

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>14 December 2021</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/0333
Planning proposal:	Land Engineering / Remodelling Operations to Provide Hardstanding for External Storage and Distribution Purposes and Formation of Perimeter Landscaped Bund with Associated Land Drainage

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Marshalls PLC
Location:	Marshalls PLC Roadmeetings Yieldshields Road Carluke ML8 4QG

## 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 conditions attached.

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) If planning consent is granted, the Decision Notice for this application and P/21/0332, by the same applicant for a similar proposal at Marshalls PLC, should be withheld until a financial contribution of £10,072.50 has been paid for upgrading of the road surface of the B7056 (Yeildsheilds Road) from the entrance to Marshalls Plc to the junction with the A721 (Kilncadzow Road).

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards making the payment within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

### 3. Other information

- ◆ Applicant's Agent: Paul Houghton MRTPI
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): SLDP2: Policy 3 General Urban Areas  
SLDP2: Policy 5 Development Management and Placemaking  
SLDP2: Policy 8 Employment  
SLDP2: Policy 15 Travel and Transport

#### ◆ Representation(s):

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

#### ◆ Consultation(s):

Scottish Natural Heritage - Use Nature.Scot

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Community and Enterprise Resources Regeneration and Inclusion

## **Planning Application Report**

### **1. Application Site**

- 1.1 The site (1.99ha) is located to the west of Yeildsheilds Road and north of the A721 on vacant land lying adjacent to and within the landholding of Marshalls PLC, a company specialising in the manufacture and distribution of pavements. The site consists of a mixture of dense scrub and semi improved and marshy grassland. The adjacent plant to the south comprises offices, production buildings and hardstanding for parking and storage.

### **2. Proposal(s)**

- 2.1 Marshalls PLC is a major manufacturer of pavements whose plans include the consolidation of storage and distribution at their Carlisle plant after the closure of their distribution plant in Falkirk. The proposal is to extend the hardstanding area including ground remodelling and the creation of a landscaped bund. Hardstanding will be formed by imported material from the Abbington quarry and finished by porous pavements manufactured by the applicant. Because of the level difference between the existing site and adjoining land there will be a need to create a new slope and bund to support the hardstanding. The design for the Sustainable Urban Drainage System (SUDS) includes a surface water drainage ditch running along the base of the bund to a landscaped swale in the north west corner of the site.
- 2.2 A Flood Risk and Drainage Assessment, Ecological Appraisal, Planning Statement, Noise Assessment, Preliminary Geo Environmental Desk Study and Transport Statement have been submitted as supporting information.

### **3. Background**

#### **3.1 Local Plan Status**

- 3.1.1 In determining this planning application, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan (SLDP2) (2021).
- 3.1.2 The site falls within the settlement boundary where Policy 3 – General Urban Areas and Settlements applies. Also applicable is Policy 8 – Employment as the site forms part of a designated Core Industrial and business area. In addition to these land use designations, Policies 5 – Development Management and Place Making and 15 – Travel and Transport are of relevance to the determination of this application.

#### **3.2 Relevant Government Advice/Policy**

- 3.2.1 Scottish Planning Policy (SPP) advises that the planning system should promote business and industrial activity that increases economic activity while safeguarding and enhancing the natural and built environment and give due weight to the net economic benefit of proposed development.

#### **3.3 Planning Background**

- 3.3.1 Planning Permission was granted: for extension to industrial building (CL/06/0789) in December 2006; for extension to existing production buildings (CL/08/0237) in June 2008 and for 2 enclosures above existing aggregate stores (CL/09/0335) in September 2009.
- 3.3.2 It should also be noted running concurrently with this application and being considered by the Planning Committee is another similar application P/21/0332, submitted by the applicants for the extension of hardstanding and the creation of a landscaped bund

along the north eastern boundary of their plant adjacent to the hardstanding proposed by this application.

#### **4. Consultation(s)**

- 4.1 **Environmental Services** – No objection subject to conditions restricting noise levels, dust mitigation and informatives on construction noise, pest control and nuisance.

