	<h1>Report</h1>	Agenda Item <h1>7</h1>
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Report to:	Planning Committee
Date of Meeting:	26 September 2006
Report by:	Executive Director (Enterprise Resources)

Application No	CR/06/0227
Planning Proposal:	Change of Use From General Industrial (Class 5) to Allow Storage, Distribution and Sale of Hard Floor and Wall Finishes (Excluding Carpets and Associated Products) (Sui Generis)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Multi-Tile Ltd
- Location : 252 Glasgow Road
Rutherglen

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

Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: RPS Planning
- ◆ Council Area/Ward: 56 Rutherglen West
- ◆ Policy Reference(s): Cambuslang/Rutherglen Local Plan 2002
Policy IND1 – 'Industrial Land Use'
Policy SLP5 – 'Non-conforming Uses in Industrial Areas'

South Lanarkshire Local Plan (Finalised Draft)
Policy ECON1 – 'Industrial Land Use Policy'
Policy ECON13 – 'Non-conforming Uses in Industrial Areas Policy'

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

◆ Consultation(s):

Roads and Transportation Services (North Division)

Planning Application Report

1 Application Site

- 1.1 The application site relates to an existing unit in Shawfield, Rutherglen covering an area of 705 sqm. To the front is an existing parking area covering a site of 900sqm. The site is surrounded by industrial/retail development on all sides. The site is triangular in shape and sits between two major arterial roads – Rutherglen Road and Glasgow Road.

2 Proposal(s)

- 2.1 This is a retrospective application for the change of use of the existing Class 5 Industrial Unit into a sui generis unit providing for the storage, distribution and retailing of hard wall and floor finishes (tiles). The applicant having been advised, following the opening of the business, that the existing planning permission did not cover the use being made of the property. The proposal will utilise the existing 705 sqm building and the 900sqm parking area. 14 customer parking spaces were originally proposed but these have been increased in number following comments from roads. The site will be accessed from the two existing entrances from Rutherglen Road and Glasgow Road.

3 Background

- 3.1 The application site lies within the area covered by the Cambuslang/Rutherglen Local Plan (2002). Policy IND1 – ‘Industrial Land Use’ is relevant. Policy IND1 states that new industrial development will be directed towards areas covered by this zoning. This includes Classes 4-6. Proposals not conforming to this Policy will be subject to Policy SLP5 – Non Conforming Uses in Industrial Areas. Policy SLP5 requires the following criteria to be met:

- (a) The loss of the site will not effect the long term supply (10 years minimum) of industrial land in terms of quantity, range and quality;
- (b) The development of the site or premises would not adversely effect the industrial operation, amenity, industrial character and function of the area.
- (c) The site or premises has been unsuccessfully marketed for an appropriate use to the Council’s satisfaction;
- (d) The site or premises is located at the edge of an industrial area and can be easily accessed from main road routes and have satisfactory access by walking, cycling and public transport unless the proposal is ancillary to an existing industrial use;
- (e) The site/premises can be served by public transport;
- (f) The development will not adversely affect public or traffic safety;
- (g) The infrastructural implications of the development are acceptable;
- (h) The development makes provision for cycling, walking and public transport or Green Transport Plans, as appropriate.

- 3.2 Policies ECON1 – ‘Industrial Land Use Policy’ and ECON13 – ‘Non-Conforming Uses in Industrial Areas Policy’ of the South Lanarkshire Local Plan (Finalised Draft) have similar aims to those in the adopted Cambuslang/Rutherglen Local Plan.

3.3 Relevant Government/Advice Policy

None relevant.

3.4 Planning Background

None.

4 Consultation(s)

- 4.1 **Roads & Transportation Services** – No objection. Advise that applicant should increase parking provision and line off an area for loading.

Response: Noted. The applicant has provided amended plans showing this.

5 Representation(s)

- 5.1 None.

6 Assessment and Conclusions

- 6.1 The determining issues in this instance, is the proposal's compliance with adopted and proposed local plan policy.
- 6.2 As regards Local Plan Policy, the site is covered by Policy IND1 – 'Industrial Land Use' and Policy SLP5 – Non-Conforming Uses in Industrial Areas. Policies ECON1 and ECON13 of the proposed South Lanarkshire Local Plan (Finalised Draft) have similar aims to both adopted policies. Clearly, the proposal being for part retail use in an Industrial Area, fails to comply with Policies IND1 and ECON1. As a result, it requires to be assessed under Policies SLP5 and ECON13.
- 6.3 Policies SLP5 and ECON13 set out a number of criteria which any proposal, of a non-industrial nature, should comply in order to be located in an industrial area. I am of the opinion that all but one of these requirements can be met. The scale of the proposed development is such that it will not impact materially on the supply of industrial land, nor, for the same reason, will it affect the amenity, industrial character and function of the surrounding area. Furthermore, the site is immediately adjacent to two main arterial roads and is therefore accessible via foot, public transport and bicycle. Similarly, the proposed use will not have any significant adverse impact on the surrounding infrastructure or on public or traffic safety. However, the site has not yet been fully marketed. Nevertheless it is in close proximity to well established existing retail units. Furthermore, the site will retain storage and distribution functions of the previous use, and in compliance with the industrial zoning of the locale.
- 6.4 In light of the above, I would note that a departure from planning policy can be justified in this instance for the following reasons:
- (a) The application site will still retain a use which is compatible with both the adopted and proposed local plans.
 - (b) The proposal generally complies with policies SLP5 and ECON13 of the development plan.
 - (c) The consent can be limited to non-food retail use and the sale of bulky goods which is acceptable in planning terms
 - (d) There are no infrastructure, traffic, public safety or industrial land supply implications.

