

Report

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Report to:	Cambuslang and Rutherglen Area Committee
Date of Meeting:	15 April 2008
Report by:	Executive Director (Enterprise Resources)

Application No	CR/08/0004
Planning Proposal:	Change of Use of Dwellinghouse to Nursery (31 Children) Associated Alterations and Formation of Car Parking (Amendment to Consent CR/06/0204)

1. Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mrs Lynn Thomas
- Location : 53 Greenlees Road
Cambuslang

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 the conditions attached)

2.2. Other Actions/Notes

The Area Committee has delegated powers to determine this application

3. Other Information

- ◆ Applicant's Agent: Scona Developments Limited
- ◆ Council Area/Ward: 13 Cambuslang West
- ◆ Policy Reference(s): **Cambuslang/Rutherglen Local Plan 2002**,
Policy TRA8 – 'Transportation Land Use'
Policies DC1 and SLP 6 – Development Control
General
**Finalised South Lanarkshire Local Plan
(After Modification) 2007**,
Policy RES6 – 'Residential Land Use' Policy
DM1 – Development Management.

◆ Representation(s):

- ▶ 8 Objection Letters
- ▶ 1 Support Letter
- ▶ 0 Comment Letters

◆ Consultation(s):

Roads and Transportation Services (North Division)

Care Commission

Planning Application Report

1. Application Site

- 1.1. On the western side of Greenlees Road, immediately north of Kirkhill Railway station, the application site extends to approximately 800 square metres, is relatively level and contains a bungalow with attached garage of 1960/70 appearance with associated garden ground. In addition, the site also incorporates a small section of garden ground presently associated with a neighbouring house (number 51a Greenlees Road). As a result of this land acquisition, a triangular area in the north western corner of the original rear garden associated with No. 53 will be transferred to the neighbour.
- 1.2. Immediately to the north of the site there are two modern dwellinghouses and a small 'park and ride' car park associated with the railway station. To the east on the opposite side of Greenlees Road are the flats of Vicarland Place whilst to the south there is the aforementioned railway station and track. A tarmacadamed vehicular and pedestrian access to the railway station passes the front of the site and is separated from Greenlees Road by a hedge/tree line.
- 1.3. The site is owned by the applicant. Greenlees Road, as it passes the site is reasonably steep (it rises to the south), is classified (B759) and has relatively high volumes of traffic.

2. Proposal

- 2.1. At its meeting of 9 October 2007 the Planning Committee approved the applicant's planning application for a change of use from a dwelling house to a children's nursery for 24 children at this location. The application now being considered seeks to increase the capacity of the nursery to 31 children. To achieve this increase in numbers the applicant must increase the off-street parking within the site. To meet this requirement land has been acquired from a neighbouring property and plans have been submitted showing the new parking provision.
- 2.2. All the other details relating to the proposed nursery remain as approved under the previous application.

3. Background

3.1. Local Plan Policy

The site is located within a Transportation Land Use Area (TRA 8) of the adopted Cambuslang/Rutherglen Local Plan. A differing land use designation (RES 6) is proposed by the Finalised South Lanarkshire Local Plan (After Modification).

3.2. Relevant Government Advice/Policy

None directly applicable given the nature and scale of the proposal.

3.3. Planning History

CR/06/0204 - Change of Use of Dwellinghouse to Children's Nursery, Erection Of Side Extension, Associated Alterations And Formation Of Off Street Parking – Granted detailed planning consent, October 2007.

4. Consultation(s)

- 4.1. **Roads and Transportation Services** – No objections subject to a condition relating to the provision of the increased number of parking spaces.

Response: Noted and an appropriate condition can be attached to ensure the provision of the required off-street parking places, before the nursery operates with the increased numbers.

4.2. **Care Commission – No response.**

Response: Noted

5. Representation(s)

5.1. Statutory neighbour notification was undertaken and in response 8 letters of objection and 1 letter of support have been received. The points raised are summarised as follows:

(a) The increase in numbers will have an unacceptable impact on the traffic flow on the busy Greenlees Road causing congestion and traffic danger.

