

Report to:	Planning Committee
Date of Meeting:	5 October 2010
Report by:	Executive Director (Enterprise Resources)

Application No	HM/10/0351
Planning Proposal:	Erection of 8 No. Industrial Units with Associated Parking and Service Yard Areas

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : Unit 35
Argyle Crescent
Hillhouse Industrial Estate
Hamilton

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission - Subject to Conditions (Based on the attached conditions)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: The McLennan Partnership Ltd
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Plan**
Policy ECON1 – Industrial Land Use
Policy DM1 – Development Management

◆ Representation(s):

- ▶ 1 Objection Letter
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Roads and Transportation Services (Hamilton)

Scottish Water

Enterprise Resources - Estates

Roads and Transportation Services (Flooding)

Environmental Services

Power Systems

Transco Gas Networks

Country and Greenspace Service

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of vacant land and a strip of trees to the north-west of Argyle Crescent, Hamilton. The site predominantly comprises an enclosed yard at present with the strip of trees located outside an existing boundary fence on the western and northern fringe of the site. The application site is bounded to the north and west by a further area of woodland with residential properties beyond, to the south-west and east by existing business and industrial units and to the south-east by Argyle Crescent. The site extends to 0.34 hectares and access is taken at the south-east corner of the site from Argyle Crescent.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of industrial units with associated parking and service yard areas within the site. Eight industrial units are proposed comprising seven units each measuring 93 square metres in floorspace and one unit measuring 116 square metres in floorspace. All existing trees within the site boundary would be removed to facilitate the development.

3 Background

3.1 Local Plan Status

- 3.1.1 The Adopted South Lanarkshire Local Plan identifies the entire application site as being within an area designated for industrial use. Policy ECON1 – Industrial Land Use is therefore of relevance to this application. Policy DM1 – Development Management is also considered to be of relevance to the application. The content of the above policies and how they relate to the proposal is assessed in Section 6 of this report.

3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy 2010. With regard to economic development this policy states that authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised. Removing unnecessary planning barriers to business development and providing scope for expansion and growth is considered to be essential.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Hamilton Area):** Offered no objections to the proposal subject to the imposition of a number of conditions relating to vehicular and pedestrian access as well as provision of adequate parking spaces.
Response: Noted. Any consent granted would be conditioned to this effect.
- 4.2 **Scottish Power:** Offered no objections to the proposal but noted the existence of Scottish Power apparatus in the vicinity of the site.
Response: Noted. In the event that consent was granted all relevant information would be provided to the applicants to allow any such issues to be resolved between the parties involved.
- 4.3 **Environmental Services:** Offered no objection to the proposal subject to the imposition of a number of conditions relating to health and safety, noise, contamination and waste control.
Response: Noted. Any consent granted would be conditioned to this effect.

- 4.4 **Roads and Transportation Services (Flooding):** Offered no objections to the proposal subject to the Council's standard design criteria guidance being satisfied.
Response: Noted. Any consent granted would include an informative detailing the requirements outlined in the consultation response.
- 4.5 **Country and Greenspace Service:** Confirmed that an inspection had been carried out with regard to the possible existence of protected species within the site. It was noted that no trees were likely to be utilised as bat roosts. In terms of the existence of badgers it was noted that, although it is possible that badgers may use the site to forage, no badger setts were visible within the site boundary. Consequently it is unlikely that there would be any adverse impact on these species as a result of the development.
Response: Noted.
- 4.6 **Estates Services:** No response to date.
Response: Noted.
- 4.7 **Scottish Water:** No response to date.
Response: Noted.
- 4.8 **Scotland Gas Networks:** No response to date.
Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised for neighbour notification purposes. One letter of objection was received. The grounds of objection are summarised as follows:
- (a) **The development could have an adverse impact on protected species that may reside within the site boundary.**
Response: The Council's Country and Greenspace Service was consulted in this regard and confirmed that the trees within the site were unlikely to be suitable for use as bat roosts and that there was no evidence of the existence of a badger sett within the site. Although badgers may use the overall wooded area for foraging it is not considered that the loss of this small portion of the overall woodland would have any adverse impact in this regard. Based on the information provided, it is not considered that there would be any adverse impact on protected species as a result of the development.
- (b) **The development is unnecessary given that there are a number of vacant industrial units in the surrounding area.**
Response: Although it is noted that a number of existing units are vacant at present this is not considered to be grounds for refusal of this application. The site in its entirety is located within an area designated for industrial use but is undeveloped at the present time. Therefore the principle of the development of this site for industrial purposes is in compliance with the Council's Local Plan and is considered acceptable and appropriate in this instance.
- (c) **A large vacant site exists elsewhere on Argyle Crescent which would be more suited to such a development.**
Response: It is noted that a separate large vacant site exists on Argyle Crescent at the present time. However this site is not designated for industrial use but is specified as a 'Retail Masterplan Site' in the adopted South

