

Report

Report to:	Planning Committee
Date of Meeting:	13 February 2024
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/21/0540
Proposal:	Installation of access gates for emergency vehicles with associated side panels (Retrospective)
Site Address:	Uddingston Cricket and Sports Club Castle Avenue Uddingston G71 7HJ
Applicant:	Mr Allan McGill
Agent:	N/A
Ward:	16 – Bothwell and Uddingston
Application Type:	Full Planning Permission
Advert Type:	Non-notification of neighbours: Hamilton Advertiser 6 May 2021
Development Plan Compliance:	Yes
Departures:	Not applicable
Recommendation:	Grant subject to conditions
Legal Agreement:	Not applicable
Direction to Scottish Ministers	No

1. Reason for Report

- 1.1. The planning application was reported to the Planning Committee on 10 August 2021 with a recommendation to grant consent. Following discussion members agreed to defer a decision to allow further consultation with emergency services on the requirement for the gates. This report provides an update on the current position.

2. Site Description

- 2.1. The application site is a small, rectangular shaped area of ground located within the south-west corner of the grounds of the Uddingston Cricket and Sports Club, at Castle Gate, Uddingston. The site is located within the general urban area, with modern residential properties located to the west, sports pitches to the north and east, and by landscaped areas of ground to both the south and the south-east. An established, approximately 2.5 metre high hedge screens the rugby pitch from Castle Gate, which is an access road into the adjoining, established residential area.

3. Description of Proposed Development

- 3.1. The applicant seeks detailed retrospective planning permission for the installation of vehicular access gates for emergency vehicles with associated side panels. An associated vehicular access over the adopted public footpath has also been formed however this does not require planning permission as the access is not onto a classified road. The gates are 4 metres wide by 2.5 metres high, constructed with green, weld mesh panelling.
- 3.2. The applicant has stated that the gate is for an emergency entrance and exit, identified as being a key requirement of a health and safety audit carried out at the club. It is not utilised as a general entrance to the club and is locked to prevent unauthorised use.
- 3.3. The application is retrospective as the applicant was unaware that the installation of the new gates would require planning permission. It should be noted that the new gates only require formal planning permission due to their height being over one metre above ground level.

4. Relevant Planning History

- 4.1. There is no recent planning history affecting the application site.

5. Supporting Information

- 5.1. The applicant has submitted details of a health and safety audit carried out at the club which recommends the provision of an emergency access including the proposed gates.

6. Consultations

- 6.1. Roads Development Management Team – Advise that the general impact of the development proposed is suitable at this location. Further, there is adequate vehicular visibility from the new access onto Castle Gate.

Response: All noted.

- 6.2. Scottish Ambulance Service – Have noted that the proposal provides an alternative access/egress point which may avoid unnecessary movement of the patient for extrication and therefore have no objections to the proposal.

Response: As highlighted elsewhere in the report the formation of the access itself does not require planning permission.

7. Representations

7.1 Following the statutory period of neighbour notification and advertisement in the local paper, a total of 10 representations (objections) have been received. The issues raised are summarised as follows:-

- ◆ Lack of public consultation and notification
- ◆ Ownership of the full extent of the application site
- ◆ Road safety
- ◆ Requirement/justification for the new access
- ◆ Increased traffic and noise
- ◆ Approval will give “green light” for future residential development
- ◆ Design and appearance of new gates
- ◆ Further alleged breaches of planning control
- ◆ Potential use of gates for non-emergency uses

The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the adopted National Planning Framework 4 and the adopted South Lanarkshire Local Development Plan 2.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland’s national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the climate and nature crisis
- ◆ Policy 2 - Climate mitigation and adaptation
- ◆ Policy 14 - Design, quality and place
- ◆ Policy 21 – Play, recreation and sport
- ◆ Policy 23 - Health and Safety

8.3. South Lanarkshire Local Development Plan 2 (2021)

The application site and associated proposals are affected by the following policies contained in the South Lanarkshire Local Development Plan 2 (SLLDP2):-

SLLDP2 Volume 1 Policies

- ◆ Policy 2 - Climate Change
- ◆ Policy 3 – General Urban Areas
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 13 - Green Network and Greenspace

