

Application No: C/07/00325/AMD

Date Registered: 28th February 2007

Applicant: **Woodford Land**
C/o Agent

Agent: Jones Lang LaSalle
150 St Vincent Street
Glasgow, G2 5ND

Development: **Amendment to Condition 4 of Planning Permission C/06/00581/MIN (Various Remediation Works) to Allow Working Between 1300hrs and 1700hrs on Saturdays for a Period of 8 Consecutive Weekends**

Location: **Site of Former Boots Factory**
Motherwell Street, Airdrie
North Lanarkshire, ML6 7HR

Ward: 44 Clarkston Councillor Campbell Cameron

Grid Reference: 277400 666389

File Reference: C/PL/AIM/850/LK/EL

Site History:

- C/04/01704/FUL Erection of Primary School and Floodlit Multi-Purpose Pitch for Dual Use with Community: Granted 24/01/05
- C/05/00984/NID Construction of New Road Including Consolidation Works and Drainage Facilities: Approved 07/10/05
- C/06/00579/OUT Residential Development (In Outline) Including the Change of Use of Office Block to Residential: Granted 11/01/07
- C/06/00580/FUL Construction of Road: Granted 12/12/06
- C/06/00581/MIN Various Land Engineering Operations to Prepare Land for Redevelopment, Including Ground Stabilisation Works, Ground Reprofilling, the Containment/Treatment of Contaminated Land and the Ancillary Removal of Coal: Granted 3/08/06
- C/06/00778/FUL Construction of 95 Houses with Ancillary Open Space, Landscaping and Roads: Withdrawn 7/11/06
- C/06/00952/ADV Display of 4 No. Board Freestanding Signs at Motherwell Street and Connor Street Granted 3/08/06
- C/06/01873/REM Construction of 95 Houses with Ancillary Open Space, Landscaping and Roads (Reserved Matters for C/06/00579/OUT: Phase 1): Granted 23/01/07

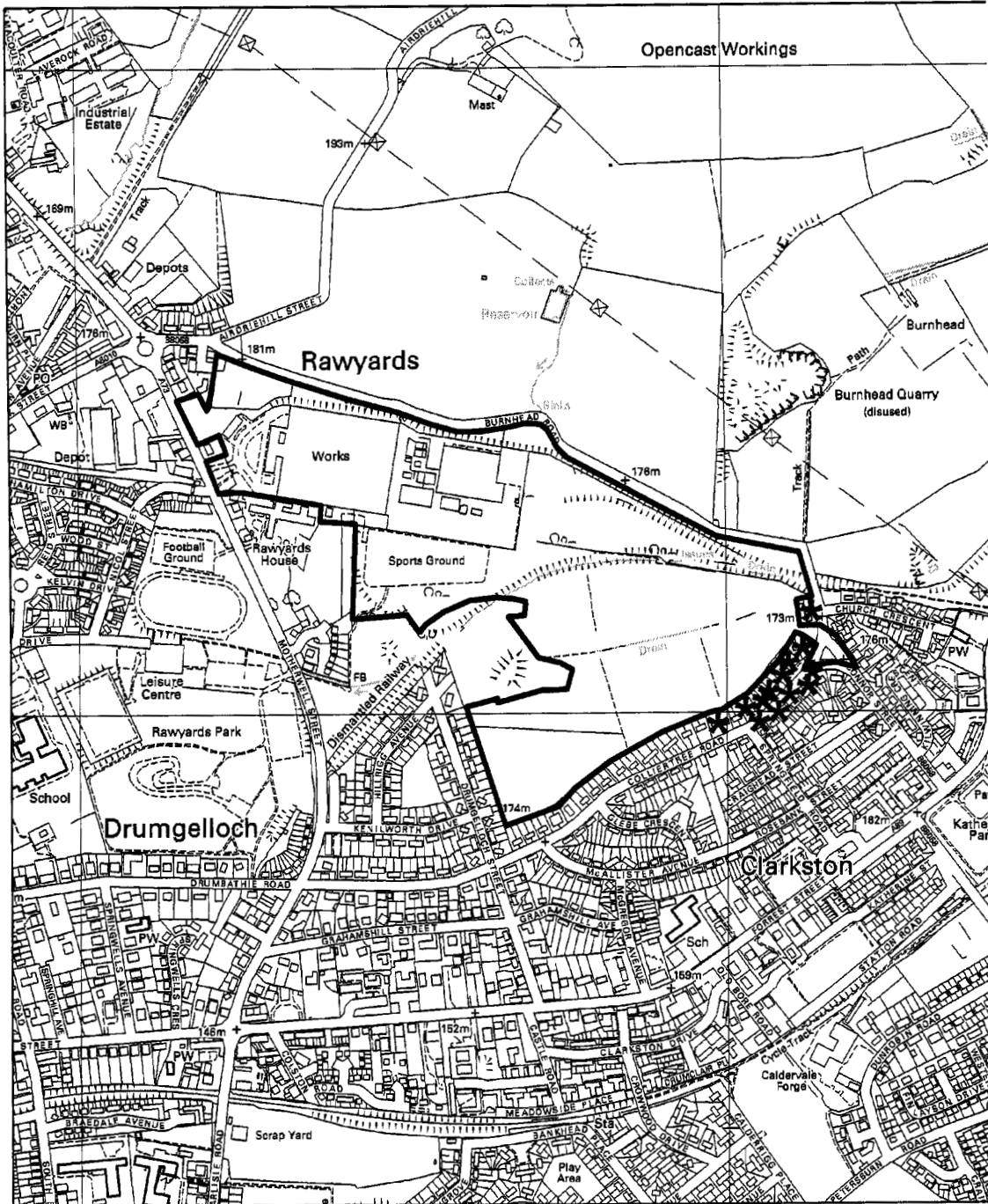
Development Plan: Zoned for Residential and Industrial Purposes within the Monklands District Local Plan 1991

