

	<h1>Report</h1>	<b>Agenda Item</b>  <h2>6</h2>
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Report to: **Planning Committee**  
 Date of Meeting: **1 December 2009**  
 Report by: **Executive Director (Enterprise Resources)**

Application No      EK/09/0246  
 Planning Proposal:    Erection of Replacement Primary School with Ancillary Car Parking,  
                                  Muga Pitch and CCTV Cameras

## 1      **Summary Application Information**

- Application Type :      Detailed Planning Application
- Applicant :              South Lanarkshire Council
- Location :                Maxwellton/ Greenburn Primary School  
                                  Maxwellton Avenue  
                                  East Kilbride  
                                  G74 3DU

## 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 Planning Committee has delegated powers to determine this application.

## 3      **Other Information**

- ◆ Applicant's Agent:      RMJM
- ◆ Council Area/Ward:      08 East Kilbride Central North
- ◆ Policy Reference(s):      **South Lanarkshire Local Plan (adopted March 2009)**  
                                  RES6 – Residential Land Use Policy,  
                                  CTY1 – School Modernisation Proposal  
                                  CTY3 – Community Facility Provision Policy  
                                  ENV11 – Design Quality Policy,  
                                  ENV29 – New Development Design Policy,  
                                  ENV 36 - Sustainable Urban Drainage Systems  
                                  DM 1 Development Management Policy

- ◆ Representation(s):  
     ▶              15      Objection Letters

- ◆ Consultation(s):

Environmental Services

Calderwood Community Council

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Power Systems

British Telecom

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

TRANSCO (Plant Location)

Education Resources

Land and Fleet Services (Arboriculture)

Roads and Transportation Services (East Kilbride)

## **Planning Application Report**

### **1 Application Site**

- 1.1 Maxwellton/Greenburn Primary School is situated within the residential area of Calderwood, East Kilbride, between Maxwellton Avenue and Calderwood Road. The application site currently consists of school buildings on the western part of the site and an open space, grassed area to the east, between the existing school building and Calderwood Road. The current vehicular and pupil access is from Maxwellton Avenue. The site is bordered to the north, south and west by residential properties and to the east by Calderwood Road and beyond to further residential properties. The site is irregularly shaped and is relatively flat. Some mature trees exist along the east and western boundaries.
- 1.2 The application site covers an area of approximately 1.7 hectares and the new building to be erected has a floor area of 4005 square metres. The existing school comprises a sprawling group of one and two storey buildings of modern, pitched-roofed design.

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

- 2.1 Full planning permission is sought for the erection of a replacement school/nursery with associated car parking, MUGA sports pitch and CCTV cameras.
- 2.2 Maxwellton/Greenburn Primary School forms part of phase 2 of the South Lanarkshire Council primary schools modernisation programme. The proposed works involve the demolition of the existing school and construction of a two storey integrated building which will combine the mainstream school (Maxwellton) accommodating 240 pupils and the special needs school (Greenburn) into one integrated building. The new special needs school (accommodating 42 pupils) will be fully inclusive catering for a range of special needs, with extra facilities including a hydrotherapy pool, sensory room, soft play room and a therapy suite. A nursery catering for 40 pupils is also proposed within the building. Ancillary facilities including canteen, staff rooms, toilets, hygiene rooms, segregated playgrounds, games hall and a MUGA pitch are also proposed. Adequate car parking and a drop off zone with specific disabled spaces is proposed accessed from Calderwood Road. In addition a 6 space drop off area with direct footpath access to the new school is proposed from Maxwellton Avenue re-positioning the existing vehicular access slightly to the southwest.
- 2.3 The proposed school is to be constructed as a tandem build in two phases. Phase 1 is the construction of the new school building (accessed off Calderwood Road) and phase 2 is the demolition of the existing school buildings from Maxwellton Avenue.
- 2.4 The building is to be constructed on the eastern portion of the site, with the main school entrance facing south towards the playground. The MUGA pitch (36m x 18m) is to be located to the west of the school building and the main car park with an additional drop off zone accessed from Calderwood Road. A new pedestrian access is to be provided from Calderwood Road associated with the new main vehicular access which will be formed there. The existing vehicular access to the site is to be re-positioned and designed as a small 6 car drop off area from Maxwellton Avenue. The existing pedestrian access off Maxwellton Avenue is to be retained and improved.
- 2.5 The proposed building is steel framed with a standing seam aluminium roof of contemporary design with central clerestory glazing. It is two-storey throughout.

