

	<h1>Report</h1>	Agenda Item <h1>13</h1>
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Report to: **Planning Committee**
 Date of Meeting: **26 May 2009**
 Report by: **Executive Director (Enterprise Resources)**

Application No HM/09/0115
 Planning Proposal: Demolition of Existing Primary School & Erection of Replacement School

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Bovis Lend Lease (Scotland) Ltd
- Location : Bothwell Primary School
Blantyre Road
Bothwell

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

None

3 Other Information

- ◆ Applicant's Agent: Holmes Partnership
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**
Policy CTY 1 – Primary School Modernisation Proposal
Policy RES 6 – Residential Land Use Policy
Policy DM 1 – Development Management Policy
Policy ENV 29 – Development Design

- ◆ Representation(s):
 - ▶ 2 Objection Letters

- ◆ Consultation(s):

Bothwell Community Council

Greenspace & Countryside

Leisure Services (Amenity Services)

Land and Fleet Services (Arboriculture)

Roads and Transportation Services (Hamilton Area)

Roads & Transportation Services H.Q. (Flooding)

Roads & Transportation Services H.Q. (Geotechnical)

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

Scottish Water

Power Systems

Scotland Gas Networks

Planning Application Report

1 Application Site

- 1.1 The application site relates to the land associated with the existing Bothwell Primary School which is located at the junction between Blantyre Road and Castle Avenue to the north-west of Bothwell town centre. The site measures approximately 1.95 hectares and is essentially rectangular in shape. The site is bounded to the north by Imperial Way, adjacent residential properties and Bothwell Castle Golf Club, to the south by Castle Avenue and the adjacent David Livingstone Memorial Park, to the east by Blantyre Road and adjacent residential properties and to the west by residential properties. Vehicular access to the site is via Castle Avenue with a pedestrian access off Blantyre Road.
- 1.2 The existing single storey school building is located on a relatively flat area of ground within the south-western part of the site with a raised area of made ground located between the school and Blantyre Road. The site is split into two halves via a densely vegetated steep embankment running from west to east with an existing grass playing field located in the northern area of the site sitting nearly 5 metres below the school building, playground and parking facility. Mature trees are located along the embankment through the centre of the site and along Blantyre Road and semi-mature trees are located along the southern boundary onto Castle Avenue.

2 Proposal(s)

- 2.1 This is a detailed planning application for the demolition of the existing primary school and the erection of replacement school with associated car parking, infrastructure, landscaping and MUGA pitch. The proposal forms part of Phase 2 of the South Lanarkshire Council Primary Schools Modernisation Programme.
- 2.2 The new school building would be positioned on the footprint of the existing building. The school building would be two storeys in height to accommodate the enhanced educational facilities required and would be of a contemporary design incorporating a mix of flat and gently sloping mono-pitched aluminium standing seam roofs. The exterior of the building would be finished in red multi-brick with areas of full height glazed curtain walling in addition to timber cladding and aluminium framed windows.
- 2.3 The ground floor of the building would incorporate 5 classrooms, gym with changing facilities, kitchen, dining room, plant room and office/storage facilities. The first floor would incorporate a further 7 classrooms, library, staffroom, ICT Suite and an air handling unit. A Multi Use Games Area (MUGA) pitch would be provided within the school grounds along the boundary with Blantyre Road which would provide community use after school hours with a separate gated access. The site would be accessed via the existing access off Castle Avenue to an enhanced parking and drop off facility. A service Vehicle access would share the same access off Castle Avenue to the rear of the school building.
- 2.4 A Design Report, Flood Risk Assessment, Geo-Environmental Report and Interim Bat Survey Report were submitted with the application as supporting documents.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is located within a residential area in the adopted South Lanarkshire Local Plan and it is identified as a Primary School Modernisation Proposal. The relevant policies in this instance are Policies RES 6 – Residential Land Use Policy, CTY 1 - Primary School Modernisation Proposal, DM 1 – Development Management Policy and ENV 29 – Development Design. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

3.2 **Relevant Government Guidance/Advice**

- 3.2.1 None relevant.

3.3 **Planning History**

- 3.3.1 There is no recent planning history relating to this site.

4 **Consultation(s)**

- 4.1 **Bothwell Community Council** – no response to date.

Response: Noted

- 4.2 **Environmental Services** – have no objections to the proposal subject to conditions and informatives relating to noise and vibration, dust mitigation, demolition and asbestos.

