

**Application No:**

16/02297/FUL

**Proposed Development:**

Conversion of Butchers Storage Unit to Form Dwelling

**Site Address:**

9A Lindsaybeg Road  
Chryston

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**Date Registered:**

28th November 2016

**Applicant:**

Mr David Mitchell  
9a Lindsaybeg Road  
Muirhead  
G699DR

**Agent:**

Peter Jarvie  
Scotdraw Architectural Services  
32 Inchnock Avenue  
Gartcosh  
G69 8EA

**Application Level:**

Local Application

**Contrary to Development Plan:**

No

**Ward:**

005 Strathkelvin  
William Hogg, Frances McGlinchey, John McLaren, Brian Wallace,

**Representations:**

4 letters of representation received.

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**Recommendation:**

**Refuse**

**Reasoned Justification:**

The proposal is contrary to the policies in the adopted North Lanarkshire Local Plan. The proposed residential conversion of a commercial storage building would not be in keeping with the linear, low density pattern of development in the area resulting in a dwelling with no direct frontage to Lindsaybeg Road and therefore would constitute inappropriate backland development.



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**Planning Application: 16/02297/FUL**  
**Name (of applicant) Mr David Mitchell**  
**Site Address: 9A Lindsaybeg Road Chryston**  
**Development: Conversion of Butchers Storage**



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

1. The proposed development is contrary to policy DSP 4 (Quality of Development) in the adopted North Lanarkshire Local Plan 2012, in that the proposed residential conversion will adversely affect the existing residential layout and character of the area by having no road frontage; in this respect the proposal is backland development which does not integrate successfully into the local area and is harmful to amenity as it does not relate to the existing context and therefore does not create a successful place.
2. That the proposed residential conversion would be contrary to the terms of Policies HCF 1A and DSP 4 (Quality of Development) of the adopted North Lanarkshire Local Plan 2012 in that the access arrangements, where the proposed residential conversion would be accessed through a commercial yard, are not appropriate which would be detrimental to the amenity of the residents of the proposed conversion.
3. The proposal does not comply with policies HCF 1A and DSP 4 of the North Lanarkshire Local Plan 2012 in that the noise from established commercial properties, the MOT/Car Repairs and butcher's business, is likely to have an adverse impact on the amenity of the proposed residential conversion from significant noise issues arising from the neighbouring commercial activity.

**Background Papers:**

**Consultation Responses:**

Memo from Traffic & Transportation received on 12<sup>th</sup> December 2016

Memo from Protective Services received on 1<sup>st</sup> February 2017

**Contact Information:**

Any person wishing to inspect these documents should contact Mr Kevin Divin at 01236 632500

**Report Date:**

6<sup>th</sup> February 2017

## APPLICATION NO. 16/02297/FUL

### REPORT

#### 1. Site Description

- 1.1 The application site is a former electricity substation which is currently used by S Collins & Son Butchers for storage and located to the rear 9A Lindsaybeg Road, Chryston. The site measures 389 square metres and as well as the former substation, the site also includes some of the rear garden ground of No. 26 Fleming Avenue. The site is level and is bounded by residential properties to the north, south and west, while directly to the east is a MOT/Car Repairs business with modern residential properties to the northwest. Vehicular access is off Lindsaybeg Road, past the butchers, through the adjacent MOT/Car Repairs yard to the east and then into the application site.

#### 2. Proposed Development

- 2.1 Full planning permission is sought for conversion of a butcher's storage unit to form a two bedroom dwelling. The proposed residential conversion would include raising the overall height of the building from 5.9 metres to 8.5 metres to create a second floor and a single storey side extension measuring 5.9 metres long, 2.6 metre wide and pitched roof at 4.5 metres high. In addition, the proposal includes a rear garden area of 9.8 metres wide by 17 metres long, a front grassed area of 4.9 metres in depth and 9 metres wide with bin store. Proposed are two off street parking spaces to serve the proposed dwelling which would be accessed through an existing commercial yard.

