

Report

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Report to:	Cambuslang and Rutherglen Area Committee
Date of Meeting:	1 November 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CR/11/0156
Planning Proposal:	Amendment of Condition 4 of Planning Consent CR/04/0088 to permit 24 hour operation of existing industrial building 7 days per week

1 Summary Application Information

- Application Type : Modification of Condition(s)
- Applicant : Metpro Ltd
- Location : 24 Baronald Street
Rutherglen
G73 1AF

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission(based on conditions attached)

2.2 Other Actions/Notes

None

3 Other Information

- ◆ Applicant's Agent: Keppie Planning Ltd
- ◆ Council Area/Ward: 12 Rutherglen Central and North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
ECON 1 - Industrial Land Use Policy
RES 6 - Residential Land Use Policy

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

- ◆ Consultation(s):

Roads and Transportation Services (Cambuslang/Rutherglen Area)

Environmental Services

Planning Application Report

1. Application Site

- 1.1 The application relates to an existing industrial unit at 24 Baronald Street, Rutherglen. It is bounded to the north and south by industrial land; to the east by terraced and semi-detached houses, and to the west by the public road, namely Baronald Street with a tenement building located diagonally opposite. The land is zoned as general industrial land within the South Lanarkshire Local Plan (adopted).

2. Proposal(s)

- 2.1 The applicant seeks an amendment of Condition 4 of a previous Planning Consent CR/04/008 to permit 24 hour operation of the existing industrial building, 7 days per week. The previous condition stated that 'the opening hours of the premises hereby granted consent shall be limited to between 06-00 and 22-00 hrs Monday to Friday, 06-00 to 13-00 hrs on a Saturday and no time on a Sunday'.

3. Background

3.1 Local Plan Policy

- 3.1.1 In terms of the adopted South Lanarkshire Local Plan, the site is located within an area zoned for industrial use and is, therefore, consistent with Policy ECON1 – Industrial Land Use. The policy states that areas identified for industry will continue in industrial use and the Council will direct industrial development to them, including Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses.
- 3.1.2 RES6 – Residential Land Use is also relevant given that the application site is in close proximity to and bounds a residential area. The policy states that certain criteria should be adhered to including that the building should relate satisfactorily to the surrounding area in terms of scale etc.

3.2 Planning History

- 3.2.1 The applicant, Metpro Ltd, has taken over the industrial process at this unit which is the production of the waterproof papers, packaging materials and other related materials. This process was previously carried out by Somerville & Morrison(S & M). Metpro Ltd proposes no changes to the operational processes, i.e. the manufacturing is still carried out in exactly the same way as carried out by S&M for the past 6 years. S&M are now in liquidation.
- 3.2.2 S&M Ltd had previously operated from premises at 130 Cambuslang Road, Rutherglen, where they had operated since 1873, prior to their relocation to 24 Baronlad Street in 2004. The area surrounding the Cambuslang Road premises was also mixed use and included an element of residential property.
- 3.2.3 The previous consent (CR/04/0088) was granted on a personal basis with a condition being imposed to restrict this to S&M. In order for Metpro Ltd to take over the operations of the business, there was a requirement to amend this condition and alter the wording. Metpro Ltd recently applied for Planning Permission under CR/11/0155 to alter Condition 2 of the original consent to read "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 application site shall be restricted to use for the manufacturing of waterproof papers, packaging materials and other related materials and for no

other purpose within Class 5 as defined in the Schedule of the Town and Country planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council as Planning Authority.” This application was approved on 13 September 2011. The original Condition 3 regarding a requirement to implement car parking was also removed as part of this recent consent as car parking at the site is satisfactory and given that the business has been operating successfully for the past 6 years.

3.2.4 In relation to the 24 hour operational period proposed, it is intended that there would be no deliveries or dispatches between 10pm and 6am, and the extension of the opening hours is principally to allow for a third shift pattern to be introduced.

4 Consultation(s)

4.1 Roads and Transportation Services (Cambuslang/Rutherglen Area) -

no objections

Response: Noted

4.2 **Environmental Services** - no objections subject to the recommendations of the submitted Technical Report being taken on board

Response: Noted and a suitable condition would be attached to any approval.

5 Representation(s)

5.1 Statutory Neighbour Notification was undertaken with 6 letters of representation being received. The points made are summarised below:

a) **Lack of detail is shown on the plan with the company Metpro planning to expand to right outside my door. No legend on the plans to give more explanation.**

Response: The application is to amend a previous planning condition and to remove another condition. The proposal does not involve the expansion of the existing building and in fact no physical change to the building is proposed. As a result no additional information on the plan is required other than to identify the application site boundary. No elevational drawings were necessary.

b) **More vehicles associated with the premises will access my street, park and cause an obstruction and will be a safety hazard.**

Response: There is no proposal to alter the access to Metpro. The vehicular access will remain as the existing via Downiebrae Road and the Northern end of Baronald Street, therefore no additional traffic will pass the residential area of Baronald Street. Baronald Street is ‘stopped up’ half way along which prevents industrial traffic passing residential properties located in the southern half of the street. This situation would remain unchanged.

