

Report to:	Planning Committee
Date of Meeting:	01 December 2009
Report by:	Executive Director (Enterprise Resources)

Application No	CR/09/0210
Planning Proposal:	Erection of integrated community facility, with sports hall, dance studio. Community rooms, youth area and 1 seven-a-side/3 five-a-side football pitches with associated parking and landscaping

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Community Resources
- Location : Former Football Pitches
Fernhill Road
Fernhill

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 Listed)

2.2 Other Actions/Notes

- (i) The Planning Committee has delegated powers to determine this application.
(ii) The existing Section 69 Agreement with Sportscotland will require to be amended to take account of the all-weather pitch provision.

3 Other Information

- ◆ Applicant's Agent: Housing and Technical Resources
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted) 2009**
Policy RES6 – Residential Land Use Policy
Policy COM5 – Retail Masterplan Site
DM1 – Development Management Policy

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

- ◆ Consultation(s):

Rutherglen Community Council

Environmental Services

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

SportScotland

Power Systems

Scottish Gas, Digital Records Department

Leisure Services (Facility Manager)

Roads and Transportation Services (North Division)

S.E.P.A (West Region)

Planning Application Report

1 Application Site

- 1.1 The site, which extends to some 0.95 hectares, lies to the north of Fernhill Road in the Fernhill area of Rutherglen, adjacent to the existing parade of shops in Fernhill. The site currently forms part of a larger Fernhill recreation area which includes two red blaes football pitches, a running track and a community centre. The application site is currently occupied by part of a red blaes pitch, small hockey style goals and part of the running track. The majority of the site is flat however, Fernhill Road, which forms the site's southern boundary, sits on an embankment approximately 1 metre higher than the rest of the site. The site is bounded to the north and east by the remainder of the recreation area, to the south by Fernhill Road and to the west by residential properties on Shildaig Drive.
- 1.2 The application site lies within and forms one element of a wider masterplan for the regeneration of Fernhill prepared and approved by the Council in consultation with its partners and the Fernhill Steering Group. The proposed development has been suggested for this particular site to form part of new community hub for the area which will include the relocation of the shopping units and new mixed tenure housing.
- 1.3 Early site investigations confirmed that the site is partially underlain by a layer of peat which does have implications for the proposed development in terms of settlement and ground stability. However, a suitable engineering solution has been agreed which will address this potential problem.

2 Proposal(s)

- 2.1 The proposed development involves the erection of a new integrated community facility with a variety of public spaces for various community uses which will replace the existing Fernhill Pavilion which lies to the east of the site. In addition it is proposed that a new all weather synthetic football pitch should be developed alongside and to the west of the community facility. This pitch will be floodlit and provide either one 7-a-side pitch along its length or alternatively three 5-a-side pitches across its breadth. Changing facilities will be provided within the community facility. Finally the application includes full details of the ancillary access roads, parking spaces, pedestrian footpaths and landscaping related to the development. Further details of the development are described below.
- 2.2 The major element of the proposed development is the integrated community facility. This is a single building which will provide a mix of community uses including a reception area, a main hall, a dance studio, three committee rooms, a youth area, a police office, a kitchen, a bar, various store rooms, changing accommodation and toilets.
- 2.3 The building is of modern design and will utilise modern materials including facing brick, timber effect wall panels, aluminium roof and aluminium powder coated windows, the colours will be shades of brown with the final details to be agreed by the Council as Planning Authority. The building varies in height from 3.6 metres to 9 metres utilising two monopitch roofs, to provide high level lighting into the building, which have been used to create an interesting roof design. The building will be approximately 45 metres long and 35 metres wide. Public access to the building will be from a single door on the southern elevation of the building. There will also be service doors at the north east corner of the building, adjacent to the main hall.