7 Reasons for Decision

- 7.1 For the reasons stated in paragraph 6.4 above.

Iain Urquhart
Executive Director (Enterprise Resources)

18 September 2006

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Cambuslang/Rutherglen Local Plan 2002
- ▶ South Lanarkshire Local Plan (Finalised Draft) August 2006

Consultations

Roads and Transportation Services (North Division)

02/08/06

Contact for Further Information

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

Iain Morton, Planning Officer, Royal Burgh House, 380 King Street, Rutherglen
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CONDITIONS

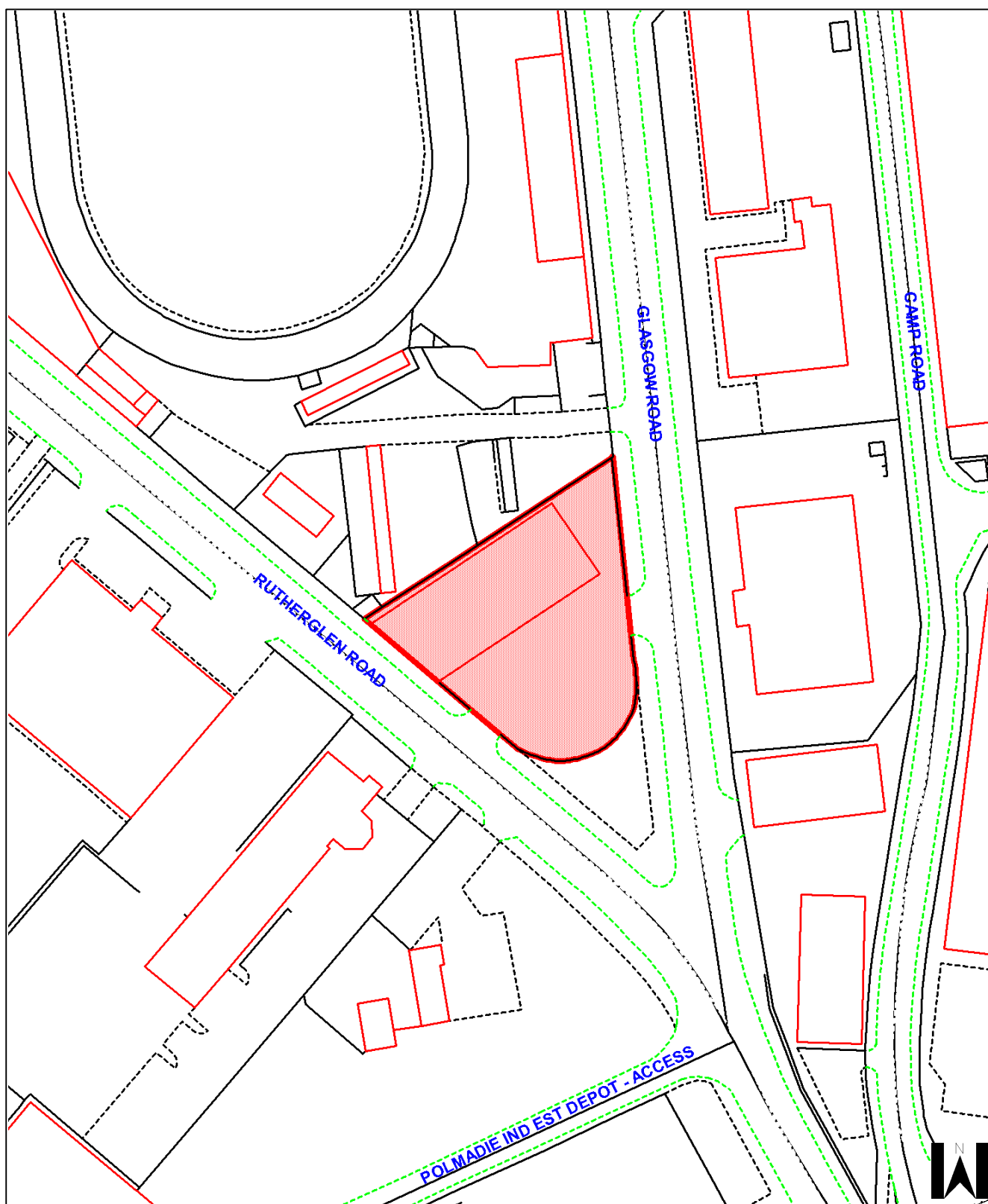
- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That the premises shall not be used for the sale of food and only for the sale of DIY goods, furniture, carpets, electrical goods, household furnishing and motor accessories and for no purpose within Class 1 of the Town and Country Planning (Use Classes) (Scotland) Order 1997, without the prior permission of the planning authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.

For information only

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