Response: Noted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

- 4.3 **Greenspace & Countryside** – The submitted bat survey confirms that there are bats present on the site although they appear to be using the school for foraging purposes only. Although the report found no evidence that the school buildings contained roost sites given that bats are present in the immediate vicinity and that the surrounding environment is generally good as a bat habitat I would concur with the reports recommendation that to have a higher degree of confidence that the buildings are not being used by bats a further dawn/dusk survey should be undertaken. Conditions should also be attached to any planning consent to the effect that if bats are found during demolition, works stop immediately and SNH are notified.

Response: Noted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

- 4.4 **Land & Fleet Services (Arboriculture)** – have no objections to the application and have advised that the trees on the site should not be affected by the proposal. However, they should be protected in accordance with British Standard BS5837.

Response: Noted and any consent granted would incorporate an appropriately worded condition in relation to the required tree protection measures during construction works.

- 4.5 **Leisure Services (Amenity Services)** – have no objections to the application.

Response: Noted.

- 4.6 **Roads and Transportation Services (Hamilton Area)** - have no objections to the proposal subject to the provision of appropriate signage and lining on the roads around the school and the provision of a pedestrian guardrail to the Council's satisfaction at locations to be agreed with Roads and Transportation Services.

Response: Noted and any consent granted would incorporate appropriately worded conditions to address the matters raised.

- 4.7 **Roads & Transportation Services H.Q. (Flooding)** – have no objection to the proposed development subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document.
Response: Noted and any consent granted would incorporate a condition to ensure the provision of a sustainable urban drainage system as part of the development. A copy of the required self certification document would also be forwarded to the applicant's agent.
- 4.8 **Roads & Transportation Services H.Q. (Geotechnical)** - there are some issues which have been raised in the submitted ground investigation and which have not been dealt with in the design information available to date. These matters will probably be picked up in due course but it would be useful for the Council to maintain some control just to be sure. For this reason it is suggested that a general geotechnical condition could be included along the following lines: That before work commences on site, all of the geotechnical issues identified in the Interpretative Geo-Environmental Report are dealt with and remediated in the design to the satisfaction of the Council as Planning Authority.
Response: Noted and any consent granted would be conditioned to this effect.
- 4.9 **Scottish Water** – no response to date.
Response: Noted.
- 4.10 **Scottish Power** – no response to date.
Response: Noted.
- 4.11 **SEPA (West Region)** - have no objections to the proposal subject to conditions requiring the discharge of foul drainage to the public sewer and the discharge of surface water in accordance with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended). In terms of the Flood Risk Assessment submitted SEPA consider that the site is potentially at low risk of flooding. Construction works should be carried out with due regard to SEPA's guidelines on the avoidance of pollution. With regard to the use of biomass within the development the applicant should contact SEPA directly for further advice on this matter.
Response: Noted and any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.
- 4.12 **Scotland Gas Networks** - have no objections to the proposal, however, they have submitted details indicating the location of their apparatus in the area.
Response: Noted and this information will be passed on to the applicant.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised due to Non-Notification of Neighbours. Two letters of representation were received and the matters raised are summarised below:

- (a) **There are concerns regarding the height of the new school and the impact the building will have on the outlook, setting and amenity of adjacent properties on Arran way.**

Response: The new building would be located approximately 19 metres from the boundary of the rear gardens of the adjacent dwellings on Arran Way. I am satisfied that this is a sufficient distance to ensure that there will be no adverse impact on those properties in terms of outlook, setting or amenity.

- (b) **A previous planning restriction was placed on the 3 houses at the top of Arran Way in that they couldn't be built more than one storey in height to conserve the amenity of the existing adjacent development. Two storey Classrooms will overlook adjacent properties and those adjacent properties will be looking directly into a blank two storey brick wall.**

Response: It is considered that the scale and general layout of the replacement school is acceptable and that it will not be out of keeping with existing development in the surrounding area. It should be noted that the proposed upper floor classroom windows would be located approximately 38 metres from the boundary of the rear gardens of the adjacent dwellings on Arran Way. I am, therefore, satisfied that there will be no adverse impact on the amenity of adjacent properties in terms of overlooking, overshadowing or loss of general outlook.

- (c) **Consideration should be given to re-locating the proposed air handling unit to the front or side of the building as they are notoriously noisy.**

Response: The air handling unit (AHU) has been located to serve the Gym/Assembly and Dining spaces respectively and it could not be re-located without re-designing the overall layout of the school. However, the applicant's agent has advised that the maximum noise created by the AHU would be 65Db at the source and the distance of the existing properties from the building is such that any noise experienced should be minimal. It should also be noted that noise would only be emitted when the school is operational which should discount most evenings/weekends and holidays.

