

Report

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Report to:	Clydesdale Area Committee
Date of Meeting:	20 September 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CL/11/0345
Planning Proposal:	Change of Use of Business Units (Class 4) to Veterinary Centre (Class 2)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Dr C Corridan
- Location : 5 Langdykeside
Lesmahagow
ML11 0EY

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 overleaf)

2.2 Other Actions/Notes

- (1) The Area Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: George Simpson Architect
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
 - Policy COM6: Village/Neighbourhood Centres
 - Policy ENV4: Protections of the Natural and Built Environment
 - Policy ENV25: Conservation Areas

- ◆ Representation(s):

- ▶ 0 Objection Letter
- ▶ 0 Support Letter
- ▶ 0 Comments Letter

- ◆ Consultation(s):

Environmental Services
Roads and Transportation Services (Clydesdale Area)

Planning Application Report

1 Application Site

1.1 The application site consists of an existing building and public car park located at 5 Langdykeside within the central area of Lesmahagow. The existing building is partly two storeys in height and has a red brick finish with a natural slate roof. The building is attached to a number of privately owned lock-up garages and workshops which sit to the east of the property. The north of the site is bounded by green space and a path associated with the Glebe Medical Centre, to the west by the rear yard areas of properties facing onto Abbeygreen, and to the south by the road known as Langdykeside. The building is owned by the Council and was formerly used as a Grounds Maintenance Depot. Refurbishment of the building took place in 2010 as part of the Lesmahagow Village Centre Regeneration Project and was formed into 2 business units which have remained unoccupied.

2 Proposal(s)

2.1 Detailed planning permission is sought for the change of use of the business units to form a veterinary centre. The applicant intends to lease the building from the Council. Given that the Council owns and has a financial interest in the building, the planning application cannot be dealt with by delegated powers but must be determined by Committee.

2.2 The submitted plans show a number of internal changes to the layout which would entail amalgamating the two existing business units into one unit. The proposed layout of the centre would include a reception area, 3 consulting rooms, an associated operating theatre and facilities for the staff. No external alterations are proposed other than the installation of an extraction outlet and fan.

2.3 A supporting statement has been submitted by the applicant explaining that the centre would provide a first opinion, small animal veterinary practice and veterinary behaviour referral facility. The staff levels would involve one full time veterinary surgeon, 2 veterinary nurses each working alternating shifts and a practice manager. The opening hours of the clinic would be 8.00am to 7.00pm Monday to Friday and 9.00am to 2.00pm on a Saturday. An out-of-hours service would be available for emergency cases only and the applicant anticipates this service being used rarely.

3 Background

3.1 Local Plan Status

3.1.1 In terms of local plan policy the site is located within the central area of the village of Lesmahagow where Policy COM6: Village/Neighbourhood Centres applies. The site is also located within the Conservation Area where Policy ENV4: Protection of the Natural and Built Environment and ENV25: Conservation Areas apply.

3.2 Relevant Government Advice/Policy

3.2.1 Scottish Planning Policy (SPP) states that authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised. Small business development and growth, and development opportunities for low impact industrial, business and service uses which can co-exist with housing and other sensitive uses without eroding amenity should be supported. The policy further advises that planning authorities should ensure that new development safeguards and enhances an area's environmental quality and where relevant should promote and support opportunities for environmental enhancement and regeneration. Authorities should

adopt a proactive approach to encouraging the reuse of buildings and previously developed land to enable redevelopment opportunities.

3.3 **Planning History**

3.3.1 No previous relevant planning applications exist.

4 **Consultation(s)**

4.1 **Roads & Transportation Services (Area Office)** – offer no objections. They note that the application site is within a town centre location at the rear of a public car park which has an adequate number of parking spaces for both the town centre and the proposed veterinary practice.

Response: Noted.

4.2 **Environmental Services** – offer no objection and recommend a number of conditions and informatives which should be attached to any consent granted in relation to details of ventilation, refuse storage and construction noise.

Response: Noted. Appropriate conditions and informatives can be attached if consent is granted.

