

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>28 August 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/18/0616
Planning proposal:	Change of use of shop (Class 1) to class 10 (non residential institution).

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Trust Jack Foundation
Location:	36-38 New Street Stonehouse Larkhall ML9 3LT

## 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 Planning Committee has delegated powers to determine this application.

## 3 Other information

- ◆ Applicant's Agent: N/A
- ◆ Council Area/Ward: 05 Avondale And Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (Adopted 2015)**  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements  
Policy 15 Natural and historic environment  
Policy NHE7 - Conservation Areas  
**Development management, placemaking and design supplementary guidance (2015)**

**Proposed South Lanarkshire Local Development Plan 2**  
Policy 14 Natural and Historic Environment

Policy 3 General Urban Areas  
Policy 5 Development Management and  
Placemaking

◆ **Representation(s):**

▶	10	Objection Letters
▶	13	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located at No. 36-38 New Street, Stonehouse. It is situated within the designated Stonehouse Conservation Area and is just outwith the defined local neighbourhood centre. New Street is one of the main arterial roads in and out of Stonehouse.
- 1.2 The property is part of a terrace. The ground floor (No. 36-38) was previously used as a pet store, although it appears to have been vacant for a number of years. Above the site, there are flatted dwellings, while nearby there is a mixture of residential properties and commercial units.

### **2 Proposal(s)**

- 2.1 The applicant proposes to change the use of the property from retail (class 1) to a non residential institution (class 10).
- 2.2 The Trust Jack Foundation is a charitable organisation which aims to utilise the property as a centre which can provide a variety of services and support for people with mental health illnesses and their families. It will provide an art therapy group, a youth group for young people with mental health issues, coffee mornings, a knitting club, a book club and open a drop in service for the youth of Stonehouse. There will be provision within the building of services and groups for older members of the community, largely in the mornings.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In determining planning applications, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and associated Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.1.2 In terms of the SLLDP, the application site is designated as being within a residential area (Policy 6 - General Urban Area/Settlements). Within such areas, non residential development may be acceptable provided it does not have a significant adverse impact on the amenity and character of the area.
- 3.1.2 All development proposals are also affected by additional policies within the local plan. Policies 4 – Development Management and Placemaking seeks to ensure that any proposed development takes due cognisance of the local context and provides high quality design. Policy 15 - Natural and Historic Environment and Policy NHE7 - Conservation Areas are also applicable in this instance due to the location of the building.
- 3.1.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local

Development Plan 2 is now a material consideration. In this instance Policies 3 - General Urban Area/Settlements, 5 – Development Management and 14 - Natural and Historic Environment are relevant.

### 3.2 **Relevant Government Advice/Policy**

3.2.1 None are directly applicable given the scale and nature of the proposal.

### 3.3 **Planning Background**

3.3.1 There is no recent planning history relevant to this application.

## 4 **Consultation(s)**

### 4.1 **Roads and Transportation Services**

**Response:** Have offered no objections to the proposal nor have they suggested any conditions or informatives be added to the consent, if granted.

### 4.2 **Environmental Services**

**Response:** Have offered no objections to the proposal nor have they suggested any conditions or informatives be added to the consent, if granted.

### 4.3 **Stonehouse Community Council**

**Response:** Have offered a letter a support for the proposal.

## 5 **Representation(s)**

5.1 Statutory neighbour notification was undertaken in respect of the proposal following which thirteen letters of support, ten letters of objection and one of comment were received.

The grounds of objection can be summarised as follows;

(a) **Concerns relating to parking and traffic congestion; Our street is very busy and is packed to full capacity of cars. I am often unable to park near to my property.**

**Response:** Roads and Transportation Services were consulted as part of the assessment of the application. They have responded that they have no objections to the proposal. There is free and unregulated parking available just outside the unit. It is acknowledged that many of the residential properties do not have off street parking provision, however, the unit was previously utilised as a class 1 shop which would have also attracted a degree of customers who wished to park nearby. Indeed the unit could be utilised as a take away sandwich shop without the requirement for a change of use. It is more likely that a sandwich shop would generate more traffic and congestion around the unit than its intended use.

