

Report

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| Report to: | Planning Committee |
| Date of Meeting: | 15 February 2022 |
| Report by: | Executive Director (Community and Enterprise Resources) |

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| Application no. | P/21/1474 |
| Planning proposal: | Erection of extension to existing distribution centre (Class 6) |

1. Summary application information

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| Application type: | Detailed planning application |
| Applicant: | BMW (UK) Trustees Ltd c/o Legal and General |
| Location: | Trade Team Dale Avenue Cambuslang South Lanarkshire G72 7DX |

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: Rhiannon Moylan
- ◆ Council Area/Ward: 13 Cambuslang West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (2021)**
Policy 1 - Spatial Strategy
Policy 2 - Climate Change
Policy 5 - Development Management and Placemaking
Policy 8 - Employment

◆ **Representation(s):**

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|---|----|-------------------|
| ▶ | 21 | Objection Letters |
| ▶ | 0 | Support Letters |
| ▶ | 4 | Comment Letters |

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

The Coal Authority Planning and Local Authority Liaison Department

Planning Application Report

1. Application Site

- 1.1. The application relates to an established industrial unit, Tennent's distribution unit at Dale Avenue off Bogleshole Road, Cambuslang. The site which is utilised as a storage and distribution facility comprises an existing large industrial building, a temporary storage facility, yard area and car parking. The site extends to approximately 1.88 hectares in size.
- 1.2. The site is bounded to the south and southwest by the Cambuslang to Rutherglen railway line and beyond to residential properties, to the west and north-west by Bogleshole Road, to the east and south east by vacant residential land and beyond to a more recent residential development and to the north by existing industrial land. Access to the site is taken from Dale Avenue which has a junction onto Bogleshole Road. The site is generally flat throughout with some semi mature trees along its boundary with Bogleshole Road and Dale Avenue.

2. Proposal(s)

- 2.1. The applicants propose a large extension of additional industrial floorspace (total of 5,402 sqm) to the existing building. The building will continue in use for Class 6 (Storage and distribution) purposes with the extension enabling an expansion of Tennent's current operation at Cambuslang. In order to facilitate this, an extension will be added to the western elevation of the existing building, on an area of grassland immediately adjacent to the existing building. The existing car parking provision at the site would remain the same with space provision proposed for the parking of HGVs and additional loading areas within the site.
- 2.2. The elevations and the roof of the extension would be externally finished in similar profile metal sheeting to match the existing.

3. Background

3.1. Local Plan Status

- 3.1.1. With regard to the South Lanarkshire Local Development Plan 2 (SLLDP2) (adopted 2021) the site falls within an area designated as a core business and industrial area under Policy 8 – Employment. Policy 1 – Spatial Strategy and Policy 2 – Climate Change are also of relevance to the proposal as well as Policy 5 – Development Management and Placemaking. The proposal is assessed in detail in relation to these policies in Section 6 below.

3.2. Relevant Government Advice/Policy

- 3.2.1. The Scottish Planning Policy (SPP) states that Planning Authorities should promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments.

3.3. Planning Background

- 3.3.1. None

4. Consultation(s)

- 4.1. **Roads Development Management Team** – following detailed discussions with the developer's Roads consultant, the Council's Roads Engineer offered no objections to the proposed development subject to conditions relating to the on-site provision of HGV parking spaces, cycle parking bays and electric vehicle charging points. In addition, pending a review of on-street parking the developer may be required to provide for waiting restrictions at the access to the site.

Response: **Noted.** The requested conditions would be attached to any consent issued.

- 4.2. **Environmental Services** – offered no objections to the proposed development subject to the imposition of a condition requiring the site to be further assessed in terms of potential contamination. In addition, a standard construction noise condition is required to be imposed.

Response: Noted. The applicant had lodged a Contaminated Land Assessment in support of the application. However, as additional information is required by the Environmental Services Officer, a contaminated land condition together with a noise construction condition would be attached to any consent issued.

- 4.3. **Roads and Transportation Services (Flood Risk Management Section)** – no objections subject to standard conditions including sustainable drainage design, indemnity insurance requirements and future maintenance responsibilities.

Response: Noted. Through the attachment to any planning consent of standard flood risk and SUDs conditions, the developer will be required to adhere to the Flood Team's requirements involving the completion and submission of all relevant appendices.

- 4.4. **Scottish Water** – offered no objections to the proposal.

Response: Noted.

- 4.5. **The Coal Authority Planning and Local Authority Liaison Department** – initially objected to the proposal due to the proximity of the canopy section of the development to historic mine workings.

