

# Report

7

Report to:	<b>Hamilton Area Committee</b>
Date of Meeting:	<b>17 November 2010</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/10/0423
Planning Proposal:	Change of Use of Class 2 (Job Centre) to Children's Nursery (Class 10) and Associated Car Parking at 47/49 Claude Street, Larkhall

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr Brian McAteer
- Location : 47/49 Claude Street  
Larkhall  
ML9 2NR

## 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 Listed)

### 2.2 Other Actions/Notes

- (1) The Hamilton Area Committee has the delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: BM Design
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Plan**  
Policy RES6 – Residential Land Use  
Policy DM1 – Development Management

- ◆ Representation(s):
  - ▶ 0 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comments Letters

- ◆ Consultation(s):
  - Environmental Services
  - Roads and Transportation Services (Hamilton Area)

# Planning Application Report

## 1 Application Site

- 1.1 The application site is located on the corner of Academy Street and Claude Street, Larkhall. The site extends to approximately 0.29 hectares and currently accommodates a vacant single storey building that was previously used as a job centre, with a floor area of approximately six hundred square metres. There are fifteen existing car parking spaces (including three disabled spaces) within the site, these being accessed from Academy Street. The building is finished in facing brick and concrete roof tiles.
- 1.2 The site is bounded by residential properties to the south and Glengowan Court care home to the north west. To the west on the opposite side of Academy Street there are residential properties and to the north a fire station.
- 1.3 The frontage of the site as it adjoins both Academy Street and Claude street is owned by the Council.

## 2 Proposal(s)

- 2.1 The applicant seeks planning consent for the change of use of the vacant job centre (class 2) to a children's nursery (with out of school care provision) (class 10) and associated parking at 47/49 Claude Street, Larkhall.
- 2.2 The applicant's agent has submitted a supporting statement which states that the facility proposes to accommodate seventy two children between eight weeks to twelve years old dependent upon agreement from the Care Commission. The nursery rooms would be used between the hours of 7.30am to 6pm and the out of school (OSC) room in two slots, 7.30am to 9am and 3pm to 6pm. The OSC room would be utilised as a physical activity room for nursery kids between 9am to 3pm and as such would not have the full capacity of children and staff within these hours.
- 2.3 Internally the proposal will require significant alterations in order to facilitate nursery rooms, office, plant, kitchen, staff room, first aid room, buggies room, toilets and cloakrooms. Externally no alterations are proposed, the existing access/egress from Academy Street being retained. Provision will be made within the site for 16 car parking spaces, a play area of approximately 30 square metres to the rear of the proposed nursery.

## 3 Background

### 3.1 Local Plan Status

- 3.1.1 The application site is designated as a Residential Area under Policy RES6 of the South Lanarkshire Local Plan which states that the Council will oppose the loss of houses to other uses and will resist any development that will be detrimental to the amenity of those areas.
- 3.1.2 Policy DM1 of the South Lanarkshire Local Plan requires all planning applications 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.

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

4.1 **Roads and Transportation Services** – have no objections to the proposal subject to standard conditions commenting that the boundary wall on the right hand side of the vehicular access will have to be lowered to facilitate an appropriate visibility splay. Based on the parking provision of 16 spaces the maximum pupil roll permitted will be 80 pupils. Gates should not be placed within 6 metres of the road and should open inwards into the property.

**Response:-** Noted. These requirements can be addressed through the use of planning conditions, where appropriate.

4.2 **Environmental Services** – no objections subject to standard informatives relating to health and safety and food safety.

**Response:** Noted. It is advised that these requirements can be addressed through the use of informatives, where appropriate.

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

5.1 Statutory neighbour notification was carried out and no letters of objection have been received.

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

6.1 The determining issues which require to be taken into account when assessing this proposal are its compliance with local plan policy and it's impact on amenity and road safety.

6.2 In terms of Local Plan policy, the application site is located within an established residential area and affected by Policy RES6 of the South Lanarkshire Local Plan. This policy seeks to resist the loss of residential uses within these areas and to resist uses which are not compatible thereby resulting in an unacceptable impact on residential amenity. Uses such as nurseries, schools and similar are regularly found within residential areas and do not cause an adverse impact on residential amenity levels. Indeed the local plan acknowledges that developments of an ancillary nature such as 'corner' shops, doctors surgery's and children's nurseries may be acceptable. Subsequently, from a land use perspective the proposal accords with the provisions of Policy RES6 of the South Lanarkshire Local Plan.

6.3 In terms of impact on residential amenity, I am satisfied that the proposal is located a sufficient distance away from neighbouring properties to ensure that it will have no material impact on adjacent properties in terms of loss of sunlight, daylight or privacy. It is considered that the proposal will have similar characteristics to the previous occupier and will not adversely affect the local context and the built form of the area. Subsequently, the proposal accords with the provisions of Policy DM1 of the South Lanarkshire Local Plan.

6.4 With regard to the impact on traffic safety, Roads and Transportation Services have no objections to the amended proposal subject to the imposition of planning conditions as detailed above in paragraph 4.1.