The applicant has also stated that they intend as far as is possible to arrange to bus people to the property if they live further away. The advantage of the site being situated quite centrally within Stonehouse is that it also gives people the opportunity to walk to the unit, and thereby reduce parking/traffic concerns.

(b) **Concerns relating to an increase in noise and disturbance if the proposal is approved.**

**Response:** Environmental Services were consulted as part of the assessment of the application. They have confirmed that they have no objections to the proposal, nor

have they asked for any conditions or informatives to be placed on the consent, if granted.

It must be acknowledged that the unit is located on a busy arterial road leading in and out of Stonehouse, which has a variety of commercial units located nearby. The legal use of the site is currently as a class 1 retail unit. Indeed the unit could be utilised as a variety of class 1 uses, without the requirement for planning permission. The regular activities of the centre which will include an art group, coffee morning, book club and drop in discussion service will not create any material degree of noise/disturbance. Certainly the opportunity for noise creation/disturbance will be no greater than a record shop or sandwich bar which could move into the unit without the requirement for planning permission.

- (c) **The lifestyle centre in Stonehouse has been constructed at huge expense. Surely this is where this type of proposal should be situated?**

**Response:** The applicant has chosen this site for their proposal and has submitted a planning application for the change of use. The Planning Service can only consider and assess the suitability of each application on its individual merit once it has been submitted.

- (d) **This would have a negative impact upon the value and saleability of nearby properties. All properties at present are fully residential in nature.**

**Response** Whether the proposal would have a negative potential impact on nearby property prices and their saleability is not a material planning consideration. That being said, the site is currently a vacant retail unit which has a relatively rundown external appearance. The property being fully utilised and renovated should improve the visual amenity of the site and not have any significant negative impact on nearby residential property prices or saleability.

It is also noted that there are other examples of non residential properties nearby (The Stonehouse Tyre and Exhaust Centre and dry cleaners).

- (e) **Will there be fully trained supervisory staff on site at all times? Mental health is a very serious matter and people go through years of training to be able to provide the support provided.**

**Response-** The assessment of whether there will be suitable staff, training and provision for such a venture is outwith the remit of the Planning Service. There are other suitably qualified regulatory bodies tasked to carry this out this type of assessment.

- (f) **Will there be security on site, with young people there can be trouble. Who will be on hand to stop this?**

**Response-** It is not within the remit of the Planning Service to ensure that the proposed development will have adequate security on site, if indeed this is required. That will fall within the remit of other regulatory bodies. If anti social behaviour does occur then Police Scotland should be contacted immediately.

- (g) **Who can confirm that after the youth centre opens that its opening hours will not be extended.**

**Response-** Environmental Services have not recommended any conditions be applied to the consent, if granted, with regards to restrictions on opening hours. That being said, in the future if there were any concerns with regards to noise then Environmental Services should be contacted immediately.

- 5.2 In addition to the ten letters of objection that were received, thirteen letters of support for the proposed development were also submitted. These letters of support can be summarised as follows;
- (a) **I firmly believe that the proposal from the Foundation will offer a real, tangible and vital support network for young people right in the heart of the community. Their support offered to the mental health wellbeing of young people has offered a critical lifeline for those that need it most and will help raise awareness.**  
**Response:-** Noted.
  - (b) **I do not think that traffic resulting from the development would be an issue, it would be no more than that generated from a shop (which the unit already is).**  
**Response:-** Noted.
  - (c) **I think this centre would offer young people somewhere to go instead of them having to hang around street corners.**  
**Response:-** Noted
  - (d) **It will encourage spending in the local community.**  
**Response:-** Noted
  - (e) **I do not believe that the service or the service users will cause any type of problems. People assume that mental health equals loud, but I can assure you that this is the opposite**  
**Response:-** Noted
  - (f) **The centre being centrally located on New Street means it is easily accessible by bus and by walking, this is handy as I am unable to drive.**  
**Response: -** Noted
  - (g) **I find it highly unlikely that this development will reduce house prices but if this endeavour saves even one life then it will be worthwhile, no one can put a price on life.**  
**Response: -** Noted

5.3 These 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 approval for a change of use from a shop (Class 1) to a non residential institution (Class 10). The determining issues in consideration of this application are its compliance with local plan policy and, in particular, its impact on the amenity of surrounding properties

6.2 The application site is positioned within an area which has been defined as general urban within the adopted SSLDP. That being said, there is a long established mix of different uses, in the surrounding area. A non residential institution of this type is, therefore, the type of use that could be expected within this area. Given that the pet store appears to have been vacant for some time, and that it is not within the defined local neighbourhood centre means that the loss of one retail unit should have no serious impact upon the retail offer available.