Lanarkshire Local Plan. Therefore a development of this nature would not be considered suitable at that location.

The above letter has been copied and is available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicants seek permission to construct eight industrial units with associated access and parking areas within the site. The main considerations in determining this application are whether the proposal complies with the approved planning policies applicable to the site as well as any other material considerations.
- 6.2 The application site at present consists of a vacant area of industrial land enclosed by secure fencing. A small portion of the wooded area to the west and north of the yard is also contained within the application site. As part of the development the secure fence along the western and northern perimeter of the yard would be removed with the trees within the application site also removed and this land incorporated into the industrial development.
- 6.3 In terms of approved planning policies, the site is located entirely within an area designated for industrial land use in the adopted South Lanarkshire Local Plan. As such Policy ECON1 of the South Lanarkshire Local Plan is of relevance to this development. This policy states that such areas of land will continue primarily in industrial use and the Council will direct new industrial development to them. As the proposal relates to a new industrial development within an area designated under Policy ECON1 it is considered that the development is entirely consistent with this policy.
- 6.4 Policy DM1 of the Adopted South Lanarkshire Local Plan relates to all development proposals and states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Development should enhance the quality and appearance of the local environment and take account of environmental, accessibility and sustainability issues as appropriate.
- 6.5 It is considered that the proposed development would enhance the industrial amenity of the area by replacing a vacant site with an industrial development in keeping with the character of the surrounding area. The built form of the proposed units will be in keeping with that of a number of similar nearby developments in terms of size and design. A number of conditions would be attached to any consent granted with regard to access, parking, pedestrian safety, noise and environmental issues as requested by consultees. Subject to these conditions it is considered that there would be no adverse impact on surrounding public amenity.
- 6.6 With regard to the local environment it is noted that the development would slightly impinge on a wooded area to the north and west of the site. It should be noted that this area is also designated for business and industry use in the adopted local plan. In this regard the site has been inspected by a member of the Council's Country and Greenspace Service. It has been confirmed that none of the trees in question would be suitable for use as bat roosts and no evidence has been found of the existence of a badger sett within the site. The trees are not of any particular merit and are not covered by any Tree Preservation Orders or other restrictions. It is therefore considered that there will be no adverse environmental impact on protected species

as a result of the development. Based on the above, it is considered that the proposal is in compliance with Policy DM1.

