

	<h1>Report</h1>	Agenda Item <h1>12</h1>
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Report to: **Planning Committee**
 Date of Meeting: **26 May 2009**
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/09/0121
 Planning Proposal: Erection of Single Classroom Primary School, Formation of New Vehicular Access, Associated Land Engineering and Tree Felling (Amendment to CL/08/0311)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : Wiston Primary School
Millrigg Road
Wiston ML12 6HT

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: South Lanarkshire Council
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**
 - Policy STRAT4: Accessible Rural Area
 - Policy CTY1: Primary School Modernisation
 - Policy ENV11: Design Quality
 - Policy ENV33: Developments in the Countryside
 - Policy DM1: Development Management

- ◆ Representation(s):
 - ▶ 1 Objection Letter
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

Leisure Services (Arboriculture)

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 lies outwith the settlement boundary of Wiston, and is currently vacant following the demolition of the former school buildings on the site. It is bound on the south by Millrigg Road with houses beyond, on the north and east by mature woodland, and on the west by a private dwellinghouse, the former schoolhouse. The ground rises from the road northwards.

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of a single storey primary school on the site of the previous Wiston Primary. This is an amendment to an earlier application (CL/08/0311) in terms of the position of the building, external design, and a reduction in the accommodation from two classrooms back to one, as was the case in the original Wiston Primary. The school would also include a gym/dining hall, kitchen, staff room and activity room. The original school was demolished last year.
- 2.2 Four parking spaces and two disabled spaces would be provided. An in/out access arrangement onto Millrigg Road would be created with these points either end of the site. An existing play area would be retained while a grassed area to the rear of the school building would be used for informal recreation activities.

3 Background

3.1 Local Plan Background

- 3.1.1 The adopted South Lanarkshire Local Plan identifies the site as lying within the Rural Area where Policy STRAT4 advises that development will be directed within settlements boundaries, and isolated or sporadic development will generally not be supported. New building will be permitted where it forms part of a proposal to rehabilitate disused or redundant traditional buildings where this consolidated such groups. The site is specifically affected by Policy CTY1: Primary Schools Modernisation which includes Wiston Primary within the programme of modernization of primary schools by 2016.
- 3.1.2 Other detailed Policies of relevance include ENV11: Design Quality; ENV33: Development in the Countryside; and DM1: Development Management.

3.2 Government Advice/Policy

- 3.2.1 None relevant.

3.3 Planning Background

- 3.3.1 Detailed planning consent was issued in September 2008 (CL/08/0311) for the demolition of the original school, which was attached to the former schoolhouse, and the erection of a new two classroom school.

4 Consultation(s)

- 4.1 Scottish Water – have no objection to the proposal.
Response: Noted
- 4.2 Environmental Services – have no objection to the proposal subject to conditions relating to the development works and the ground conditions.
Response: Noted. Suitably worded conditions will be attached to the grant of any planning consent to address these issues.

- 4.3 **Community Resources** - The Council's Arboricultural Officer advises that the tree survey submitted with the previous application is still relevant and that tree planting be carried out to replace those trees lost either as a direct result of the development or due to condition. Tree protection should be in place before any work commences on site.
Response: Noted and agreed. The survey shows 10 trees would be removed due to their condition while one additional tree would be felled to enable access to be formed. A number of conditions will be attached to any consent to ensure that the remaining trees are protected during construction works, and that replanting of felled trees is carried out with suitable species.
- 4.4 **Roads and Transportation Services (Clydesdale)** – no objection subject to conditions relating to visibility splays and parking provision.
Response: Noted. Suitable conditions will be attached to any planning consent issued.
- 4.5 **S.E.P.A. (West Region)** – have no objection to the proposal subject to the sewage treatment and disposal being in accordance with SEPA's requirements, and in compliance with the requirements set out in "The Scottish Building Standards: Technical Handbook". Surface water should be excluded from the treatment system.
Response: The existing septic tank, which is shared with the adjoining school-house will be utilised, and the outflow remain in the same place. This tank has a consent from SEPA. A condition will be attached to any consent granted requiring surface water to be treated by a separate SUDS scheme.

5 Representation(s)

- 5.1 Following statutory neighbour notification one letter of representation was received, and is summarised as follows:

a) The consent for the previous application for the erection of the school was granted subject to a number of conditions which stipulated that the sub soil had to be assessed for suitability for foul drainage, and that a septic tank was to conform to current codes of practice. The plans have been put on hold, but I assume that these conditions need to be met before the development of the proposed new building commences.

Response: The conditions attached to the previous consent (CL/08/0311) are pertinent to that development. As the development proposal has altered, conditions appropriate to it will be attached to the grant of planning consent, and as a sub-soil soakaway is not to be utilised, there is no requirement to assess the suitability of the soil for foul drainage.

b) I have been given assurances by the Council that the use of the septic tank would discontinue and the tank either filled in or removed. I understand that a new build may require a new septic tank, but I am concerned that the new building goes ahead on the assumption that the existing tank will be used for effluent disposal.

Response: SEPA have confirmed that the licence for the existing septic tank is still valid, and that the tank can serve the number of people for which the school is designed. It is intended to utilise the existing septic tank.

