

Report

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Report to:	Cambuslang/Rutherglen Area Committee
Date of Meeting:	5 October 2010
Report by:	Executive Director (Enterprise Resources)

Application No	CR/10/0108
Planning Proposal:	Erection of 6 industrial units (Amendment to CR/09/0165)

1 Summary Application Information

- Application Type : Detailed Planning Application (Amend)
- Applicant : South Lanarkshire Council
- Location : 9 Cathcart Place
Rutherglen
G73 2RB

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: The McLennan Partnership Ltd
- ◆ Council Area/Ward: 12 Rutherglen Central and North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan Adopted 2009**
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 & Transportation Services H.Q. (Flooding)

Economic Development (Business Development & Projects)

Scottish Water

Economic Development (Regeneration Services)

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

Roads and Transportation Services (Cambuslang/Rutherglen Area)

Estate Services

Planning Application Report

1 Application Site

- 1.1 The application site is located to the west of Rutherglen town centre, off Cathcart Road. The site is in two parts which are accessed from Cathcart Place. The first site is close to the entrance to Cathcart Place and backs onto Bouverie Street and the second site is located at the termination of Cathcart Place on its southern side.

2 Proposal(s)

- 2.1 The applicant seeks amended planning permission for the erection of six industrial units for Class Uses 4 (Business), 5 (General Industrial) and 6 (Storage or Distribution). Two of the units would be erected on the first site and four on the second site. On the first site the two units would be larger and have a floor area of approximately 462sqm and on the second site the units would be considerably smaller with a floor area of approximately 188sqm. Appropriate parking and servicing would be provided with each unit.
- 2.2 The applicant seeks consent to amend the original planning consent (Application No. CR/09/0165) to allow the units on the first site to be repositioned approximately 1.5 metres closer to Farie Street to bound the street and for the height of all six units to be marginally increased by approximately 0.9 metres. In addition the layout for the roads and parking arrangements for units 1 and 2 has been altered.
- 2.3 Both sites were formerly used for industrial/commercial type purposes. The buildings have been demolished and are now vacant. In terms of ground conditions both sites are largely level.

3 Background

3.1 Local Plan Status

- 3.1.1 Within the adopted South Lanarkshire Local Plan the application site is located within a general residential area under Policy RES6 – Residential Land Use whereby the Council will seek to protect the character and amenity of these areas. In addition Policy DM1 – Development Management also requires to be considered which requires all planning applications to take account of the local context and built form and all development 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 Advice/Policy

- 3.2.1 Scottish Planning Policy states that Planning Authorities should ensure that there is a range and choice of marketable sites and locations for mixed use development, to meet anticipated requirements and a variety of size and quality requirements

3.3 Planning History

- 3.3.1 Planning permission was granted for the erection of six industrial units at Cathcart Place, Rutherglen in September 2009 (Planning Application No. CR/09/0165). In addition a planning application has been lodged for the erection of an industrial unit on the site opposite Units 1 and 2 of the application site (Planning Application No. CR/10/0165). This planning application is also being considered by Committee today

4 Consultation(s)

- 4.1 **Roads and Transportation Services** – has no objections to the proposal so long as conditions are attached to control the visibility splays to the site, footway construction and parking.
Response: Noted. Appropriate planning conditions have been imposed.
- 4.2 **Scottish Water** – has no objections to the proposed development.
Response: Noted. Appropriate conditions have been imposed to control drainage.
- 4.3 **SEPA** – has no objections to the proposed development.
Response: Noted.
- 4.4 **Environmental Services** – has no objections to the proposed development so long as conditions are imposed regarding the control of ventilation, noise, waste, contamination and dust and advisory notes are imposed in respect of health and safety at work, food safety, smoking shelters, noise and vibration.
Response: Noted. Appropriate conditions and advisory notes have been imposed.
- 4.5 **Economic Development (Business Development & Projects)** – no reply.
Response: Noted.
- 4.6 **Estate Services** – no reply.
Response: Noted.
- 4.7 **Regeneration Services** – has no objections to the proposed development.
Response: Noted.
- 4.8 **Roads and Transportation Services (Flooding)** – has no objections to the proposed development.
Response: Noted. Appropriate conditions have been imposed to control drainage.

5 Representation(s)

- 5.1 Statutory neighbour notification was carried out and no representations have been received.

