

DELEGATED REPORT

APPLICATION FOR CERTIFICATE OF LAWFULNESS

CLP Application No: 23/01110/CLP

Date Application Valid: 23rd October 2023

Proposal	The installation of six electrical upstands to serve twelve parking bays (10 standard and two accessible), substation, bollards and associated works.	
Address	Maxim Park Eurocentral Holytown North Lanarkshire ML1 4WQ	Case Officer: Joe Gannon
Local Plan Policies	As this application is for a Certificate of Lawfulness, there is no requirement for it to be assessed against the Development Plan. The application will only be assessed on an evidential and legal basis.	
Planning History	<ul style="list-style-type: none">• 09/00822/ADV Installation of Fascia Signs• 09/01453/FUL Part Change of Use from Class 4 (Business) to Class 11 (Assembly & Leisure) to Form Gymnasium, and Formation of Rear Plant Access Area Enclosed by Fence• 14/01023/PREAPE Alterations to Building• 19/01713/FUL Change of Use of Unit 1A and Unit 1B from Class 2 (Office) to Class 11 (Gym)• 23/01110/CLP The installation of six electrical upstands to serve twelve parking bays (10 standard and two accessible), substation, bollards and associated works.	
List of Drawings Provided		

Report

The development proposes the installation of six electrical upstands to serve twelve parking bays, substation, bollards, and associated works. Each upstand will measure 1.9m in height, the substation 2.2m and the bollards 1.3m and will not be visible within 5 metres of a road. The proposal will not have an adverse impact on the amenity of the business park or surrounding properties.

There are no restrictions on permitted development rights on the site.

The installation of six electrical upstands to serve twelve parking bays can be shown to comply with the provisions of the Town and Country Planning (General Permitted Development) (Scotland) 1992 Order (as amended) under Part 2D, Class 9F as follows:

- The upstand would not exceed 2.7 metres in height from the level of the surface used for the parking of vehicles.
- The upstand would not be within 2 metres of a road; or
- The upstand would not result in more than one upstand being provided for each parking space.

The substation can be shown to comply with the provisions of the Town and Country Planning (General Permitted Development) (Scotland) 1992 Order (as amended) under Part 2D, Class 9F (equipment) as follows:

- The substation would not exceed 29 cubic metres
 - The substation would not exceed 3 metres in height from the level of the surface used for the parking of vehicle;
- or
- The substation would not be within 5 metres of a road

The bollards and associated works can be shown to comply with the provisions of the Town and Country Planning (General Permitted Development) (Scotland) 1992 Order (as amended) under Part 2, Class 7 as follows:

- The bollards would not exceed two metres above the ground level
- The bollards would not involve development within the curtilage of a listed building

The application site sits within a Coal Authority Development Area (Low Risk). The standard informative notes have been included.

Date **23rd October 2023**

Reasoned Justification

According to the dimensions set out in the drawings provided, it is considered that the proposed development of the electrical upstands, substation, bollards, and associated works does not require planning permission and can be regarded as permitted development under Class 9F (Part 2) and 7 of the Town and Country Planning (General Permitted Development) (Scotland) 1992 Order, as amended. The proposal is, therefore, considered to be lawful.