**Response:** Noted. If approval is granted the requested conditions and informatives will be attached to the Decision Notice.

- 4.2 **NatureScot** – No response to date.

**Response:** Noted.

- 4.3 **Roads and Transportation Services** – A visibility splay of 2.4m by 90m is required at the access. Information from cores taken on Yieldshields Road suggest the construction of the road is to a reasonable standard, however, it is slightly below what would be expected for a modern industrial road. A contribution of £10,072.50 has been calculated to offset the increase in anticipated maintenance costs. A Travel Plan would be in place to better manage the resultant increase in traffic and this should form a condition of any consent. The number of parking spaces would be set by the Travel Plan and the Framework sets out the proposed measures and methodology, which will contribute to enhancing the sustainability of the development. There is ample space within the site for parking.

**Response:** Noted. If Planning Permission is granted conditions covering visibility and the submission and implementation of a Travel Plan will be attached. Also, a Decision Notice will not be released until the requested contribution has been paid for road upgrading works.

- 4.4 **Flood Unit** – No objection subject to completion of relevant appendices in the Developer Design Guidance.

**Response:** Noted. If approval is granted appropriately worded conditions will be attached to the Decision Notice.

- 4.5 **Regeneration and Inclusion** – No response to date.

**Response:** Noted.

#### **5. Representation(s)**

- 5.1 In response to the advertisement of the application in the local press for non-notification of neighbours (it should be noted no notifiable properties with postal addresses fell within the notification cordon around the application site boundary) no letters of representation have been received.

#### **6. Assessment and Conclusions**

- 6.1 The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).

- 6.2 The application site, forming part of the Marshalls PLC plant, lies within the Carluke settlement boundary where Policy 3 – General Urban Areas and Settlements advises that developments, particularly those considered to be “bad neighbour” uses which by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety will not be permitted if they are detrimental to the amenity of residents. However, each proposal will be judged on its own merits. The nearest dwellings are 95.91m on the further side of the A721 and in between there is vacant ground. The hardstanding will be used purely for storage of pavements awaiting delivery so the only associated noise would relate to the stacking and uplift – there would be no other industrial process within the application site boundary. A Noise Assessment has been undertaken that

concludes that noise levels associated with the proposal would not be significant. Environmental Services have not objected subject to conditions relating to noise abatement and dust mitigation. The proposal relates to an established industrial plant which has operated in the locality for many years without adverse impact upon the environment or residential amenity, therefore, it is considered acceptable under the terms of Policy 3.

- 6.3 The proposed development has also been considered against Policy 5 'Development Management and Place Making'. Proposals should not have a significant adverse impact on the local area and address the six qualities of placemaking. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials, and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, noise, smell, air and light pollution, overshadowing, overlooking or visual intrusion. Development proposals shall include appropriate access, parking, landscape provision and Sustainable Drainage Systems (SUDS). Proposals shall have no unacceptable significant adverse impact on the natural and historic environment and have no adverse effect on the integrity of Natura 2000 sites. This is an acceptable hardstanding extension to an established industrial plant – it will integrate into its industrial setting whilst the proposed landscaped bunds, mature woodland and existing industrial buildings will help visually contain the storage area in the context of the surrounding locality. The development does not affect features of importance to landscape character and trees will be planted on the landscaped bund to compensate for the loss of scrub. Surface water run-off will be dealt with by a series of drainage ditches and a swale in accordance with the principles of SUDS. Amenity will not be compromised as the nearest dwellings are located a sufficient distance away. Conditions have been attached requiring noise emission limits, tree planting, habitat management, tree protection, ecological surveys and nesting bird protection. Roads and Transportation Services have not raised any public or road safety concerns subject to financial contributions to cover road upgrading and a condition requiring the submission of a travel plan. There are no infrastructure constraints. In consideration, the proposal is an appropriate form and scale of development for this location and, therefore, complies with Policy 5.
- 6.4 The entire site and associated industrial plant is zoned as a Core Industrial and Business Area where Policy 8: Employment applies. This states that the Council will support sustainable economic growth by encouraging the development of business in South Lanarkshire, and that Core Industrial and Business Areas should primarily be reserved for conforming uses (Class 4, 5 and 6). The Marshalls PLC plant is a long established Class 5 (General Industry) and paviour distribution centre (Class 6) business employing 45 staff, which is seeking to consolidate storage and distribution at the Carluke plant resulting in employees numbers increasing to 63 – this will include new staff recruited locally and relocated staff from their Falkirk branch which is due for closure. This will assist the business to grow at their Carluke operation, meet growing demand for paviments in the construction industry and provide continuity of employment. In view of these circumstances, it is considered that the proposal complies with Policy 8.
- 6.5 Policy 15 Travel and Transport states: The council expects active travel and the availability and/or provision of public transport facilities and access to be fundamental design and locational elements of new development. New development proposals should promote opportunities for travel by sustainable travel modes in the following order of priority – walking, cycling, public transport and car. Where appropriate, planning applications will be accompanied by an active travel plan that demonstrates this order of priority has been considered and includes proposals to reduce travel by

