

STATEMENT OF OBSERVATIONS

Planning application P/18/1720 - Change of use of premises from industrial unit (Class 5 – General Industrial) to dance hall (Class 11 Assembly and Leisure) in retrospect at Unit 29, 211 Cambuslang Road, Cambuslang.

1 Planning Background

1.1 Retrospective planning permission was granted to Mary Dempster for a change of use of premises from industrial unit (Class 5 – General Industrial) to dance hall (Class 11 Assembly and Leisure) at Unit 29, 211 Cambuslang Road, Cambuslang on 21st June 2019.

1.2 Planning consent was issued subject to the applicant adhering to the following opening times:

The dance studio use hereby permitted shall not operate out with the hours of 15:30 - 21:30 weekdays and 09:00-13:00 on Saturday and Sunday.

2 Assessment against the development plan and other relevant policies

2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended requires that an application for planning permission is determined in accordance with the development plan unless material considerations indicate otherwise.

2.2 The development plan in this instance comprises the Adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and its associated Supplementary Guidance (SG). The site is identified as being within an established industrial area whereby Policy 7 – Employment of SLLDP is applicable. Policy 7 advises that the Council will support sustainable economic growth and regeneration by encouraging the development of business in South Lanarkshire. However it is acknowledged by the Council that some businesses have difficulty finding suitable premises and some estates have changed their character from core industrial and business to a wider range of uses. As such, Policy ICD2 - Other Employment Land Use Areas of SG5 is also applicable to this site as it is located within one of these types of estate. Policy ICD2 advises that in order to be considered acceptable a non-industrial/business use requires to meet the following criteria:

- The development is not for residential use
- The proposal is not for retail uses that could undermine the vitality and viability of existing town and village centres within South Lanarkshire
- The development will not prejudice the operation of adjoining businesses
- The site or premises can easily be accessed from main road routes and have satisfactory access by walking, cycling and public transport
- The development will not adversely affect public safety
- The infrastructure implications including the impact on the transport network of the development are acceptable or can be mitigated to an acceptable level
- The proposal includes appropriate parking provision for the type of development
- The development will not adversely affect the natural or built environment, including Natura 2000 sites and protected species.

2.3 In addition to the above policies, Policy 4 – Development Management and Placemaking of SLLDP is also relevant. It states that all planning applications will require 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 addition the policy states that the proposal should provide suitable access and

parking. It should have no adverse implications for public safety and make appropriate infrastructure provision to serve the development.

2.4 On 29th 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 SLLDP. In this instance Policies 5, 8 and ICD3 in the proposed Local Development Plan 2 are relevant to the development. It is noted that these policies are broadly consistent to those within the current SLLDP. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration.

2.5 Roads and Transportation Services were consulted on the planning application and were satisfied that as the dance hall would operate out with the working hours of other businesses within the industrial estate the proposal would be unlikely to be detrimental to public safety as the opportunity for conflict between participants for dancing and the customers of these other businesses would be reduced and there would be sufficient parking when the dance hall was open. On this basis in assessment of the proposal in relation to the above policies and guidance it was considered that the proposals would not prejudice the operation of the rest of the estate and that it would not be detrimental to public safety. Planning consent was therefore granted subject to the above planning condition (Paragraph 1.2) to ensure the proposal's impact was effectively controlled on this basis.

3 Observations of applicants 'Notice of review'

3.1 The applicant has submitted a notice of review to amend the planning condition to the following opening times:

Weekdays 10am-9.30pm

Weekends 10am-8.00pm

3.2 It is considered that the amended hours of operation are unacceptable as they are likely to conflict with the hours of operation of a number of the existing businesses within the industrial estate and result in insufficient parking to service the industrial estate to the detriment of public safety. It is noted there are no marked parking bays and no pedestrian footpaths. In particular, it is considered that the proposed extended hours of operation for weekdays would significantly prejudice the operation of adjacent businesses. Therefore should the facility operate on the basis of these new hours of opening it would no longer be in accordance with the development plan as it would be contrary to Policies 4 and 7 of the adopted South Lanarkshire Local Development Plan and Policy ICD2 of Supplementary Guidance 5: Industrial and Commercial Development and Policies 5, 8 and ICD3 of the proposed South Lanarkshire Local Development Plan 2 as it would be detrimental to public safety.

4 Conclusion

4.1 For the reasons detailed above it is not considered that the proposed amended hours of operation are acceptable. It is therefore respectfully requested that the Review Body refuse permission to amend the planning condition to the proposed hours of operation.