

Report to: **Planning Committee**
 Date of Meeting: **29 November 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No CR/11/0212
 Planning Proposal: Siting of Mobile Snack Van

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mrs Dorothy Carter
- Location : Baronald Street
Rutherglen

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 the Conditions attached)

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 12 Rutherglen Central and North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
ECON 1 - Industrial Land Use Policy
DM 1 - Development Management Policy
DM 14 - Mobile Snack Vans Policy

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

- ◆ Consultation(s):
Roads and Transportation Services (Cambuslang/Rutherglen Area)
Environmental Services [e-consult]

Planning Application Report

1 Application Site

- 1.1 The application site is located within an industrial land use area on the western side of Baronald Street, approximately 60m to the south of the junction with Downiebrae Road, Rutherglen.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the siting of a mobile snack van at the aforementioned site.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is located within an industrial land use area under Policy ECON1 – Industrial Land Use of the adopted South Lanarkshire Local Plan which states that areas identified for industry will continue primarily in industrial use. In addition, Policy DM1 – Development Management also requires to be considered which states that all planning applications should take account of the local context and built form and that all development should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

- 3.1.2 In addition, Policy DM14 – Mobile Snack Vans also requires to be considered and states that such a proposal will only be considered acceptable where there is an identifiable shortage of locally available hot food facilities such as industrial estates remote from nearby shopping provision. If a site does meet this requirement then any proposal must give consideration to siting, traffic and public safety, the provision of litter disposal facilities and visual amenity. It is common practice for such proposals, where acceptable, to be granted for a temporary period to allow the operation to be monitored.

3.2 Relevant Government Advice/Policy

- 3.2.1 None relevant.

3.3 Planning History

- 3.3.1 There are no records of any planning applications at this site within the last ten years. However, the applicant previously applied for planning permission (CR/11/0168) for the siting of a mobile snack van in nearby Downiebrae Road which was withdrawn in September 2011.
- 3.3.2 Given the scale and nature of the proposal and as no objections were submitted, the application would in normal circumstances have been a delegated decision. However, as the site is within Council ownership, the approved scheme of delegation requires that the application be considered at Committee.

4 Consultation(s)

- 4.1 **Roads and Transportation Services** – no objections subject to the imposition of conditions relating to signage and waste discharge.
Response: Noted. Relevant conditions will be attached to any consent.

- 4.2 **Environmental Services** – no objections subject to the imposition of advice notes relating to non-domestic food preparation/sales and Health and Safety at Work.
Response: Noted. The appropriate advice notes will be attached to any consent issued.

5 Representation(s)

- 5.1 Following statutory neighbour notification and advertisement in the Rutherglen Reformer for non-notification of neighbours and the nature/scale of the development, no letters of representation have been received for this application.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the siting of a mobile snack van on Baronald Street, Rutherglen. The determining issues of this application are its compliance with local plan policy and in particular, its impact on the amenity of the surrounding area and any adjacent properties.
- 6.2 The proposed development would be located within a general industrial area. Policy ECON1 of the adopted South Lanarkshire Local Plan states that areas identified for industry will continue primarily in industrial use. It is regarded that the siting of a mobile snack van is acceptable within industrial areas, subject to compliance with Policy DM14.
- 6.3 Policy DM1 – Development Management of the South Lanarkshire Local Plan (adopted) states that all planning applications will be required to 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. In this instance, it is regarded that the snack van will not form a visually intrusive structure in the surrounding industrial landscape.
- 6.4 Policy DM14 – Mobile Snack Vans of the South Lanarkshire Local Plan states that such a proposal will only be considered acceptable where there is an identifiable shortage of locally available hot food facilities such as industrial estates remote from nearby shopping provision. If a site does meet this requirement then any proposal must give consideration to siting, traffic and public safety, the provision of litter disposal facilities and visual amenity. It is common practice for such proposals, where acceptable, to be granted for a temporary period of one year to allow the operation to be monitored. The site is located within an industrial area with no hot food facilities located nearby. Conditions will be attached to any consent relating to waste discharge and restricting permission for a period of 2 years to allow the development to be monitored. Roads and Transportation Services raised no objections to the proposal. In light of this, the proposal is deemed to be in accordance with the aforementioned policy.
- 6.5 Following statutory neighbour notification and advertisement in the Rutherglen Reformer for non-notification of neighbours, no letters of representation have been received for this application. Further, no objections were raised following consultation with Roads and Transportation Services and Environmental Services.
- 6.6 For the reasons detailed above, the proposal is considered to comply with local plan policy and it is therefore recommended that planning permission be granted subject to the conditions attached.

7 Reasons for Decision

7.1 The proposal has no adverse impact on amenity and complies with Policies ECON1, DM1 and DM14 of the South Lanarkshire Local Plan (adopted) and the guidance notes contained therein.