- 6.3 The applicant has confirmed that beyond potentially painting the existing external shutters of the property and in the future adding a sign there will no external changes to the unit proposed. Therefore, the proposal is acceptable in terms of Policy 4 and 15 in that the building remains in keeping with the locality and the conservation area.
- 6.4 Environmental Services and Roads and Transportation Services were consulted as part of the assessment of the application. They have both responded that they have no objections to the proposal.
- 6.5 In summary, it is considered that the application conforms with local plan policy. I would, therefore, raise no objection to the application and recommend that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposed change of use will have no material impact on residential amenity and will not detrimentally affect the character or appearance of the conservation area. It therefore complies with Policies 4, 9 and 15 and Policies NHE 7 of the South Lanarkshire Local Development Plan (adopted June 2015), associated Supplementary Guidance and the Proposed Local Development Plan 2 (policies 3, 5 and 14. There are no additional material considerations which would justify refusing planning permission.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

17 August 2018

### **Previous references**

- ◆ None

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Local Development Plan 2
- ▶ Neighbour notification letter dated 25. 05. 2018
- ▶ Press advert in the Hamilton Advertiser dated 07.06.2018
  
- ▶ Consultations
  - Roads Development Management Team
  - Environmental Services

Representations	Dated
Dr Lisa Cameron MP, 32 Waterside Street, Strathaven, ML10 6AW	03.07.2018
Mr & Mrs Orr, 29 New Street, Stonehouse, Larkhall, South Lanarkshire, ML9 3LT	08.06.2018
Rhona McGowan, 27 New Street, Stonehouse, Larkhall, South Lanarkshire, ML9 3LT	06.06.2018

Owner - Occupier, 60 New Street, Stonehouse, ML9 3LT	13.06.2018
J S Stovell, 44 New Street, Stonehouse, ML9 3LT	13.06.2018
Laura Currie, 35 New Street, Stonehouse, ML9 3LT	13.06.2018
Ian Ewing, 70 New Street, Stonehouse, ML9 3LT	13.06.2018
E Brown, 51 New Street, Stonehouse, ML9	13.06.2018
Owner - Occupier, 58 New Street, Stonehouse, ML9	13.06.2018
Owner - Occupier, 25 New Street, Stonehouse, ML9 3LT	13.06.2018
Christina McKelvie MSP, Constituency Office, Barncluith Business Centre, Townhead Street, Hamilton, ML3 7DP	15.06.2018
Mr Keith Gallacher, 8 Naismith Court, Stonehouse, Larkhall, ML9 3HE	18.06.2018 18.06.2018
Mr robert Freel, 75 Lockhart Street, Stonehouse, ML9 3LX	19.06.2018 19.06.2018
Stacey Loudon, Received Via E-mail	26.06.2018
Cllr Graeme Campbell, SLC, Council HQ, Almada Street, Hamilton, ML3 0AA	26.06.2018
Mr Robert Freel, 75 Lockhart Street, Stonehouse, Larkhall, ML9 3LX	29.05.2018 29.05.2018
Ross Chalmers,	15.06.2018
Louise Plenderleith,	15.06.2018
Janette McLaughlin, New Street, Stonehouse, ML9 3LT	07.06.2018
Lorna McEwan, Received Via E-mail	19.06.2018
Amanda Millar,	11.06.2018
Debbie,	08.06.2018
Mrs Mackie,	08.06.2018

### **Contact for further information**

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

Robert McIntosh, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453601

Email: [robert.mcintosh@southlanarkshire.gov.uk](mailto:robert.mcintosh@southlanarkshire.gov.uk)