This letter has been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The application seeks approval for a new primary school in Wiston and represents an amendment to a previously approved scheme. 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 proposal involves the erection of a new build single storey primary school to replace the former school which was demolished under an earlier consent (CL/08/0311). This amended scheme will incorporate a single classroom positioned in the centre of the site, with the entrance facing the road and the classroom facing west towards the former schoolhouse. Parking will be provided within the confines of the site for 6 cars, and the formation of separate entrance and exit points will also allow for the creation of a bus drop-off point within the school grounds.
- 6.3 The site lies outwith the settlement boundary of Wiston but is identified on the Council's Primary School Modernisation Programme for which Policy CTY1 of the adopted South Lanarkshire Local Plan is applicable. I am satisfied that the positioning of the school will not adversely affect the neighbouring property either in terms of impact on privacy or overlooking as there is now a greater separation distance than previously, and the school will sit at a slightly lower level with grass slopes around the building and playground. The rectangular form of the building and the type of materials are appropriate for the area, and the majority of the existing mature trees will be retained, other than those identified in the tree survey as being diseased or dangerous. A replanting scheme would be carried out to replace the trees that would be removed. The proposal will result in a modern school facility which serves a wide rural area.
- 6.4 In conclusion, the proposal is an appropriate form of development and the recommendation is therefore to grant planning permission.

7 Reasons for Decision

- 7.1 The proposal complies with Policies CTY1, ENV11, ENV33 and DM1 of the adopted South Lanarkshire Local Plan; it will not adversely affect the amenity of neighbouring residential properties; and there are no road safety implications.

Iain Urquhart
Executive Director (Enterprise Resources)

12 May 2009

Previous References

- ◆ CL/08/0311

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Environmental Services 15/04/2009
 - Scottish Water 20/04/2009

Roads and Transportation Services (South Division)

16/04/2009

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

24/04/2009

Arboricultural Manager

06/04/2009

► Representations

Representation from : Catherine McCartney, The Schoolhouse, Wiston, ML12
6HT, DATED 08/04/2009

Contact for Further Information

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

Ailsa Graham, Council Offices, Planning Officer, South Vennel, Lanark ML11 7JT

Ext 810 3190 (Tel :01555 673190)

E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 Prior to the commencement of development on site, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 10% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:
 - a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 10% reduction beyond the 2007 building regulations CO2 standard;
 - b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
 - c) an indication of the location and design of the on-site energy technologies; and
 - d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.
- 3 The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.
- 4 That prior to the commencement of any site clearance or development on site, the existing trees to be retained shall be protected in accordance with methods as set out in BS5837 "Trees in Relation to Development Sites" 2005, during and until completion of all site operations and building works.
- 5 That the trees referred to under Condition 4 above shall be protected during the course of construction work on site by a 1.2 metre high chespale fence erected not less than 3 metres from tree trunk to the satisfaction of the Council as Planning Authority.
- 6 All trees to be removed must be replaced by heavy standard trees of a similar species at the locus. Details shall be submitted to the Council as Planning Authority for their written approval and no work shall be undertaken on the site until approval has been given for these details.
- 7 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.
- 8 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.

- 9 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.
- 10 That before the school hereby approved is occupied, a septic tank and appropriate outflow, designed and constructed in accordance with the current code of practice BS6297:1983 shall be provided to the satisfaction of the Council as Planning Authority in consultation with SEPA.
- 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. Thereafter, this scheme shall be fully implemented prior to the occupation of the school.
- 12 That within three months of the date of this permission, a scheme for the provision of an equipped play area within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include : (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s); (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; (c) details of any fences to be erected around the play area; and (d) details of the phasing of these works.
- 13 That prior to the completion or occupation of the school, all of the works required for the provision of the equipped play area as approved under the terms of Condition 12 above shall be completed to the satisfaction of the Council.
- 14 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - 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 as defined under Part IIA of the Environmental Protection Act, 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.

- 15 That before the school hereby approved is completed or brought into use, visibility splays of 2.5 metres by 35 metres to the east and 2.5 metres by 70 metres to the west, measured from the road channel shall be provided at the eastern egress point, and nothing exceeding 1.05 metres in height shall be located within these sightlines, all to the satisfaction of the Council as Planning Authority.
- 16 That before school hereby approved is brought into use, dropped kerbs and guardrails shall be provided at the entrance to the school car park, with dropped crossings for disabled access, details of which shall first be submitted to and approved by the Council as Planning and Roads Authority.
- 17 That no trees within the application site shall be felled other than those so identified in the Tree Report dated 28 May 2008.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To secure a reduction in carbon dioxide emissions.
- 3 To secure the timeous implementation of on-site zero and low carbon energy technologies.
- 4 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 5 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 6 In the interests of amenity.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 In the interests of amenity and in order to retain effective planning control.
- 9 These details have not been submitted or approved.
- 10 To ensure that the development is served by an appropriate effluent disposal system.
- 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 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 13 In order to retain effective planning control
- 14 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 15 In the interest of road safety
- 16 In the interest of public safety
- 17 To ensure the protection and maintenance of the existing mature trees within the site and to retain effective planning control.

For information only

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