6 Assessment and Conclusions

- 6.1 The applicant seeks amended planning consent for the erection of six industrial units at Cathcart Place, Rutherglen. The main considerations in determining this application are its compliance with local plan policy, road safety and its impact on the residential amenity of the surrounding area.
- 6.2 The amended scheme would be located within a general residential area. Policy RES6 of the adopted South Lanarkshire Local Plan allows for development of a non-residential nature to be located in these areas so long as particular consideration is given to the impact on residential amenity and/or proposed servicing and parking arrangements and an assessment is given to the proposal to meeting an identified local need.
- 6.3 Both sites were formerly used for industrial/commercial type purposes and the adjoining buildings in Cathcart Place are also of this nature. Furthermore the principle of the use of the site for these purposes has already been approved under planning consent CR/09/0165. However in terms of the assessment of the amendment to the design of the scheme it is still considered that the proposed development would relate satisfactorily to adjacent and surrounding development in terms of scale, massing and intensity of use and would continue to meet an identified

local need. Furthermore in terms of impact on adjacent existing housing after consultation Environmental Services had no objection to the proposed development subject to the imposition of conditions in relation to the control of ventilation, noise, waste, contamination and dust and these conditions have been imposed.

- 6.4 In terms of assessment of the proposal in relation to Policy DM1 of the adopted local plan it is considered that the proposed development would still continue to respect the local context and built form and would not have an adverse impact on the local environment.
- 6.5 In terms of road safety after consultation Roads and Transportation Services were satisfied that subject to conditions the proposal would not have an adverse impact either in terms of traffic generation or parking and appropriate conditions have been imposed in this respect.
- 6.6 No representations have been received in relation to this application either after statutory neighbour notification or after consultation.
- 6.7 Given the scale and nature of the proposed development and as it accords with the local plan and as there are no objections submitted against the development, this planning application would in normal circumstances have been a delegated decision. However, as the applicant is the Council and as the application site is in Council ownership the approved Scheme of Delegation requires that the application be considered at Committee.
- 6.8 For the reasons detailed above the proposed development would not have an adverse impact on the character or amenity of the area and it is therefore recommended that planning permission is approved subject to the conditions attached.

7 Reasons for Decision

- 7.1 The proposed development is in accordance with Policies RES6 and DM1 of the adopted South Lanarkshire Local Plan and would not be detrimental to the residential amenity of the area or road safety.

Colin McDowall
Executive Director (Enterprise Resources)

28 September 2010

Previous References

- ◆ CR/09/0165

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

Environmental Services	18/05/2010
Roads & Transportation Services H.Q. (Flooding)	21/05/2010
Roads & Transportation Services	9/09/2010
Economic Development (Business Development & Projects)	24/05/2010
S.E.P.A. (West Region)	18/05/2010

- ▶ Representations
None

Contact for Further Information

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

Gwen McCracken, Planning Team Leader, 380 King Street, Rutherglen
Ext 5140, (Tel :0141 613 5140)
E-mail: Enterprise.cam-ruth@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:
200907/WD/109 Amendment B
200907/WD/102 Amendment E
200907/WD/100 Amendment F
200907/WD/101 Amendment E
200907/WD/104 Amendment F
200907/WD/103 Amendment E
- 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 any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 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.
- 5 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 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 Before the proposed development is brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The proposed development shall not be brought into use until the ventilation systems are operational in accordance with the approved details. All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.
The ventilation system shall:
 - a) Incorporate systems to reduce the emission of odours and pollutants and shall thereafter be maintained as necessary.
 - b) Be constructed by employing best practical means to minimise noise and vibration transmission via plant and the building structure.
 - c) Noise associated with the business shall not give rise to a noise level, assessed with the windows closed, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.
- 7 Development shall not commence until an assessment of the potential for the proposed use to cause noise nuisance including, if applicable, noise produced by the ventilation equipment, to occupants in any dwellinghouses, has been submitted to the Council as Planning Authority. Where potential noise disturbance

is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.