- (d) **In terms of visual amenity, consideration should be given to the introduction of additional windows along the north elevation of the proposed gym/air handling unit to soften the impact of the proposed brick wall. In addition, the aluminium fascia could be moved from the west elevation of the building to the north elevation.**

Response: It is considered that there is no requirement for windows on this elevation and that the wall in question should cause minimal impact to the neighbours of Arran Way as it is positioned 90 degrees to these houses. The aluminum fascia referred to relates to fully integrated louvres within the curtain walling screen which is required to extract air to the air handling unit.

- (e) **Consideration should be given to re-locating the bin shelter to front of building as these shelters can be unsightly and smelly. Otherwise, can it be assured that the bin shelter will not be visible and will incorporate additional planted screening.**

Response: For practical reasons the bin store cannot be located at the Castle Avenue side of the school. The bin store would be located approximately 13 metres from the boundary with neighbouring properties and following the submission and approval of a landscaping scheme it would be sympathetically screened to reduce any potential visual impact.

- (f) **The use and access of the service area/road should be restricted as was agreed during the consultation process with adjacent neighbours.**

Response: The applicant's agent has advised that only 2 refuse uplifts are planned per week which would minimise any impact to the amenity of adjacent neighbours and disruption of vehicular access to the rear of the school.

- (g) **The proposed trees to be planted close to the western boundary of the site should be mature, as evergreen as possible and the same height as the school building to provide an instant screen which will help offset the loss of visual amenity. The proposed hedging along the entire Arran Way boundary should be instantly 1.8 metres in height to ensure privacy from the kitchen, access and service road.**

Response: Any consent granted would incorporate a condition requiring the submission of a landscaping scheme for the Council's approval and this would specify the type and size of tree planting within the site. Beech hedging was proposed adjacent to the boundary with the dwellings on Arran Way following discussions with those neighbours during a pre-application consultation.

- (h) **There are concerns regarding overlooking from the second storey of the classroom/dining area. Consideration should be given to additional planting in this area to provide a continuous screen again incorporating mature trees that are as evergreen as possible and the same height as the school building.**

Response: As stated, the proposed upper floor classroom windows would be located approximately 38 metres from the boundary of the rear gardens of the adjacent dwellings on Arran Way. I am satisfied that this is a sufficient distance to ensure that there will be no adverse impact on those properties in terms of overlooking or loss of privacy.

- (i) **Clarification is required as to the finish of the proposed brick to the exterior of the building.**

Response: A brown/red multi brick called Drumquin by Tyrone Brick is proposed for the exterior of the building. However a planning condition requires samples of materials to be used to be submitted to the Planning Service for approval.

- (j) **There are concerns that vibration relating to the proposed pile foundation works could result in damage to the low grade fill material that three adjacent dwellings on Arran Way were built on.**

Response: As part of the design process undertaken the applicant considered the piling options available and any potential vibration issues with surrounding properties. On the basis of the vibration information provided by piling contractors the applicant is confident that vibration levels during the piling operation will not adversely affect any neighbouring properties.

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

6 Assessment and Conclusions

- 6.1 The application relates to the demolition of the existing primary school on the site and the erection of replacement school with associated car parking, infrastructure, landscaping and MUGA pitch. The proposal forms part of Phase 2 of the South Lanarkshire Council Primary Schools Modernisation Programme. The determining issues in consideration of this application are its compliance with local plan policy and its impact on the amenity of adjacent properties.
- 6.2 In terms of local plan policy, the application site is located within a residential area in the adopted South Lanarkshire Local Plan and is identified as a Primary School Modernisation Proposal. The relevant policies covering the site in this instance are Policies RES 6 – Residential Land Use Policy and Policy CTY 1 - Primary School Modernisation Proposal. As the application site relates to an existing educational

facility within an area designated for residential development and the site is identified as a Primary School Modernisation Proposal the site's continued use as an educational facility is considered to be acceptable and in accordance with the above policies. The proposal, therefore, raises no policy issues.