Response: Noted. After discussions with the applicant, the proposed plans were amended to remove the canopy element of the proposal. As a result of the amendments to the design of the extension, the Coal Authority has withdrawn their objection, confirming that the proposed development would not encroach within the potential zones of influence of any mine shaft and now falls entirely outwith the defined Development High Risk Area.

5. Representation(s)

- 5.1. Statutory neighbour notification was undertaken and the proposal was advertised in the East Kilbride News for non-notification of neighbours. 21 representations and 4 comments letters were received. The points raised have been summarised below.

- a) **HGVs are always proving an issue using Dale Avenue and Spangler Crescent as a turning point. This is an area where children play.**

Response: This issue has been carefully considered by the Council's Roads and Transportation Development Management Team in discussion with the applicant's Roads Consultant. The site has space provision for the parking of HGVs within the site together with the introduction of additional loading areas. Conditions would be imposed to require the introduction of on-site HGV parking bays and for a review to be undertaken regarding on-street parking which may require the developer to provide for waiting restrictions at the access to the site.

- b) **HGVs queue outside the distribution centre causing danger to traffic entering and leaving the estate.**

Response: Please see response to a) above.

- c) **An extension to the existing premises would cause more lorries to park on the main road which blocks visibility leading to the housing estate.**

Response: The proposal has been carefully considered by the Council's Roads and Transportation Development Management Team in discussion with the applicant's Roads Consultant. The Council's Roads Engineer is satisfied with the additional HGV parking introduced to the site which will mitigate waiting of HGVs on Dale Avenue.

- d) **The Transport Statement appears to not include reference to trucks sitting outside the boundary for prolonged periods of time waiting to enter the depot. This is a regular occurrence. Also, vehicles parking overnight or parking on both sides of the road resulting in road and pedestrian safety issues.**

Response: During consideration of the application detailed discussions took place between the Council's Roads Engineer and the applicant's Transport Consultant. The Council are satisfied with the arrangement on the site where HGVs can park, obviating a requirement for vehicles to wait on the public road, Dale Avenue.

- e) **Impact on the new cycle path that has been developed with the parking for the cycle path less than 100m from the entrance to the distribution site. Vehicles block access to the cycle path.**

Response: With the provision of parking for HGVs within the site, the waiting of HGVs on Dale Avenue should not occur.

- f) **Due to the winding nature of Dale Avenue, an HGV parked at the side of the road considerably reduces visibility and the road becomes a blind corner due to the large vehicles blocking visibility. Sometimes they are parked on the wrong side of the road.**

Response: Please see response to a) above.

- g) **What is going to be done to ensure the road remains safe? It feels like an accident waiting to happen as the road becomes busier due to more people moving into the estate.**

Response: As advised above, the proposal has been carefully considered by the Council's Roads and Transportation Development Management Team in discussion with the applicant's Roads Consultant. The site has space provision for the parking of HGVs within the site together with the introduction of additional loading areas. Conditions would be imposed on any planning permission including a requirement to review on-street parking which may result in a requirement for the provision for waiting restrictions at the access to the site.

- h) **HGVs parking within the Camas Walk development on Dale Avenue and along the entrance way to the Tennent's site causes obstruction on the road and pavements. A plan should be put in place for a trailer park or more areas within the Tennent's distribution centre for HGVs to park and wait.**

Response: Space provision for the parking of HGVs within the site together with the introduction of additional loading areas has been included in the proposal. Conditions would be imposed on any planning permission including a requirement to review on-street parking which may result in a requirement for the provision for waiting restrictions at the access to the site.

- i) **HGVs waiting to get into the site results in litter left by the drivers while they wait which is disgusting.**

Response: The Council does not condone such behaviour. Given that the HGVs will be able to park within the site, this litter issue should be eliminated.

- j) **The residential development at the other end of Dale Avenue is currently under construction and more houses are proposed directly behind the Tennent's site. This will create an increase in heavy construction traffic in the short term and residential traffic in the long term which will further exacerbate the visibility issues on Dale Avenue.**

Response: While it is recognised that the building of additional houses will result in construction traffic, this is a temporary situation. All developments require to demonstrate to the Council's Roads Service, safe traffic management during construction. This would be monitored by the Council.

- k) **The road infrastructure on Dale Avenue is already insufficient to support the Tennent's factory. Going forward it should only be accepted with some conditions to improve the road safety. No waiting signs and or physical blockages should be erected and HGVs directed to park elsewhere on their rest breaks.**

Response: Please see response to a) above.