#### 3. Applicant's Supporting Information

- 3.1 A supporting statement has been submitted with the planning application which states that the proposal does not detrimentally impact the local centre or policy RTC 1C. The applicant considers that policy HCF1A (residential amenity) can only be enhanced as proposals to alter the change of use from the repurposed sub-station currently in use as a Butchers prep unit which is in operation from around 5:00am with delivery vehicles and staff operating in the area throughout the day to approximately 5:00pm, therefore, the associated noise and disturbance from this activity in this residential corner of the local area would be removed by the change of use as a dwelling house. The applicant currently lives at 9a Lindsaybeg Road, however, planning permission was recently granted on 11<sup>th</sup> January 2017 for the adjacent butcher's business to extend into their property which is the reason the applicant seeks permission for the residential conversion of the butcher's storage building.
- 3.2 The applicant states that proposals to convert this existing building into a family home will allow him and his family to remain on-site with his existing business of operating a MOT Vehicle Repair Centre as 24hr call out and recovery are part of the nature of the business. The existing building would provide an affordable family house whilst allowing the dwelling and business elements to remain in close proximity. The applicant confirms that the boundary has now been updated to demonstrate the garden space standards are being fully met and provisions are made for 2 parking spaces within the curtilage of the property along with drying area, garden spaces and bin storage facilities.
- 3.3 The applicant concludes that the nature of this existing building located within a residential area is one of a very few unique locations and as such is very unlikely to set a precedence due to the individual peculiarities of this building.

#### 4. Site History

- 4.1 No relevant planning history.

#### 5. Development Plan

- 5.1 The proposal raises no strategic issues and can therefore be assessed in terms of Local Plan

policies.

- 5.2 The application site is zoned jointly as RTC 1C (Neighbourhood and Local Centres) and HCF 1 A (Protecting Residential Amenity and Community Facilities – Residential Areas) within the adopted North Lanarkshire Local Plan.

## 6. Consultations

- 6.1 A summary of comments from the consultees is as follows:

- i. **Traffic & Transportation** comment that the only means of access to the site appears to be from the existing access that services the adjacent MOT centre. This access should be a minimum of 5m in width to accommodate two passing vehicles, especially where the access from Lindsaybeg Road to the residential property is shared with the adjacent MOT centre. The parking provision for a 2 bedroom dwelling is a minimum of 2 in-curtilage spaces. In-curtilage parking to be such a layout that allows turning manoeuvrability to be achieved in order to accommodate vehicles entering and exiting the site in a forward gear at all times. Drainage facilities should be provided to prevent surface water running onto the public road. No fencing/ planting/ obstructions etc. should be provided within visibility splays where they would have a negative impact on the required visibility splay as mentioned above. (No higher than 1.05m higher from the channel.)
- ii. **Protective Services** have raised a concern regarding the proposed residential conversion and the close proximity of the MOT/Car Repairs business and commercial fan units and deliveries from the adjacent butchers business present a possible noise issue, therefore, a noise impact assessment is required. In addition, reference is made to refers to best practice relating to noise from construction, construction hours, dust control, construction waste and site contamination.

## 7. Representations

- 7.1 Following the standard neighbour notification process, 4 letters of representation have been received from nearby residents which raise objections on the grounds of MOT yard extension, local plan policy, traffic problems and works proposed.
- 7.2 A request has been made by an objector for a hearing.

## 8. Planning Assessment

- 8.1 In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 Development Plan: North Lanarkshire Local Plan: The site is located within an established residential area which is jointly covered by Policies HCF 1 A (Protecting Residential Amenity and Community Facilities – Residential Areas) and RTC 1C (Neighbourhood and Local Centres). Policy HCF 1 A states that there is a presumption against developments detrimental to residential amenity in primarily residential areas. While Policy RTC 1C identifies the site for various commercial development (Use Classes 1, 2, 3 & 10), as well as residential development. It is considered that, given the nature of the development, the neighbouring residential area and that the principle of residential development therefore complies, with policy HCF 1 A subject to the formal assessment of the details of the proposal against the criteria set out in DSP 4 below. However, located directly to the east of the application site is a MOT/Car Repairs business (albeit this is currently owned by the applicant) beyond which is a butcher's business both of which have the potential to become a noise issue to the future occupants of the proposed residential conversion due to the noise generating nature of the business operations. It is, therefore, considered that while the principle of residential development is acceptable, the potential lack of amenity due to the noise generating neighbouring business results in the proposal being contrary to policy HCF 1 A.