Proposed elevation materials are masonry, cladding and aluminium windows.  
Proposed boundary treatment to the perimeter is a 2.4m high weld mesh fence.

### **3 Background**

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

The application site is identified as being within a residential area of East Kilbride in the South Lanarkshire Local Plan. The relevant policy in this regard is RES6 (Residential Amenity), which considers the impact of proposals in relation to residential amenity. In relation to design matters ENV11 (Design Quality), ENV29 (New Development Design) and DM1 (Development Management) are applicable. Policies CTY1 (School Modernisation Proposal) CTY3 (Community Facility Provision) and LR1 (Indoor/ Outdoor Recreation Facilities) all support the principle of the redevelopment of the school and nursery, together with the use of school facilities/land for community benefit. A full discussion of the proposal against these policies is contained in Section 6 of this report.

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

- 4.1 **Environmental Services** - have no objections subject to conditions and advisory notes.  
**Response:** Noted. Conditions and advisory notes will be attached where applicable.
- 4.2 **Calderwood Community Council** - no response  
**Response:** Noted
- 4.3 **Roads & Transportation Services H.Q. (Flooding)** - have no objections, subject to compliance with the Council's sustainable urban drainage design criteria.  
**Response:** Noted. Conditions will be added to any consent issued.
- 4.4 **Scottish Water** – have no objection in principle.  
**Response:** Noted.
- 4.5 **Power Systems** - have no objection.  
**Response:** Noted.
- 4.6 **British Telecom** - no objections.  
**Response:** Noted
- 4.7 **S.E.P.A. (West Region)** - have no objection, subject to the imposition of conditions  
**Response:** Noted. Conditions will be added to any consent issued.
- 4.8 **TRANSCO (Plant Location)** - have identified a gas main which may require diversion.  
**Response:** Noted. The developers have been advised of this matter and will address any issues.
- 4.9 **Education Resources** – no objections.  
**Response:** Noted.
- 4.10 **Land and Fleet Services (Arboriculture)** - have advised that trees proposed for removal on Calderwood Road are mainly large poplars and their position, close to new proposed development, is not appropriate. Provided a suitable replacement planting scheme is implemented there is no objection to the removal of the poplar trees. In respect of the mature ash in Maxwellton Avenue, this tree is outwith the application site and should be retained.

**Response:** Noted. I would confirm that a number of trees require to be removed to accommodate the new vehicular access from Calderwood Road. In respect of the mature Ash tree at Maxwellton Avenue, discussion has taken place to adjust the layout to try to retain this tree. However, in order to safeguard public safety, the required sight lines associated with the pupil drop off area must be achieved. As this tree interferes with the sightline at this location, it is likely that the ash tree will require to be removed. To compensate this loss the developer will plant suitable replacement trees as part of the overall landscape scheme for the development.

- 4.11 **Roads and Transportation Services (East Kilbride)** - having assessed a revised layout drawing incorporating a 6 car drop-off area from Maxwellton Road amongst other changes, the Roads Area Manager has offered no objections to the application, subject to the attachment of conditions.

**Response:** Noted. Conditions will be added to any consent issued.

## **5 Representation(s)**

- 5.1 Following neighbour notification 15 letters of representation were received. The points raised have been summarised as follows.

- a) **The proposed structure in relation to surrounding dwellings and the existing school building is considerably higher and obtrusive in design.**

**Response:** The proposed building is a combination of 7.7m in height, increasing to 11 metres at its highest level. This building is located around 15 metres from the nearest residential rear garden boundary. Given that the development is to be a tandem build the footprint is restricted to the eastern portion of the site. However it is considered that in terms of residential amenity, the proposal will not adversely affect any neighbouring properties.

- b) **The overall development is of very close proximity to surrounding dwellings.**

**Response:** The new building would be around 15 metres from the nearest dwelling's garden ground. However, it is considered that local resident's amenity is not adversely affected in terms of privacy and overshadowing.

- c) **The quality of life to neighbouring households would be greatly affected by ongoing disturbance from building works and thereafter traffic, lighting CCTV, public use etc.**

**Response:** While it is recognised that there will inevitably be disturbance during building and demolition works, it is considered that the design of the development with adequate car parking and drop-off facilities will minimise ongoing disturbance to local residents. CCTV will be located and controlled so as not to compromise the privacy of neighbouring properties.

