

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>5 October 2021</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/21/0849
Planning proposal:	Change of Use of Former Horticultural Site to an Eco Storage Facility and the Erection of Building, Storage of Materials, Parking and Alterations to Access (Retrospective)

## 1 Summary application information

- Application type: Detailed planning application
- Applicant: Pro-Cast Group
- Location: Hapenton Nursery  
290 Strathaven Road  
Limekilnburn  
Hamilton  
ML3 7XW

## 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: Framed Estates
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**  
Policy 1 – Spatial Strategy  
Policy 2 – Climate Change  
Policy 4 – Green Belt and Rural Area  
Policy 5 – Development Management and Place Making  
Policy 8 – Employment  
Policy SDCC3 – Sustainable Drainage Systems  
Policy GBRA1 – Rural Design and Development

Policy GBRA2 – Business Proposals within the  
Green Belt and Rural Area  
Policy DM15 – Water Supply  
Policy DM16 – Foul Drainage/Sewerage Provision

◆ **Representation(s):**

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

◆ **Consultation(s):**

- Roads Development Management Team
- Environmental Services
- Scottish Water
- Countryside and Greenspace
- West of Scotland Archaeology Service

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site comprises a rectangular area of ground (0.7 hectares in area) located on the western side Strathaven Road, to the south of Hamilton and close to the settlement of Limekilnburn. Given its location, the surrounding area is predominately agricultural in character.
- 1.2 The site was previously used in connection with a horticultural operation, including an office building and has direct access on to Strathaven Road. The site is well screened with a landscaped bund and tree planting around part of its perimeter.

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

- 2.1 The applicants seek retrospective planning permission for the “Change of use of former horticultural site to an Eco storage facility and the erection of building, storage of materials, parking and alterations to access”. It is noted that work has commenced on the erection of the warehouse buildings.
- 2.2 The proposals would entail the re-use of the existing packing building on site as office accommodation, the erection of a new storage building (biomass fuels, bagged products and equipment), creation of car parking (12 spaces which would include 2 disabled and 2 AV charging point bays) and landscaping.
- 2.3 A Planning Statement has been submitted in support of the application proposals. It notes that the site would be used as a Renewables and Eco facility operated by the Procast Energy Services which are part of the Procast Group. Furthermore it provides the following information:
  - The company is an established business in South Lanarkshire, based in Strathaven, with 70 staff members based there.
  - A new specialist division of the business would be based at this location on Strathaven Road.
  - Their primary aim is retaining their operations within a close geographical area, to support local employment.
  - 23 new jobs would be created, accommodated between existing premises in Strathaven and this site.
  - It details the site selection process that was undertaken and highlights that the applicants, to support their growth and their commitment to the local area and existing staff, sought a suitable location that was in close proximity to their Strathaven Office. The report highlights that sites both within South Lanarkshire and the wider Glasgow area were considered.
  - Confirms that there will be no retail activity within the site.

### **3 Background**

#### **3.1 National Policy**

- 3.1.1 Scottish Planning Policy advises that the planning system is about where development should happen, where it should not and how it would interact with its surroundings. Proposals should, inter alia, take a positive approach to sustainable and high-quality development and make efficient use of land to deliver long-term benefits for the public whilst protecting and enhancing natural and cultural resources and the wider environment. The planning system should, in all rural areas, promote a pattern of development that is appropriate to the character of that particular area, encourage

rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

### **3.2 Local Plan Status**

- 3.2.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GCVSDP) and the adopted South Lanarkshire Local Development Plan 2 (SLLDP2) 2021.
- 3.2.2 The proposed development is not a strategic matter as defined in Schedule 14 of the strategic development plan and therefore no policies in the GCVSDP apply to the proposals.
- 3.2.3 SLLDP2 was formally adopted on 9 April 2021. In terms of the SLLDP2, the site lies within an area designated as Green Belt (Policy 4 Green Belt and Rural Area applies). In addition to this land use designation, Policy 1 – Spatial Strategy, Policy 2 – Climate Change, Policy 5 – Development Management and Place Making, Policy 8 – Employment, Policy SDCC3 – Sustainable Drainage Systems, Policy GBRA1 – Rural Design and Development, Policy GBRA2 – Business Proposals with the Green Belt and Rural Area, Policy DM15 – Water Supply and Policy DM16 – Foul Drainage/Sewerage Provision are of relevance to the determination of this application.

