

Report

Report to:	Planning Committee
Date of Meeting:	29 March 2022
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/1177
Planning proposal:	Formation of a car storage depot (Class 6) for the storage, distribution and processing of vehicles, erection of ancillary buildings, car parking, access and associated infrastructure

1 Summary application information

- ◆ Application type: Detailed planning application
- ◆
- ◆ Applicant: Copart UK
- ◆ Location: Land 220M SSE of 12 Stroud Road
Stroud Road
East Kilbride
South Lanarkshire

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: Adam Henry
- ◆ Council Area/Ward: 06 East Kilbride South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2**
Policy 2 Climate change
Policy 5 Development Management and Placemaking
Policy 8 Employment
Policy 15 Travel and Transport
Policy DM1 New Development Design
Policy SDCC1 Vacant, Derelict and Contaminated Land

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

SEPA Flooding

Scottish Water

SP Energy Networks

Roads Flood Risk Management

Planning Application Report

1 Application Site

- 1.1 The application site relates to vacant industrial land which was the site of the former Freescale Semiconductor Works and former Jeyes Chemical Factory on Stroud Road in East Kilbride. The site is bounded by Stroud Road, Singer Road and Colvilles Road and by existing industrial and business premises on Stroud Road and Glenfield Road. There is an establish woodland to the south of the site on the opposite side of Colvilles Road. The site is generally level and has been cleared of all buildings and most structures, except for a small electricity substation and associated apparatus and carpark hard standing. There are some areas of demolition material remaining on site which have been distributed to level areas. Much of the surface of the site is either existing tarmac in previous parking areas or levelled rubble surface. The site has a limited coverage of regenerated vegetation and there are linear areas of more mature trees and hedgerow shrub planting along the boundary of the site. There are a number of existing access points into the site from Stroud Road, Colvilles Road and Singer Road. The site measures approximately 12.6 hectares. The site is located in the Kelvin Industrial Estate which is a designated Core Industrial and Business Area in the Adopted South Lanarkshire Local Development Plan 2.

2 Proposal(s)

- 2.1 The applicant's, Copart UK Limited, propose to form a car storage depot (Class 6) for the storage, distribution and processing of vehicles, erection of ancillary buildings, car parking, access and associated infrastructure. The proposal includes open storage areas for up to 5,000 vehicles, a modular office building, processing building, vehicle receiving area and photographic bays, motorcycle storage, wash bays, a depollution building and area, security fencing, floodlighting and pole mounted CCTV and infrared cameras. The lighting is proposed to be switched off during the night with a small area operating on motion sensor lighting for any night-time operations, mainly a small number of car deliveries by agents like the RAC. The main operating hours will be between 07:30 and 18:00, with car deliveries and exports between 08:30 and 17:30 Monday to Friday and a very small number outside these hours and during the weekend. The processed vehicles are sold as whole vehicles and all vehicles are sold only in online auctions and only to trade members and the premises are not open to the general public for retail sales.
- 2.2 One main vehicular access point is proposed from Colvilles Road at the location of the existing site access. This access will be used by large vehicle transporters and other smaller vehicles both dropping off and collecting cars and motorcycles and as the access to customer and staff parking. The modular portacabin office building measures approximately 20.0m x 25.0m and is 3.3m in height and will provide a reception area, offices and staff welfare facilities. The processing building measures approximately 21.0m x 16m and is 6.8m in height and of a steel frame construction with metal cladding. The wash bay building measures 21.0m x 15.0m and is 7.0m in height, of a steel frame construction with metal cladding and has four large vehicle roller shutter doors. This building will provide four vehicle wash and preparation bays. The main open vehicle storage areas will be finished in a permeable open surface to reduce surface water run-off. The site will be enclosed by a 2.4m palisade metal security fence and a mechanical sliding vehicular gate is proposed at the main entrance.
- 2.3 The facility will create approximately 60 jobs, around 30 will be office and yard staff and the remainder specialist and transportation, HGV drivers. The applicant has submitted a number of documents in support of the application, these include a Planning Statement, Transport Statement, Noise Impact Assessment, Environmental

Management Plan, Flood Risk and Drainage Statement and a Site Investigation Report.

