensure the relationship is acceptable from a visual perspective, but also that there will be no unreasonable impact in regard to loss of light and/or overbearing effects. Thereafter, within the site the remaining blocks (other than the townhouses) are 4-storey. I consider that the site is self-contained enough to accommodate this height and the distance between the blocks and site boundaries (and properties beyond) is such that there will be no unreasonable negative impact. All flats exceed the minimum 18 metres window to window standard currently expected.

- 4.5 The townhouses are positioned at the part of the site closest to existing 2-storey dwellinghouses on Malcolm Street. Their position is such that minimum window to window distances are also achieved and the townhouse closest to the properties on Malcolm Street has been reduced to 2-stories to soften the impact. The impact is further softened by a hipped roof. While I would acknowledge that the 2-storey townhouse is relatively close to the rear garden boundary of no. 22 Malcolm Street, it should be borne in mind there is currently a large industrial type unit which runs along this boundary. The townhouse has the same building line albeit the massing is considerably less. Given the site is relatively flat, a limited number of cross sections have been requested and a street elevation has also been submitted. While this is acceptable for assessment purposes, I do however recommend that a condition be attached ensuring full details of final levels are submitted prior to development commencing.
- 4.6 A satisfactory level of usable garden ground adequately serves all the townhouses, although the layout submitted does not allow for current open space/play provision standards to be met with regards to the flats. The applicant has however agreed to the Director of Community Services suggestion that a commuted sum of £39,250 be accepted in lieu of on site provision. In this case, this would be spent on the provision of upgraded play facilities at either Strathclyde Park (eastern end) or the Duchess of Hamilton Park. This was previously agreed and formalised in the form of a legal agreement on the outline application, although will require to be amended in light of the minor changes in the number of units. In respect to landscaping, a detailed landscaping and maintenance plan has been submitted and accepted by NLC Community Services.
- 4.7 Both policy HSG10 (Assessing Applications for Housing Development) and TR13 (Assessing the Transportation Implications of Development) require the provision of suitable roads, access and parking, as well as an assessment of the impact of the development on the wider road network. Some changes to the proposed layout have been made and the proposals are now considered acceptable and in line with my Transportation Team Leader's comments. The satisfactory implementation of the proposed access, visibility sightlines, internal road layout and parking provision can be covered by planning conditions.
- 4.8 On balance, assessed against the relevant provisions of the development plan, the proposed development is considered acceptable.
- 4.9 Turning to issues raised by the remaining consultation responses, it is noted that Scottish Water have indicated that surface water will be accepted to the public sewer at attenuated rates. Final

details of this can be agreed via a planning condition, although it should be highlighted to the applicant that any amendment to the layout as a result will require a further planning application. This would also satisfy the issues raised by SEPA. Other issues highlighted by SEPA can be covered by conditions and advisory notes to the applicant.

- 4.10 My Protective Services Team Leader's request for a site investigation is noted. A report has been submitted although verification of the report is still required from my Pollution Control section. A noise assessment report has also been submitted and my Pollution Control Team Leader has accepted the methodology used and the subsequent conclusions. These recommendations can be implemented via a planning condition. Other issues raised in relation to construction noise and control of dust could be covered via advisory notes to the applicant.
- 4.11 A report has been submitted demonstrating that no protected species are present on the site and this has been verified by Scottish Natural Heritage in relation to their comments. I propose an advisory note to the applicant highlighting that further consultation with Scottish Natural Heritage would be required if demolition of existing buildings is to take place between February and November.
- 4.12 Given that agreement has been reached with Scottish Water in regard to accepting attenuated surface water, while my Geotechnical Team Leader highlights lack of information in relation to drainage infrastructure and flooding, I consider that in this instance the matters can now be adequately controlled via planning conditions.
- 4.13 There are no significant concerns with this application in respect to crime prevention, highlighted through Strathclyde Police's non-objection to the proposals.
- 4.14 Issues raised by Scottish Power can be covered via advisory notes to the applicant and are not significant in planning terms.
- 4.15 Turning to objections I would comment as follows:
- a) In respect to the point made on the 4-storey blocks opposite the properties on Tinkers Lane being too high, intrusive and resulting in overshadowing, I would highlight that the proposals have now changed at this location. In line with the objectors suggestion that 2 or 3 storeys at this location would be more desirable, the flats have been dropped to 3-storeys where located directly opposite and have been set back into the site. The impact of the proposed flats on existing digital TV signals is not sufficient reason to refuse the application.
  - b) It is noted that flats in the area are predominantly 3-storey, in the form of the flats at Guthrie Court. I would note however that Gurthie Court also has a substantial 4-storey element at the corner of Hamilton Road. I consider that the frontage to Hamilton Road is acceptable in respect to its relationship with neighbouring properties. I consider that the internal part of the site is self contained enough and set back from the main road to accommodate 4-storey flats. I would also note that townhouses have been incorporated at the corner closest to dwellinghouses at Malcolm Street, as opposed to flats, integrating the development further with the surrounding area.
  - c) It is acknowledged that the proposed flats behind Guthrie Court have been changed to a greater proportion of 4-storey in the current application as opposed to the outline consent. Nonetheless, the outline layout was indicative only and the outline conditions allow up to 4-storeys. The changes to the block are, on balance, considered acceptable. The block drops to 3-storeys at its closest points to Guthrie Court and with hipped roofs I consider this to integrate well. Loss of view is not a planning consideration.
  - d) With regard to the 4-storey flats opposite Guthrie Court resulting in overshadowing, loss of light and overlooking, I would note that the block is set sufficiently back at 35 metres to prevent any unreasonable effects. Any effects will be reduced further by a slight reduction in ground levels. In terms of overlooking, the proposed block is set back almost double the minimum window to window standard and overlooks a communal parking area.

- e) I do not consider that the distance between the proposed block and Guthrie Court will result in an unacceptable level of noise pollution for existing residents. If the type of noise suggested by the objector became a problem it would be controlled via environmental legislation, rather than planning legislation.
- f) Although a significant number of flats is proposed, the principle of residential development at the site has been accepted and the proposed development meets Council requirements in relation to design, layout and transportation requirements.
- g) In respect to the impact that the proposals will have on the road network at Hamilton Road and Tinkers Lane, I would note that following submission of a transportation statement, and full consideration of the proposals there are no objections from my Traffic and Transportation Section. There is only a very marginal increase in the number of units from the outline planning permission already granted. I do not consider any perceived concern about the impact of the development in transportation terms as reasonable reason for refusal.
- h) With regard to potential unauthorised parking at Guthrie Court, I do not consider this to be a valid reason for refusal. The internal layout meets current roads and parking standards for the number of units proposed and is unlikely to have any impact on Guthrie Court's parking provision.
- i) In terms of general disruption for existing residents, it is noted that any development comes with it an unfortunate degree of unwanted disruption. The developer is dutybound by environmental controls on noise and dust from construction sites and this can be highlighted in the form of an advisory note.
- j) Impact on property prices of existing houses is not a material consideration.

4.16 In conclusion, taking the provisions of the development plan and all other material considerations into account, it is recommended that planning permission be granted subject to conditions. One objector has requested a Committee site visit prior to determination of the application.