- d) **The biomass plant is in close proximity to surrounding dwellings. It is assumed that neighbouring households would be advised about noise levels type of fuel, fumes, venting, transportation of fuel and waste etc.**

**Response:** Following detailed discussion with the applicants, a revised layout was submitted and re-neighbour notification was undertaken by the Council. The biomass unit has been re-located to a more central position in the site between the new school building and the MUGA pitch thus it is no longer in close proximity to private garden boundaries.

- e) **A Traffic Impact Assessment(TIA) and an Environmental Impact Assessment(EIA) is requested in relation to the new road layout on Calderwood Road given its close proximity to Hunter Primary School entrance and a main public transport route.**

**Response:** Extensive pre-application discussions took place between the developer and Roads & Transportation Services. The new access from Calderwood Road is in accordance with the requirements of the Roads Service and will be built to an adoptable standard. No TIA or EIA was required in this instance.

- f) **That any development includes an effective drainage system as a few neighbouring properties have had problems with flooding from the school pitch in the past.**

**Response:** Drainage details will be submitted as part of the sustainable urban drainage requirements and will be carefully assessed to the satisfaction of the Council's Flood Prevention Officer.

- g) **The vehicular traffic areas and parking are very close to surrounding residential properties which will result in increased noise and disturbance to residents.**

**Response:** The proposed layout incorporates pupil drop off areas as well as designated staff car parking. This has been designed to relieve the congestion problems which currently exist within the Maxwellton Avenue area. It is therefore considered that the new layout and access will result in improved amenity for the surrounding residents.

- h) **Proposed vehicular access routes, parking etc will impact on existing mature deciduous trees including a mature ash tree on Maxwellton Avenue.**

**Response:** It is with regret that some mature deciduous trees will be lost through redevelopment of the site, due to the tandem build constraints of the site and the necessity for a safe vehicular access, adequate car parking and drop off zones. However, it is intended that the required landscape scheme will include replacement trees to compensate for this loss.

- i) **The new road junction from Calderwood Road would appear to impact on safety for road users and could cause driver confusion. The new junction is not the only option available as the existing school is accessed from Maxwellton Avenue.**

**Response:** As mentioned above, extensive pre-application discussions took place with the Council's Roads Department and the detailed design of the new junction will be to their specification through the Roads Construction Consent Application.

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

## **6 Assessment and Conclusions**

- 6.1 The main issue for consideration in the assessment of this application is how the proposal relates to the relevant policies contained within the adopted South Lanarkshire Local Plan.
- 6.2 The Local Plan identifies Maxwellton/Greenburn Primary School as one of the primary schools for redevelopment by 2016 under Policy CTY1 (School Modernisation Proposal). The development is therefore supported in principle by this policy. Furthermore, Policy CTY3 (Community Facility Provision) of the Local Plan states that the Council will generally support new nursery provision and will seek to promote the integration of community facilities.
- 6.3 The site is identified as being within a residential area. In this regard, Policy RES6 supports non-residential uses within residential areas where there is no demonstrable harm to the residential amenity. It is considered that, given the existing use of the site, a replacement school is acceptable in principle. In relation to

access arrangements, traffic congestion and disturbance to local residents has been identified as a significant issue by both the Roads and Transportation Service and members of the community in recent past. The proposed parking and drop-off facilities within the school grounds will help to alleviate this problem by removing the necessity for parents dropping off or picking up children to park in the surrounding streets. As such, the proposal is considered to be in accordance with Policy RES6 of the Local Plan and will not have an adverse impact on residential amenity.

- 6.4 An outdoor MUGA sports pitch is proposed as part of the development. The size and type of pitch is considered to be an improvement on the current facilities at the school. In light of this, the proposal is considered to comply with Policy CTY3 (Community Facility Provision) of the Local Plan.
- 6.5 In terms of design, the proposal is a contemporary style and is to be constructed from a variety of materials, resulting in a high quality building, which will be a significant improvement on the existing school buildings. The school will be closer to Calderwood Road than existing, which is also considered to be an improvement in terms of linking the building to the main public route next to the site. Policy ENV29 (New Development Design) of the Local Plan states that new development will require to promote quality and sustainability in its design and layout and should enhance or make a positive contribution to the character of the urban or rural environment in which it is located. The proposed development includes a sustainable urban drainage scheme and renewable energy technology in the form of a biomass boiler forms part of the heating system. As described above, the design of the development is considered acceptable and the proposal therefore complies with policies ENV11, ENV29, ENV36 and DM1 of the Local Plan. In relation to amenity impacts, I am satisfied that the proposal will not have an adverse impact on the amenity currently enjoyed by local residents.
- 6.6 In summary, the development is considered acceptable. The proposal forms part of the wider project to modernise schools in the Council's area. A new school will be a major asset to the local community and will assist in improving educational standards both of mainstream and of special needs school facilities, a core objective of the Council and the Scottish Government.