Detailed planning application

Paper apart – Application number: P/18/0616

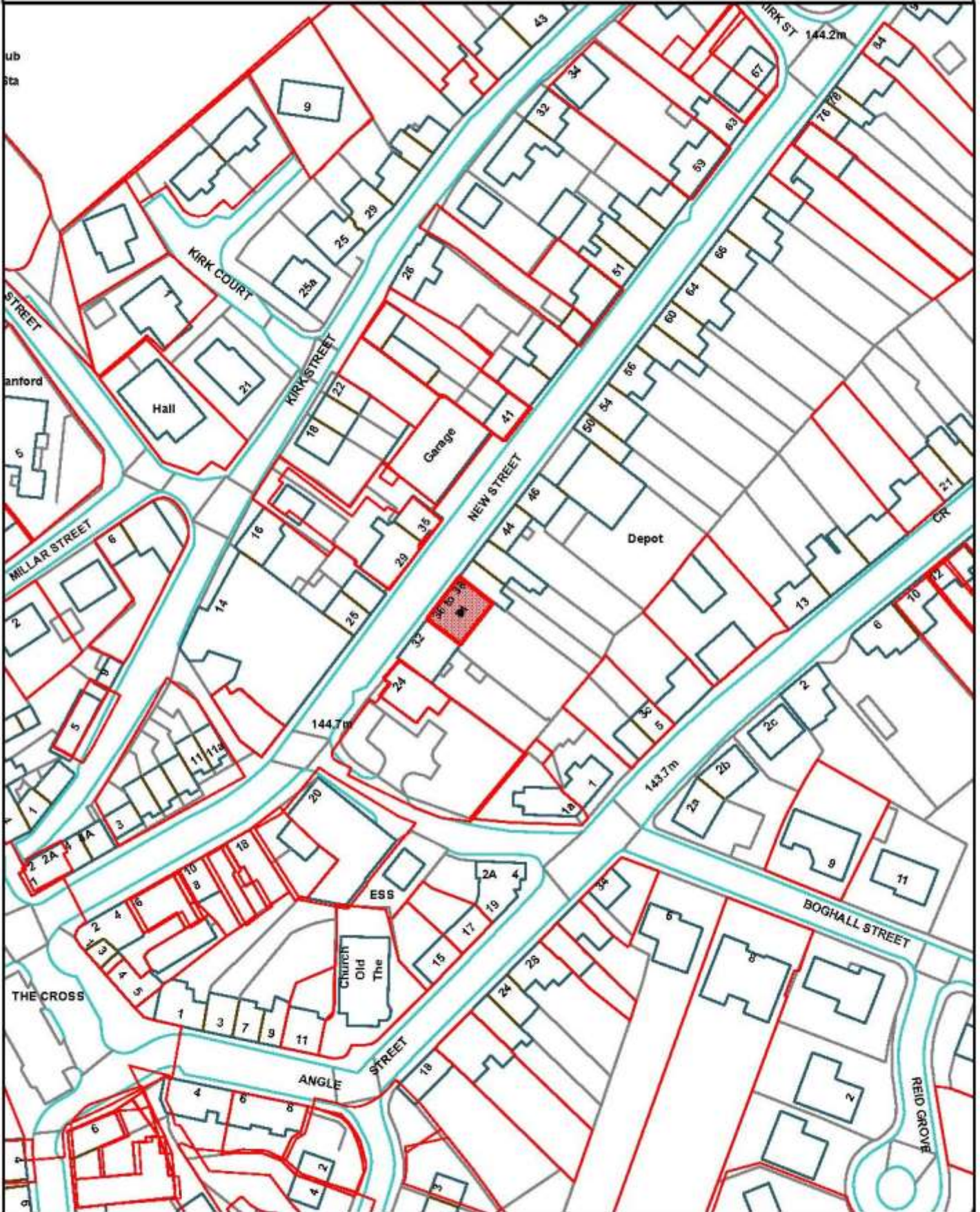
**Conditions and reasons**

01. That the opening hours of the premises hereby granted consent shall be limited to between 0800 and 2200hrs; 7 days a week, unless otherwise agreed by the Planning Service in writing.

Reason: To safeguard amenity and to minimise the risk of nuisance from noise to nearby occupants.

P/18/0616

36-38 New Street, Stonehouse, Larkhall



© Crown copyright and database rights 2018 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale:  
1:1,250  
Date:  
30/07/2018



South Lanarkshire Council  
Community and Enterprise Resources  
Planning and Economic Development