### **3.3 Planning Background**

- 3.3.1 In terms of relevant planning history, it is noted that planning permission was granted in April 2012 for the establishment of the horticultural business at this location (Application no.: HM/12/0155). Following this consent, the site was the subject of an enforcement investigation (ENF/HM/15/0030) in relation to the conversion of a packing shed to a dwellinghouse without approval and the use of the site for purposes not connected to the horticultural business. As a result of this investigation, it became apparent that the site was no longer being used as a horticultural business. A subsequent application for the erection of a residential chalet was refused on appeal (HM/16/0218).
- 3.3.2 It is also noted that the application site was the subject of an application in 2010 for the erection of a building to provide storage/workshop accommodation associated with the applicant's glazing company; t/a Specialised Glazing Services (Planning in Principle HM/10/0372). This application was refused permission as it was considered contrary to the provisions of the adopted South Lanarkshire Local Plan and there was no justification for a departure from the development plan.

## **4 Consultation(s)**

- 4.1 **Roads and Transportation Services** - have offered no objections to the proposal.  
**Response:** Noted.
- 4.2 **Environmental Services** - have offered no objections, subject to conditions relative to noise control.  
**Response:** Appropriately worded conditions can be attached to any consent given.
- 4.3 **Scottish Water** - have offered no objections to the proposal. However, they note that no public Scottish Water, Waste Water infrastructure exists within the vicinity of the site and advise that the applicant should investigate private treatment options.

**Response:** The applicants are aware that no public sewer exists at this location. Appropriately worded conditions can be attached to any consent to require submission of the relevant details.

- 4.4 **Countryside and Greenspace** - have offered no response to date.

**Response:** Noted

- 4.5 **West of Scotland Archaeology Service** - have offered no response to date.

**Response:** Noted

## **5 Representation(s)**

- 5.1 The application was advertised in the local newspaper due to the non-notification of neighbours and as a development contrary to the development plan. No letters of representation were received in response to these procedures.

## **6 Assessment and Conclusions**

- 6.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GCVSDP) and the adopted South Lanarkshire Local Development Plan 2 2021 (SLLDP2). As previously stated, the proposed development is not a strategic matter as defined in Schedule 14 of the strategic development plan and therefore no policies in GCVSDP apply to the proposals.
- 6.2 The determining issues therefore in the consideration of this application are its compliance with the policies of the adopted South Lanarkshire Local Development Plan 2 and its impact on amenity and road safety.
- 6.3 Policy 1 'Spatial Strategy' of the SLLDP2 states that the Plan will encourage sustainable economic growth and regeneration, move towards a low carbon economy, protect and enhance the built and natural environment and mitigate against the impact of climate change. Policy 2 'Climate Change' requires that new development proposals should, among other criterion, "involve the reuse of vacant and derelict land", "utilise renewable energy sources", "include opportunities for the creation and enhancement of green infrastructure", "provide electric vehicle recharging infrastructure" and "minimise waste through the provision of appropriate recycling, storage and collection points.
- 6.4 In this regard it is noted that the proposed development would be occupied by the Procast Energy Services arm of the Procast Group for use as a "Renewables and Eco" business. Procast Energy Services specialise in the design and installation of solar photovoltaic systems, including associated battery storage and renewable heating systems (air-source and ground source heat pumps and biomass systems). The proposed development would provide staff and facilities which will assist in the delivery of this service. In addition, the proposal includes the upgrade of the existing building on site to Passivhaus standards (incorporating solar photo-voltaic panels), provide 2 AV charging points, a recycling facility and provide additional planting/landscaping within the site. The proposals are therefore considered to be in support of the broad aims of Policies 1 and 2 in terms of the mitigation of the impacts on climate change.

