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| Report to: | Cambuslang/ Rutherglen Area Committee |
| Date of Meeting: | 24 May 2011 |
| Report by: | Executive Director (Enterprise Resources) |

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| Application No | CR/11/0017 |
| Planning Proposal: | Erection of 3 no. Industrial Units with Associated Car Parking and Service Yard |

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Enterprise Resources
- Location : Vacant Site
Cathcart Place
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 Conditions attached.

2.2 Other Actions/Notes

- (1) The Cambuslang/ Rutherglen Area Committee has delegated powers to determine this application.
- (2) The Cambuslang/ Rutherglen Area Committee is required to determine this application as the Council has a financial interest in the site

3 Other Information

- ◆ Applicant's Agent: The McLennan Partnership
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
RES 6 - Residential Land Use Policy
DM 1 - Development Management Policy

- ◆ Consultation(s):

Environmental Services

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Roads and Transportation Services (Cambuslang/Rutherglen Area)

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of land at Cathcart Place, Rutherglen. The site is bounded to the north by open land and by industrial units on all other sides. The site was formerly used for industrial/commercial type purposes and any buildings on the site have now been demolished. The site is currently vacant and has a largely level surface.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 3 no. industrial units with associated car parking and service yard. The building containing the units will measure 10 metres wide by 37 metres in length and will be finished in brick with metal cladding. Each of the three units will provide around 120 square metres of floorspace. Seven parking spaces will be provided to serve the development.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is located within a general residential area under Policy RES6 – Residential Land Use of the adopted South Lanarkshire Local Plan which states that 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 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.

3.2 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 There are no records of any applications at this site within the last ten years.

4 Consultation(s)

- 4.1 **Roads and Transportation Services** – no objections to the proposal as the parking requirement has been met.

Response: Noted.

- 4.2 **Roads and Transportation Services H.Q (Flooding)** – no objections subject to the imposition of conditions being attached to any consent relating to Sustainable Urban Drainage and Flood Risk Assessment.

Response: The appropriate conditions will be attached.

- 4.3 **Environmental Services** – no objections subject to conditions relating to Ventilation System, Contaminated Land, Waste Control, Noise and Dust/Mitigation being attached to any consent. Advice notes should also be attached relating to Health and Safety at Work, Food Safety, Noise and Smoking Shelters.

Response: Conditions relating to Ventilation, Waste Control and Contaminated Land and advice notes relating to Health and Safety at Work, Food Safety, Noise and Smoking Shelters will be attached to any consent. However, it is not felt appropriate to attach conditions relating to Noise and Dust/Mitigation as the Planning Service does not have the powers to enforce these. These are Environmental Health issues and are covered under separate legislation.

4.4 **Scottish Water** – no response received to date.

Response: Noted.

5 Representation(s)

5.1 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.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of 3 no. industrial units with associated car parking and service yard. The main considerations in determining this application are its compliance with local plan policy and its impact on the amenity of the surrounding area.
- 6.2 The proposed development 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 meeting an identified local need.
- 6.3 The site was formerly used for industrial/commercial type purposes and the adjacent buildings in Cathcart Place are also of this nature. It is considered that the proposed development would relate satisfactorily to adjacent and surrounding development in terms of scale, massing and intensity of use and would meet an identified local need. Furthermore, in terms of impact on nearby existing housing, following consultation Environmental Services raised no objection to the proposed development subject to the imposition of conditions in relation to the control of ventilation, noise, waste and contamination and these conditions have been imposed. It is noted that the nearest residential property to the site is approximately 80m away.
- 6.4 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 development integrates successfully with the surrounding industrial units.
- 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.
- 6.6 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 applicant is the Council and the site is within Council ownership, the approved scheme of delegation requires that the application be considered at Committee.
- 6.7 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 Reason for Decision

- 7.1 The proposal has no adverse impact on amenity and complies with Policies RES6 and DM1 of the South Lanarkshire Local Plan (adopted) and the guidance notes contained therein.

