

Application No: S/06/01211/FUL

Date Registered: 18th July 2006

**Applicant:** Mrs Nanette Fredriksson  
30 Elliott Road  
Thornton Heath  
Surrey  
CR7 7QA

**Development:** Change of Use From a Vehicle Repairs Garage to Vehicle Sales

**Location:** 322 Kirk Road  
Wishaw  
North Lanarkshire

Ward: 8 Stewarton Councillor John Moran

Grid Reference: 280368 655414

File Reference: S/PL/BF/10/4 (241)/FM/MM

Site History:

06/00443/FUL – Use of Premises as a Vehicle Repair Workshop, granted 24<sup>th</sup> May 2006, expires 24<sup>th</sup> May 2011.

S/05/01117/FUL - Alterations and Change of Use From Vehicle Repair Workshop to Hot Food Takeaway, application withdrawn 15<sup>th</sup> September 2005

S/99/00647/FUL - Renewal of Change of Use to Vehicle Repair Workshop, granted 12<sup>th</sup> October 1999 expired 13<sup>th</sup> October 2004

113/92 – Change of use to hot food takeaway, refused 3<sup>rd</sup> June 1992.

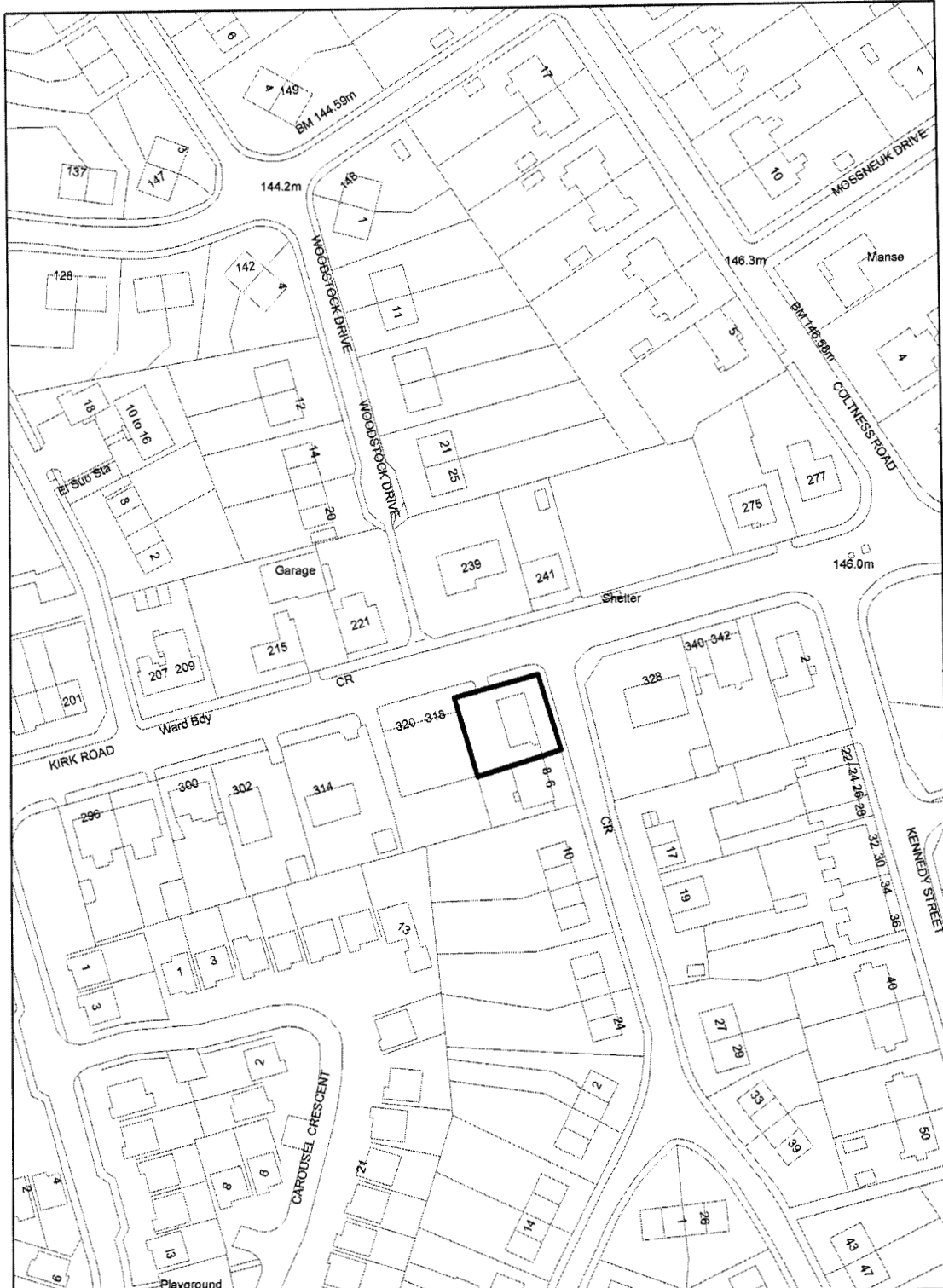
383/91 – Change of use to hot food takeaway, refused 6<sup>th</sup> November 1991.