- 8 Prior to the development being brought into use, details of the storage of waste arising from the commercial activity shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.
- 9 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
- (c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.
- 10 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 11 That before the development hereby approved is completed or brought into use, a visibility splay of 9 metres by 60 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.
- 12 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 2.4 metres measured from the heel of the footway

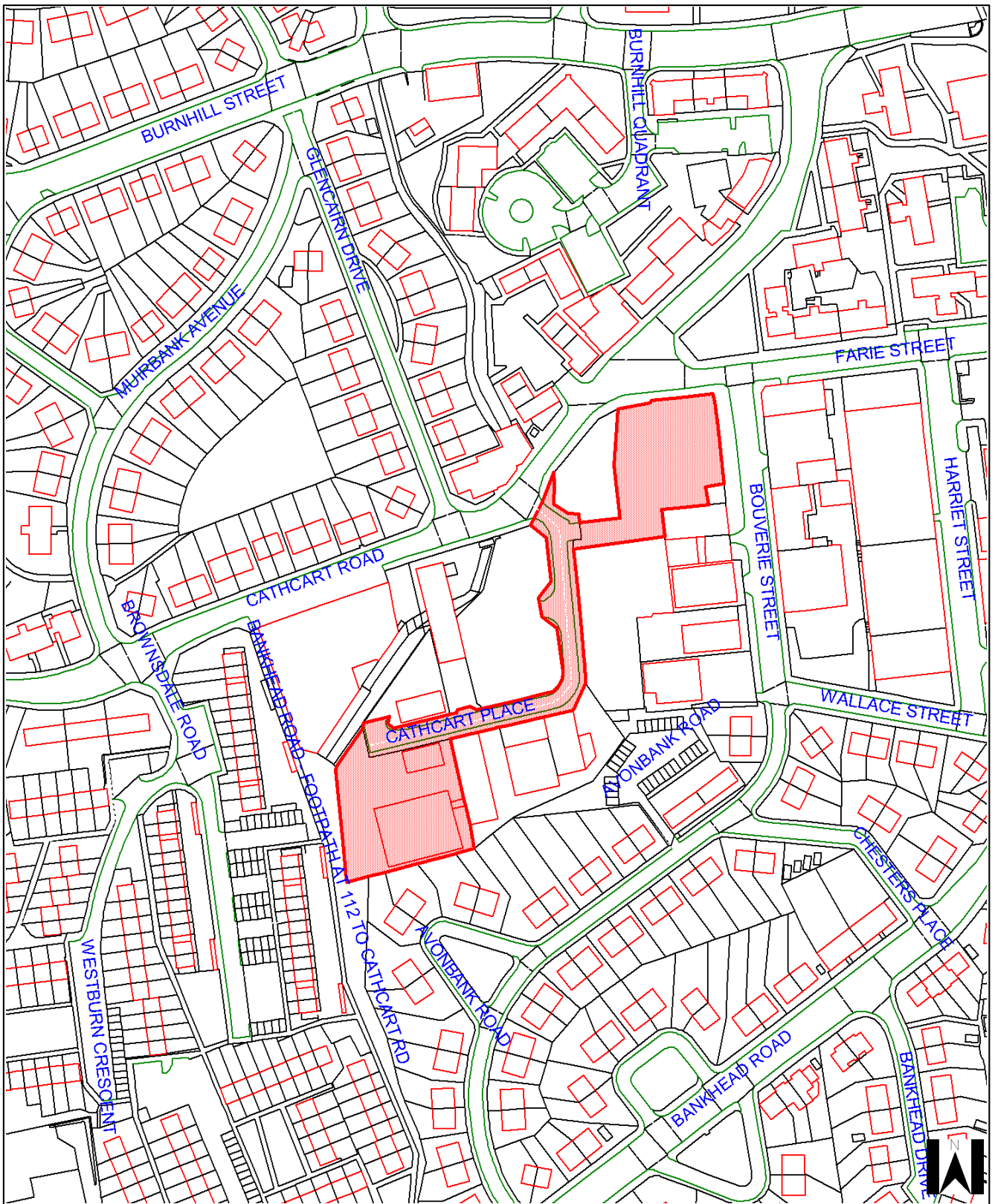
shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

- 13 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 14 That the development hereby approved shall not be occupied or brought into use until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 15 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 16 That before the development hereby approved is completed or brought into use, the new vehicular accesses so far as they lie within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority, including any alterations to existing dropped kerb accesses.
- 17 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.
- 18 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.

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.
- 4 These details have not been submitted or approved.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.
- 7 To minimise noise disturbance to adjacent occupants.
- 8 To minimise nuisance, littering and pest problems to nearby occupants.
- 9 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 10 To minimise the risk of nuisance from dust to nearby occupants.
- 11 In the interest of road safety
- 12 In the interest of public safety
- 13 To ensure the provision of adequate parking facilities within the site.

- 14 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.
- 15 In order to retain effective planning control
- 16 In the interest of public safety
- 17 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.
- 18 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.



For information only

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