

	<h1>Report</h1>	Agenda Item <h1>10</h1>
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Report to: **Planning Committee**
 Date of Meeting: **1 December 2009**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/08/0202
 Planning Proposal: Erection of Seven Industrial Units

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Northwind Group
- Location : Land at Fairfield Place
East Kilbride

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

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 09 East Kilbride West
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
 ENV1 – Priority Greenspace Land Use
 ENV2 – Green Network
 ECON1 – Industrial Land Use
 ENV30 – New Development Design
 DM1 – Development Management

- ◆ Representation(s):
 ▶ 2 Objection Letters

- ◆ Consultation(s):

S.E.P.A. (West Region) (Flooding)

Environmental Services

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Power Systems

S.E.P.A. (West Region)

TRANSCO (Plant Location)

Roads and Transportation Services (East Kilbride)

Planning Application Report

1 Application Site

- 1.1 The application site (0.23 hectares) lies within an industrial area, adjacent to existing industrial units in the Arrotshole area of East Kilbride. The site is currently vacant and includes an existing pedestrian route running along the northern boundary. The site is bordered to the west by an existing industrial area, to the south by Fairfield Place and to the north and east by existing vegetation and Kittoch Water.

2 Proposal(s)

- 2.1 This application relates to the development of a vacant site for business/industrial units in the College Milton area. The proposal is to erect seven units with a floor space of approximately 800 square metres. The parking for the units would be located in the centre of the site with a single access point off Fairfield Place. The buildings are to be mono-pitched units, split into 3 separate blocks, with materials of profile cladding, profile sheeting and upvc.

3 Background

- 3.1 A planning application for the erection of residential development (outline) (EK/05/0043) was refused on 14/04/05 and subsequently appealed (Ref: P/PPA/380/305). The appeal was dismissed.
- 3.2 A planning application for the erection of industrial units (outline) (EK/08/0060) was withdrawn by the applicant on 11/03/08.

4 Consultation(s)

- 4.1 **Roads and Transportation (East Kilbride)** – have no objections subject to the provision of a footway link to West Mains Road and imposition of standard conditions.

Response: Noted. It is considered that the provision of a direct footway link (approximately 235m in length on north side of Fairfield Place) to West Mains Road cannot be justified in planning terms. There is an existing footway on the southern side of Fairfield Place to enable pedestrians to access the site relatively easily. The other requirements can be met by the imposition of conditions, where appropriate.

- 4.2 **Environmental Services** – have no objections, subject to the imposition of conditions.

Response: Noted. Conditions can be added to any consent issued.

- 4.3 **SEPA** – have no objections.

Response: Noted.

- 4.4 **Power systems** – have no objections.

Response: Noted.

- 4.5 **Transco** – have no objections.

Response: Noted.

- 4.6 **Scottish Water** – have no objections.

Response: Noted.

- 4.7 **Roads and Transportation Services (Flooding)** – have no objections, subject to compliance with design criteria.

Response: Noted, conditions can be added to any consent issued.

5 Representation(s)

Following neighbour notification and advertising of the application, two letters of representation have been received, which are summarised below:

a) **Concern that the proposal will have an adverse impact on the local road network and harm the operation of surrounding businesses.**

Response: A series of revised plans were submitted during the course of the application to address concerns raised by the Roads and Transportation Service regarding turning space and parking provision. A satisfactory arrangement has been reached and no objections have been offered by Roads in respect of the local road network. It is considered that the proposal will not have an adverse impact on the operation of surrounding businesses.

b) **The proposed development is contrary to policies ENV1 and ENV2 of the South Lanarkshire Local Plan.**

Response: The site is allocated as priority greenspace (ENV1) and part of the green network (ENV2) within the South Lanarkshire Local Plan (adopted 2009). However, when the application was submitted, the site was allocated as industrial land (policy IND1) within the East Kilbride and District Local Plan (adopted 2003), which has now been superseded. The site has been cleared of any vegetation and is currently scrub and waste ground. Immediately to the rear (north) and east of the site is Kittoch Water (at a substantially lower level) and surrounding vegetation. It is considered that this area in particular forms a green corridor and that the application site, in its current condition, does not contribute to the local green network. In conclusion, despite the land use designation, it is considered that the site appears as a gap site within the industrial area and that development of this site will not have adverse impact on the landscape or green connectivity in this location.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

6.1 The main issues for consideration in the assessment of this application are how the proposal relates to the relevant policies contained within the adopted South Lanarkshire Local Plan and any other material considerations.