5 **Representation(s)**

5.1 The statutory neighbour notification procedure was undertaken and the application was advertised as ‘non-notification of neighbours’ in the local press, however no letters of objection have been received.

6 **Assessment and Conclusions**

6.1 The applicant seeks planning permission for the change of use of the council-owned building at 5 Langdykeside into a veterinary centre. The building currently consists of 2 vacant business units which fall within Use Class 4: Business. The proposed use of the building as a veterinary centre falls within Use Class 2: Financial, Professional and other services. The determining issue in the assessment of this application is its compliance with local plan policy.

6.2 The building is located within the central area of Lesmahagow where Policy COM6: Village/Neighbourhood Centres applies. This policy states that proposals for changes of use in village/neighbourhood centres will be assessed with regard to the appropriate mix of uses, retaining a retail element to serve the needs of the local area, and with further regard to the amenity of the surrounding area. The proposal will not result in the loss of a retail unit and it is considered that the proposed use as a veterinary centre is appropriate for this location. The proposal will have no impact on the amenity of the area and the building is well served by car parking.

6.3 The site is located within Lesmahagow Conservation Area where Policy ENV4: Protection of the Natural and Built Environment and Policy ENV25: Conservation Areas apply. These policies seek to preserve the character of the area, in particular the design, materials, scale and siting of any development should be appropriate to the character of the conservation area and its setting. The proposal does not involve any major alterations to the exterior of the building and it will bring back into use a recently refurbished building as well as the welcome introduction of a business to Lesmahagow. I am therefore happy to recommend approval of this application.

7 **Reasons for Decision**

7.1 The proposal complies with Policies COM6, ENV4 and ENV25 of the South Lanarkshire Local Plan. It will bring back into use a vacant building within the Conservation Area, the introduction of a business and potential employment generation to the area.

Colin McDowall
Executive Director (Enterprise Resources)

24 August 2011

Previous References

- ◆ None relevant

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Environmental Services 16/08/2011
 - Roads and Transportation Services (Clydesdale Area) 16/08/2011

Contact for Further Information

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

Gail Rae, Planning Officer, South Vennel, Lanark, ML11 7JT

Ext 3205 (Tel :01555 673205)

E-mail: planning@southlanarkshire.gov.uk

Detailed Planning Application

PAPER APART – APPLICATION NUMBER : CL/11/0345

CONDITIONS

- 1 The consent shall be carried out strictly in accordance with drawing numbers: 1, 2, 3, 4, 7
- 2 Before the veterinary centre is brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The veterinary centre 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.
- 3 Prior to the development being brought into use, details of the storage of waste including clinical 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.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To minimise nuisance to occupants of nearby buildings as a result of smells, vapours, airborne pollutants or noise from the premises.
- 3 To minimise nuisance, littering and pest problems to nearby occupants.

