

Report to: **Planning Committee**
 Date of Meeting: **1 November 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/11/0398
 Planning Proposal: Demolition of Storage/Workshop Building and the Erection of Religious Hall and formation of Associated Car Parking.

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr Paul Sanderson
- Location : Land adjacent to Castlehill Bowling Club
Belstane Road
Carluke
ML8 4BG

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

- (1) Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: C R Engineering
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
RES6 - Residential Land Use Policy
DM1 - Development Management Policy

◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Roads and Transportation Services (Clydesdale Area)

The Coal Authority

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The application site is adjacent to Moorpark Recreational Ground in Carluke and sits between Castlehill Bowling Club and two residential properties on Waterlands Gardens. The Council owned site is currently unused and overgrown and has one small outbuilding in the form of a brick and steel Nissen hut situated to the front of the site adjacent to the bowling club clubhouse. The site was last used by Community Recourses for storage but has been unoccupied for the past approximately 5 years. The site along with the bowling club and recreation ground is served by a private road that connects to Belstane Road.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the demolition of the existing Nissen hut and the erection of a purpose built meeting hall for the Jehovah's Witnesses, new boundary fencing and walls to the front of the site and provision of on site parking. The new hall is to be used for public worship, religious instruction and social activities and will be a single storey, rectangular building with a red facing brick and red concrete tile finish. The building has a footprint of 220m² and a ridge height of 6.5m.
- 2.2 The application site will be accessed off the existing private tarmac access road for Moorpark Recreation Ground which enters and exits onto Belstane Road.

3 Background

3.1 Local Plan Status

- 3.1.1 The South Lanarkshire Local Plan shows the site is situated within an established residential area to the north of Carluke with the proposed development covered by Policy RES 6: Residential Land Use. Policy DM 1: Development Management is also applicable.

3.2 Relevant Government Advice/Policy

None relevant

3.3 Planning History

- 3.3.1 No recent or relevant planning history.
- 3.3.2 This application could have been dealt with under delegated powers however legislation that came into force in 2009 requires the application to be determined by a committee as the Council as an interest in the land.

4 Consultation(s)

- 4.1 Roads & Transportation Services – No objections to this proposal. The site is located on an existing private access that already has sufficient passing places and a storage lane and car park at the end of it which will complement the proposed parking within the site. The proposal does not adversely affect the existing public road network.

Response: Noted.

4.2 **Environmental and Strategic Services** – offer no objections subject to conditions and advice notes relating to noise, demolition, waste control and building safety.
Response: Noted. Relevant conditions and advice notes would be attached to any consent granted.

4.3 **Coal Authority** – Originally objected to the application as the applicant had failed to fully address the potential impact of unrecorded shallow coal mine workings below the site on the proposed development or determine whether mitigation measures are required.

Response: Following discussions with the applicant, a site investigation strategy which will be carried out to address coal mining issues has now been provided and agreed by the Coal Authority. As a result the objection has been withdrawn. I propose a condition be attached to any consent requiring the site investigation and any mitigation to be submitted and approved before work starts on site

5 Representation(s)

5.1 Following the carrying out of statutory neighbour notification and advertisement of the application in the Lanark and Carlisle Gazettes due to the nature and scale of development, no letters of representation have been received.

6 Assessment and Conclusions

6.1 The determining issues that require to be addressed in respect of this application are compliance with the adopted local plan and its impact on the visual and residential amenity of the area.

6.2 In terms of the adopted South Lanarkshire Local Plan the application site is identified as being within an established residential area and is covered by Policy RES 6. This states that the Council will oppose the loss of houses to other uses and will resist any development that will be detrimental to the amenity of those 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. The physical development is controlled by Policy DM 1 Development Management which seeks to protect against any development of an inappropriate design or scale.

6.3 In terms of the proposed use of the site the application by the Jehovah's Witnesses for a small meeting hall is considered appropriate due to the size of the meeting hall and the level of activity associated with the facility being restricted to two main meetings a week, supplemented with occasional smaller group meetings. The use of the site would have a low impact on the residential amenity of the area and is compatible with the adjoining recreational uses. Ten parking spaces would be created at the rear of the proposed building and this area abuts the rear garden of an existing house. However the house is orientated such that there would not be an adverse impact during the limited times it would be used. Overall, the proposal would not have an adverse impact on the surrounding properties or the wider area.

6.4 The scale and simple single storey design of the new hall is similar to that of a domestic bungalow and will not dominate or overwhelm the area or the adjoining houses around the site. The hall is situated slightly off centre within the site and is situated at least 12m from the nearest residential unit on Waterlands Gardens. There would be no overlooking of existing properties or loss of daylight or sunlight due to overshadowing. Roads are satisfied there would be no road safety issues and that the proposed on site parking can be complemented by the use of the adjoining large

hardstanding area associated with the recreation ground. It is therefore considered that the development would not be detrimental to the residential amenity of the area.

- 6.5 In summary the redevelopment of this brownfield site complies with the policies of the adopted South Lanarkshire Local Plan, would result in a use considered compatible with surrounding land uses and would not be detrimental to the amenity of that area. It is therefore recommended that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposed hall will not have a detrimental effect on the residential or visual amenity of the area and complies with Policies RES6 and DM1 of the adopted South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

24 October 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Roads and Transportation

14/10/2011

Environmental Services

19/09/2011

The Coal Authority

12/10/2011
& 24/10/2011

- ▶ Representations
None

Contact for Further Information

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

Steven Boertien, Planning Officer, Council Offices, South Vennel, Lanark, ML11 7JT
Ext 3266 (Tel: 01555 673266) E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- 1 The consent shall be carried out strictly in accordance with drawing numbers: Sheet 1, Sheet 2 and Sheet 3
- 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 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 building hereby approved shall be restricted to use as a Religious Hall and for no other purpose within Class 10 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.
- 4 That before the hall 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.
- 5 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.
- 6 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.
- 7 That no hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.
- 8 That before any development starts on site, a site investigation report that considers the potential impact of unrecorded shallow coal mine workings within the application site on the development hereby approved shall be submitted to the Council as Planning Authority. The report shall provide details, where necessary, of any mitigation measures required to address ground stability within the site. No work shall start on site until the report as has been approved in writing by the Council in consultation with the Coal Authority. Any mitigation measures shall be incorporated into the detailed design of the development.

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 To ensure the provision of adequate parking facilities within the site.
- 5 To minimise noise disturbance to adjacent occupants.
- 6 To minimise nuisance, littering and pest problems to nearby occupants.
- 7 To ensure the protection of existing landscape features within the site.
- 8 To ensure ground stability within the application site is fully considered.

For information only

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