3 Background

3.1 Local Plan Status

- 3.1.1 The site is located within the Kelvin Industrial Estate Core Industrial and Business Area and is subject to the following policies in the adopted South Lanarkshire Local Development Plan 2:

Policy 2 Climate change

Policy 5 Development Management and Placemaking

Policy 8 Employment

Policy 15 Travel and Transport

Policy DM1 New Development Design

Policy SDCC1 Vacant, Derelict and Contaminated Land

The content of the above policies and documents and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 Planning Background

- 3.2.1 The site has been vacant for a number of years with the closure of the large Freescale Semiconductor Plant and the Jeyes Chemical Factory around 2009. Prior to this there were a number of planning consents on the site the most recent being in 2006 (EK/06/0281) for the addition of external fire escapes, in 2001 (EK/01/0439 & EK/01/0426) for the installation of liquid hydrogen storage tanks, vaporisers, fencing and associated works by Motorola Limited the owners of the site at that time. Most recently the current applicants submitted a Proposal of Application Notice (P/21/0003/PAN) in respect of the current proposal which was approved in April 2021.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management)** – no objections subject to conditions being attached in respect of parking, closure of redundant accesses and a Construction Traffic Management Plan.

Response: Noted. Relevant conditions can be attached to any consent.

- 4.2 **Environmental Services** – no objections subject to conditions being attached in respect of contamination.

Response: Noted. Relevant conditions can be attached to any consent.

- 4.3 **Scottish Water** – no objections to the proposed development.

Response: Noted.

- 4.4 **SEPA Flooding** – No response to date. Council Flooding Section have assessed the proposed development and have no objections subject to conditions being attached in respect of SUDs and Drainage Design details.

Response: Noted. Relevant conditions can be attached to any consent.

- 4.5 **SP Energy Networks** – No response to date.

- 4.6 **Roads Flood Risk Management** – no objections subject to conditions being attached in respect of SUDs and Drainage Design details.

Response: Noted. Relevant conditions can be attached to any consent.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken, and the proposal was advertised in respect of the non-notification of neighbours and scale and nature of the development. Following this, 1 letter of comment was received. The issues raised in this representation can be summarised as follows:-

a) Comment that the flora, fauna and species requires to be protected throughout the development process.

Response: Given the location and condition of the site and the nature of the proposed development, it is considered unlikely that there would be any such impacts in this case. The site has been cleared of all buildings and most structures, except for a small electricity substation and associated apparatus and carpark hard standing. There are large mounds of demolition material remaining on site and limited coverage of regenerated vegetation.

5.2 These letters are available for inspection on the planning portal.

6 Assessment and Conclusions

6.1 The application is for the formation of a car storage depot (Class 6) for the storage, distribution and processing of vehicles, erection of ancillary buildings, car parking, access and associated infrastructure. The determining issues in consideration of this application are its compliance with local development plan policy and the proposal's impact on the amenity of adjacent properties and on the local road network.

6.2 In terms of the adopted South Lanarkshire Local Development Plan 2, Policy 2 Climate Change aims to ensure that new developments minimise and mitigate against climate change and the generation of greenhouse gases. The car storage depot will provide a centralised facility for the recycling of pre-owned vehicles, salvage title vehicles including ex rental vehicles and ex fleet vehicles, allowing them to be brought back into use rather than becoming waste. The proposal will provide a modern centralised facility and bring a vacant and derelict industrial site back into use. The site is not on peatland or carbon rich soil or in a flood risk area. It is therefore considered that the proposal is consistent with Policy 2 of the adopted local development plan.

6.3 Policy 5 - Development Management and Policy DM1 New Development Design of the Local Development Plan state that all planning applications should take fully into account the local context and built form in terms of layout, scale, massing, design and external materials. Furthermore, any proposal should ensure suitable parking and access. Developments should be of a high quality design, incorporate energy efficient designs and alternative energy sources. The proposal is of a suitable nature and scale in this location in an established industrial estate. The proposal will provide a modern centralised facility which has been designed to a high standard and provides sufficient parking and suitable access. Roads and Transportation Services both Roads Development Management and Roads Flooding, and Environmental Services offered no objections to the proposal subject to a number of conditions being attached to any planning consent. All requested conditions have been attached to the consent. I am satisfied that the development complies with all the relevant criteria is therefore considered to be consistent with Policy 5 - Development Management and Policy DM1 New Development Design.