car and encourage walking, cycling and public transport as alternative modes of transport. Proposals should also consider measures to mitigate the impact of increased traffic growth and have regard to the need to reduce air pollution and greenhouse gas emissions. Where appropriate, the Council will seek contributions from new developments towards the maintenance of public roads from operators of major mineral, waste and industrial (classes 4, 5 and 6) developments which are likely to create extraordinary wear and tear to the local road network. In certain circumstances the Council will require developers to prepare a Transport Assessment or Transport Statement (TS) prior to the assessment of any planning application.

- 6.6 A Transport Statement has been prepared that concludes that there will be no adverse impact upon the local road network. There are footways along the B7056 and the A721 – a large area of southwest Carluke is within acceptable walking distance of the plant. The whole of Carluke is within 25 minutes cycle to the site and the local road network, which is generally restricted to 30mph, is considered suitable for cycling. There are bus routes nearby and Carluke is served by a train station. A Framework for a Travel Plan has been set out with objectives for encouraging sustainable transport. If permission is granted, a condition requiring the submission and approval of a Travel Plan will be attached. There is sufficient space within the plant to accommodate anticipated parking needs. Road cores along the B7056 from the A721 to the access have been taken – these cores demonstrate that the current construction of the road is to a reasonable standard, however, it is slightly below what would be expected for a modern industrial road which will be required to cope with increased heavy vehicle usage along it. The applicant has agreed to make a financial contribution to offset the increase in anticipated maintenance costs. Having considered the above, along with the scale, nature and location of the proposed development and noting the road improvements, it is considered that the proposal complies with Policy 15.
- 6.7 In summary, it is considered that the proposals for the hard standing extension are acceptable given they are associated with an existing large scale industrial plant. No letters of objection were received and no adverse comments from consultees, subject to conditions. In view of all of the above, the proposal represents an appropriate form of development for the site and, therefore, it is recommended that detailed planning permission is granted.

## **7. Reasons for Decision**

- 7.1 The application site is within a designated Core Industrial and Business Area where the proposal complies with Policy 8: Employment of the adopted South Lanarkshire Local Development Plan<sup>2</sup>. There will not be an adverse impact on the landscape character of the area or on the residential amenity of Carluke and it complies with Policies 3: General Urban Areas and Settlements, 5: Development Management and Placemaking, and 15: Travel and Transport. The proposal will enable the applicant to consolidate manufacturing and distribution at its Carluke plant, generating employment opportunities and securing the long term future of the plant.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 3 December 2021

### **Previous references**

- ◆ CL/06/0789
- ◆ CL/08/0237
- ◆ CL/09/0335

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated
  
- ▶ Consultations
  - Scottish Natural Heritage - Use Nature.Scot
  - Roads Development Management Team 12.05.2021
  - Environmental Services 09.04.2021
  - Roads Flood Risk Management 24.09.2021
  - Community and Enterprise Resources Regeneration and Inclusion
  