- 6.3 In terms of the detail of the proposal Policies DM 1 – Development Management Policy and ENV 29 – Development Design are relevant to the assessment of the application. Policy DM 1 generally requires new development to have due regard to the layout, form, design and local context of the area and Policy ENV 29 requires all new development to promote quality and sustainability in its design. I am satisfied that the scale and general layout of the replacement school is acceptable, that the building is of a high quality design incorporating a suitably high standard of finish materials and that it will be in keeping with existing development in the surrounding area. Whilst I note the concerns raised in relation to potential impact on residential amenity I am satisfied that the building will be positioned in an acceptable location with a sufficient distance proposed between the building and adjacent properties to ensure that there will be no adverse impact on those properties in terms of overlooking, overshadowing or loss of general outlook.
- 6.4 In summary, the proposal forms part of the wider project to modernise schools in the Council's area and is considered to be acceptable and in accordance with local plan policy. I, therefore, raise no objection to the proposal and recommend that planning consent be granted.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on either residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies CTY 1 – Primary School Modernisation Proposal, RES6 – Residential Land Use Policy, DM 1 – Development Management and ENV 29 – Development Design of the adopted South Lanarkshire Local Plan.

Iain Urquhart
Executive Director (Enterprise Resources)

13 May 2009

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Bothwell Community Council
 - Scottish Power Energy Networks

Roads and Transportation Services (Hamilton Area)	13/05/09
Scotland Gas Networks	03/04/09
Scottish Water	
Roads & Transportation Services H.Q. (Flooding)	07/05/09
Roads & Transportation Services H.Q. (Geotechnical)	12/05/09
Leisure Services (Amenity Services)	07/05/09
SEPA	21/04/09
Land & Fleet Services (Arboriculture)	07/04/09
Greenspace & Countryside	12/05/09

► Representations

Representation from : Drs James & Christabel Boyle, 4 Arran Way, Bothwell,
DATED 27/03/2009

Representation from : Alexina Brown, 6 Arran Way, Bothwell, G71 8TR, DATED
30/03/2009

Contact for Further Information

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

Jim Blake, Planning Officer, Brandon Gate, Hamilton
Ext. 3508 (Tel :01698 453508)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started 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 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.
- 4 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.
- 5 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.
- 6 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.
- 7 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 6 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 8 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 a sewerage scheme designed in accordance with Scottish Water's standards.
- 9 That the school shall not be occupied 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 and the development shall be aligned with the upgrading of the Ferniegair Waste Water Treatment Works.
- 10 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.

- 11 That the discharge of surface water to the water environment shall be in accordance with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) to the satisfaction of SEPA and the Council as Planning Authority.
- 12 Prior to development commencing on site, details of any 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 That the existing trees to be retained within the site shall be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 14 That all works shall be carried out in accordance with the recommendations contained in the Interim Bat Survey Report compiled by The Wildlife Partnership in April 2009 to the requirements of Scottish Natural Heritage and to the satisfaction of the Council as Planning Authority.
- 15 That notwithstanding the terms of Condition 14 above, all works should be carried out in accordance with a further bat survey which has been approved by the Council no earlier than 6 months before the start of works on site to the satisfaction of the Council as Planning Authority.
- 16 That before the development hereby approved is completed or brought into use pedestrian guardrails with high visibility railings shall be installed at the exits from the school to the satisfaction of the Council as Planning and Roads Authority. Details of the guardrails shall be submitted to and approved in writing by the Council prior to any work commencing on site.
- 17 That before any work commences on site, all of the geotechnical issues identified in the submitted Interpretative Geo-Environmental Report shall be dealt with and remediated in the design to the satisfaction of the Council as Planning Authority. (The most significant issues are the quality of the made ground, soft pockets and combustible material)
- 18 That before development starts, full details of measures to be incorporated on site to ensure that dust arising from the site does not give rise to nuisance conditions shall be submitted to and approved by the Council as Planning Authority.
- 19 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 15% 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 15% 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.

- 20 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.

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 In the interests of the visual amenity of the area.
- 4 To safeguard the amenity of the area.
- 5 In the interests of amenity.
- 6 In the interests of amenity.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 To ensure the provision of an acceptable sewerage system.
- 9 To ensure the provision of an acceptable sewerage system.
- 10 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.
- 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 safeguard the amenity of the area.
- 13 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 14 To accord with current legislative guidance on protected species.
- 15 To accord with current legislative guidance on protected species.
- 16 In the interest of public safety.
- 17 In the interests of amenity and in order to retain effective planning control.
- 18 To safeguard the amenity of the area.
- 19 To secure a reduction in carbon dioxide emissions.
- 20 To secure the timeous implementation of on-site zero and low carbon energy technologies.

For information only

For information only