Colin McDowall
Executive Director (Enterprise Resources)

15 November 2011

Previous References

◆ CR/11/0168

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan

- ▶ Consultations

Environmental Services [e-consult]	21/10/2011
Roads and Transportation Services (East Kilbride and Cambuslang/ Rutherglen Area)	15/11/2011

Contact for Further Information

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

Alastair McGibbon, Planning Officer, Civic Centre
Ext 6386, (Tel :01355 806386)
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Detailed Planning Application

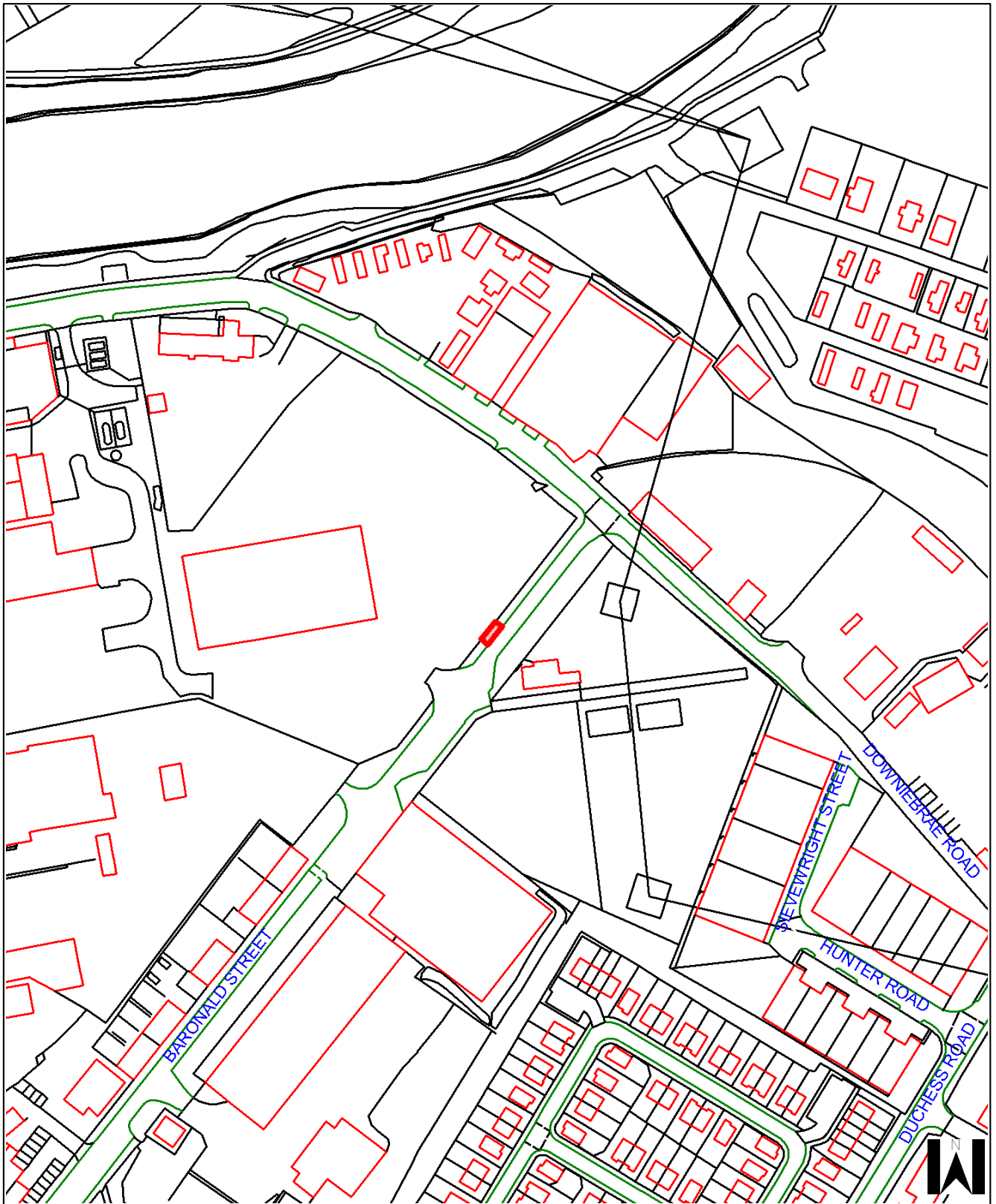
PAPER APART – APPLICATION NUMBER: CR/11/0212

CONDITIONS

- 1 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.
- 2 That the permission hereby granted is for a temporary period only and shall expire on 29 November 2013.
- 3 That there shall be no advertising signs erected on road furniture (e.g. lighting columns, roads signs) or within the road boundary (e.g. verges, footway etc).
- 4 That no waste materials shall be discharged down road gulleys.
- 5 This decision relates to drawings: Location Plan 1:2500, Location Plan 1:1250 and Van Photographs

REASONS

- 1 In the interests of amenity and in order to retain effective planning control.
- 2 Temporary Consent is hereby granted.
- 3 In the interests of road safety, amenity and in order to retain effective planning control.
- 4 In the interests of road safety, amenity and in order to retain effective planning control.
- 5 For the avoidance of doubt and to specify the drawings upon which the decision was made.



For information only

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