c) **More noise which will be highlighted during the night.**

Response: Although an additional night shift work pattern would be introduced, no deliveries, dispatches or forklift truck movements would take place during the night and the roller shutter and fire exit doors would remain closed during the night. In addition any approval would have a condition attached to a higher specification roller shutter door to be installed to attenuate noise further.

d) **It is assumed lighting would have to be provided in the yard for the night workers which would disturb sleep of residents in the properties backing on the yard.**

Response: A landscape strip and a vertical close boarded fence separates the yard area from the houses to the rear. No additional yard lighting is proposed.

e) **The noise of traffic during the night would be an issue.**

Response: As stated above, no deliveries, dispatches or forklift truck movements would take place during the night and the roller shutter door and fire exit doors would remain closed. Any approval would have a condition attached to require a higher specification roller shutter door to be installed.

f) **No consideration has been give to the homeowners in Farmecastle Court. During the day the business is heard so during the night working would directly affect residents making it impossible to sleep**

Response: A noise report has been lodged by the applicant and this has been carefully considered by the Council's Environmental Services. As a result any approval requires the applicant to keep the front roller shutter doors and rear fire exist door closed during the proposed evening/night operation and to install a heavier attenuation front roller shutter door. These requirements would be conditioned on any planning approval.

g) **Local residents have had so much disruption in recent times with the M74 construction, building of Tesco, new flats etc. Any further disruption is unacceptable.**

Response: It is agreed that there has been a lot of works undertaken within this area in recent times. This proposal would entail no building works or changes to the premises other than replacement doors. The applicant has confirmed that no deliveries, dispatches or fork lift movements would take place in the evening or during the night. The premises are physically separated from the residential area by means of bollards on Baronald Street and at the rear by landscaping and vertical close boarded fencing.

All of the above letters have been copied and are available for inspection in the usual manner and on the Planning portal.

6 Assessment and Conclusions

6.1 The applicant seeks planning permission to extend the hours of operation of the industrial business to 24 hours to allow for the introduction of a third shift pattern.

6.2 Policy ECON1 – Industrial Land Use. The policy states that areas identified for industry will continue in industrial use and the Council will direct industrial development to them, including Class 4(business), Class 5(General Industrial) and Class 6(Storage and Distribution) uses.

6.3 Policy RES6 – Residential Land Use states that certain criteria should be adhered to including that the building should relate satisfactorily to the surrounding area in terms of scale etc. In this instance the existing building is not altering and is therefore in scale with the adjacent industrial buildings. Another criteria states that the character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion, noise or emission of gases or particulates. Vehicular traffic associated with the business accesses the premises from the northern end of Baronald Street and owing to Baronald Street being stopped up at its mid point, the traffic exits through the industrial area via Downiebrae Road and not past the residential properties in Baronald Street. The operation of the existing business is such that delivery pick-up and drop-off would be accommodated on site as is presently the case. In terms of car parking staff parking would be accommodated on-

site with visitors using the parking, bay in front of the premises. Having assessed the application, including the supporting information submitted, I am satisfied that the proposal to remove Condition 4 of the previous consent CR/04/0088 is acceptable

- 6.4 While six letters of objection were received, I am satisfied that no issue has been raised that would justify refusal of this application.
- 6.5 For the reasons detailed above the proposal is considered to comply with the 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 is in accordance with Policies ECON1 and RES6 of the South Lanarkshire Local Plan (adopted) and would not be detrimental to residential amenity or road safety.

Colin McDowall
Executive Director (Enterprise Resources)

25 October 2011

Previous References

- ◆ EK/04/0088

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Environmental Services EK 01/09/2011
 - Roads and Transportation Services (Cambuslang/Rutherglen Area) 13/09/2011

- ▶ Representations
 - Representation from : Iain Henderson, Flat 1-1
21 Baronald Street
Rutherglen
G73 1AF, DATED 08/08/2011

 - Representation from : T and M Miller, 31 Farme Castle Court
Glasgow
G73 1AA, DATED 17/08/2011

 - Representation from : Elaina Hamilton, 27 Farmecastle Court
Rutherglen
Glasgow
G73 1AA, DATED 17/08/2011

 - Representation from : Mr and Mrs E Mackie, 29 Farme Castle Court
Rutherglen
G73 1AA, DATED 17/08/2011

Representation from : Sarah Russell, 25 Farmecastle Court
Rutherglen
Glasgow
G73 1AA, DATED 17/08/2011

Representation from : Mr S and Mrs C Browning, 33 Farme Castle Court
Rutherglen
G73 1AA, DATED 18/08/2011

Contact for Further Information

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

Maud McIntyre, Planning Officer, Civic Centre, East Kilbride
Ext 6385, (Tel 01355 806385)
E-mail: planning@southlanarkshire.gov.uk