Response: Roads and Transportation have advised that the 30% proposed increase in the number of children associated with the nursery operation to 31 would at the worst estimate generate a further 6 vehicle movements between nursery drop off times of 08:00hrs to 10:00hrs. This equates to around 3 cars per hour, which further equates to around 1.5 cars in the southbound direction which it is accepted is the direction with the potential to cause the most delay. It is the view of Roads and Transportation that this number of additional vehicular movements does not generate any significant or material concerns over access to the site.

(b) The increase in numbers will adversely affect pedestrian safety.

Response: As with any shared access arrangement drivers will be expected to use caution when entering and exiting the premises just as users of the car park have done in the past.

(c) The proposed increase in numbers will increase the likelihood of on-street parking on Greenlees Road.

Response: Roads and Transportation Services consider that the applicant has illustrated an off street parking arrangement in line with the parking provision requirements of our Guidelines for Development Roads. The applicant has also indicated that any parents using the nursery will be directed to use the adequate off-street facilities provided to avoid prejudicing the safety of children and other road users.

(d) The proposed increase in numbers will exacerbate the difficulties already experienced by residents in Brownsie Road who cannot exit their driveways due to the back-up of vehicles trying to turn onto Greenlees Road.

Response: The difficulties currently experienced in exiting the driveways is due to the length and duration of the queue of traffic waiting to enter Greenlees Road during peak hours. The reason the queue is evident during the peak times is down to the sheer volume of traffic on Greenlees Road and the limited breaks in traffic flow that this volume provides. The further estimated 1.5 vehicle movements into the nursery can only increase the likelihood of a further break in traffic and thus improve the chances of exiting the driveways and not exacerbate them.

(e) Are there sufficient disabled parking spaces and access.

Response: Roads and Transportation Services consider that in accordance with the Council's Guidelines for Development Roads one staff car parking space

and one visitor space will be designated for disabled drivers. The applicant will be responsible for ensuring disabled access under the appropriate legislation.

(f) Is there an agreement for the Right of Access over the Railway Land?

Response: This is a legal matter between the applicant and the Railway Company.

(g) The increase in numbers will create a danger to pedestrians using the train station.

Response: The access to the railway line and associated apparatus is a service / pedestrian access. As with any shared access arrangement drivers will be expected to use caution when entering and exiting the premises just as users of the car park have done for many years.

(h) There should have been greater neighbour notification of this proposal and in particular a nearby resident who was notified of the previous application was not notified this time.

Response: The applicants notified all the statutorily required notifiable parties.

(i) Why has the nursery not operated since it first got consent last year?

Response: As with all planning consents the applicants have up to five years to implement the consent before it lapses. It may be that since gaining that consent the applicants have been investigating solutions to the parking issues which restricted the capacity of the nursery.

(j) What are the Care Commission's views on this application?

Response: The Care Commission were consulted but have not responded. If they have any issues with the nursery they have their own legislation to take action outwith and beyond any planning decision.

(k) There is shortage of nursery facilities in the local area which has seen a great increase in house building in recent times and thus this new facility will be a very welcome addition to the supply of nursery spaces.

Response: Noted.

6. Assessment and Conclusions

- 6.1. In terms of the adopted Local Plan the site is identified as part of the rail corridor, policy TRA8 being applicable, however in light of the previous consent the established use of the site is considered to be the nursery.
- 6.2. Given the above, this application must be assessed in terms of the impact of the proposed increase by 7 in the number of children using the nursery. This impact will primarily relate to the affect of the increased numbers on the off-street parking provision and increased traffic generation and what this will mean for traffic on Greenlees Road. Roads and Transportation have been consulted on this matter and it is their conclusion that the increase from 24 to 31 resulting in an extra 7 children attending the nursery can be accommodated in terms of staff and visitor parking and that the increase in traffic generated will not have a significant impact on traffic generation and congestion on Greenlees Road.
- 6.3. The access arrangements to and from the site remain as per the previously approved application and it is considered by Roads and Transportation that the small increase in numbers will not have a significant effect or negative impact on the situation. Despite this however the applicants will be asked to prepare a lining and

signing plan to increase the awareness and safety of customers as they enter and exit the site. These signs and markings will be informal and lack statutory backup but they will be to a design and standard to be agreed with Roads and Transportation Services. In particular the applicant has agreed that both staff and customers will be advised not turn right into Greenlees Road while exiting the site. The lining will also clearly identify where the access to the nursery crosses the shared access to the railway station.