516/88 – Renewal of change of use to vehicle repair workshop, granted 1<sup>st</sup> September 1993, expired 1<sup>st</sup> September 1998.

360/86 – Change of use from electrical workshop to vehicle repair workshop, granted 30<sup>th</sup> September 1986, expired 31<sup>st</sup> October 1988.

**Development Plan:** The site is zoned as RTL6 (Secondary Village and Neighbourhood Commercial Areas) in the Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005) and Policies RTL11 (Bad Neighbour Developments) and TR13 (Assessing the Transportation Implications of Development) also apply.

**Contrary to Development Plan:** No



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Prepared by:  
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**Planning Application No. S / 06 / 01211 / FUL**

**Change of Use From a Vehicle Repairs Garage to Vehicle Sales**

**322 Kirk Road Wishaw**



**Consultations:** No external consultations required

**Representations:** None Received

Newspaper Advertisement: Advertised on 26th July 2006

**Recommendation: Refuse for the Following Reasons:-**

1. That the development is contrary to Policies TR13 and RTL11 of the Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005) in that the development would be detrimental to road safety as the site is substandard in terms of vehicular parking provision and vehicular manoeuvring areas.

**Background Papers:**

Application form and plans received 13th July 2006 and amended plans received on the 25<sup>th</sup> August 2006.

Memo from NLC Transportation Team Leader received 4th August 2006

Memo from NLC Head of Protective Services received 27th July 2006

Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005).

Any person wishing to inspect these documents should contact Mr Fraser Miller at 01698 302087.

Date: 28 August 2006

## **APPLICATION NO. S/06/01211/FUL**

### **REPORT**

#### **1. Description of Site and Proposal**

- 1.1 Detailed planning permission is sought for the change of use of a vehicle repair workshop to a vehicle sales premises at 322 Kirk Road, Wishaw. The application site is situated in a small neighbourhood commercial area on the corner of Kirk Road and Meadowburn Road, Wishaw. Dwellings bound the site to the north and east with a convenience store with a flat above bounding the site to the south. A fish and chip shop and an appliance shop bound the site to the west. A carpet clearance shop and another convenience store lie to the south east on the opposite side of Meadowburn Road.
- 1.2 The application site extends to approximately 360 square metres and includes the detached workshop/showroom building 90 square metres in size and the existing car park to the west of the building. Access to the site is taken from Meadowburn Road via a dropped kerb access at the rear of the site in between the convenience store to the south and the workshop building.
- 1.3 In the last 20 years there have been 4 temporary planning consents for the use of the premises as a vehicle repair workshop. The most recent of which was granted temporary consent for a period of 5 years at the Planning and Environment Committee of the 24<sup>th</sup> May 2006. In addition there have been three applications to change the use of the premises to a hot food takeaway, two of which have been refused with the third being withdrawn at the applicants request.

