

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>23 February 2010</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/09/0459
Planning Proposal:	Demolition Of Existing Primary School, Erection Of New Split Level Primary School, Associated Landscaping And Car Parking

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Morgan Ashurst
- Location : Milton Primary School  
Strathaven Road  
Lesmahagow, ML11 0DN

## 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: Aedas Architects Limited
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted)**  
Policy CTY1: Primary School Modernisation  
Policy RES6: Residential Land Use  
Policy DM1: Development Management  
Policy ENV30: New Development Design

- ◆ Representation(s):
  - ▶ 2 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comments Letters
- ◆ Consultation(s):

Environmental Services

Scottish Water

Roads and Transportation Services (South Division)

S.E.P.A. (West Region)

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to the site of the existing Milton Primary School, Lesmahagow, which extends to 0.8 hectares. The school and associated playground are elevated above Strathaven Road and adjoin a large bus drop off which is predominantly used by the new Lesmahagow High School located on the other side of Strathaven Road. The site is bordered on two sides (north and south) by detached residential properties, whilst the western boundary is formed by agricultural ground. Mature trees are present along the northern and southern boundaries.
- 1.2 In addition to being at a higher level than Strathaven Road, the most noticeable feature of the site is the slope from the northwest corner down to the south east corner resulting in a drop of approximately 8 metres over the length of the site. The existing school was built to the western side of the site near the high end of the slope and is predominantly single storey but with some areas of split level to deal with the gradient. The external materials are brick and render walls. The majority of the school playground is in front of the building, with a multi surface games court positioned in the north-west corner of the site, and a small area of play equipment in the south-east corner. Parking spaces have been delineated in the northern section of the original playground.

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

- 2.1 Detailed planning permission is sought for the erection of a replacement school with associated landscaping and parking. The location for the new school building is in the eastern part of the site where the slope begins to level out slightly as this is the most economical and site responsive, whilst allowing the retention of the existing vehicular access into the site and the car parking within the site.
- 2.2 The proposed building is 3 storeys at the highest point but makes use of the sloping site so that the lowest storey is partly built into the ground. The main 2 storey teaching wing steps out to the west and faces north and south into external playground spaces. The main school entrance has been created to the south of the car park with a projecting roof over the entrance to make it more prominent while also providing a sheltered waiting area. There are a number of pupil entrances located along the main classroom block which provide the opportunity to allow pupils to walk straight into the main teaching spaces without the need to go through the main entrance.
- 2.3 The external materials will be a mixture of facing brickwork up to the first storey height with upper floors being timber cladding in cedar has been used to provide a contrast to the brickwork or Kingspan. Similarly, large areas of glazing not only provide a visually contrasting external element, but also allow natural light to flood into the building and a large roof light is proposed for the first floor general purpose space to allows the classrooms to spill out into a naturally lit space.
- 2.4 Traffic management within the site has been improved and clarified by the introduction of a one way traffic flow within the car park. All of the 29 parking spaces (2 disabled) are located to the north of the site, creating a clear separation between vehicular and pedestrian traffic. A large drop-off area has been created close to the main entrance. This is intended for facilitating kitchen deliveries but can also be used as a general delivery drop off point for deliveries into the school.

- 2.5 While the new school is being constructed, the pupils of Milton Primary will be decanted to another school within Lesmahagow to provide as little disruption as possible. The existing MUGA pitch will be retained in its existing location while a play area and landscaping will be provided. The school building will incorporate a gym hall with a stage. Existing trees on the southern boundary will be largely retained. However the trees on the northern bounds would be removed although new tree planting is proposed to replace them.
- 2.6 A bat survey submitted with the application confirmed that the building is not likely to be used by bats due to its modern construction. Bats were seen foraging around a horse chestnut tree in the NE corner of the site and it is likely to be used for roosting. As a result this tree will be retained.

