

Report

13

Report to:	Planning Committee
Date of Meeting:	12 July 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0326
Planning Proposal:	Erection of Workshop and Temporary Office Accommodation

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Scotia Golf Cars Ltd
- Location : Market Road
Biggar
ML12 6FX

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

The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: George Simpson
- ◆ Council Area/Ward: 06 Biggar/Symington and Black Mount
- ◆ Policy Reference(s): Upper Clydesdale Local Plan (Adopted)
- Policy 70: Priority Land Uses 'Auction Market'

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

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

Biggar & District Civic Society

Planning Application Report

1 Application Site

- 1.1 This report relates to a plot of ground extending to 0.08 ha within the Biggar Business and Retail Park and is presently undeveloped and vacant.
- 1.2 The application site is bounded to the north by vacant land and beyond by the access to the Co-op, to the east by an approved nursery (CL/04/0564) which is currently under construction, to the south by Biggar High School and to the west by the access road to the school with vacant industrial land beyond.

2 Proposals

- 2.1 The application is for the erection of a building for the storage and distribution of golf carts with workshop facilities incorporated for repairs where necessary. Also proposed is a temporary portacabin for office accommodation to be located to the side of the building. The building will measure 15.1m in length, 12.6m in width and 6.25m in height and will be externally finished in metal cladding. A shutter door and a glazed screen is to be incorporated on the frontage.
- 2.2 Vehicular access is to be taken directly from the school access road which leads onto Market Road. The building will be surrounded by a hardstanding yard where car parking spaces will be laid out. The perimeter will be marked by a metal palisade fence.

3 Background

3.1 Government Advice/Guidance

SPP2: 'Economic Development' aims to meet business needs through an efficient and effective planning system.

3.2 Local Plan Status

The adopted Upper Clydesdale Local Plan in Policy 70: Priority Land Uses, identifies the site as being an Auction Market which is to be retained with no significant change during the local plan period.

3.3 Planning History

The relevant planning history of the site is as follows. Outline Planning Permission (CL/98/0421) was granted in June 1999 for the erection of 3 no. class 4 business units, 1 no. retail unit, abattoir extension, residential development, youth club and formation of access roads and parking at Biggar Auction Market. In July 2000, a reserved matters application (CL/99/0452) was approved for the formation of roads, sewers and car parking, five residential plots and footpath to High Street. Planning permission (CL/04/0272) was granted in June 2004 for the same proposal as the current application at a different site within the Business Park.

4 Consultation(s)

- 4.1 **Roads & Transportation Services** – no objection, subject to the provision of adequate accessing and parking arrangements.

Response: These matters can be covered by the use of suitable conditions.

- 4.2 **Environmental Services** – noise and hours of construction shall comply with current standards. Hoists and air conditioning plant shall be suitably isolated from the structure of the building. In the event of contaminated material being encountered, an action plan shall be formulated.

Response: Environmental Health already have separate legislative powers to control audible construction activity. The other matters can be covered by the use of conditions.

- 4.3 **Biggar Civic Trust** – no response to date, however if comments are submitted, they will be reported verbally to Committee.

Response: Noted.

5 Representation(s)

- 5.1 The application was advertised as being potentially contrary to the development plan and neighbour notification was undertaken in the usual way. No representations have been received.

6 Assessment and Conclusions

- 6.1 The determining issues in respect of this application are compliance with the development plan and whether the development proposed can be accommodated satisfactorily on the plot.

- 6.2 Policy 70 of the adopted Upper Clydesdale Local Plan identifies the application site as part of the Auction Market that was to be kept significantly unchanged through the life of the plan. The local plan position has been overtaken by events with the granting of permission for the redevelopment of the site as an element of the Biggar Business and Retail Park. The application site enjoys outline planning permission for the erection of a Class 4 business unit and has been subject, in part, to reserved matters consents for Class 4 and Class 5 business buildings.

- 6.3 The application is for a storage and distribution business which is a use that falls within Class 6 of the 1997 Use Classes (Scotland) Order. The nature of this use is such that it is considered to be compatible with the other land uses in the area. The above factor and the planning history of the site means that the proposal would be an acceptable departure from the development plan.

- 6.4 None of the consultees who responded objected, subject to conditions.

- 6.5 In conclusion, I find the proposals to be acceptable and a departure from the Upper Clydesdale Local Plan can be justified for the following reasons:

- ◆ the application site forms part of the consented Biggar Business and Retail Park that has established the principle of development in the area designated as being an Auction Market in the Upper Clydesdale Local Plan; and
- ◆ no infrastructural or amenity issues are raised.

Iain Urquhart
Executive Director (Enterprise Resources)

29 June 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Environmental Services 19/05/2005
 - Roads and Transportation Services (South Division) 18/05/2005

- ▶ Representations
 - None received

Contact for Further Information

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

Ian Hamilton, Planning Officer, South Vennel, Lanark
Ext. 3186 (Tel :01555 673186)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the permission hereby granted is for the temporary office and toilet accommodation is for a temporary period only and shall expire on 12th July 2007.
- 3 That the temporary office and toilet accommodation hereby permitted shall be removed, the uses discontinued and the land restored to its former condition to the satisfaction of the Council as Planning Authority, on or before 14th August 2007.
- 4 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.
- 5 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.
- 6 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 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.
- 7 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.
- 8 That before the development hereby approved is completed or brought into use, a 6 metre wide dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 9 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.