Contrary to Development Plan: No

Consultations: Head Of Protective Services (no objections)

Representations: 23 letters of representation received.

Newspaper Advertisement: Press advert 7th March 2007



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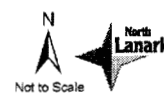
Amendment to Condition 4 of Planning permission C/06/00581/MIN
 (Various Remediation Works) to Allow Working Between 1300 hrs and 1700 hrs on
 Saturdays for a Period of 8 Weekends

Site of Former Boots Factory,
 Motherwell Street, Airdrie

* Representations
 Site Area 29.09 HA

Prepared by
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 Planning and Environment Department
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 North Lanarkshire Council 10/0223/06 2004



Recommendation: Approve Subject to the Following Conditions:-

1. That the Planning Authority shall be given at least 7 days prior written notification of the first Saturday in which workings are to take place between 1300 hours and 1700hours. Thereafter, the workings, as permitted by planning permission C/06/00581/MIN, shall be authorised between the aforementioned hours for no more than 8 consecutive Saturdays.

Reason: In the interests of local amenity.

Background Papers:

Application form and plans received 28th February 2007

E-mail from Head of Protective Services received 12th March 2007 and 10th April 2007.

Letters from Mr & Mrs Barker, 91 Colliertree Road, Airdrie, received 13th March 2007 & 2nd April 2007.

Letters from James & Anne Dalziel, 93 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letters from S Yeats, 83 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letters from Mr & Mrs Barker, 89 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letters from Mr & Mrs Chapman, 103 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letters from M Johnstone, 75 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DR received 13th March 2007 & 2nd April 2007.

Letters from A McAllister, 77 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letters from J Ferguson, 85 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letter from M & J McCracken, 99 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letters from G Black, 97 Colliertree Road, Clarkston, Airdrie, North Lanarkshire, ML6 7DS received 13th March 2007 & 2nd April 2007.

Letter from Mr & Mrs Moyes, 43 Connor Street, Airdrie, ML6 7DT received 2nd April 2007.

Letter from Mr & Mrs P. Carrol, 69 Colliertree Road, Airdrie, ML6 7DR received 2nd April 2007.

Letter from M. Johnston & H. Craig, 87 Colliertree Road, Airdrie, ML6 7DS received 2nd April 2007.

Glasgow and Clyde Valley Structure Plan 2000

Monklands District Local Plan 1991, Including Finalised First Alterations A, B & C September 1996

Any person wishing to inspect these documents should contact Mr Lindsay Kellock at 01236 812379.