- l) **The applicant has failed to disclose two large outbuildings created during lock down. They are not featured on the plan. Concern that they have already started to implement the increased activities. Clarification sought that these structures are to be replaced by the application or are they in addition to the proposed changes.**

Response: These temporary tent-like structures were erected during the pandemic to enable the business to meet increased demand. Their position has been identified on a revised plan. These temporary structures will be removed and replaced by the permanent warehouse extension proposed. The removal of the temporary units will positively impact on the visual appearance of the site.

- m) **If the site is to be extended then it should be supported by a full Transport Assessment. If required alternative access or lorry parking provided within the site. There is a large staff car park which could be enhanced to provide off street lorry parking for example.**

Response: The Transport Statement lodged in support of the application was considered adequate to enable assessment of the proposal. In addition, further detailed discussions took place between the Council's Roads and Transportation Service Team and the applicant's Roads Consultant to clarify any outstanding issues.

- n) **Bogleshole Road should be explored as a new entrance and to facilitate vehicle parking.**

Response: Careful assessment of the proposal has taken place and the Council's Roads and Transportation Service Team are confident that the existing access arrangements are adequate and can operate satisfactorily.

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

6. Assessment and Conclusions

- 6.1. The application seeks planning permission for a large extension to the Tennent's existing distribution centre at Cambuslang. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the site is within a core business and industrial area and forms part of the Council's industrial land supply. As a result, it is considered the proposals accord with the Council's spatial strategy.

6.2. There are a number of policies within SLLDP2 that are relevant to the assessment of this application. Policy 1 'Spatial Strategy' of the SLLDP2 states that the SLLDP2 will encourage sustainable economic growth and regeneration, protect and enhance the built and natural environment and move towards a low carbon economy and that this will be achieved, inter alia, by supporting development that accords with and supports the policies and proposals in the development plan. Policy 2 'Climate Change' of the SLLDP2 states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. This proposal utilises brownfield land within the existing Tennent's distribution centre which is located close to the existing road network including motorway connection. Public transport routes are located nearby on Cambuslang Road. It is therefore concluded that the site is a sustainable location for development and it is considered that the proposed development supports the aims of Policy 2.

6.3. Policy 5 - Development Management and Placemaking states that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community.

It is considered that as the site forms part of an existing industrial distribution premises that the new extension to the existing western elevation of the building would not appear incongruous and it has been designed to be in keeping with the existing adjoining building. The existing access linking with the existing road network is designed for industrial use by HGVs and adequate car parking, service yard including loading areas and HGV parking are accommodated within the site to serve the additional floorspace proposed. After careful and detailed consideration of the proposal, the Council's Roads and Transportation Services has advised that, subject to a condition at their discretion, relating to waiting restrictions, they have no objections to the proposed development. Environmental Services has noted a requirement for further contamination information to be provided in respect of the proposal. Conditions would be attached to any consent issued requiring these matters to be appropriately dealt with. It is therefore considered that it would not have any significant impact upon the amenity of the area and complies with Policy 5.

6.4. Policy 8 – Employment is also relevant. This states that sustainable economic growth will be encouraged through the identification of employment land use areas. It is considered that an extension to the existing Class 6 use at this location aligns with Policy 7 and would bring economic benefit and security to the Cambuslang area as promoted through SPP. The proposal supports this existing business' ongoing operations in this locale, supporting local jobs and the local economy. It is therefore considered that the proposal is acceptable in this instance and complies with Policy 8 of the SLLDP2.

7. Reasons for Decision

7.1. The proposal will have no adverse impact on amenity and complies with Policies 1, 2, 5 and 8 of the adopted South Lanarkshire Local Development Plan 2 (2021).

Alistair McKinnon

Interim Executive Director (Community and Enterprise Resources)

Date: 4 February 2022

Previous references

♦ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Neighbour notification letter dated 8 September 2021
- ▶ Newspaper Advertisement dated 15 September 2021
- ▶ Consultations

Roads Development Management Team 28.09.2021

Environmental Services 17.09.2021

Roads Flood Risk Management 29.11.2021

Scottish Water 15.09.2021

The Coal Authority Planning and Local Authority Liaison Dept 15.11.2021

▶ Representations Dated:

Mr Chris Townsley-Gray, 2 Hoover Drive, Cambuslang, Glasgow, G72 7EF 07.10.2021

Mr Kenny Hoggan, 5 Hess Grove, Cambuslang, G72 7FA 07.10.2021

Mr Andrew Orourke, 8 Spangler Crescent, Cambuslang, G72 7FD 07.10.2021

Mrs Margo Hutton, 7 Hess Grove, Cambuslang, G72 7FA 05.11.2021

Mr Paul Cooper-Cairns, 7 Thurman Way, Cambuslang, G72 7FF 07.10.2021

Mr David Bowie, 30 Spangler Crescent, Cambuslang, Glasgow, G72 7FD 07.10.2021

Miss Lauren Johnstone, 36 Spangler Crescent, Cambuslang, G72 7FD 07.10.2021

Ms Kelly Peacock, 1 Thurman Way, Cambuslang, Glasgow, G72 7FF 07.10.2021

Mr David Clark, 64 Hoover Drive, Cambuslang, Glasgow, G72 7EF 05.11.2021

Mr Alan Hutchison, 83 Dale Avenue, Cambuslang, G72 7EY 07.10.2021

Mr James Stirling, 10 Kirby Gardens, Cambuslang, Glasgow, G72 7ES 23.10.2021

Mr Chris Robertson, 99 Hoover Drive, Glasgow, G72 7EE 18.10.2021

Mr Daniel Wilson, 123 Dale Avenue, Cambuslang, G72 7EY 07.10.2021

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| Mrs Lynn O'Donnell, 86 Hoover Drive, Cambuslang, Glasgow, G72 7EF | 07.10.2021 |
| Mr Craig McIntosh, 30 Hoover Drive, Cambuslang, Glasgow, G72 7EF | 06.10.2021 |
| Mr Gordon McHendry, 8 Hoover Drive, Cambuslang, G72 7EF | 07.10.2021 |
| Miss Clare Haggerty, 104 Hoover Drive, Glasgow, G72 7EF | 09.10.2021 |
| Mrs Nicola Boyle, 102 Hoover Drive, Cambuslang, G72 7EF | 09.10.2021 |
| Mrs Denise Wilson-Logue, 60 Hoover Drive, Cambuslang, G72 7EF | 10.10.2021 |
| Mrs Sally Wilson-Logue, 60, Hoover Drive, Glasgow, G72 7EF | 13.10.2021 13.10.2021 |
| Ms Cara Morton, 19 Kirby Gardens, Cambuslang, G72 7ES | 13.10.2021 |
| Miss Shannon Lindsay, 90 Hoover Drive, Cambuslang, G72 7EF | 10.10.2021 |
| Dr Sean McGinty, 35 Hoover Drive Cambuslang, GLASGOW, G72 7EE | 14.10.2021 |
| Miss Nicola Muir, 99 Hoover Drive, Glasgow, G72 7EE | 18.10.2021 |
| Miss Liz McGeachy, 52 Hoover Drive, Cambuslang, Glasgow, G72 7EF | 24.10.2021 |

Contact for further information

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

Maud McIntyre, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455043
Email: maud.mcintyre@southlanarkshire.gov.uk

Conditions and reasons

01. 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.

02. That a review of on-street parking on Dale Avenue shall be undertaken 6 months after the development hereby approved becomes operational. The details of this review, including dates, methodology and duration, shall be agreed with the Council's Roads and Transportation Service prior to it being carried out.

Reason: In the interests of traffic and public safety.

03. That the on-street parking review (required under Condition 02.) shall be reviewed by the Council as Roads Authority and if unacceptable impacts relating to the operation of the approved development are identified the developer shall provide for waiting restrictions at the access to the site, details of which shall be agreed by the Council as Roads Authority and thereafter implemented to the satisfaction of the Council as Roads Authority, unless otherwise agreed.

Reason: In the interests of traffic and public safety.

04. That a minimum of 11 secure and covered cycle parking bays and 8 electric vehicle charging bays shall be provided.

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

05. That a minimum of 3 Heavy Goods Vehicle parking spaces shall be provided as shown in Drawing PL004 Rev C. These parking spaces shall be available for use throughout all hours of operation and for the length of any mandatory Heavy Goods Vehicle Driver rest breaks.

Reason: To prevent parking on the public road network

06. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Appendices A, B, C, D & E). 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. (a) The applicant should be required to undertake a 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'.
- (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, 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: In the interests of amenity.

08. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228:2009, 'Noise control on construction and open sites'. Prior to commencement of construction activities a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be provided in accordance with the standard. The emissions at the Noise Sensitive Receptor shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. Corrections shall be made for variables such as the operating time and the relative cumulative impact value. This shall be corrected for attenuation and shall be provided as an LAeq.1hr to be compared with either the pre-existing background level or using the ABC table within the British Standard.

The applicant shall further ensure that audible construction activities shall be limited to, Monday to Friday 8.00am to 7.00pm, Saturday 8.00am to 1.00pm and Sunday - No audible activity. No audible activity shall take place during local and national bank holidays - without the prior written approval of the planning authority.

Under exceptional conditions the above time restrictions may be further varied subject to written agreement with the council as Planning Authority.

Reason: In the interests of amenity.