### **3 Background**

#### **3.1 Local Plan Status**

In the adopted South Lanarkshire Local Plan the relevant Policies are RES6: Residential Land Use, ENV30: Development Design, DM1: Development Management and Proposal CTY1: Primary School Modernisation. Policy RES6 aims to protect the residential character of the area from inappropriate uses. Proposal CTY1 identifies the application site as part of the Council's modernisation programme. Policies ENV30 and DM1 promote high quality, sustainable designs which respect the local context and avoid adverse impact upon amenity and road safety.

#### **3.2 Relevant Government Advice/Policy**

None relevant.

#### **3.3 Planning History**

There is no relevant planning history relating to the application site.

### **4 Consultation(s)**

- 4.1 **Roads and Transportation Services** – following the submission of a Parking Survey the Area Manager has no adverse comments on the proposal, subject to a number conditions relating to access and parking provision.

**Response:** Noted. I propose to attach conditions to any consent granted in relation to access and parking.

- 4.2 **Environmental Services** – no objections subject to conditions relating to noise assessment, dust and waste control, and the submission of details of floodlighting.

**Response:** Noted. If consent is granted appropriate conditions can be attached. Floodlighting is not proposed at this stage.

- 4.3 **Scottish Water** – have not responded at the time of writing this report.

**Response:** Noted.

- 4.4 **SEPA** - have no objection to this planning application subject to conditions requiring the discharge of surface water to the water environment to be in accordance with the principles of SUDS. The foul drainage from the site must be discharged to the public sewerage system. The applicant should consult with Scottish Water in this regard.

**Response:** Noted. If consent is granted appropriate conditions can be attached.

## **5 Representation(s)**

5.1 Following the statutory neighbour notification period and the advertisement of the application as an Article 12(5) development (Due to the Scale or Nature of the Proposals) two letters of representation were received. These are summarised as follows:

- a) **After enduring years of disruption whilst the high school was being constructed what assurances are there about noise control and working hours? If there is any piling associated with the building, what steps will be taken to protect neighbouring properties, and what will be done to ensure dust does not adversely affect the appearance of such properties?**

**Response:** Suitable conditions will be attached to the grant of any planning consent regarding dust control during construction periods. All works on site must be carried out in accordance with BS5228 Parts 1 – 4 1984/1986, “Noise control on construction and open sites” however this is legislation enforced by Environmental Health. Any issues of vibration and other possible impacts on adjacent properties are a matter for the parties concerned.

- b) **What steps are being taken to ensure that privacy will be maintained given that the schools main entrance and car park are looking directly onto domestic property?**

**Response:** The schools vehicular access is being maintained at its existing position, as is the car parking, though this will be formalised and landscaped. The entrance to the building is 44 metres away from the site’s northern boundary. In addition the natural slope of the site means the school will sit lower than the dwellinghouses on the site’s northern edge.

- c) **The parking survey has failed to highlight the issue of neighbouring driveways being blocked on a daily basis. What will be done to encourage parents to use the school grounds to drop off and pick up their children and where will the construction workforce park?**

**Response:** The parking survey highlighted that the majority of drop-offs occurred along Strathaven Road and at the bus bay, and related to pupils of both Milton Primary and Lesmahagow Academy. This planning application retains the bus bay and also formalises the primary school car park to provide a drop-off area. Roads and Transportation Services have advised that the number of parking spaces proposed is appropriate to meet the needs of the proposal. Issues such as parked cars blocking access points are a police matter.

- d) **What will be done to ensure that the water and flooding problems on the school side will be dealt with effectively and not be transferred to adjacent properties?**

**Response:** See paragraph 4.4 above. A number of conditions will be attached to any consent granted relating to surface water to ensure that it is collected within the site and dealt with by the provision of a Sustainable Urban Drainage System.

- e) **What will be done to minimise light pollution? Adjacent property already has issues with the high school having lights on that are not necessary.**

**Response:** Environmental Services have no objection to the proposal subject to the inclusion of a number of conditions to cover the provision of further details of external lighting.

- f) **What restrictions will be put in place on use after school hours of the building and car park? Who will be responsible for ensuring that an effective 24-hour contact will be established to help with issues, such as alarms that arise out of normal working hours?**

**Response:** There is no planned community use of the existing MUGA pitch. Education Resources are responsible for any issues that arise outwith school hours.