## **7 Reasons for Decision**

- 7.1 The proposed development will provide a new primary school which will be of benefit to the local community and in terms of planning policy, the application accords with Policies CTY1, CTY3, RES6, ENV11, ENV29, ENV36 and DM1 of the adopted South Lanarkshire Council Local Plan.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**16 November 2009**

## **Previous References**

- ◆ None

## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - British Telecom 30/07/2009
  - Environmental Services 30/07/2009
  - Scottish Water 28/07/2009
  - TRANSCO (Plant Location) 17/08/2009
  - TRANSCO (Plant Location) 20/08/2009
  - Education Resources 09/11/2009
  - Roads & Transportation Services H.Q. (Flooding) 04/11/2009
  - Roads and Transportation Services (East Kilbride) 11/09/2009
- ▶ Representations
  - Representation from : William Bartlett, 13 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 30/07/2009
  - Representation from : T G Stewart, 9 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 03/08/2009
  - Representation from : William Bartlett, 13 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 03/08/2009
  - Representation from : Duncan Currie, 15 Macleod Place, East Kilbride, G74 3DD, DATED 03/08/2009
  - Representation from : Margaret Bartlett, 13 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 03/08/2009
  - Representation from : Elizabeth Leggate, 3 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 03/08/2009
  - Representation from : Robert M Leggate, 3 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 03/08/2009
  - Representation from : Robert M Leggate, 3 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 31/07/2009
  - Representation from : Elizabeth Leggate, 3 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 31/07/2009
  - Representation from : Robert M Leggate, 3 Macleod Place, Calderwood, East Kilbride, G74 3DD, DATED 31/07/2009
  - Representation from : Iain MacNiven Brown, 84 Maxwellton Avenue, East Kilbride, G74 3DY, DATED 17/07/2009



Representation from : Laura Kinlan, 38 MacLeod Place, Calderwood, East  
Kilbride, G74 3DD, DATED 05/08/2009

Representation from : Morag McGregor, 11 Macleod Place, Calderwood, East  
Kilbride, G74 3DD, , DATED 13/08/2009

Representation from : E & G Clark, 7 MacLeod Place, East Kilbride, G74 3DD,  
DATED 07/08/2009

Representation from : John Thompson, 16 Carlyle Terrace, Calderwood, East  
Kilbride, G74 3ES, DATED 03/09/2009

**Contact for Further Information**

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

Maud McIntyre, Planning Officer, Civic Centre  
Ext 6385, (Tel : 01355 806385 )  
E-mail: [Enterprise.ek@southlanarkshire.gov.uk](mailto:Enterprise.ek@southlanarkshire.gov.uk)

**CONDITIONS**

- 1 The development hereby permitted shall be started within three years of the date of this permission.
- 2 This decision relates to drawing numbers: 3174-40(00)001-1 Rev G; 003-1 Rev A; 003-1 Rev A; 100-1 Rev B; 102-1 Rev A; 300-1 Rev B; 300-2; 300-3; 400-1 Rev B; (TP)700-1 Rev A.
- 3 That within 3 months of the date of this permission, 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.
- 4 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 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.
- 5 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.
- 6 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.
- 7 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 8 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.
- 9 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 8 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 10 That before the development hereby approved is completed or brought into use, the new vehicular access from Calderwood Road 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.