INFORMATIVES

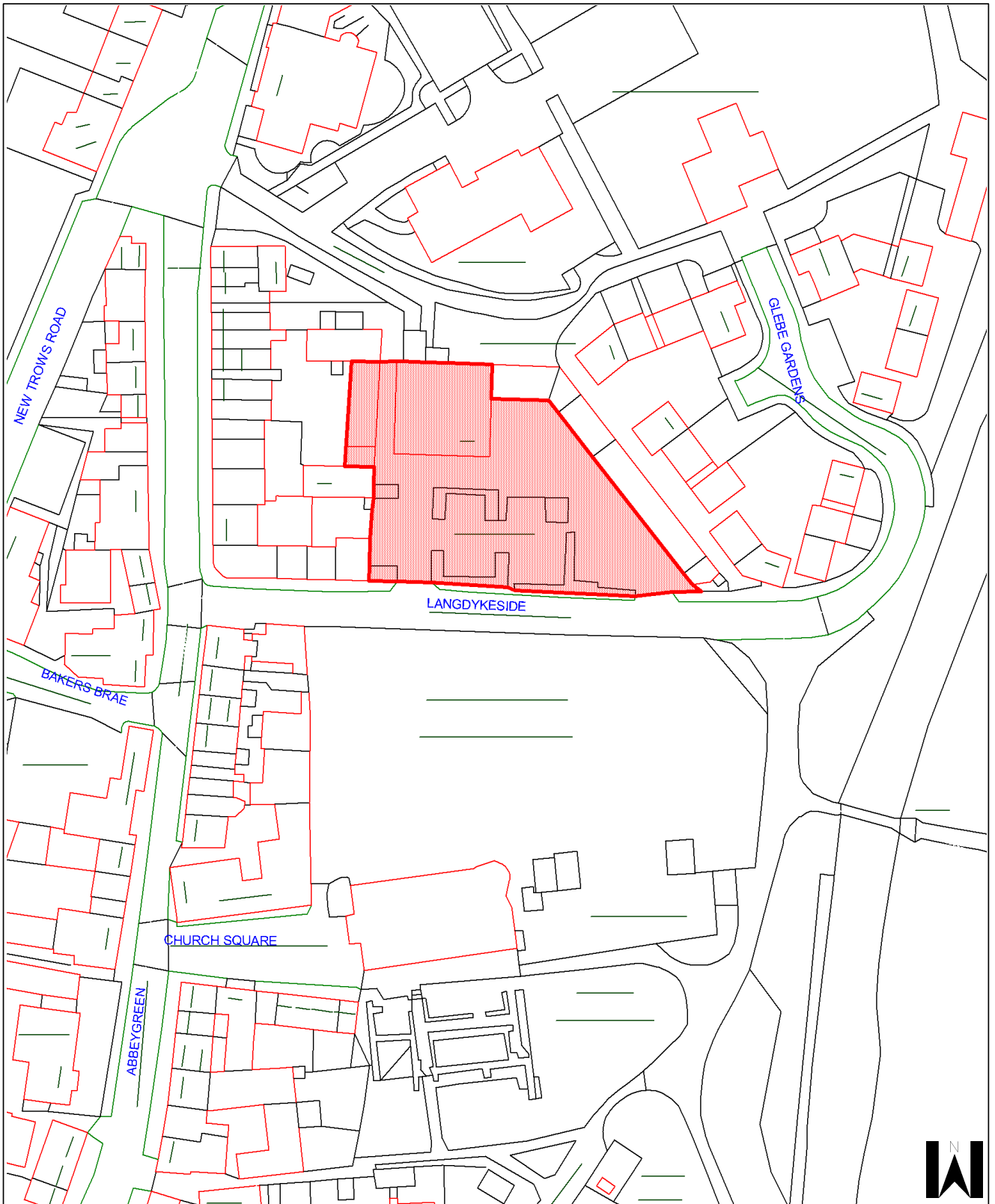
- 1 Failure to comply with the conditions imposed on this planning permission can result in the planning authority serving a Breach of Condition Notice and/or Enforcement Notice. If any of the requirements set out in these notices are not then complied with, a fixed penalty notice may be served seeking the payment of the sum specified in the penalty notice to the Planning Authority. The sum will be as set by The Town and Country Planning (Amount of Fixed Penalty) (Scotland) Regulations 2009.
- 2 The person carrying out the development must give advance notice in writing to the planning authority of the date when it intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action. [See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)]
- 3 As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position [See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)]
- 4 This planning permission will last only for three years from the date of this decision notice, unless the development has come into use within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).)
- 5 The applicant is advised that all works carried out on site must be carried out in accordance with BS5228 Parts 1-4 1984/1986, 'Noise control on construction and open sites'.
The applicant is further advised that audible construction activities should be limited to:
Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. The applicant is advised that Environmental Services may consider formally imposing these hours of operation by way of statutory notice should complaints be received relating to audible construction activity outwith these recommended hours and should such complaints be deemed justifiable by Officers from this Service.
Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Atholl House, East Kilbride, G74 1LU. Telephone (01355) 806915
- 6 None of the above conditions will preclude formal action being taken by the Executive Director of Community Resources against the author of any nuisance, which may arise due to the operation of the proposed development.

CL/11/0345

5 Langdykeside, Lesmahagow

Planning and Building Standards Services

Scale: 1: 1250



For information only

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