Date: 13th April 2007

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REPORT

1. Description of Site and Proposal

- 1.1 At its meeting of 31st October 2006, the Planning and Environment Committee agreed to grant planning permission in outline for the redevelopment of the site of the former Boots factory for 620 houses. In addition, the Council has granted other planning permissions for works designed to facilitate this development, including planning permission C/6/00581/MIN for "Various Land Engineering Operations to Prepare Land for Redevelopment, Including Ground Stabilisation Works, Ground Refilling, the Containment/Treatment of Contaminated Land and the Ancillary Removal of Coal" which was granted planning permission on 30th August 2006. These works started in October 2006 and the planning permission requires them to be complete within 12 months. The main operations allowed by this permission relate to ground stabilisation works including the following:
- a) the removal of coal by opencast method followed by the infill and restoration of ground (thus allowing for the complete removal of all old shallow mine workings). The area in question extends to 3ha, is sited to the south of the old factory buildings and is a minimum of 300m from the nearest houses on Hillrigg Avenue and Drumgelloch Street
 - b) the grouting of land immediately to the north of houses on Colliertree Road.
- 1.2 In order to protect the amenity of nearby houses, the planning permission restricted hours of operation for these works to between 8.00am and 7.00pm Monday to Friday and 8.00am to 1.00pm on Saturdays with no workings allowed on Sundays or Public Holidays. Also, the developer undertook to carry out the operations in accordance with best practice measures which are designed to keep the impact of noise and dust on local residents to within acceptable limits.
- 1.3 The developer is now seeking permission to extend the hours of operation on site. In the first instance they asked to work between 1.00pm and 4.00 on Saturdays and between 10.00am and 2.00pm on Sundays, all of which would be restricted to a period of 8 consecutive weekends. However, the developer has now agreed to alter the proposed hours of operation to between 1.00pm and 5.00pm on 8 consecutive Saturdays with no workings on Sundays. In support of the application, the developer has stated that the timetable for implementing the remediation works has been slipping due to adverse weather conditions over the winter months.

2. Development Plan

- 2.1 There are 3 local plan zonings which apply to the application site namely:
- a) The southern portion of the site is covered by policy 'Res 3: New Private Sector Housing Development' within the 1991 Monklands District Local Plan.
 - b) The northern part of the site (above the line of the former railway line) is covered by policy 'Econ 2: Existing General Industrial Areas' within the 1991 Monklands District Local Plan in recognition of the site's former use by Boots.
 - c) A small area of the east-most part of the site (i.e. the site of the new access road at Connor Street and Colliertree Road) is covered by policy 'HSG 9: Existing Housing Areas' within the 1991 Monklands District Local Plan.

3. Consultations and Representations

- 3.1 This application was the basis of the normal neighbour notification procedure and a 'bad neighbour' advert in the local press. In response a total of 23 letters of objection were received. In the first instance, 10 letters of objection were submitted in respect of the application as originally proposed (which allowed for the introduction of Sunday working). These letters were submitted in a 'pro-forma' style and the comments were as follows:
- a) Objection on the basis of noise pollution and the impact on the surrounding environment
 - b) Residents should be able to enjoy their garden and home at the weekend and not be subjected to noise and dirt.
 - c) Any extension of hours would be unacceptable.
- 3.2 Following receipt of these objections, a further 13 letters of objection were received in respect of the amended hours of operation. These were from the same 10 people who objected previously plus an additional 3 objections. As before, the letters were in a pro-forma style and the comments are that the original objection should stand. All the objectors live close to the south-east corner of the site on Colliertree Road and Connor Street.
- 3.3 The Protective Services Manager has stated that there have already been 3 objections submitted to him in recent months from local residents in respect of noise and dust from the on-going remediation works. Bearing in mind the fact that there are currently no works taking place on Sundays, the Protective Services Manager objected to the introduction of any new operations on that day. However, in assessing the proposed extension to working hours on Saturdays (a day when operations were already taking place) the Protective Services Manager believes that there could be benefits for local residents in terms of seeing the overall contract finished in an earlier time-span.

4. Planning Assessment and Conclusions

- 4.1 The key consideration in assessing this planning application is weighing up the impact of the additional hours of operation on the amenity of local residents against any possible wider benefits.
- 4.2 It is clear that local residents around the site of the former Boots factory are already concerned at the impact of the building and engineering operations. Whilst it is regrettable that the neighbours are suffering a loss of amenity as a result of the works, it was always the case that such impacts would occur to some degree, bearing in mind the size and nature of the site and its proximity to local housing. Following complaints made by 3 local residents to the Protective Services Section, the developer carried out improvements to the noise and dust mitigation measures employed at the site which are designed to bring these impacts to within acceptable limits. It is also noted that the additional hours are proposed on a day when works already take place and that these additional hours will only be used for a period of 8 weeks. Furthermore, the additional hours will allow for the necessary works to be completed within a shorter timescale which will clearly be of benefit to the local residents.
- 4.3 Whilst taking the concerns of the local residents on board in assessing this planning application, the proposed extension to the hours of operation have been found to be reasonable and it is recommended that planning permission should be granted as submitted. Should residents feel that levels of noise and dust are above reasonable limits then the Protective Services Section has powers to ensure that appropriate mitigation measures are put in place.