

# Report

8

Report to: **Hamilton Area Committee**  
Date of Meeting: **6 April 2011**  
Report by: **Executive Director (Enterprise Resources)**

Application No HM/11/0043  
Planning Proposal: Erection of 2.4 Metre High Fence Around Perimeter of Site at Hareleeshill Road, Alloway Street/Balmoral Path, Larkhall

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Lowland Reserve Forces and Cadets Association
- Location : Hareleeshill Hall  
Alloway Street/Balmoral Path  
Larkhall  
ML9 2RY

## 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 Area Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**  
ENV 1 - Priority Green Space Land Use  
RES 6 - Residential Land Use  
DM 1 - Development Management

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

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (Hamilton Area)

Enterprise Resources - Estates

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to the existing Hareleeshill Community Hall located at the end of Alloway Street, Larkhall. To the north of the site is a car park with a large area of open space to the west and south of the hall. To the east of the site is a row of houses facing onto Alloway Street (however the address for the houses is Balmoral Path). Within the area of open space, which has a gentle upward southerly slope, there is a network of footpaths, providing linkages between the surrounding streets/areas. The adjacent property, 16 Balmoral Path, has a 1.8 metre high boundary wall facing the application site, with the dwelling occupying a slightly higher ground level.
- 1.2 The community hall is presently vacant and 'boarded up'. It fronts onto Alloway Street with the car park directly opposite. The hall has a pitched roof and is 20 metres wide with a depth of 8 metres, with an internal floor area of 160 square metres.
- 1.3 The applicant site is owned by South Lanarkshire Council.

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

- 2.1 This detailed planning application is for the erection of 2.4 metre high fence around the curtilage of the community hall. The proposed fence will be located 10 metres from the rear elevation of the hall, 7 metres from the east side elevation and 3 metres from the west side elevation. To the front, the fence will be inline with the hall. The proposed fence will be a 'Paladin' style of fence similar in appearance to a number of fences that have been erected at new schools in the area. The colour of the fence has not been provided.
- 2.2 The fence will provide an area to be used exclusively by the hall and will also provide a level of protect for the hall from vandalism.
- 2.3 In amplification of the proposal the applicant has advised that they have concluded a lease with the Council to take over the occupation of the hall as the base for the Larkhall detachment of the Army Cadet Force. At present the Force is based in the Cameronian Hall in Victoria Street but for a number of reasons this accommodation is no longer suitable. The Force has strength of 40 cadets and its relocation to the site will provide a basis for further growth. The fence will provide the Force with a dedicated outdoor space for training and exercise.
- 2.4 The use of the hall by the Army Cadet Force does not require planning consent as there is no material change of use. Both the former and proposed uses fall within Class 10 (Non Residential Institutions) of the 1997 Use Classes (Scotland) Order 1997.

### **3 Background**

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

- 3.1.1 Within the adopted South Lanarkshire Local Plan, the application site is affected by Policies RES6 – Residential Land Use and ENV1 – Priority Green Space Land Use. In addition, the proposal is also required to be assessed in relation to Policy DM1 – Development Management.

- 3.1.2 Policy RES6 will oppose any development that will be detrimental to the amenity of the areas. In particular, the Council will not approve 'bad neighbour' uses which may by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety be detrimental to residential areas.
- 3.1.3 Policy ENV1 aims to protect and enhance priority areas of green space as identified on the Local Plan Proposals Map. The loss of such space will not be supported. Partial loss will only be justified where it can be demonstrated that the retention or enhancement, including positive management of the area to be retained can be best achieved by the redevelopment of part of the site which would not affect its recreational, amenity or biodiversity value.
- 3.1.4 In addition to the above policies, the proposal is also required to be assessed in relation to Policy DM1. The policy requires that all proposals 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.

### **3.2 Relevant Government Guidance/ Advice**

- 3.2.1 In accordance with the Planning etc (Scotland) Act 2006, this application is required to be determined at Committee as the land/property involved in the proposal is within the Council's ownership and as such is excluded from the scheme of delegation.

### **3.3 Planning History**

- 3.3.1 There is no recent planning history relative to this site.

## **4 Consultation(s)**

- 4.1 **Roads and Transportation Service (Hamilton Area)** – have offered no objection to the proposal as it has no impact on the road network or local footpath network.  
**Response** – Noted.
- 4.2 **Environmental Services** – have no comment to provide on the proposal.  
**Response** – Noted.
- 4.3 **Enterprise Resources – Estates** – No response to date.  
**Response** – Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was carried out, from which no letters of objection were received.

## **6 Assessment and Conclusions**

- 6.1 The determining issues which are required to be taken into account when assessing this proposal are its compliance with local plan policy and its impact on the amenity of the adjacent dwellings and the surrounding open space.
- 6.2 The applicant is proposing the erection of a 2.4 metre high fence around the curtilage of an existing community hall within Hareleeshill, Larkhall. The fence is to be 'paladin' style fencing. No colour for the fence has been specified.
- 6.3 The area of ground which is proposed to be fenced off relates directly to the community hall and for all intents and purposes is recognised as the curtilage of the building. The erection of the fence will 'close off' a small area of the open space for

general use, however due to the area involved in comparison with the wider area of open space, it is not considered that this will be to a material extent. In addition it must be recognised that the area enclosed by the fence would not be developed and would be used for recreational purposes in relation to the hall. It would also not have an adverse impact upon biodiversity.

- 6.4 A section of the proposed fence will be adjacent to existing residential properties, with specific reference to 16 Balmoral Path (which has its rear elevation facing Alloway Street). The property at Balmoral Path sits slightly above the ground level of the hall and has a common boundary and retaining wall with the site. Because of this relationship the impact of the proposed fence is unlikely to be intrusive.
- 6.5 The overall appearance of the fence is unlikely to have an adverse impact upon the amenity of the area. Within the vicinity of the hall is the rear of Hareleeshill Primary School which has a fence very similar in appearance to what is proposed by the applicant. As such it is not alien to the area and in general is common within urban areas. As no colour has been specified, a condition should be attached to the decision notice seeking clarification of the colour prior to its erection.
- 6.6 In conclusion, the proposed fence is not considered to have an adverse impact upon amenity. The fence will enclose the community halls curtilage which represents a very small percentage of the wider open space. It will help secure the future of the hall, return it to active use and will not have an adverse impact on biodiversity. The impact on the neighbouring residential properties will be limited due to the topography of the site. The neighbouring houses on Balmoral Path sit at a higher level than the community hall and as such the proposed fence will not have a significant presence.

## **7 Reasons for Decision**

- 7.1 The proposal will have no adverse impact on the adjacent area of open space nor on the residential amenity and complies with Policies ENV1 – Priority Green Space Land Use, RES6 – Residential Land Use and DM1 – Development Management of the Adopted South Lanarkshire Local Plan.

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

**29 March 2011**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Adopted South Lanarkshire Local Plan
- ▶ Neighbour Notification letter dated 9 February 2011
- ▶ Town and Country Planning (Use Classes)(Scotland) Order 1997

▶ Consultations	
Environmental Services	18/02/2011
Roads and Transportation Service (Hamilton Area)	21/02/2011

**Contact for Further Information**

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

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## Detailed Planning Application

PAPER APART – APPLICATION NUMBER : HM/11/0043

### **CONDITIONS**

- 1 The consent shall be carried out strictly in accordance with drawing numbers:
  - Location plan
  - Block plan
  - Fence details
- 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 The colour of the fence shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.

### **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 In the interests of amenity and in order to retain effective planning control.

For information only

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