**g) Why is it necessary to remove any trees, surely these are protected?**

**What type of tree are they being replaced with?**

**Response:** The trees within the application site are not covered by a Tree Preservation Order, and the removal of some of them along the boundary to the objectors property is necessary for the formation of parking areas or installation of fences. The tree which has been identified as containing a bat roost will be retained. It is proposed to replant a number of trees, and they will be heavy standards, and of an appropriate species.

**h) When will I be consulted about the style and height of the boundary fencing?**

**Response:** The fencing plan has been available for public inspection in the normal manner. The existing 3 metre fence around the MUGA will remain, and around the perimeter of the site the fences will be 2.4 metre weld mesh. Further 1.5 metre fencing will be used within the site to delineate specific areas such as play areas.

5.2 These letters have been copied and made available for inspection in the usual manner.

## **6 Assessment and Conclusions**

6.1 The main determining issues in this instance are the extent to which the proposal complies with the adopted local plan and its effect on the amenity of the area.

6.2 The site lies within a residential area where Policy RES 6 of the South Lanarkshire Local Plan applies. This policy requires the amenity of existing residential areas to be protected from the introduction of inappropriate uses. The application site consists of the existing school facility. I am satisfied that a replacement primary school is an entirely appropriate use within this residential area. More specifically the site is affected by proposal CTY1: Primary School Modernisation which identifies it as part of the Council's modernisation programme. Accordingly, the proposal is compatible with land use policy and is acceptable in principle.

6.3 Policies ENV30 and DM1 aim to give full consideration to local surroundings and avoid adverse impacts upon amenity and road safety whilst promoting high quality, sustainable designs. The proposal relates to a replacement school on the site of an existing school therefore there will be no significant changes in circumstances affecting the locality in the respect of introducing new activity, traffic or noise to the local area. The proposed building will have a different footprint within the application site than the existing building, being L shaped rather than rectangular and will be positioned in the southern portion of the site. The building will however, be 20 metres from the dwelling house to the south, and 50 metres from the dwelling to the north. I am satisfied that these distances and the proposed landscaping ensure that amenity and privacy can be adequately protected. The existing MUGA will remain in its current location and I am satisfied that this will not generate any adverse residential amenity issues.

6.4 In terms of design, the proposal is contemporary in style and would be constructed from a variety of materials, resulting in a high quality building and a significant improvement on the existing complex. The scale and massing is considered appropriate and takes advantage of the topography of the site.

6.5 There have been no adverse comments from consultees and indeed the formalization of the car parking arrangements will ease on street parking problems in

the area. A number of concerns have been raised by adjoining residents but they relate largely to management issues. Other matters can be covered by conditions.

- 6.6 Therefore in considering the above I conclude the proposed development is consistent with relevant local plan policies and proposals and is acceptable in terms of its impact on local amenity and it is recommended that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal complies with Policies RES6, ENV30, DM1 and proposal CTY1 of the South Lanarkshire Local Plan (Adopted) and there would be no adverse impact on the residential or visual amenity of the area or on road safety.

**Colin McDowall**

**Executive Director (Enterprise Resources)**

**5 February 2010**

## **Previous References**

- ◆ None

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - Roads and Transportation Services (South Division) 04/11/2009
  - Environmental Services 13/11/2009
- ▶ Representations
  - Representation from : Mr Gavin Forrest, Craignethan, Lesmahagow, ML11 0DN,  
DATED 10/11/2009
  - Representation from : Carole Forrest, Craignethan, Lesmahagow, ML11 0DN,  
DATED 05/11/2009

## **Contact for Further Information**

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

Ailsa Graham

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Detailed Planning Application

PAPER APART – APPLICATION NUMBER : CL/09/0459

## **CONDITIONS**

- 1 The consent shall be carried out strictly in accordance with drawing numbers:

AL(00)100; AL(00)051; AL(00)052; LL(90)001revG; LL(90)003 revA; AL(03)011; AL(03)012; AL(01)001 revC; AL(01)002 revC; AL(01)004 revC; AL(01)005 revC; LL(93)002 revA;AL(02)001 revB; AL(02)002 revA and LL(94)001 revA.

- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 4 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.
- 5 Development shall not commence until an assessment of the potential for the proposed use to cause noise nuisance including, if applicable, noise produced by the ventilation equipment, to occupants of residential properties in the locality, has been submitted to the Council as Planning Authority. Where potential noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Council as Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.  
Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.
- 6 Prior to the installation of any external lighting, including floodlighting, details of the scheme shall be submitted to and approved in writing by the Council as Planning Authority. The scheme shall include, where appropriate, details of all aspects of the installation including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvres; cowling (including colouring); lux contours/distribution diagrams and column type/colour. The approved scheme shall be implemented prior to the development being brought into use and shall thereafter be operated in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
- 7 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 8 Before the school hereby approved is brought into use, the proposed method of ventilation shall be submitted to and approved in writing by the Council as Planning Authority. The [development type] shall not be brought into use until the ventilation systems are operational in accordance with the approved details. All odours, fumes and vapours generated on the premises shall be controlled by best practicable means to prevent them causing nuisance to occupants of nearby dwellings or premises.  
The ventilation system shall:  
a) Incorporate systems to reduce the emission of odours and pollutants and shall



thereafter be maintained as necessary.

b) Be constructed by employing best practical means to minimise noise and vibration transmission via plant and the building structure.

c) Noise associated with the business shall not give rise to a noise level, assessed with the windows closed, within any dwelling or noise sensitive building, in excess of the equivalent to Noise Rating Curve 35, between 07:00 and 20:00 hours, and Noise Rating Curve 25 at all other times.

- 9 Prior to the development being brought into use, details of the storage of waste arising from the site shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall be in place prior to the development being brought into use.
- 10 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.
- 11 That no 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 requirements. The approved details shall be implemented prior to the school being occupied.
- 12 That before any work commences on the site a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include: (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 13 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 14 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 15 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 14 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 16 That dropped kerbs, guardrails, lining and signing, and dropped crossings for

disabled access shall be provided at the entrance and along the frontage of the application site, all to the satisfaction of the Council as Roads and Planning Authority.

- 17 That before the development hereby approved is occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 18 That before the development hereby approved is completed or brought into use, parking provision shall be provided in accordance with the Car Parking Study prepared by WSP Development and Transportation, dated June 2009, in that a total of 27 spaces (including 2 disabled spaces) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 19 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 20 No earlier than 6 months prior to works commencing on site, a bat survey shall be undertaken and approved in writing by the Planning Authority and thereafter the appropriate mitigation measures shall be implemented to the satisfaction of the Council as Planning Authority.
- 21 That prior to any works commencing on site, details of a traffic management scheme indicating the circulation of vehicles and pedestrians during construction; the location of the site compound; and the location of parking areas for construction site workers and contractors, shall be submitted to and approved by the Council as Planning Authority and thereafter implemented to the Council's satisfaction.
- 22 That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

## **REASONS**

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 To minimise noise disturbance to adjacent occupants.
- 6 To minimise the risk of nuisance from light pollution to nearby occupants.
- 7 To minimise the risk of nuisance from dust to nearby occupants.

- 8 To minimise nuisance to occupants of nearby buildings as a result of cooking smells, vapours, airborne pollutants or noise from the premises.
- 9 To minimise nuisance, littering and pest problems to nearby occupants.
- 10 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.
- 11 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.
- 12 In the interests of the visual amenity of the area.
- 13 In the interests of amenity.
- 14 These details have not been submitted or approved.
- 15 In the interests of amenity and in order to retain effective planning control.
- 16 In the interest of public safety
- 17 To ensure the provision of a satisfactory land drainage system.
- 18 To ensure the provision of adequate parking facilities within the site.
- 19 In order to retain effective planning control
- 20 In the interests of nature conservation.
- 21 In the interest of public and road safety.
- 22 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