- 11 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.
- 12 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.
- 13 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.
- 14 That the school shall not be operational until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 15 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.
- 16 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 neighbouring 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
- 17 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.
- 18 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

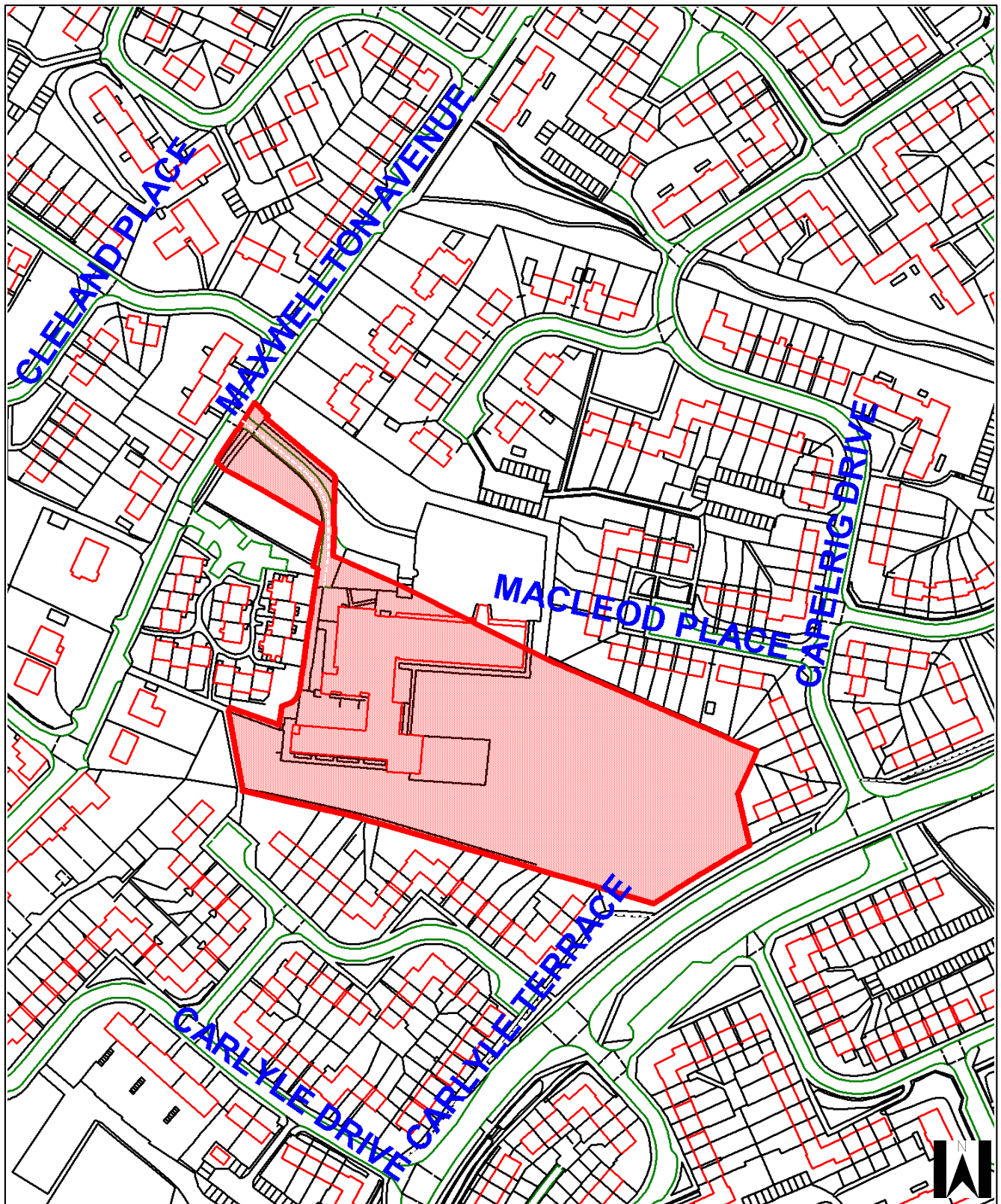
implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

- 19 That the sustainable urban drainage scheme, for which the permission of the Council as Planning Authority has been obtained under the terms of condition 15, above, shall be completed prior to the occupation of the new school building hereby approved.

## REASONS

- 1 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 3 In the interests of the visual amenity of the area.
- 4 In the interests of amenity.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 These details have not been submitted or approved.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 In the interest of public safety
- 11 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 12 To ensure the provision of adequate parking facilities within the site.
- 13 In order to retain effective planning control
- 14 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.
- 15 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.
- 16 To minimise noise disturbance to adjacent occupants.
- 17 To minimise the risk of nuisance from light pollution to nearby occupants.
- 18 To minimise the risk of nuisance from dust to nearby occupants.
- 19 To ensure the provision of a satisfactory drainage system.

For information only



For information only