- 2.4 The proposed sports pitch will be laid out to the west of the community building and will be orientated in west to east direction. Along its length the pitch will provide a single 7-a-side pitch while three 5-a-side pitches will be accommodated across its breadth. A 4 metre high ball stop fence will surround the pitch which will be floodlit by 6 flood light units, three along each length of the pitch. The pitch dimensions will be 60 metres by 40 metres which will equate to an overall dimension of 64 by 44 metres when the run-off area is added. The pitch will have a 3rd generation synthetic surface and this, along with sizes and the pitch provision will meet the standards set out and required by SportScotland.
- 2.5 A new access road will be taken into the site from Fernhill Road. This road will then run parallel with Fernhill Road to a point at the east end of the site. This access road, which will be constructed to the Council's standards, will serve the proposed community facility and the proposed shopping units which are identified in the masterplan but are not included within this application. The new access road will include a branch running to the north which will be a service road for the community facility and the shops. However, the section of road serving the proposed shops will be included in a future application for that development. Parking will be provided off of the access road and the number of spaces indicated by the applicant meets the requirements set down by Roads and Transportation Services. Pedestrian crossing points and traffic calming are included in the design of the access road.
- 2.6 The proposed development includes a landscaped area which will lie between the new access road and Fernhill Road. This landscaped area will be primarily laid out in grass but will include bulb planting areas, shrubs and extra heavy standard trees with hedges to enclose western and eastern edges of the area. This will provide an attractive setting and entrance feature for the new community facility. Finally it is proposed that security fencing will surround the proposed development on its western, northern and eastern boundaries. Final details of the soft and hard landscaping as well as the security fencing will be the subject of a condition and will require the formal written approval of the Council as Planning Authority.

3 Background

3.1. Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Plan 2009 provides the development plan context for this application. The application site lies within an area covered by policies COM5 – Retail Masterplan Policy; RES6 – Residential Land Use Policy and DM1 – Development Management Policy.

3.2 Relevant Government Advice Policy

- 3.2.1 The Scottish Planning Policy (SPP) 11 'Open Space and Physical Activity' stresses the Governments commitment to strengthening protection for existing open space resources and ensuring that the future needs of all communities are planned for. The SPP sets out how the planning system should help safeguard and create new open spaces and places where people can take part in sport and recreation. The SPP identifies that playing fields are an important resource for sport and can have a key role within the community and that they should not be redeveloped except where one of the following circumstances applies:
- a. The proposed development is ancillary to the principal use of the site as a playing field;
 - b. The proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training;

- c. The playing field which would be lost as a result of the proposed development would be replaced by:
 - (i) a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users; or
 - (ii) the upgrading of an existing playing field to provide a better quality facility, either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area; or
- d. A playing field strategy prepared in accordance with a methodology approved by Sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site in question could be developed without detriment to the overall quality of provision.

3.2.2 The Council has previously signed a legal agreement to replace two red blaes pitches at Kirkconnel Drive, Rutherglen with, amongst others, two new grass pitches at Fernhill at the current application site. This agreement pre-dated both the Fernhill Regeneration Masterplan and this application, and in discussion with Sportscotland it was agreed that this requirement could be replaced by the all-weather provision included in this application. On this basis, the existing Section 69 agreement with Sportscotland will require to be amended should consent be granted for the current proposal.

3.3 Planning Background

3.3.1 The application is in line with the Fernhill Regeneration Masterplan which was prepared by the Regeneration Partnership involving the Council and the Fernhill (Community) Steering Group and was approved by the Housing and Technical Resources Committee on 4 June 2008. The partnership group has been working together on the redevelopment of Fernhill for a number of years.

4 Consultation(s)

4.1 **Roads & Transportation Services (Area)** – no objections subject to conditions regarding dropped kerb access and pedestrian provision.

Response: Noted and the appropriate conditions can be attached should consent be granted.

4.2 **Environmental Services** – no objections subject to conditions regarding noise and floodlighting and advisory notes regarding health and safety, food safety, noise and contamination.

Response: Noted and appropriate conditions and advisory notes will be added should consent be granted.

4.3 **Leisure Services** - no formal response to date however verbally advised that South Lanarkshire Leisure Trust support the proposed development.

Response: Noted.

4.4 **Roads & Transportation Services HQ (Flooding)** - no objections subject to the required design criteria guidance being satisfied.