8.3 The North Lanarkshire Local Plan also requires proposed developments to be assessed against policies DSP 1 (Amount of Development), DSP 2 (Location of Development), DSP 3 (Impact of Development) and DSP 4 (Quality of Development). DSP 1, DSP 2 and DSP 3 are not an issue given the scale and nature of the development. Policy DSP 4 states that development will only be permitted where high standards of site planning and sustainable design are achieved. Developments are required to integrate successfully into the local and wider area in terms of the suitability of the site and its setting and use; the design and scale of the development, including roads access and parking and the use of materials, without having an adverse impact on the amenity of that area, all of which should create a successful place.

8.4 In assessing the impact of the proposal on the character and amenity of the surrounding area it should be noted that the established dwellings within the vicinity are characterised by relatively large house plots with a resultant 'low density' that have a direct frontage onto the road or street. Notwithstanding the local plan zoning of the site, this proposal is still considered to be out-of character and an inappropriate for this location, this is mainly due to the fact that the proposal constitutes backland development, as the dwellinghouse would not have a frontage on to Lindsaybeg Road. As the proposal constitutes unacceptable backland development, it does not integrate successfully into the local area and fails to create a successful place. The proposal would result in a substandard living environment for residents of the converted property. The plot would still contain an electric substation and the house would sit directly behind the MOT/Car Repairs buildings. Although an extended garden area is to be provided for the proposed conversion, no windows in the proposed dwelling face onto this land. Outlook from the proposed windows is to be onto the back of the MOT/Car Repairs business or onto a small area of garden 5 metres deep. In addition, the access arrangement (through an adjoining commercial yard) is not suitable. Finally, there is concern that if approved, it could set a precedent for similar backland proposals in the immediate vicinity. For these reasons, it is considered that the application fails to comply with policy DSP 4 in respect to impact upon setting, backland development and inappropriate access.

8.5 Consultations: Concerning the comments made by Protective Services which state that a noise impact assessment is required to be carried out for this development due to the close proximity of proposed residential conversion and the adjacent commercial operations (i.e. MOT/Car Repairs and butchers), this is noted and the issue of noise has been discussed in detail above. With reference to the comments made by Traffic & Transportation, it is confirmed that the only vehicular access to the proposed residential property is off Lindsaybeg Road, past the butchers, through the adjacent MOT/Car Repairs yard to the east and then into the application site, this is due to the backland nature of the development and not considered to be acceptable for a new residential property.

8.6 Representations: In terms of the objections raised, I would offer the following comments:

Point of Objection: The existing MOT yard is an eyesore and the proposed garden ground for the residential conversion will in time become an extension to this yard due to the size of the dwelling proposed and will result in more cars being parking on Lindsaybeg Road which causes noise 7 days a week.

Comment: The current proposal seeks permission for a residential conversion of an existing building with a small extension, no extension to the MOT yard is proposed as this would require planning permission is its own right.

Point of Objection: The proposed residential conversion is on land that is zoned for industrial/commercial use therefore the proposal is contrary to the local plan.

Comment: The application site is zoned jointly as RTC 1C (Neighbourhood and Local Centres) and HCF 1 A (Protecting Residential Amenity and Community Facilities – Residential Areas) within the adopted North Lanarkshire Local Plan 2012, where the suitability of the proposal is formally assessed against these policies above.

Point of Objection: The application site is land locked with the only vehicular access being via Lindsaybeg Road which is shared by the butchers and MOT businesses and is a very busy

main road. In addition, the replacement electrical sub-station would require unrestricted access. The proposal will exacerbate existing traffic problems.

Comment: The access to the application site is noted and discussed in detail above.

Point of Objection: It is acknowledged that attempts have been made for the residential conversion to blend in, however, the scale of the works is unacceptable as the proposed ridge height appears to be significantly higher than the existing building.

Comment: The extent of the works required for the residential conversion is noted and discussed in detail above.

## **9. Conclusions**

- 9.1 That the proposed development is contrary to Policies HCF 1 A and DSP 4 of the North Lanarkshire Local Plan in that the development would have no direct frontage to Lindsaybeg Road result in backland development which will be at odds with the existing layout and character of this village centre location and will detract from the amenity of the area. Furthermore, the proposal has unsuitable access arrangements and will be detrimentally affected by the noise generated from the adjacent commercial businesses. Taking the foregoing into account, the proposal would result in an unsuitable living environment for residents of the proposed conversion and as such it is recommended that planning permission be refused.
- 9.2 A hearing has been requested by an objector.