- 6.7 Government policy as set out in the consolidated Scottish Planning Policy 2010 states that authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised. It is considered that this development will assist in this regard by providing additional opportunities for the establishment of smaller scale industrial operations in the Hamilton area.
- 6.8 Statutory neighbour notification procedures were undertaken and the application was also advertised for neighbour notification purposes. One letter of representation was received, the grounds of which are summarised in Section 5 above. It is not considered that the points raised merit refusal of the application in this instance. The Council's Roads and Transportation Services (Hamilton Area) and Environmental Services were consulted on the application and offered no objection subject to the imposition of a number of conditions which would be attached to any consent issued. Scottish Power, the Council's Roads and Transportation Service (Flooding) and the Country and Greenspace Service were also consulted and offered no objection to the proposed development.
- 6.9 Given the scale and nature of the proposed development and given that it accords with the local plan the application would in normal circumstances have been a delegated decision. However, as the application site is in Council ownership the Council's approved Scheme of Delegation requires that the application be considered at Committee.
- 6.10 In light of the above, it is considered that the proposal accords with Policies ECON1 and DM1 of the Adopted South Lanarkshire Local Plan. I would therefore raise no objections to the proposal and would recommend that detailed planning permission be granted for this development.

7 Reason for Decision

- 7.1 The proposal has no significant impact on amenity and complies with Policy ECON1 and Policy DM1 of the Adopted South Lanarkshire Local Plan 2009.

Colin McDowall
Executive Director (Enterprise Resources)

21 September 2010

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan 2009
- ▶ Neighbour notification letter dated 16 July 2010
- ▶ Press Advertisement, Hamilton Advertiser, dated 29 July 2010
- ▶ Scottish Planning Policy 2010

► Consultations

Power Systems	25/08/2010
Roads and Transportation Services (Hamilton Area)	23/07/2010
Environmental Services	11/08/2010
Roads & Transportation Services H.Q. (Flooding)	09/08/2010
Power Systems	25/08/2010

► Representations

Representation from : George and Elizabeth Lennon, 31 Blair Atholl Grove
Hamilton
ML3 9FE, DATED 17/07/2010

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Declan King, Planning Officer, Brandon Gate, Hamilton
Ext 3554 (Tel: 01698 453554)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:

2010-10/L/001,
2010-10/P/001,
2010-10/P/002.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 4 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 5 Development shall not commence until an assessment of the potential for the proposed use to cause noise nuisance has been submitted to the Council as Planning Authority. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.
- 6 Prior to the development being brought into use, details of the storage of waste arising from the commercial activity shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.
- 7 Between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90(1/2hour)) by more than 4dB (A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
Between the hours of 2000 and 0800 the noise emitted from the premises (LAeq (5mins)) shall not exceed the pre-existing background noise level (L A90 (1/2hour)) by more than 4dB(A) when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
- 8 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:

(i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);

(ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11)' - issued by DEFRA and the Environment Agency;

(iii) BS 10175:2001 - British Standards Institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

(b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

- 9 That before the development hereby approved is completed or brought into use, the new vehicular access shall be constructed with a 6.0 metre radius kerb and a 6.0 metre wide carriageway and so far as it lies within the boundaries of the road abutting the site shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 10 That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 11 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 12 That, before the development is completed or brought into use, the existing footway to the west of the site will require to be extended into the development to meet the new proposed internal footway. A new 2.0 metre wide footway will also require to be constructed to adoptable standards on Argyle Crescent on the east side of the site from the junction with Hillhouse Business centre westwards to meet the new internal footway of the development.
- 13 That the existing sightlines of 4.5m x 60m in both directions at the existing junction must be maintained at all times.
- 14 That a plan shall be submitted to the Council detailing the trees within the site to be removed, including a note of height, species, base level and extent of canopy or branch spread, those to be retained and any proposed planting of trees and that no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 These details have not been submitted or approved.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 To minimise noise disturbance to adjacent occupants.
- 6 To minimise nuisance, littering and pest problems to nearby occupants.
- 7 To minimise noise disturbance to adjacent occupants.
- 8 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 9 In the interest of public safety
- 10 In the interest of public safety
- 11 To ensure the provision of adequate parking facilities within the site.
- 12 In the interest of public safety
- 13 In the interest of road safety
- 14 In order to retain effective planning control.