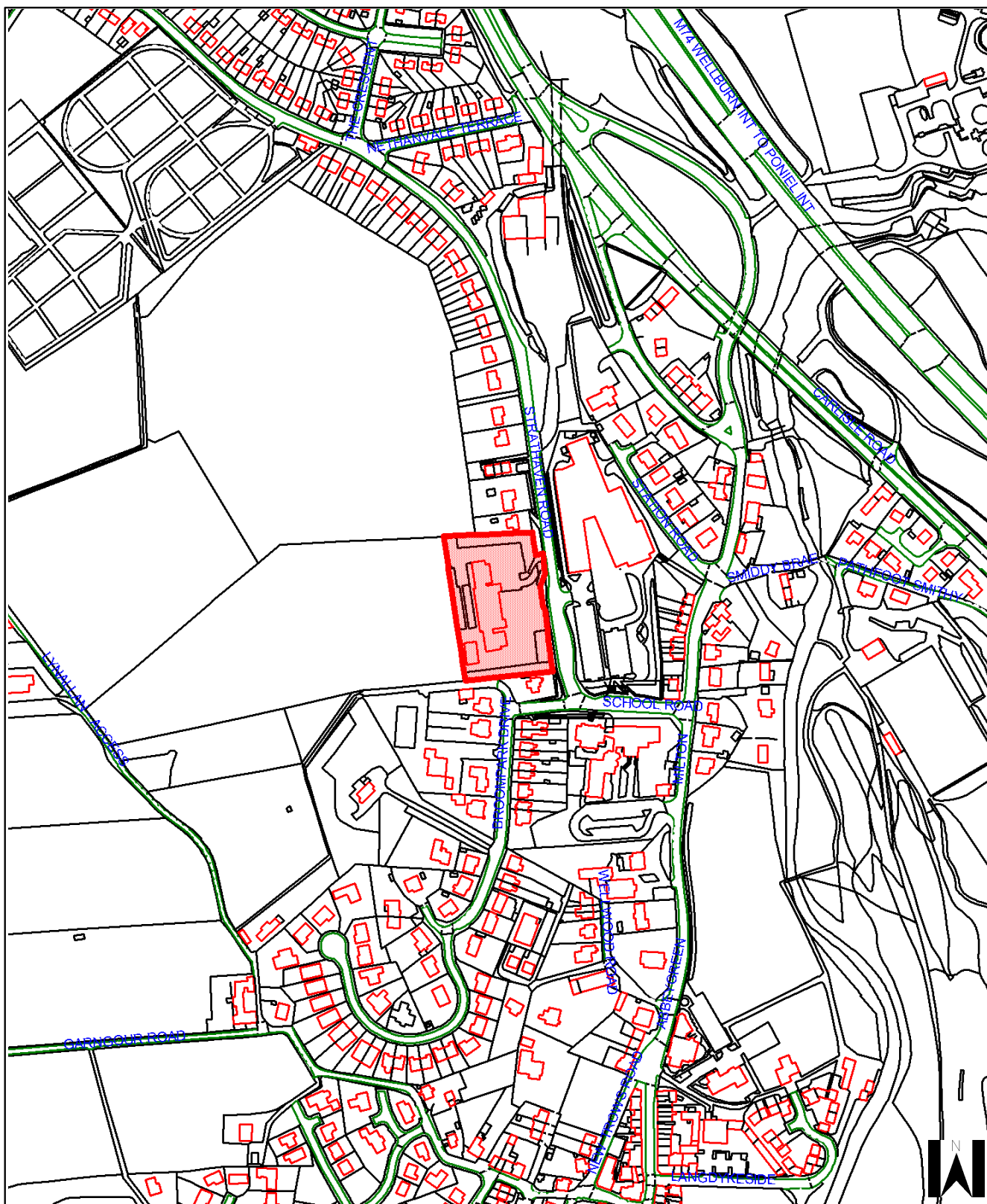
CL/09/0459

Milton Primary School, Strathaven Road, Lesmahagow,  
ML11 0DN

Planning and Building Standards Services

Scale: 1: 5000

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