9. Guidance

9.1. None applicable.

10. Assessment and Discussion

- 10.1. Retrospective planning consent is sought for the installation of vehicular access gates for emergency vehicles, with associated side panels at the Uddingston Cricket and Sports Club, Castle Gate, Uddingston. The main determining issues in assessing this proposal are whether it accords with adopted development plan policy, its impact upon residential and visual amenity, and on road safety.
- 10.2. Following a detailed assessment of the application, it is considered that the installation of the new access gates for emergency vehicle access to the existing sports facilities within the site accord with the relevant policies of both the National Planning Framework 4 (NPF4) and the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).
- 10.3. With regards to the scale and design of the proposed access gates it is considered that they do not have a significant adverse impact upon the character or amenity of the area or upon the amenity of residents living nearby. They are not located immediately adjacent to any dwellings and, given the limited use, do not generate noise or traffic issues. The proposals are therefore considered to accord with Policy 14 of NPF4 and Policies 3 and 5 of the adopted South Lanarkshire Local Development Plan 2.
- 10.4. With regards to road safety, the applicants have provided the health and safety audit that was carried out on their behalf which includes the recommendation for the access and gates as justification for their retention. The application was previously presented to Planning Committee in August 2021 when members agreed to defer a decision to allow consultation with emergency services about the need for the proposal. The Scottish Ambulance Service has advised that the proposal provides an alternative access/egress point which may avoid unnecessary movement of the patient for extrication and therefore have no objections to the proposal.
- 10.5. In addition, Roads and Transportation Services have advised that the general impact of the development proposed is suitable. While not requiring planning permission they have also advised that there is adequate visibility from the new access onto Castle Gate. Finally, there have been no complaints about the operation of the emergency access since the original Planning Committee decision. As a result, it is considered a need for the gates has been provided and that their operation is not causing harm to road safety or amenity.
- 10.6. A number of objectors have raised concerns that the new access will be utilised for additional, unstated purposes, and that it will result in increased traffic and road safety issues. These concerns are noted, however, the applicant has confirmed that a restrictive planning condition, stating that only emergency vehicles can utilise the access, will be acceptable. The letters of objection to the application also raise a number of other issues, relating to lack of public consultation and notification, ownership, road safety, justification for the new access, increased traffic and noise, potential for further development, design and appearance, further alleged breaches of planning control and unauthorised use of the gates. The issues raised have all been fully considered in the assessment of the application, however, none are considered to warrant refusal of the retrospective application.

10.7. Conclusion

In conclusion, following a full and detailed assessment of the proposed development, taking into account all of the letters of representation submitted, it is considered that it would have no significant adverse impact upon amenity, the character of the area, road safety or upon the Green Network. The proposals are therefore considered to be in accordance with the relevant policies of the adopted National Planning Framework 4 and the South Lanarkshire Local Development Plan 2. In view of all of the above it is recommended that the Planning Committee grant the application.

11. **Recommendation and Conditions**

11.1. The Committee is asked to agree the following recommendation:-

Grant detailed planning permission, subject to the following conditions:-

01. That the use of new access gates and associated vehicular access hereby approved shall be solely for the purpose of emergency vehicles, and for no other type of activity without the prior written approval of the Council as Planning and Roads Authority.

Reason: In the interests of amenity and road safety.

02. That for the avoidance of doubt the access gates hereby approved shall only open inwards, into the grounds of the Cricket and Sports Club.

Reason: In the interests of road safety.

12. **Reason for Decision**

- 12.1. The proposals will have no significant adverse impact on either residential or visual amenity and comply with policies 1, 2, 14, 21 and 23 of the National Planning Framework 4, and with policies 2, 3, 5 and 13 of the adopted South Lanarkshire Local Development Plan 2. Further, there are no additional material considerations which would justify refusing planning permission.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 5 February 2024

Background Papers

Further information relating to the application can be found online:-

[P/21/0540 | Installation of access gates for emergency vehicles, with associated side panels \(retrospective\) | Uddingston Cricket And Sports Club Castle Avenue Uddingston G71 7HJ \(southlanarkshire.gov.uk\)](#)

- ◆ Extract from health and safety audit carried out on behalf of the applicants
- ◆ A link to the report presented to the Planning Committee on 10 August 2021
[Document.ashx \(cmis.uk.com\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/21/0540 Uddingston Cricket and Sports Club, Castle Avenue, Uddingston



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Scale:
1:2,000
Date:
17/01/2024



South Lanarkshire Council
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