Response: Noted and the design criteria guidance will be forwarded to the applicants.

4.5 **Scottish Water** – no objections to the proposed development.

Response: Noted.

- 4.6 **Scottish Environmental Protection Agency (SEPA)** – no objections to the proposed development.
Response: Noted.
- 4.7 **Rutherglen Community Council** – no objections to development.
Response: Noted.
- 4.8 **Scottish Gas** - no response to date.
Response: Noted.
- 4.9 **Powersystems** - no response to date.
Response: Noted
- 4.10 **Sportscotland** – no objections to proposed development subject to confirmation that the size and surfacing of the pitch will meet Sportscotland's specifications.
Response: Noted. The plans will be amended to show the required size and surfacing of the pitch.

5 Representation(s)

- 5.1 Following statutory neighbour notification and advertisement of the application in the local press, no letters of objection have been received.

6 Assessment and Conclusions

- 6.1 Policy COM5 requires that a retail masterplan be brought forward for the recreational area at Fernhill which will include shopping, residential and recreational uses and be complementary to the wider regeneration of Fernhill. The Fernhill Regeneration Masterplan mentioned in paragraph 3.3 above addresses this local plan requirement and has identified an area adjacent to the application site for retail purposes. With respect to the housing element an application has been submitted for residential development (CR/09/0167) which is also being considered by this committee. The recreational element of the local plan policy was for two new grass pitches but as set out above agreement has been reached with Sportscotland to change this from two grass pitches to the proposed all-weather pitch and thus this element is being met by the current application. In light of the above it is considered that the proposed development accords with local plan policy COM5.
- 6.2 With respect to policy RES6 of the adopted Plan (Residential Land Use) this aims to protect the character and amenity of residential areas while supporting, in principle, compatible uses. The policy, therefore, is aimed at resisting proposals which will detract from their character and amenity and supporting development which satisfies the following criteria:
- (a) The proposed development relates satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use;
 - (b) The character and amenity of the area is not impaired by reason of traffic generation, parking, visual intrusion, noise, emission of gases and particles;
 - (c) There is no resultant loss or damage to spaces, trees, bushes or hedgerows that made a significant contribution to the character or amenity of the area;
 - (d) The development is adequately services in terms of cycle, pedestrian and vehicular access, parking and accessibility to public transport.
 - (e) There is no detrimental effect on public safety.

- 6.3 As the proposed development accords with the approved masterplan for the area and given its setting in self contained recreational area and at some distance from the nearest housing it is considered that the proposed development will not adversely affect the residential amenity of the area. Notwithstanding this, it should be noted that conditions will be placed on any consent to ensure that the proposed floodlights around the sports pitch will be so angled to ensure that they do not adversely affect neighbouring properties. By taking account of the above, it is concluded that the proposed development also complies with this policy.
- 6.4 Policy DM1 – Development Management Policy states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Development will require to have no significant adverse impact on the local environment and to enhance its quality and appearance. It also identifies various criteria to be considered by the Council when assessing applications. The proposed community building will be an attractive modern development which makes good use of modern materials and will be both well designed and functional. As the proposed development will accord with the approved masterplan for Fernhill and is set within an existing recreational area it is considered that despite its size and massing it will create its own environment and setting and will compliment the adjacent uses and will thus accord with the criteria of this policy.
- 6.5 In terms of national policy as set out in SPP11 it is noted that the proposed development will take place on existing playing field, albeit a run down field which is not in formal use, and thus has to be considered against the terms of the SPP. In this instance it is considered that the redevelopment of the playing field is acceptable as it will be replaced by an “upgraded and better quality provision in the same location which is convenient for its users” as set out in criteria C (ii) as outlined at paragraph 3.2.1 above. In addition the proposed development meets the requirements of, and has been approved by, Sportscotland.
- 6.6 Following statutory neighbour notification no objections to the development were submitted. In addition the nature of the proposed development with its outdoor pitch facility and floodlights required the application to be advertised in the local press as a potentially “bad neighbour development”. Following the publication of this advert no objections were submitted
- 6.7 The proposed development represents a considerable improvement to, and expansion of, the community facilities available within Fernhill and is in line with the approved Fernhill Regeneration Masterplan. The development will provide an attractive, high quality building in the heart of Fernhill well designed to provide a range of community facilities. The development accords with both national and adopted local plan policies and has received no objections from either consultees or third parties. Finally, the development will satisfy the requirements of a legal agreement the Council has with Sportscotland regarding local sports pitch provision, although the terms of the agreement will have to be amended.
- 6.8 Having regard to all of the above I am satisfied that the proposal is an acceptable development which accords with the relevant national and local plan policies and it is therefore recommended that planning permission be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on the local amenity and complies with Policies RES6, COM5 and DM1 of the adopted South Lanarkshire Local Plan and Scottish Planning Policy 11.