6.4 Policy 8 Employment of the Local Development Plan details the Councils support for sustainable growth and regeneration of business through the identification of employment land. Kelvin Industrial Estate is identified as a Core Industrial and Business Area where the established industrial / business uses (Class 4/5/6) are to be retained. The proposed use as Class 6 Storage is suitable in an established industrial

area such as this and is considered to represent sustainable regeneration. It will bring a vacant and derelict industrial site back into use and provide employment in the East Kilbride area. The proposed development is therefore considered acceptable and to be in compliance with Policy 8 of the adopted local development plan.

- 6.5 Policy 15 Travel and Transport aims to ensure that new developments promote opportunities for sustainable travel and do not have an unacceptable adverse impact in terms of traffic generation. The development is located where there is access to public transport, with bus routes along Stroud Road and the wider area. The applicant is providing a footpath link to Stroud Road from the main site offices to encourage staff to use public transport. There are also good footpath links along roads in the area providing access to the wider public transport and to local cycle routes. The applicant submitted a Transport Statement in support of the application and Roads and Transportation Services had no objection to the proposal subject to a number of conditions being attached to any planning consent. The proposed development is therefore considered acceptable and to be in compliance with Policy 15 of the adopted Local Development Plan.
- 6.6 Policy SDCC1 Vacant, Derelict and Contaminated Land seeks to ensure the remediation and redevelopment of vacant and derelict land and buildings which is a priority for the Council and is a key theme in the overall strategy in the Council Plan. The proposal will bring a vacant and derelict industrial site back into use and improve the environment of the site. The applicant has submitted a detailed Site Investigation Report in support of the application which set out a number of mitigation measures for the site. Following assessment of the proposal and the Site Investigation Report, and after seeking further clarification on a number of issues Environmental Services raised no objection to the proposal subject to conditions in relation to contamination being attached to any consent. The proposed development is therefore considered acceptable and to be in compliance with Policy SDCC1 of the adopted Local Development Plan.
- 6.7 Given the above, it is considered that the proposal will have no significant adverse impact upon amenity, will bring a vacant and derelict industrial site back into use, improve the environment of the site, provide additional employment opportunities and that it complies with policies 2, 5, 8, 15, DM1 and SDCC1 of the adopted South Lanarkshire Local Development Plan 2. It is, therefore, recommended that the application be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no detrimental impact on amenity, will bring a vacant and derelict industrial site back into use, improve the environment of the site, provide additional employment opportunities and complies with policies 2, 5, 8, 15, DM1 and SDCC1 of the adopted South Lanarkshire Local Development Plan 2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 17 March 2022

Previous references

- ◆ Planning Consent EK/01/0426
- ◆ Planning Consent EK/01/0439
- ◆ Planning Consent EK/06/0281
- ◆ Proposal of Application Notice P/21/0003/PAN

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 7 July 2021

- ▶ Consultations
 - Roads Development Management Team 22.09.2021
&
29.10.2021
 - Environmental Services 11.10.2021
&
25.02.2021
 - Scottish Water 13.08.2021
 - Roads Flood Risk Management 11.10.2021

- ▶ Representations Dated:
 - Mr J Allan, 94 Franklin Place, East Kilbride, G75 8LS 23.07.2021

Contact for further information

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

Morag Neill, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455053

Email: morag.neill@southlanarkshire.gov.uk

Conditions and reasons

01. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:
- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
 - (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
 - (c) details of any top-soiling or other treatment to the ground;
 - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
 - (e) proposals for the initial and future maintenance of the landscaped areas;
 - (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: To ensure the appropriate provision of landscaping within the site.

02. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

03. That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. That before the development hereby approved is brought into use, details of the storage and collection of waste arising from the development shall be submitted to and approved by the Council as Planning Authority. The storage and waste collection scheme shall be implemented before the development is brought into use and shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason: To minimise nuisance, littering and pest problems to nearby occupants.

05. Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

06. That the premises and land shall be used for wholesale trading between wholesalers and bona fide retailers only and not for retail purposes, to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

07. Before the floodlighting hereby approved is brought into operation, the lamps shall be cowled to prevent spillage of light onto the adjacent public roads to the entire satisfaction of the Council as Planning Authority:

Reason: To minimise the risk of nuisance from light pollution to nearby occupants.

08. That the light fitting(s) hereby approved shall be installed so that the light beams are directed down and into the site to prevent any glare onto the adjacent roads and shall be maintained in such a position through the working life of the installation.

Reason: In the interests of traffic safety and visual amenity.

09. The developer shall ensure that (prior to the development becoming occupied) the neighbourhood noise levels from the industrial storage development shall comply with the following-

Part 1

Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the industrial storage development (L_{Ar},1hr) shall not exceed the background noise level (L_{A90},30 min) by more than 4dB within the curtilage of any residential property. This shall be measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at the proposed development. Between the hours of 20:00 and 08:00 the noise rating level emitted from the industrial storage development (L_{Ar},15 min) shall not exceed the background noise level (L_{A90},30min) by more than 4dB. This shall be measured in accordance with BS4142:2014 at the proposed development.

Part 2

The internal noise levels resultant from the industrial storage development shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-

- a) The internal levels with windows open do not exceed an L_{Aeq},16hr of 40dB daytime (07:00 - 23:00)
- b) The internal levels with windows open do not exceed an L_{Aeq},8hr of 30dB night-time (23:00 - 07:00).
- c) The internal levels with windows do not exceed an L_{Amax} of 45dB night-time (23:00 - 07:00).
- d) The external levels shall not exceed an L_{Aeq},16hr of 50dB daytime in any garden amenity areas, when measured free-field

Part 3

The Internal Noise Rating Values resultant from the industrial storage development within any residential property and resultant from the development shall not exceed-

- ◆ NR25 between 23.00hrs and 08.00hrs
- ◆ NR35 between 08.00hrs and 23.00hrs

10. That before the development is completed or brought into use, all of the parking spaces shown in Drawing Proposed Site Layout Rev C on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

11. That before the development hereby approved is completed or brought into use the existing redundant accesses, as shown on Drawing Proposed Site Layout Rev C, shall be reinstated to footway and verge along the frontage of the site to the specification of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

12. That before any works starts a Construction Traffic Management Plan (TMP) for the construction phase with information such as, but not limited to, details of access and parking provision for staff and visitors, intended working hours, how deliveries of materials will be managed and stored and what wheel washing facilities will be provided to prevent mud being carried on to the adopted road, shall be submitted to and approved by the Council as Planning Authority. The TMP shall include a Travel Plan element to encourage less reliance on individual private car trips to the site for those personnel involved in construction activities on a routine basis and those attending through the course of site inspections and site meetings. The TMP shall be produced in consultation with the Council's Roads & Transportation Service.

Reason: In the interests of traffic and public safety.

13. The recommendations contained within the approved Construction Traffic Management Plan shall be implemented and adhered to at all times. The developer shall notify the Council in writing, as soon as reasonably practical, of any changes in construction activities where these will have an impact on the approved TMP. The developer will consult with the Council, as Roads Authority to agree in writing any changes to the TMP, and thereafter adhere to and implement the agreed changes to the satisfaction of the Council as Planning Authority.