- ▶ Representations
  - None

### **Contact for further information**

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

Ian Hamilton,  
Planning Officer,  
Montrose House,  
154 Montrose Crescent,  
Hamilton, ML3 6LB  
Phone: 01698 455174  
Email: [ian.hamilton@southlanarkshire.gov.uk](mailto:ian.hamilton@southlanarkshire.gov.uk)

## Conditions and reasons

01. That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

02. Prior to the commencement of the development hereby approved (including any demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Council as Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Veteran and ancient tree protection and management.

The development shall thereafter be implemented in strict accordance with the approved details.



Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

03. That the landscaping scheme as shown on the approved plan shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following the completion of the development hereby approved and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

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

04. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Developer Design Guidance (May 2020) and shall include the following signed appendices: C 'Sustainable Drainage Design Compliance certificate' and; E 'Confirmation of Future Maintenance of Sustainable Drainage Apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved in writing by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

05. That no further development shall take place until a flood risk assessment has been carried out in accordance with the latest industry guidance, including a completed and signed copies of Appendices A 'Flood Risk Assessment Compliance Certificate' of the Council's Developer Design Guidance (May 2020) to be submitted and approved by the Council as Planning and Flood Authority.

Reason: In order to ensure the risk of flooding to the application site from any source is at an acceptable level as defined in the Scottish Planning Policy and there is no increase in the future of flood risk to adjacent land as a result of the proposed development.

06. That no development shall commence until a Travel Plan to encourage sustainable travel has been submitted for approval and thereafter the recommendations of the approved Travel Plan shall be fully implemented to the satisfaction of the Council as Planning and Roads Authority.

Reasons: In the interests of sustainable travel and to manage increases in traffic.

07. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

08. Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the premises (LAeq,1hr) shall not exceed the pre-existing background noise level (LA90,30 min) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 20:00 and 08:00 the noise rating level emitted from the premises (LAeq,15min) shall not exceed the pre-existing background noise level (LA90,30min) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

All lifts and/or hoists, including doors, guide rails and ancillary plant and machinery, as well as mechanical air handling/ air conditioning plant and ducted systems, shall be suitably isolated from the structure of the building to minimise transmission of noise and vibration to adjacent dwellings/premises.

Reason: To minimise noise disturbance to local residents.

09. At buildings where people are likely to be affected the internal noise levels shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-

- a) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
- b) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
- c) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LA,max of 45dB night-time (23:00 - 07:00).

Reason: To minimise noise disturbance to local residents.

10. The Internal Noise Rating Values, within any residential property and resultant from the proposed development, shall not exceed-
- o NR25 between 23.00hrs and 08.00hrs
  - o NR35 between 08.00hrs and 23.00hrs.

Reason: To minimise noise disturbance to local residents.

11. Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

Reason: To protect local residents and properties from dust.

12. That the recommendations/ guidance as set down in Chapters 5 and 6 of the Ecological Appraisal (TETRA TECH, February 2021) in respect of further surveys, enhancement, mitigation including otters, bats and breeding bird surveys, nest protection, landscaping, invasive non-native plant species and Stage 1 Habitats Regulations Appraisal Screening Assessment shall be fully complied with.

Reason: In the interests of wildlife and biodiversity.

13. That details of a Habitat and Landscape Management Plan shall be submitted for approval and thereafter the approved plan shall be implemented to the satisfaction of the Council as Planning Authority.