6.5 Overall I am satisfied that the proposal complies with the relevant South Lanarkshire Local Plan policies and would have no impact on residential amenity or traffic safety. It is therefore recommended that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on either residential amenity or road safety and complies with Policies RES6 and DM1 of the South Lanarkshire Local Plan.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**2 November 2010**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan
- ▶ Neighbour notification letter, dated 2 September 2010
- ▶ E-mails, various dates, to/from the agent.
  
- ▶ Consultations
  - Environmental Services 21/09/2010
  - Roads and Transportation Services (Hamilton Area) 01/10/2010
  
- ▶ Representations
  - None

### **Contact for further information**

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

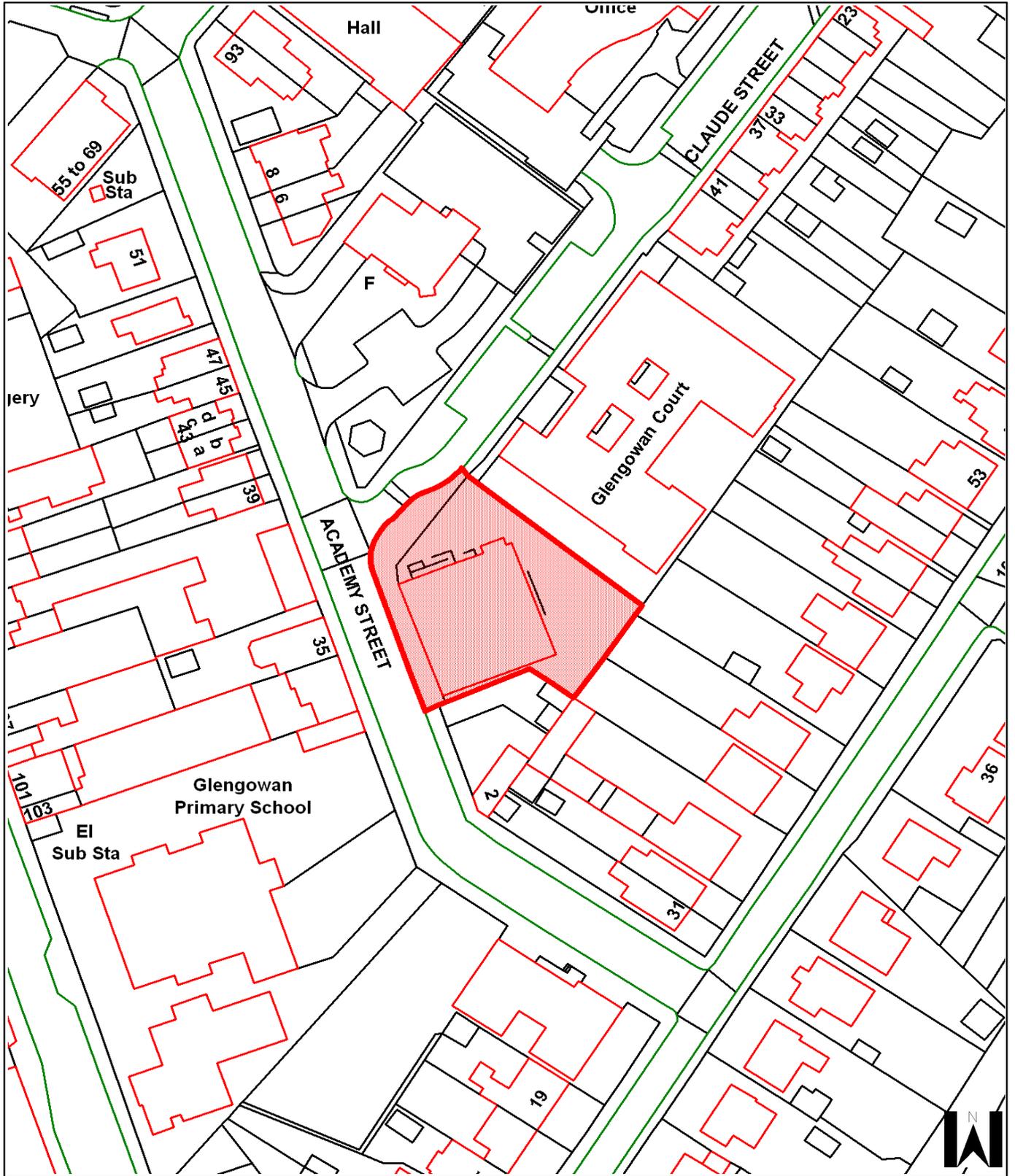
Murray Reid, Planning Officer, Brandon gate, Hamilton  
Ext 3521 (Tel :01698 453521 )  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto:Enterprise.hamilton@southlanarkshire.gov.uk)

## **CONDITIONS**

- 1 The consent shall be carried out strictly in accordance with drawing numbers: 1,2,3,4,5,6 and 7.
- 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 the development hereby approved is completed or brought into use, 16 no. parking spaces (2.5m x 5m modules) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 4 That no gates or other obstructions shall be erected within the first 6 metres of the driveway as measured from the heel of the footway.
- 5 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 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 including a section of the existing boundary wall 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.
- 6 That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

## **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 To ensure the provision of adequate parking facilities within the site.
- 4 In the interest of public safety
- 5 In the interest of road safety
- 6 In the interest of public safety



For information only

For information only