- 6.5 The application site lies within an area designated as Green Belt (Policy 4 applies). Such areas “function primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map”. Policy GBRA2 ‘Business Proposals within the Green Belt and Rural Area’ states that new businesses seeking to locate within the Green Belt may be acceptable where it involves the redevelopment of previously developed land. However, this would only be applicable if the business were considered an appropriate use in the Green Belt. In this instance it is considered that the proposed use would not normally be an operation which would be considered an appropriate use at this location, given that it is not primarily for agriculture, forestry, recreation or other uses appropriate to the countryside. As such it must be considered contrary to the requirements of Policies 4 and GBRA2. In terms of the development’s location within the Green Belt, it is noted that the applicant’s supporting Planning Statement highlights that a number of alternative local sites (Larkhall, Stonehouse, Strathaven and Hamilton) were considered but that they were unable to secure these sites. In addition, sites within Glasgow at Anniesland Business Park and Hillington Park were also considered which would have required the relocation of the existing business. However, these were discounted due to concerns over staff retention, loss of employment opportunities within the South Lanarkshire area, loss of partnership with South Lanarkshire College, loss of the established business base in Strathaven and the potential impact on their ability to provide a base and operation which was carbon negative.
- 6.6 The design and external appearance to both the existing office building and warehouse (which is similar in appearance to that of an agricultural shed) are considered acceptable at this location. In addition, the application site is well screened on all sides, with additional planting proposed as part of the proposed works and sits comfortably within the surrounding landscape. Given the remoteness of the site there will be no issues in terms of any overlooking or privacy. It is therefore considered that the proposals do not conflict with the requirements of Policy 5 – Development Management and Place Making and Policy GBRA1 – Rural Design and Development.
- 6.7 Policies SDCC3 ‘Sustainable Drainage Systems’, DM15 ‘Water Supply’ and DM16 ‘Foul Drainage/Sewerage Provision’ provide policy guidance in relation to surface water treatment, water supply and waste water respectively. It is noted that the applicants propose the introduction of an underground rainwater harvesting tank within the site. Scottish Water have confirmed that there is adequate connection to the water supply for the proposals but in relation to waste water there are no connections within the locale for the development to utilise. Therefore, Scottish Water assume that a private treatment facility would be utilised. It is considered that, in principle, waste water can be managed subject to the applicant providing further details of an acceptable waste water treatment, which can be addressed through the use of an appropriately worded condition, the proposals comply with the relevant policies of the development plan in this instance.
- 6.8 Policy 8 ‘Employment’ confirms that the Council will support economic growth and regeneration by encouraging the development of business in South Lanarkshire through the identification of employment land use areas, such as Strategic Economic Investment Locations, Development Framework Sites, Core Industrial and Business Areas and Other Employment Areas. Proposals for industrial, business and office development outwith these locations must be assessed against the relevant policy applicable to the area within which they are to be located. Whilst the applicants have

highlighted the proposal will result in additional employment and support an established business within South Lanarkshire and have provided details of their site selection process, the proposed operation is one which would normally be expected to be located within either a Core Industrial and Business Area or Other Employment Areas. As such the proposals must also be considered contrary to Policy 8.

- 6.9 It is noted that no objections have been received either in respect of third party representations nor in response to the consultations undertaken.
- 6.10 In summary, it has been concluded that the proposals, subject to conditions, accord with the policies on development management matters, in terms of design and impact on amenity, in the development plan. It is considered in this instance that the proposed use of the site does not accord with the development plan in terms of Policy 4, Policy GBRA2 and Policy 8. Notwithstanding this fact, it is considered, after taking into account the employment benefits resultant from the creation of 23 new jobs, retention and expansion of an established renewable energy business located within South Lanarkshire which has continued through a very difficult economic climate, the reuse of a vacant brownfield site and enhanced boundary planting, that the proposal can be viewed as supporting the Council's aims for sustainable economic growth and regeneration. It will also contribute to tackling the impact of climate change and a move towards a low carbon economy. On balance, these material considerations are of sufficient weight in this instance, to exceptionally justify a departure from the development plan.
- 6.11 It is therefore recommended that a departure from the development plan is acceptable for the reasons set out below and that planning permission be granted subject to condition.
- ◆ That the provision of additional job opportunities within the area will assist the Council in supporting economic growth and regeneration by encouraging the development of business in South Lanarkshire.
  - ◆ That the expansion of the existing business operation will assist the Council in its aims to minimise and mitigate against the effects of climate change and support renewable energy development.
  - ◆ That the reuse of the vacant site will assist in the protection and enhancement of the natural environment
  - ◆ There are no infrastructure implications associated with the development and there would not be an adverse impact on the built and natural environment.

## **7 Reasons for Decision**

- 7.1 For the reasons set out in 6.11 above.

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

Date: 24 September 2021

**Previous references**

- ◆ HM/10/0372
- ◆ HM/12/0155
- ◆ HM/16/0218
- ◆ ENF/HM/15/0030

**List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)



- ▶ Consultations
  - Roads Development Management Team 13.07.2021
  - Environmental Services 03.09.2021
  - Scottish Water 17.06.2021
  
- ▶ Representations
  - None

**Contact for further information**

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

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ML3 6LB  
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Email: [james.watters@southlanarkshire.gov.uk](mailto:james.watters@southlanarkshire.gov.uk)

### **Conditions and reasons**

01. That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees and other landscape features within the site.

02. Prior to completion or occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Council as Planning Authority. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

03. That the open space relating to the development shall be laid out simultaneously with the development or each phase thereof and shall be completed to the satisfaction of the Council as Planning Authority.

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

04. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

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

05. That before the development is completed or brought into use, all of the parking spaces shown 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.

06. That no further 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 shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been

completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: 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.

07. Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the premises ( $L_{Ar,1hr}$ ) shall not exceed the pre-existing background noise level ( $L_{A90,30min}$ ) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at buildings where people are likely to be affected. Between the hours of 20:00 and 08:00 the noise rating level emitted from the premises ( $L_{Ar,15min}$ ) shall not exceed the pre-existing background noise level ( $L_{A90,30min}$ ) by more than 4dB when measured in accordance with BS4142:2014 at buildings where people are likely to be affected.