6.2 In terms of land use designation, the proposed site is not allocated as industrial land in the current local plan. It is considered, however, that there are significant material considerations that outweigh the policy presumption against the development in relation to the current site conditions and the land use allocation in the previous local plan. These reasons are set out in more detail in paragraph 6.4 below. In general, it is considered that the site lies within an area of industrial character and does not contribute to the green network in the local area. It is considered that any impacts on the operation of the existing businesses in the area in relation to access and parking issues will not be significant. The internal parking arrangements, design and site access arrangements are also deemed acceptable and in compliance with the relevant guidance and policies. In terms of amenity and road safety impacts, I am therefore satisfied that the proposal will not have an adverse impact on the surrounding environment.

6.3 There is a footpath immediately to the north of the application site, which connects the site to the rest of the College Milton industrial estate to the north-west. As part of the proposal, the applicant proposes to re-route this path along the front (south) and side (west) of the site. This is considered to be a satisfactory arrangement, which will not have an adverse impact on pedestrian accessibility. Conditions can be imposed

on any planning consent to ensure that the pedestrian accessibility is not comprised during or after the construction phase.

6.4 Given the above, I would recommend that the proposal is granted contrary to policy ENV1 and ENV2 of the South Lanarkshire Local Plan (adopted 2009) for the following reasons:

- 1) The proposed loss of green space is not considered to be significant in terms of its size, biodiversity value or connectivity.
- 2) The site was allocated as industrial land (policy IND1) in the East Kilbride and District Local Plan (adopted 2003), which was a material consideration when the planning application was submitted (3/3/08).
- 3) The proposal will have no adverse impact on residential amenity or traffic safety.
- 4) There are no significant infrastructure issues.

7 Reasons for Decision

7.1 For the reasons outlined in paragraph 6.4, above.

Colin McDowall
Executive Director (Enterprise Resources)

16 November 2009

Previous References

♦ None

List of Background Papers

▶ Application Form	
▶ Application Plans	
▶ Consultations	
Power Systems	07/05/2008
Environmental Services	19/05/2008
TRANSCO (Plant Location)	23/05/2008
Scottish Water	09/06/2008
S.E.P.A. (West Region) (Flooding)	09/06/2008
Roads and Transportation Services (East Kilbride)	29/05/2008
Roads & Transportation Services H.Q. (Flooding)	25/07/2008
Power Systems	02/07/2009
Power Systems	25/06/2009

► Representations

Representation from : Roger Tym & Partners, 19 Woodside Crescent, Glasgow,
G3 7UL, DATED 06/05/2008

Representation from : Roger Tym & Partners, Planners and Development
Economists, 19 Woodside Crescent, Glasgow, G3 7UL,
DATED 17/06/2008

Contact for Further Information

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

Alan Pepler, Planning Officer, Civic Centre
Ext 6652, (Tel :01355 806652)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

- 1 The development hereby permitted shall be started within three years of the date of this permission.
- 2 This decision relates to drawing numbers: L(1-) 01; L(1-) 02 Rev B; L(1-) 03; L(2-)01.02 Rev A; L(2)01.01 Rev A.
- 3 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.
- 4 That prior to any works commencing on site a Public Path Diversion Order under Section 35 of the Countryside (Scotland) Act 1967 (as amended) shall be satisfactorily concluded for the section of footpath marked in blue on the location plan hereby approved.
- 5 That prior to the start of development detailed specifications (dimensions, surface material and lighting) of the proposed, re-routed footpath, approved under the terms of condition 4, shall be submitted to and approved in writing by the Planning Authority.
- 6 That the new footpath and associated works approved under the terms of conditions 4 and 5, above, shall be completed and operational to the satisfaction of the Planning Authority prior to the existing footpath being closed.
- 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 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 Sustainable Drainage Design Criteria and requirements.
- 9 That the required drainage scheme shall be completed in accordance with the approved details prior to the occupation of any of the units hereby approved.
- 10 That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and

future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

- 11 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 12 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.
- 13 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 12 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 14 That before the development hereby approved is completed or brought into use, all of the parking spaces, internal roads and footpaths shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 15 That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 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.