#### **2. Development Plan**

- 2.1 The site is zoned as Policy RTL6 (Secondary Village and Neighbourhood Commercial Areas) in the Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005). This policy gives guidance on appropriate uses for such areas, which should support the role of the centre and not adversely affect the character and amenity of the area. Policies RTL11 (Bad Neighbour Developments) and TR13 (Assessing the Transportation Implications of Developments) are also applicable.

#### **3. Consultations and Representations**

- 3.1 My Transportation Section would not be concerned with the proposal subject to a number of requirements being met. The applicant should provide a turning facility within the site suitable enough for the largest vehicle likely to serve the business. In addition 2 parking spaces should be provided within the curtilage of the site for staff and customer use, together with a 6m-aisle width to allow vehicles to manoeuvre to and from the bay. Area(s) for storage of new and used cars and space for other operational requirements should also be provided and no vehicles associated with the premises should be mounted on the public footway.
- 3.2 My Protective Services Section have advised that there is no record of any noise complaints in respect of these premises. They also advise that a condition be imposed restricting noise generation from machinery, such that noise levels in any adjoining residential property remain within acceptable limits.

#### **4. Planning Assessment and Conclusions**

- 4.1 It should be noted that the application raises no strategic issues and therefore only needs to be assessed against the relevant detailed policies of the Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005), and any other relevant material considerations.
- 4.2 The application site lies within the Commercial Area on Kirk Road, Wishaw. Policy RTL6 (Secondary, Village and Neighbourhood Commercial Areas) of the Southern Area Local Plan Finalised Draft applies and indicates that the Council will support the retention and provision of uses which compliment the role and function of such Commercial Areas. The text associated with Policy RTL6 states in paragraph 5.84 that other commercial activities which are complimentary to the nature of Secondary, Village and Neighbourhood Commercial Area will be supported subject to their compliance with the other policies set out in the local plan. The current application site has been in operation as a vehicle repair workshop for a period of 20 years and the new proposed use of the site is considered to comply with Policy RTL6 subject to the detailed assessment of the proposals with the provision of Policy RTL11 (Bad Neighbour Developments).
- 4.3 Policy RTL11 (Bad Neighbour Developments) recognises that Commercial Areas are the preferred location for many uses, which are classed as bad neighbour development. The relevant criteria of this policy which need assessment for the current application are the impact on the character and amenity of adjoining properties and the surrounding environment, design, provision for access, servicing and parking, and the proposal's impact on pedestrian safety and traffic circulation. The application site is located within a local commercial area and the nearest residential dwelling is located approximately 20 metres from the workshop building. It is considered that the proposed use for vehicle sales is unlikely to have any significant impact on residential amenity in terms of noise sufficient to warrant refusal of the application. There are no external alterations proposed to the building as part of this application. The provision for vehicular access and parking arrangements are considered in the following paragraph.
- 4.4 In assessing the transportation implications of a development, Policy TR13 is a material consideration and states that the Council will take account of criteria including: the level of traffic generated and its impact on the environment and adjoining land uses, the impact of the development on road traffic circulation/road safety and the provision made for access, parking and vehicle manoeuvring. As indicated above in paragraph 3.1 above, my Transportation Section require a turning facility to be provided within the site and adequate parking spaces to be provided within the site for vehicle sales and staff/customer parking together with other operational requirements. However it is evident from the dimensions of the yard area, that there is insufficient space within the site for the required turning, manoeuvring space and parking within the site to fully and adequately serve the proposed use of the site. The applicant was requested to provide an additional drawing and information showing a workable solution, but the amended plan received on 25<sup>th</sup> August 2006 does not meet the requirements of my Transportation Section. It is therefore considered that the development is contrary to Policy TR13.
- 4.5 In relation to the comments made by my Protective Services Section, these would be dealt with by conditions if the recommendation had been to grant the development to limit potential future noise concerns.
- 4.6 As detailed above the proposed change of use of this vehicle repair garage to a vehicle sales area is considered to be in accordance with Local Plan Policy RTL6. However the likely impact of the development is considered to be detrimental to road safety as the site is substandard in terms of vehicular parking provision and vehicular manoeuvring areas. The application is therefore contrary to policies TR13 and RTL11 of the Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005) and it is recommend that permission be refused.