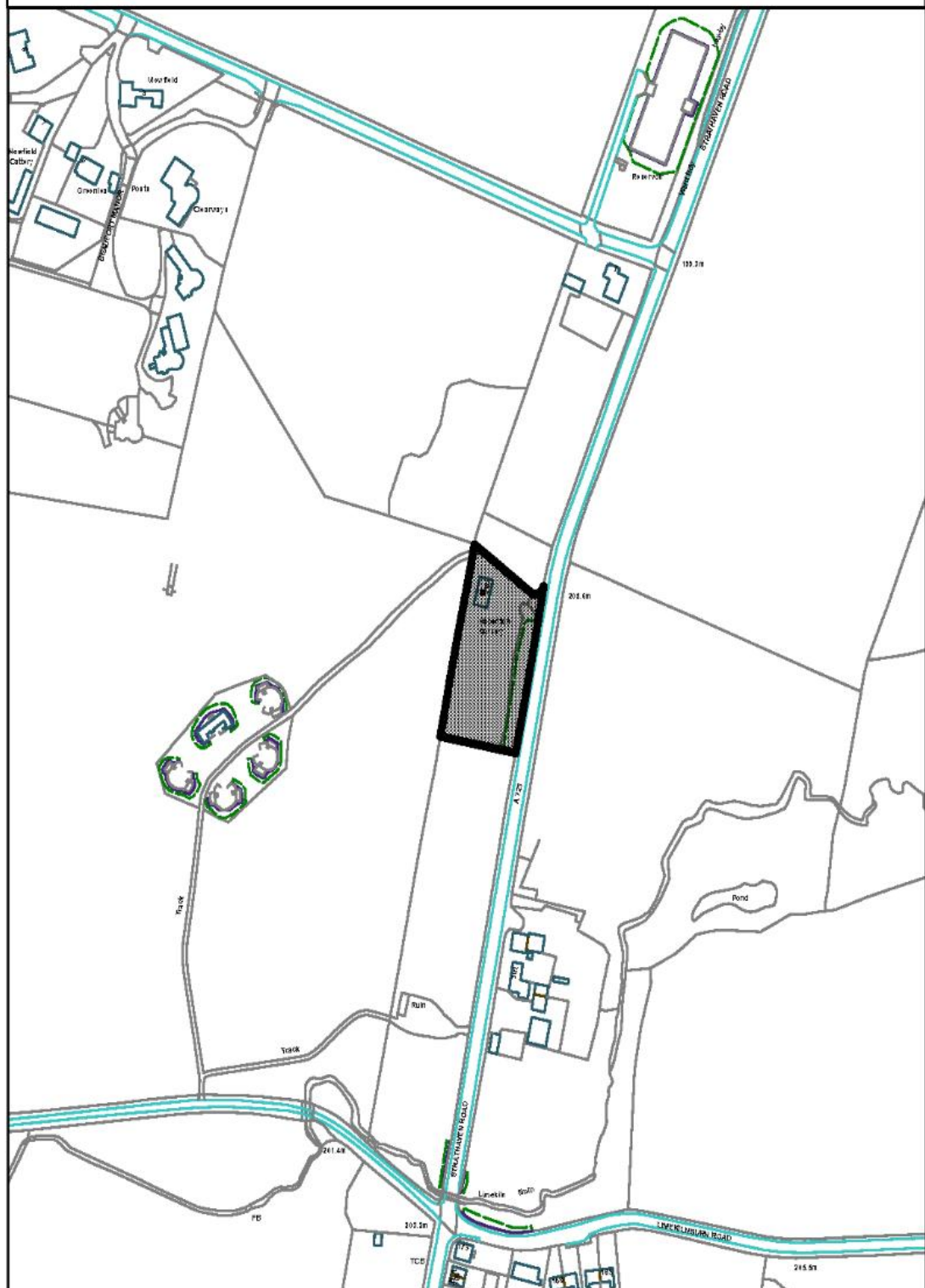
All lifts and/or hoists, including doors, guide rails and ancillary plant and machinery, as well as mechanical air handling/ air conditioning plant and ducted systems, shall be suitably isolated from the structure of the building to minimise transmission of noise and vibration to adjacent dwellings/premises.

Reason: In the interests of the amenity.

08. That, unless agreed in writing by the Council as Planning Authority, no materials shall be stored on the site outwith the warehouse hereby approved.

Reason: To safeguard the visual amenity of the area

Hapenton Nursery, 290 Strathaven Road, Limekilnburn



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**Community and Enterprise Resources**  
Planning and Economic Development