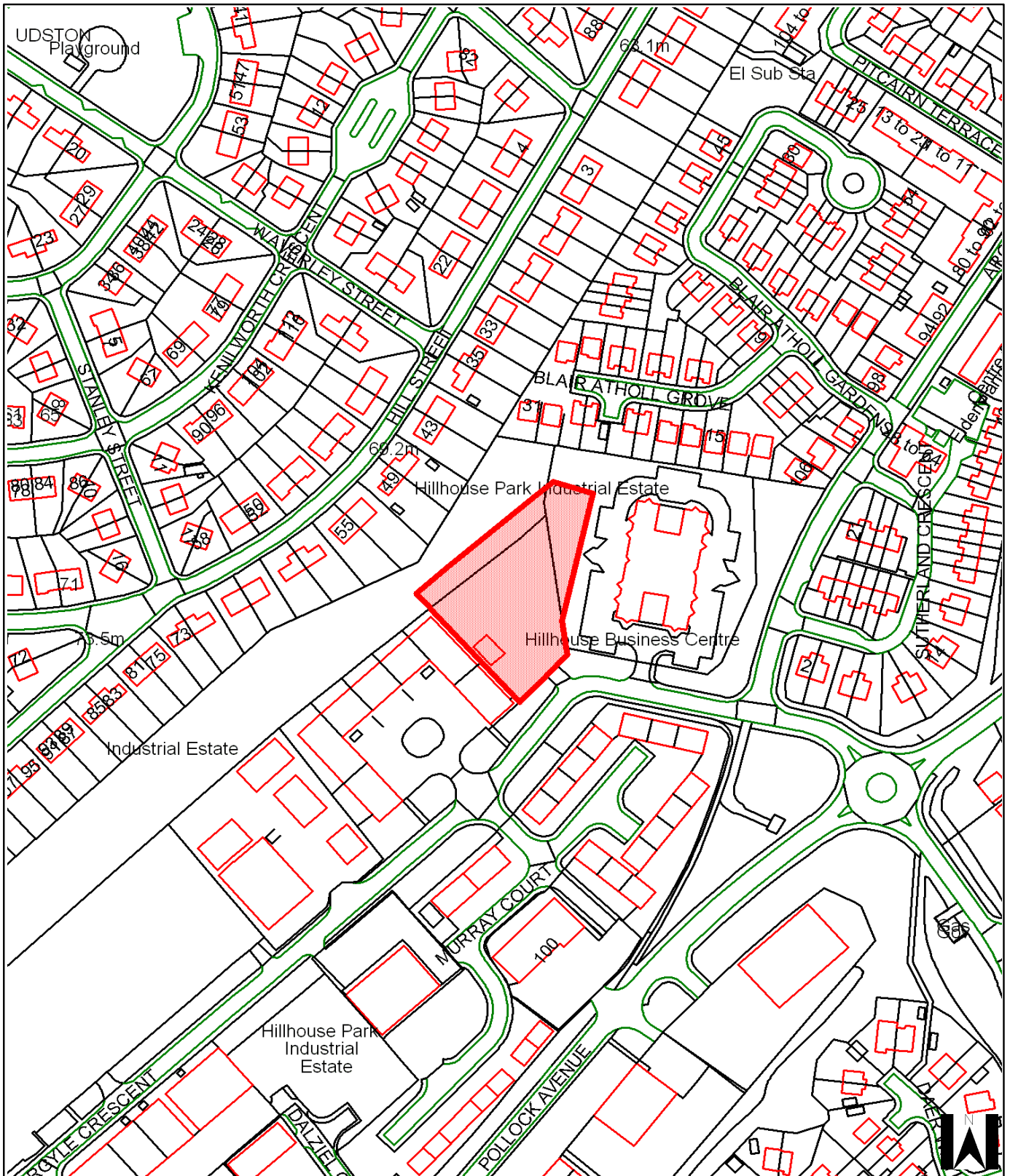
HM/10/0351

Planning and Building Standards Services

Unit 35 Argyle Crescent, Hillhouse Industrial Estate,
Hamilton

Scale: 1: 2500

For information only



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