REASONS

- 1 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To accord with Section 35 of the Countryside (Scotland) Act 1967 (as amended).
- 5 In the interests of public safety and amenity.
- 6 To ensure continued public access to the footpath network.
- 7 To minimise noise disturbance to adjacent occupants.
- 8 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.
- 9 To ensure that the necessary infrastructure is provided within an appropriate timeframe.
- 10 In the interests of the visual amenity of the area.
- 11 In the interests of amenity.
- 12 These details have not been submitted or approved.
- 13 In the interests of amenity and in order to retain effective planning control.
- 14 To ensure the provision of adequate parking and pedestrian facilities within the site.

15 In the interests of road safety.

EK/08/0202

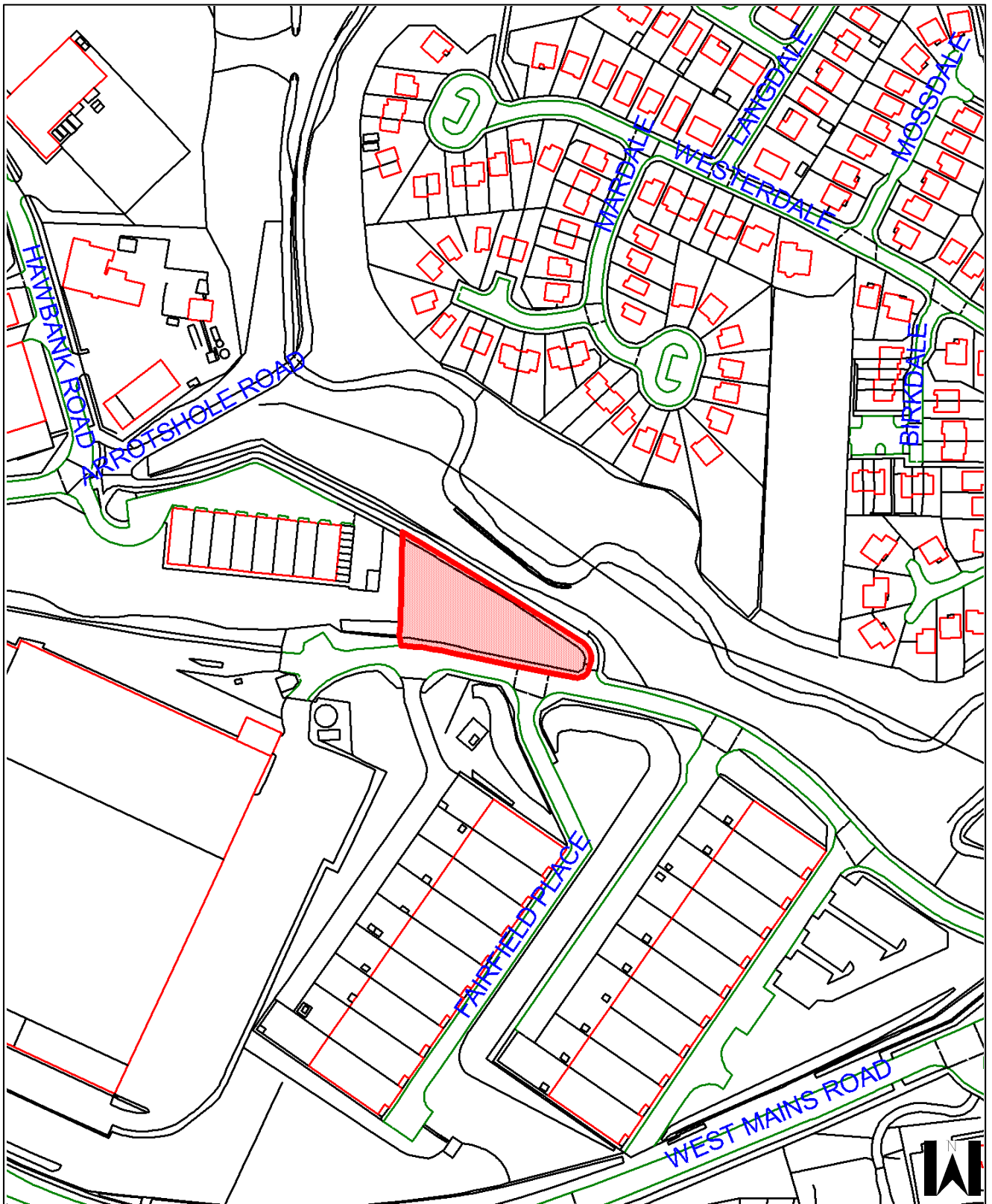
Planning and Building Standards Services

Land at Fairfield Place, East Kilbride

Scale: 1: 2500

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