Modification of Condition(s)

PAPER APART – APPLICATION NUMBER : CR/11/0156

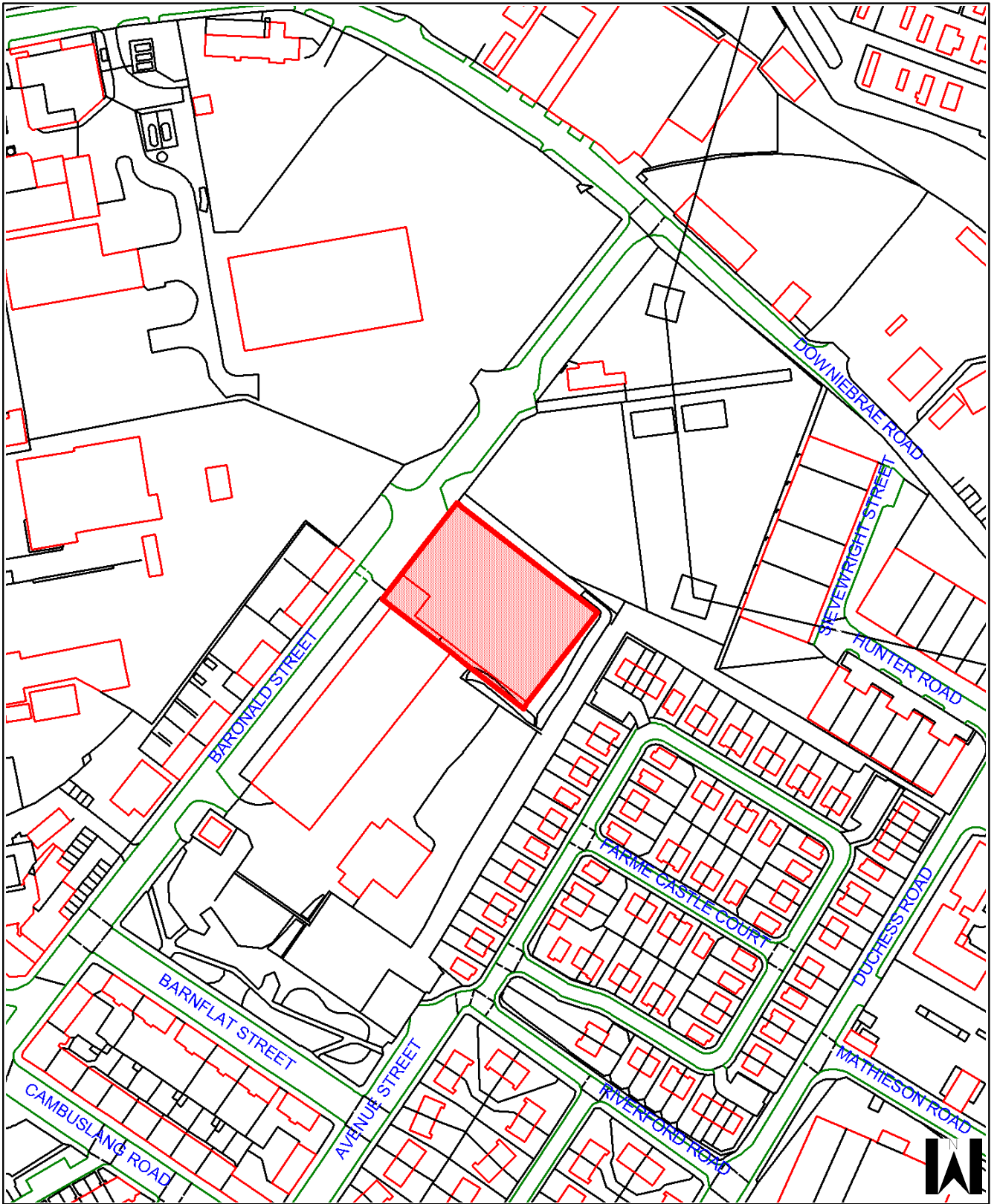
CONDITIONS

- 1 This decision relates to drawing number: KD-G (90) XX-001 and Technical Report P4915.01 dated July 2011.
- 2 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 application site shall be restricted to use for the manufacturing of waterproof papers, packaging materials and other related materials and for no other purpose within Class 5 as defined in the Schedule of the Town and Country planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council as Planning Authority.
- 3 That the recommendations contained within the technical report P4915.01 dated July 2011, hereby approved, shall be met, i.e. front roller shutter doors and rear fire exit door shall be kept closed during the proposed evening/night operation, and that a heavier attenuation front roller shutter door is installed.
- 4 That prior to the 24 hour operation taking effect, a higher attenuation roller shutter door shall be installed to the premises, a detailed specification of which shall be submitted to the Council as Planning Authority for consideration and approval.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interest of amenity and to retain effective planning control.
- 3 In the interests of amenity and to retain effective planning control.
- 4 In the interests of amenity and to retain effective planning control.

For information only



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