- 6.4. In light of the above I am of the view that the proposal can be viewed positively. The limitations set by Roads and Transportation Services regarding parking spaces have been addressed in a satisfactory manner, and they have confirmed that they have no concerns regarding traffic congestion. I would therefore recommend that planning consent be granted subject to the provision of the parking spaces as indicated on the submitted plans and the submission of the lining and signing plan mentioned above. Please note that the all of the conditions of the previous consent, CR/06/0204, will be attached to this consent.

7. Reasons for Decision

- 7.1. The proposal, which amends a previous consent, satisfies the parking requirements required by the Council's Guidelines for Development Roads. All other conditions remain as per the previous consent.

Iain Urquhart
Executive Director (Enterprise Resources)

8 April 2008

Previous References

- ◆ CR/06/0204 - Change of Use of Dwellinghouse to Children's Nursery, Erection of Side Extension, Associated Alterations and Formation of Off Street Parking – Granted detailed planning consent, October 2007.

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour Notification Certificate dated 21 December 2007
- ▶ Cambuslang/Rutherglen Local Plan 2002
- ▶ Finalised South Lanarkshire Local Plan (After Modification) 2007
- ▶ South Lanarkshire Council Guidelines for Development Roads 2000

- ▶ Consultations
 - Roads and Transportation Services (North Division) 11/01/2008

- ▶ Representations
 - Representation from : Margaret Kyle, 2 Brownside Road
Cambuslang G72 8NL, DATED 18/01/2008

Representation from : Mr G W Kyle, 2 Brownside Road
Cambuslang G2 8NL, DATED 18/01/2008

Representation from : Owner/Occupier, 6 Brownside Road
Cambuslang G72 8NL, DATED 24/01/2008

Representation from : Murdoch Jamieson, 4 Brownside Road
Cambuslang G72 8NL, DATED 17/01/2008

Representation from : June Jamieson, 4 Brownside Road
Cambuslang G72 8NL, DATED 17/01/2008

Representation from : Robert McCarrell, 51B Greenlees Road
Cambuslang G72 8NB, DATED 16/01/2008

Representation from : John Paterson, 2 Wellshot Drive
Cambuslang G72 8BP, DATED 14/01/2008

Representation from : A Paterson, 2 Wellshot Drive
Cambuslang G72 8BP, DATED 13/01/2008

Representation from : W Forbes, 23 Greenlees Park,
Cambuslang G72 8AJ, DATED 12/03/2008
On behalf of the Greenlees Park Residents Association.

Contact for Further Information

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

Bill Kerr, Planning Officer, Royal Burgh House, 380 King Street, Rutherglen
Ext: 847 5141 (Tel: 0141 613 5141)
E-mail: Enterprise.cam-ruth@southlanarkshire.gov.uk

CONDITIONS

- 1 That the change of use hereby permitted shall be instituted within five years of the date of this permission.
- 2 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.
- 3 That before the nursery hereby approved is completed or brought into use; all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 4 That before the nursery hereby approved is completed or brought into use, a plan showing proposed traffic signage and road lining relating to the proposed nursery shall be submitted for approval by the Council as Roads and Planning Authority.
- 5 That before the nursery hereby approved is brought into use, the agreed plan of traffic signage and road lining as approved by the Council shall be implemented and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 6 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.
- 7 That the landscaping scheme required by condition 6 above 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 the 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.
- 8 That the nursery shall be limited to no more than 31 children.
- 9 That the nursery shall be limited to operation between 8am and 6pm Monday to Friday.
- 10 That the garden may only be used in association with the nursery between 10am and 3pm.
- 11 That a shared surface arrangement utilising 'road markings' to delineate pedestrian movements from vehicular movements shall be applied within in the site.

- 12 That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.
- 13 That before the development hereby approved commences, everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 To ensure the provision of adequate parking facilities within the site.
- 4 In the interest of road and traffic safety.
- 5 In the interest of road and traffic safety.
- 6 In the interests of the visual amenity of the area.
- 7 In the interests of amenity.
- 8 In the interests of amenity and in order to retain effective planning control.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 In the interest of road safety
- 12 In the interest of public safety
- 13 In the interest of road safety

For information only

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