Executive Director (Enterprise Resources)

23 November 2009

Previous References

- ◆ CR/07/0157 – erection of 68 dwellinghouses with associated roads, retaining walls and landscaping. Granted detailed planning consent 20 June 2007.
- ◆ CR/09/0167 - Erection of 97 dwellinghouses over 3 sites, with associated roads and landscaping works. No decision as yet.

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour notification certificate dated 18 June 2009
- ▶ South Lanarkshire Local Plan (adopted) 2009
- ▶ Fernhill Regeneration Masterplan 2008
- ▶ Scottish Planning Policy 11 – Open Space and Physical Activity 2007

- ▶ Consultations
 - Roads and Transportation Services (North Division) 09/11/2009
 - Rutherglen Community Council 04/11/2009
 - SportScotland 27/10/2009
 - Environmental Services 15/11/2009
 - Roads & Transportation Services H.Q. (Flooding) 20/10/2009
 - SEPA 25/09/2009
 - Scottish Water 16/11/2009

- ▶ Representations
 - None

Contact for Further Information

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

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

CONDITIONS

- 1 This decision relates to drawing numbers: AL(01)01; AL(01)02; AL(01)03; CL(00)03; AL(01)07; AL(03)01; AL(01)01B; L/L/80/01; EL(63)03
- 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 That notwithstanding the terms of condition 3 above and for the avoidance of doubt the overall pitch size (including run-offs) for the development hereby approved shall be 64 metres by 44 metres.
- 6 That notwithstanding the terms of condition 3 above and for the avoidance of doubt the surface of the sports pitch hereby approved shall be a 3rd Generation synthetic surface.
- 7 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.
- 8 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.
- 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 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 9 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 11 That prior to development commencing on site, a scheme of dust monitoring shall

be submitted to and approved 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.

- 12 That prior to development commencing on site, details of the proposed floodlighting 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.
- 13 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 the surrounding residential properties, 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.
- 14 Development shall not commence until a noise report examining the design and use of the proposed outdoor facilities has been submitted to and approved by the Council as Planning Authority. The report shall identify any measures required to ensure that there is minimal noise impact on neighbouring properties and shall include issues such as management of the facilities and hours of operation. Any measures required to minimise noise shall be implemented prior to the development being brought into use and shall thereafter be implemented in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
- 15 That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 16 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 17 That before the development hereby approved is brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 18 That notwithstanding the terms of Condition 3 above, crossing points with dropped kerbs shall be provided at the applicant's expense at the positions indicated on the approved plan to permit pedestrian access to the integrated community facility hereby approved.