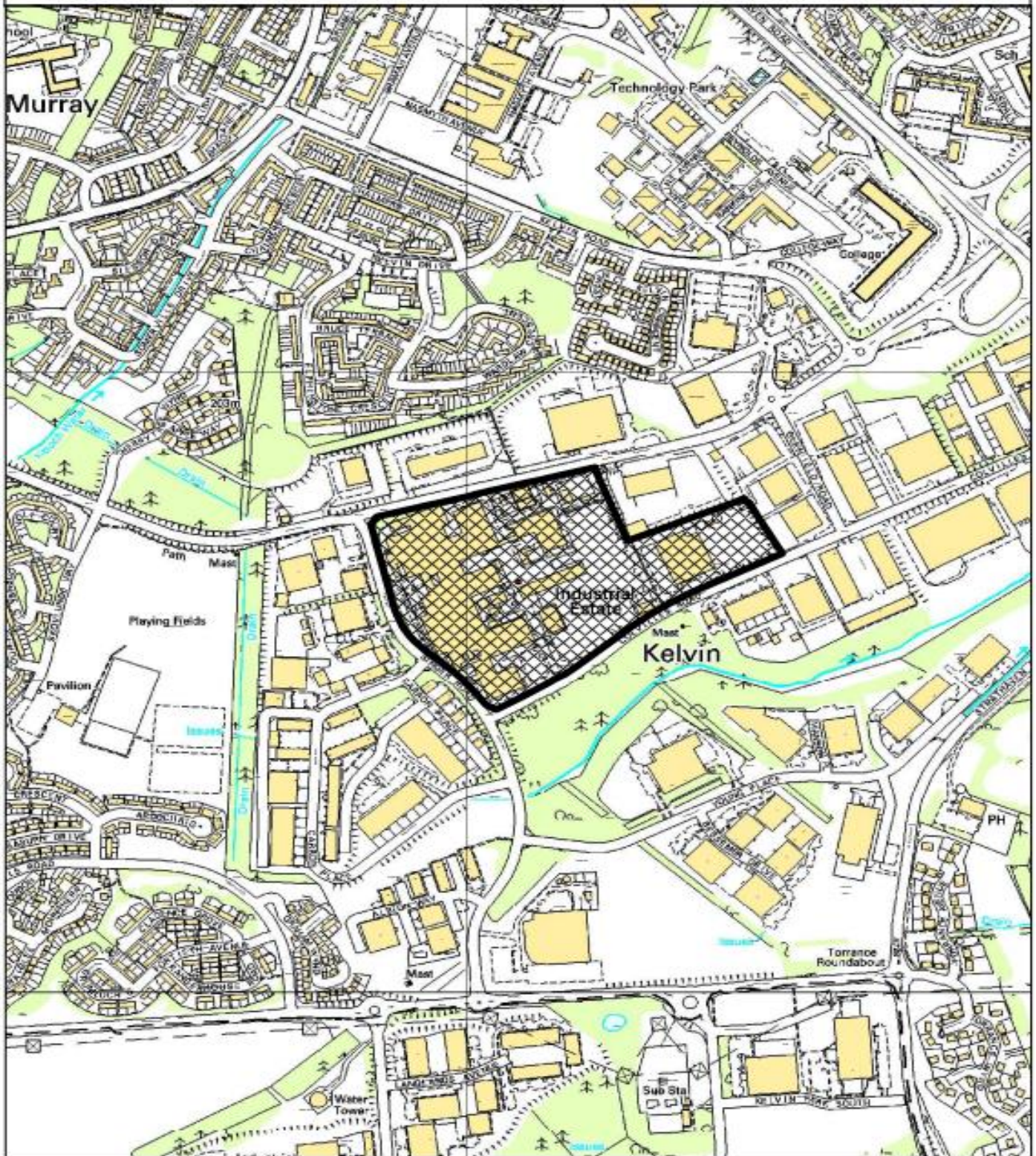
Reason: In the interests of traffic and public safety.

14. That the applicant should be required to undertake an updated fully comprehensive site investigation, carried out to the appropriate Phase level, to be submitted to and approved in writing by, the Council as Planning Authority. The investigation shall be completed in accordance with advice given in the following:
- ◆ Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995)
 - ◆ Contaminated Land Report 11 – 'Model Procedures for the Management of Land Contamination (CLR 11) – issued by DEFRA and the Environment Agency
 - ◆ BS 10175:2011 – British Standards institution 'The Investigation of Potentially Contaminated Sites – Code of Practice'.

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.

If the risk assessment identifies any unacceptable risks, 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.

Reason: To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.



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Scale:
1:8,000
Date:
04/03/2022



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development