09. The applicant shall provide written details of any proposed floodlighting scheme to the Planning Authority. Submissions shall include, where appropriate:

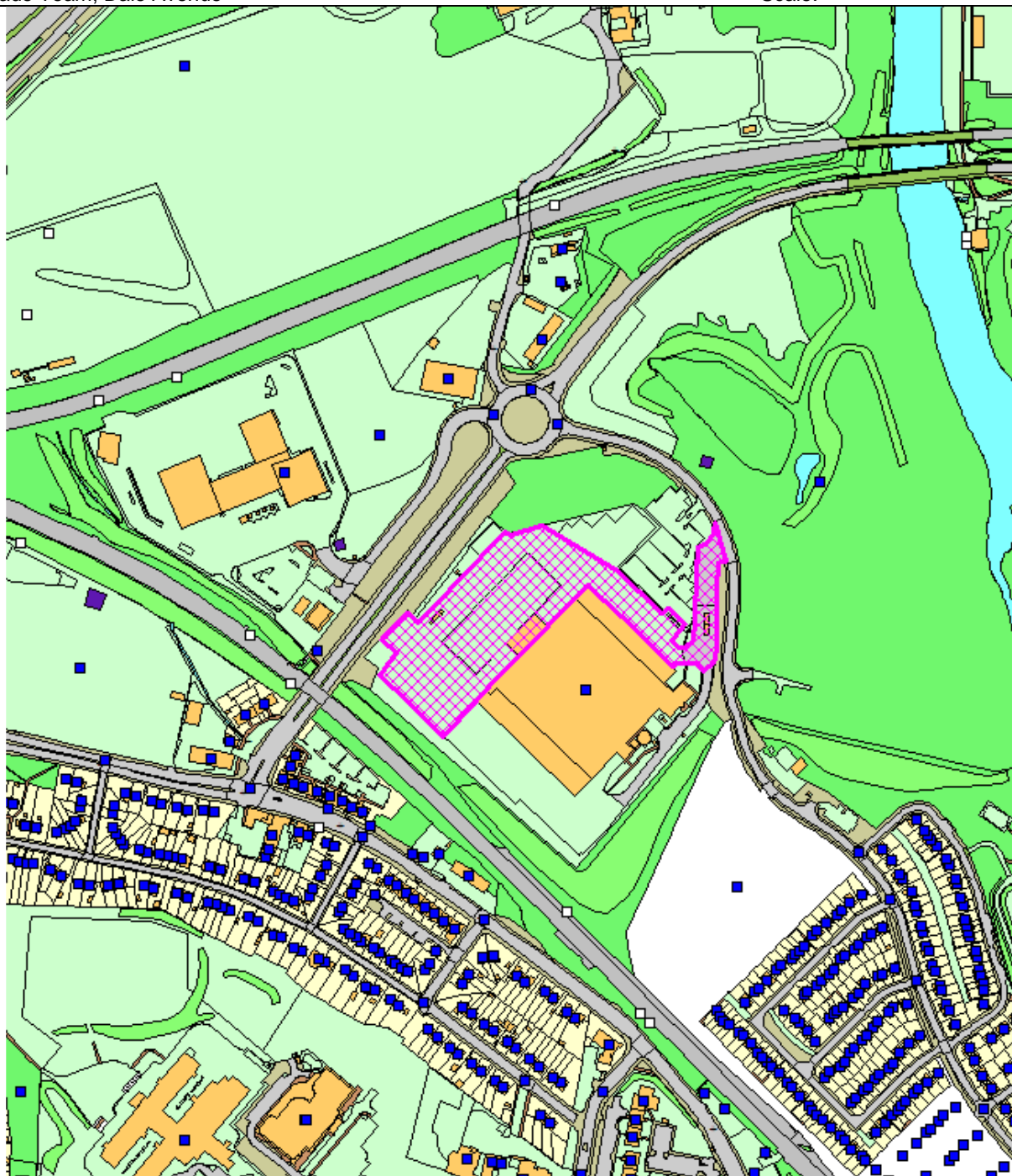
- A statement setting out why a lighting scheme is required, the proposed users, and the frequency and length of use in terms of hours of illumination;
- The type of lights, performance, height and spacing of lighting columns:
- A site survey showing the area to be lit relative to the surrounding area, the existing landscape features together with proposed landscaping features to mitigate the impacts of the proposed lighting.

Reason: In the interests of amenity.

Notification of planning application under regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Trade Team, Dale Avenue

Scale:



KEY



Site Boundary



FOR INFORMATION ONLY

20 metre buffer area within which neighbours are notified by the Council



Neighbours notified