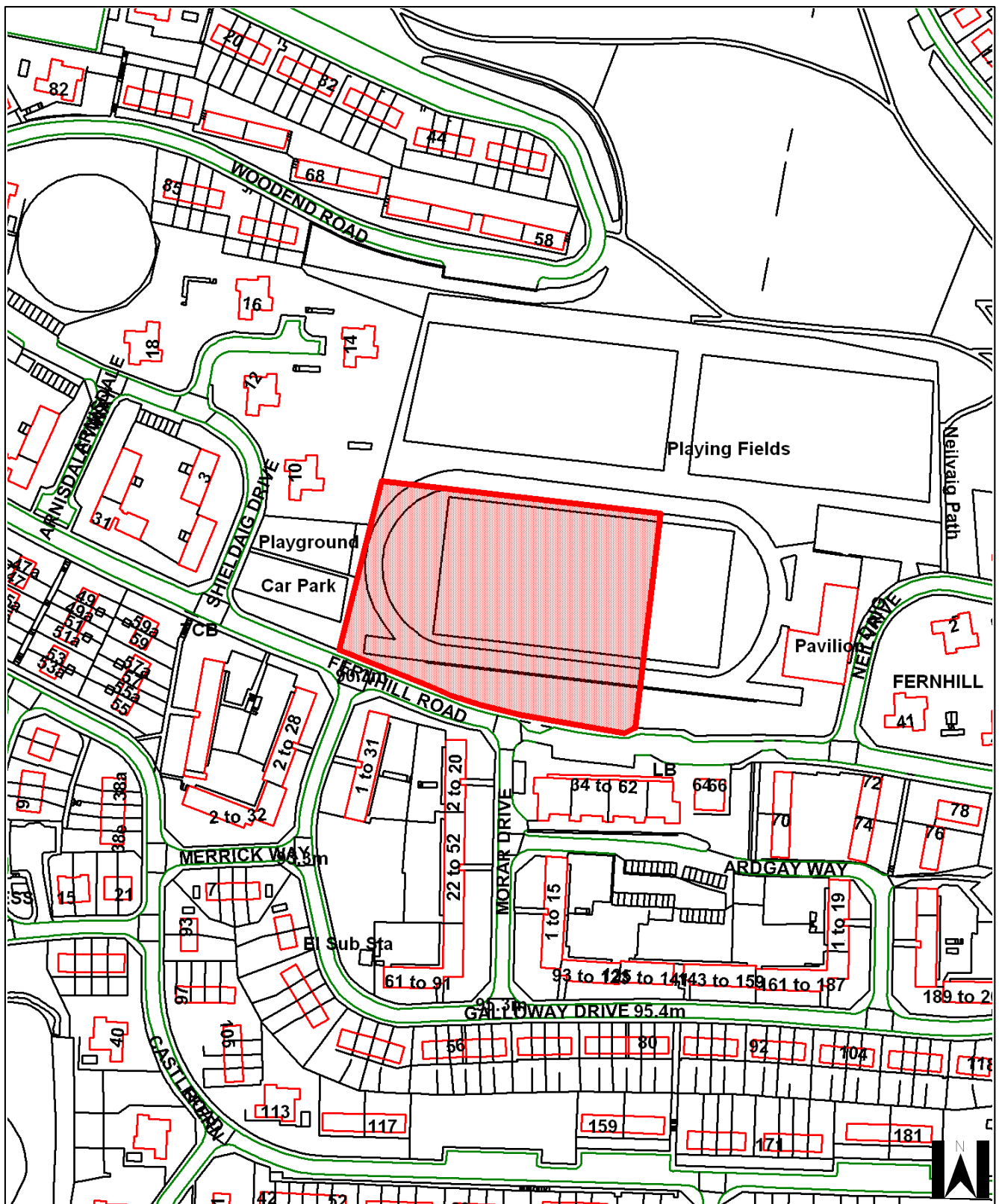
- 19 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 20 That before the development hereby approved is completed or brought into use, a visibility splay of 4.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 21 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.
- 22 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 water and sewerage scheme designed in accordance with Scottish Water's standards.

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 ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 6 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 7 In the interests of the visual amenity of the area.
- 8 In the interests of amenity.
- 9 These details have not been submitted or approved.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 To minimise the risk of nuisance from dust to nearby occupants.
- 12 To minimise the risk of nuisance from light pollution to nearby occupants
- 13 To minimise noise disturbance to adjacent occupants
- 14 To minimise noise disturbance to adjacent occupants
- 15 In the interest of public safety
- 16 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 17 In the interest of public safety
- 18 In the interest of public safety
- 19 To ensure the provision of adequate parking facilities within the site.
- 20 In the interest of road safety

- 21 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.
- 22 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.

For information only



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