Colin McDowall
Executive Director (Enterprise Resources)

9 May 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Roads & Transportation Services H.Q. (Flooding) 11/03/2011
 - Roads and Transportation Services (Cambuslang/Rutherglen Area) 22/02/2011
 - Environmental Services 27/04/2011

Contact for Further Information

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

Alastair McGibbon, Planning Office, Civic Centre, East Kilbride
Ext 6386, (Tel :01355 806386)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

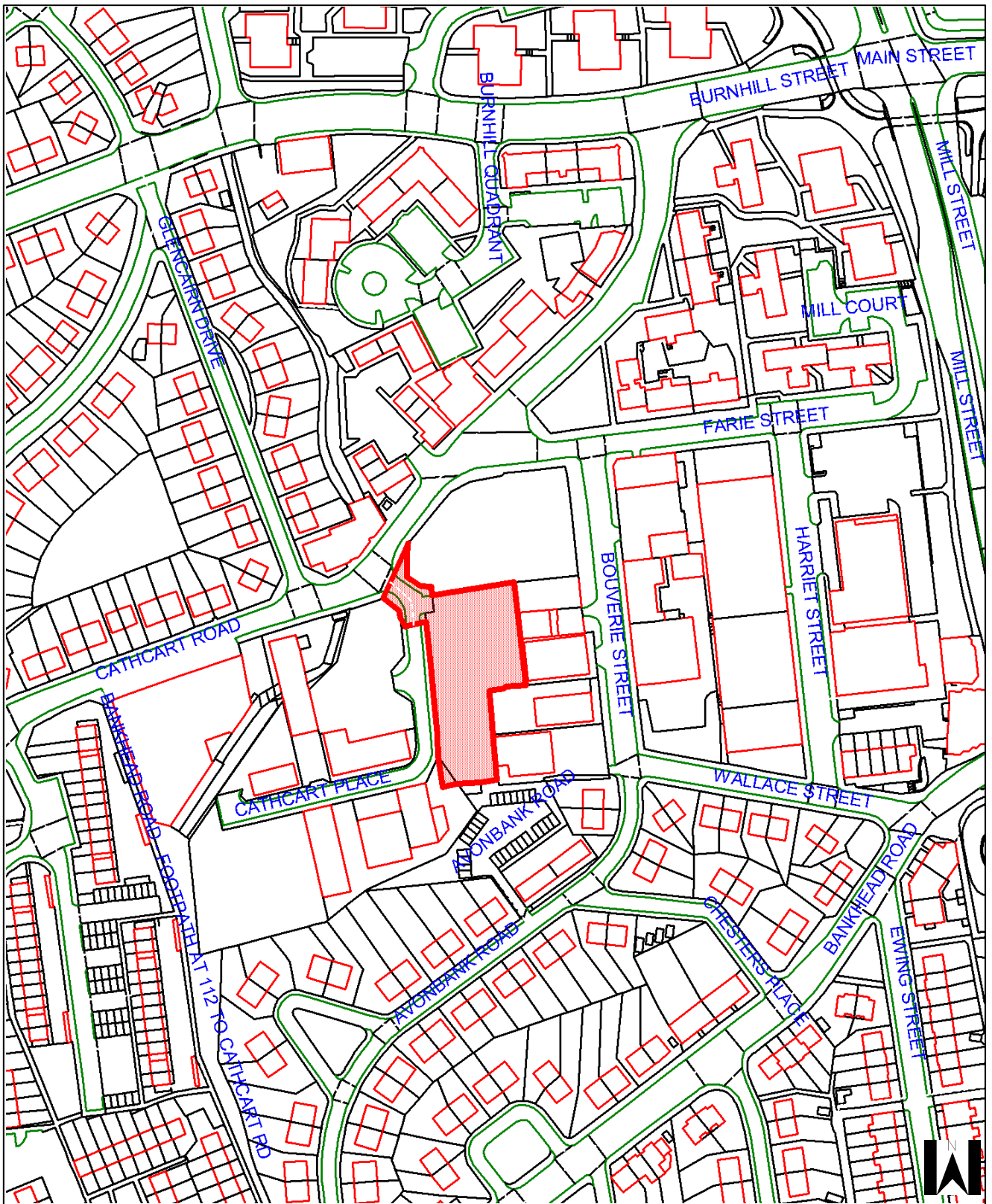
- 1 Before the industrial units are brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The industrial units shall not be brought into use until the ventilation systems are operational in accordance with the approved 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.
 - 2 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.
 - 3 (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.
- 4 That notwithstanding drawing number 8203:90:700 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.

- 5 That no development shall commence until a Flood Risk Assessment has been submitted to and approved in writing by the Council as Planning Authority.
- 6 That the use of the units hereby approved shall be restricted to use Class 4, 5 or 6 as defined in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997.
- 7 This decision relates to drawing numbers: 201013/L/200, 201013/P/200 and 8203:90:700 Revision A

REASONS

- 1 To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.
- 2 To minimise nuisance, littering and pest problems to nearby occupants.
- 3 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 4 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.
- 5 To ensure the ground is suitable for development.
- 6 In order to retain effective planning control
- 7 For the avoidance of doubt and to specify the drawings upon which the decision was made.



For information only

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