- 10 That before the development hereby approved is completed or brought into use, 4 no. parking spaces (2.5m x 5m modules) shall be laid out and constructed within the site to the satisfaction of the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 11 That before the development hereby approved is occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 12 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme.
- 13 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that order), the use of the premises hereby approved shall be restricted to use within Classes 4 and 6 only and for no other purposes as defined in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council as Planning Authority.
- 14 That no permission is granted for an upper floor level.
- 15 That the processes carried out, or any machinery installed on the site, shall be such as may be carried on, or used in, any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 16 That no industrial process shall be carried out or materials stored on the site outwith the buildings.
- 17 That there shall be no burning of materials on the site at any time.
- 18 All mechanical air handling/ air conditioning plant, lifts/hoists, including doors, guide rails and ancillary plant and machinery shall be suitably isolated from the structure of the building and fan units positioned in a ducted system shall be suitably isolated from the ducting by means of flexible connections.
- 19 If contaminated material is encountered the Planning Authority shall be notified immediately and an action plan shall be formulated which addresses the problems of the safe handling, storage and ultimate disposal of the contaminated material.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 Temporary Consent is hereby granted.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of the visual amenity of the area.
- 6 In the interests of amenity.
- 7 These details have not been submitted or approved.

- 8 In the interest of public safety
- 9 In the interest of public safety
- 10 To ensure the provision of adequate parking facilities within the site.
- 11 To ensure the provision of a satisfactory drainage system.
- 12 To ensure the provision of a satisfactory sewerage system.
- 13 In the interests of amenity and in order to retain effective planning control.
- 14 In the interests of amenity and in order to retain effective planning control.
- 15 To safeguard the amenity of the area.
- 16 To safeguard the amenity of the area.
- 17 To safeguard the amenity of the area.
- 18 To protect local residents, neighbouring businesses and the school from noise nuisance.
- 19 To ensure the site is free of contamination and suitable for development.

CL/05/0326

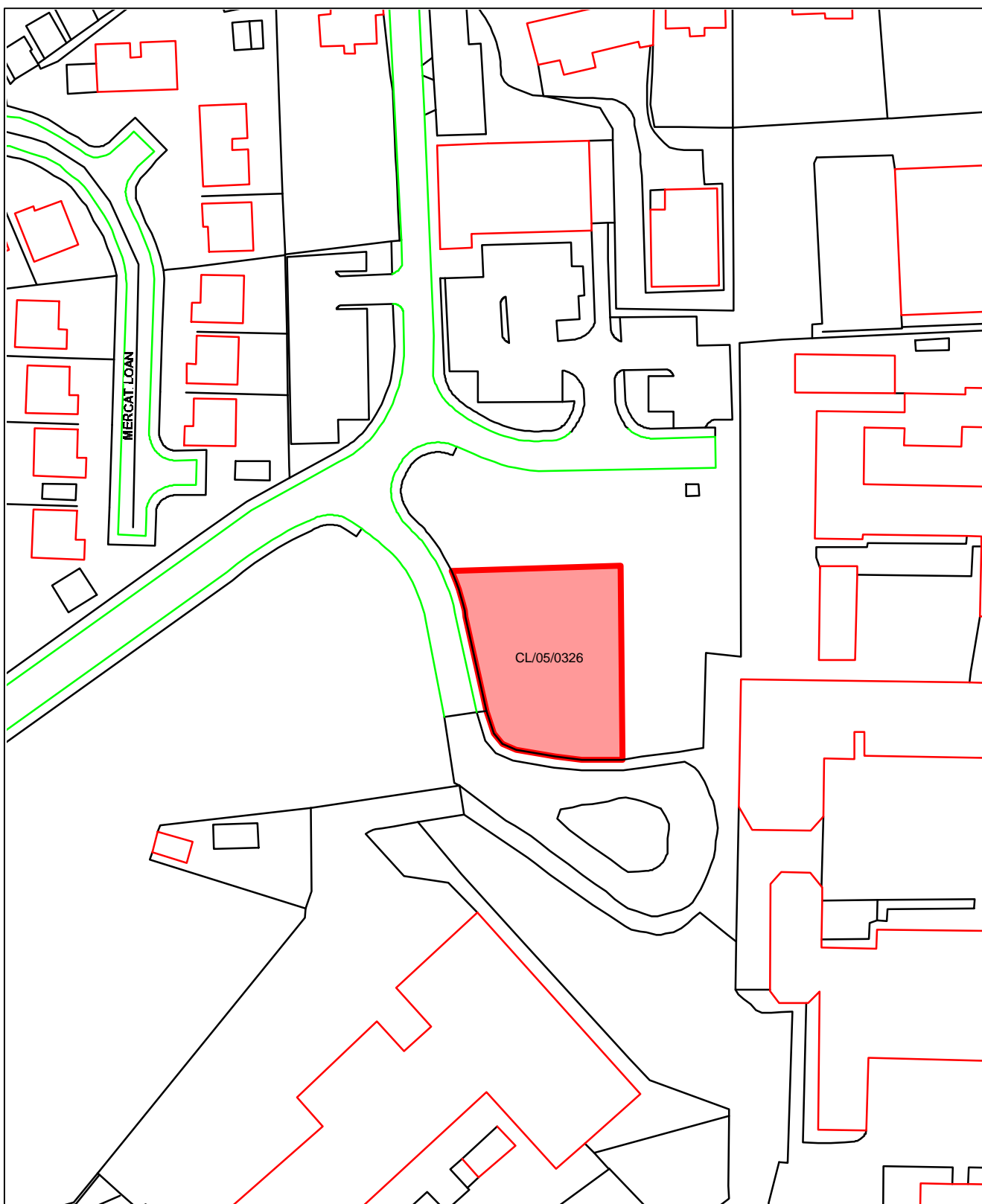
Market Road, Biggar Business Park, Biggar

Planning and Building Control Services

Scale: 1: 1250

For information only

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