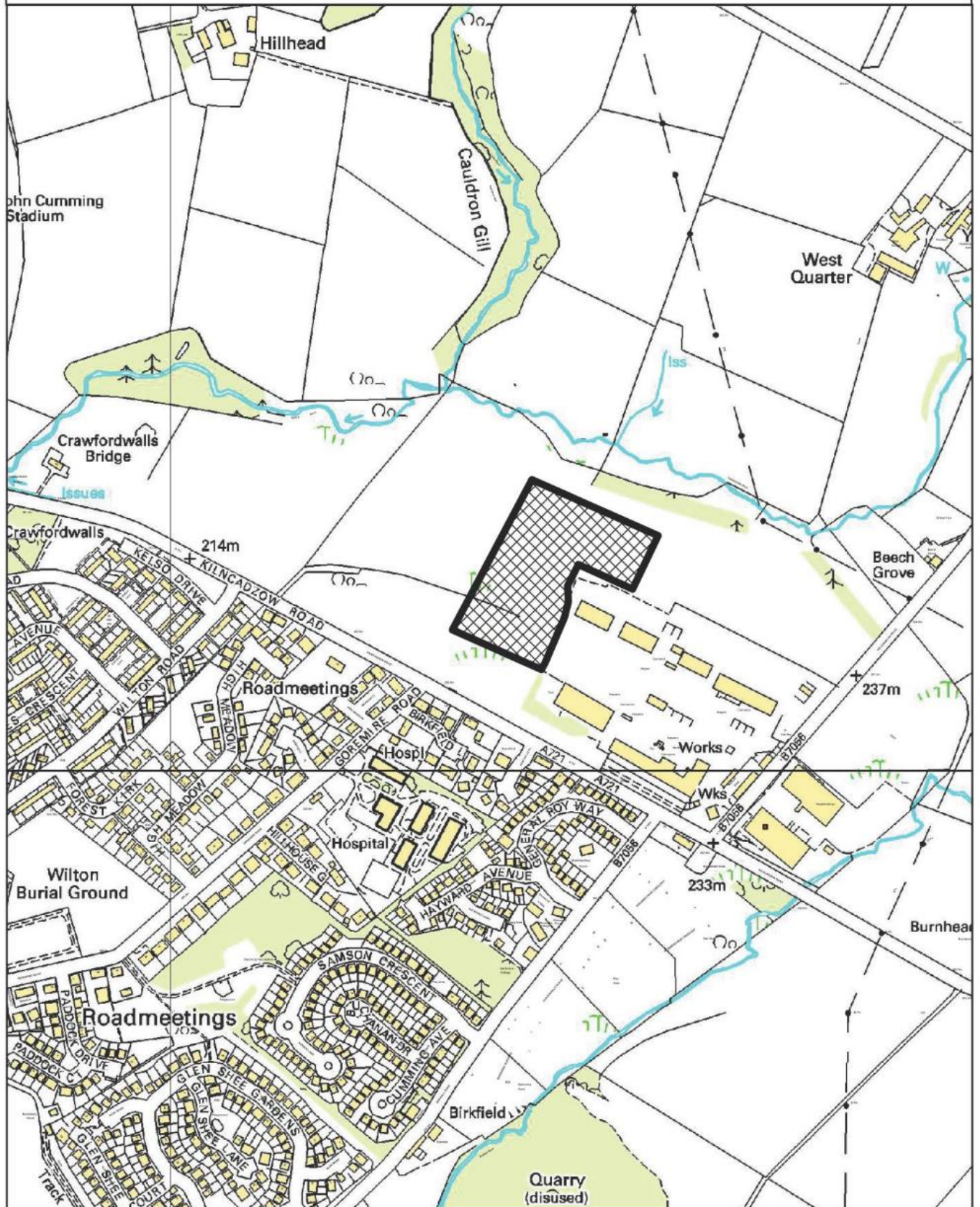
Reason: In the interests of wildlife and biodiversity.

14. That details of an Ecological Construction Environment Management Plan shall be submitted for approval and thereafter the approved plan shall be implemented to the satisfaction of the Council as Planning Authority.

Reason: In the interests of wildlife and biodiversity.

P/21/0333

Marshall's PLC, Roadmeetings, Yieldshields Road



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Scale:  
1:6,000  
Date:  
18/11/2021



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development