

Report

Report to:	Planning Committee
Date of Meeting:	10 August 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/0054
Planning proposal:	Change of use of site of demolished sports centre to a raised bed growing area with associated alterations including the installation of storage containers, boundary fencing, ground level changes and an access ramp

1 Summary application information

Application type:	Detailed planning application
Applicant:	South Lanarkshire Council
Location:	Site of Former Burnhill Sports Centre Toryglen Road Rutherglen Glasgow South Lanarkshire

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 attached

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ♦ Applicant's Agent: N/A
- ♦ Council Area/Ward: 12 Rutherglen Central and North
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (adopted 2021)**
Policy 3 - General urban areas
Policy 5 - Development management and placemaking
Policy 13 - Green network and green space
Policy DM1 - New Development Design

Development Management, Placemaking and Design Supplementary Guidance (2015)
Green Networks and Greenspaces Supplementary Guidance (2015)

◆ **Representation(s):**

▶	9	Objection Letters
▶	0	Support Letters
▶	2	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Estates Services - Housing and Technical Resources

Planning Application Report

1 Application Site

- 1.1 The application site is the site of the former Burnhill Sports Centre, Toryglen Road, Rutherglen. The sports centre was closed and demolished several years ago, however the foundation, concrete floor slab and car park have been left in place. The site is located within the general urban area, with residential properties located to the south of the site and football pitches to the north and west, with the car park serving the football grounds located to the east. The site is also located within the designated Green Network.

2 Proposal(s)

- 2.1 The proposal involves the re-use of the site to form a raised bed growing area, which it is understood would be managed by the Council on a similar basis to allotment sites. Council residents would be able to apply to rent the use of raised beds to grow food, in the same way that applications can be made for allotments.
- 2.2 In terms of the proposed physical development of the site, as the site is in an area of potential ground contamination the food growing area would be designed to sit on top of the existing retained concrete slab, with a liner and stones used to level the site and provide additional distance from the ground. The food growing area would comprise mainly of raised beds, with two containers located within the site to act as storage for equipment and materials. A small seating area and composting bay are also proposed, together with a portable toilet. A rainwater collection system would be implemented to provide safe water for use on the site.
- 2.3 The existing boundary fencing would remain and be replaced as required to enclose the whole site, together with the existing front pedestrian and vehicular gates. The car park would remain available for use by those maintaining a raised bed, and access up to the growing area would be via the existing access ramp, which would be altered and finished to meet current access standards.

3 Background

3.1 Local Plan Status

- 3.1.1 In this regard the application site and associated proposal is affected by the following policies contained in the adopted South Lanarkshire Local Development Plan 2:

Policy 3 - General Urban Area

Policy 5 - Development Management and Placemaking

Policy 13 - Green network and green space

Policy DM1 - New Development Design

- 3.1.2 An assessment of the proposal against these specific policies is contained in Section 6 of this report.

3.2 Relevant Government Advice/Policy

- 3.2.1 Scottish Planning Policy (Revised 2020) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle.
- 3.2.2 Under the Community Empowerment Act (Scotland) 2015, the Local Authority has a duty to provide allotment sites which can include raised beds as in this instance.

3.3 Planning Background

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

4 Consultation(s)

- 4.1 **Roads Development Management Team** – The existing car parking spaces would need to be reconfigured so that they could function effectively. This would result in the loss of a few spaces, but this would be acceptable at this location. A condition should be included relating to the reconfiguration of the car park.

Response: Noted. These requirements can be addressed through the use of a planning condition, if appropriate.

- 4.2 **Environmental Services** – The site is on the Environmental Protection Service's priorities list of potential contaminated land sites. A contamination action plan should be prepared in advance of works commencing on site and a report detailing the measures put in place to break the possible contamination pathway should be provided. Details of the drainage arrangements and their ongoing maintenance should also be provided, to ensure that on-site contamination is not mobilised and new pollution pathways are not created. In addition, details of the storage and collection of waste should be provided before works commence on site. Finally, a noise assessment should be undertaken to determine the impact of noise from the proposed development on nearby dwellings and any other noise sensitive premises.

Response: Noted. A report has been provided by the applicant detailing the measures put in place to break the possible contamination pathway and the composition of the site assists with this as the foundations and floor slab of the former sports centre remain in place and are not intended to be removed as part of the development. A condition can be imposed on any consent to ensure that the measures noted in the report are implemented on site. Information on the sustainable drainage system proposed has also been provided, and together with the rest of this site, this would be managed by the applicant alongside the Council's other allotments and raised bed sites.

With regards to the noise assessment, it is considered that the use of the site as a community growing area is unlikely to generate any significant amount of noise, particularly in relation to the noise generated from the use of the adjacent football pitches, or significant noise during unsociable hours. As such, it is considered that a noise assessment would not be required in this instance. The other matters raised can be controlled by suitably worded conditions and advisory notes, as appropriate.

- 4.3 **Estates Services – Housing and Technical Resources** – No objections.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was further advertised in the local press. Nine letters of objection and two letters of comment have been received as a result of this publicity and the grounds of objection and matters raised are summarised below:

- a) **Concerns regarding a lack of consultation with the local community. Concerns that a decision was made without asking local people how they feel about the idea. A suggestion has been made that Council representatives arrange to meet with local residents to discuss the application to bring the community on-board and possibly provide local residents with a sense of 'ownership' of the site.**

Response: These comments are noted, however the planning application has been subject to the standard levels of consultation (neighbour notification of properties close to the site and an advert in local newspaper). It is understood that some would have liked additional pre-planning consultation when proposals for the space were being developed, but this is separate to the

planning process, and this is not a material planning consideration. In addition, with regards to the option for a meeting with local residents, current coronavirus legislation makes the holding of physical meetings more challenging at this time. It is considered that the standard methods of consultation on the planning application were sufficient in this instance.

- b) **Concerns regarding parking and increasing traffic on an already busy street. Toryglen Road is already very busy, and on football match days many residents find it difficult to park. The development will contribute to the parking issues. The community has already been advocating for speed bumps or speed cameras in the area.**

Response: Roads and Transportation Services have been consulted on this application and have offered no objections to the proposal. The site does not appear to be of a scale that would result in significant additional traffic or parking in the area. Colleagues in Roads and Transportation Services would assess the need for any traffic calming or speed cameras in the wider area.

- c) **The current site is an eyesore or health and safety issue, and that any sort of improvement can only be a good thing.**

Response: Noted. The site is fenced off and it is not considered to be any significant health and safety risk, but it is agreed that redevelopment of the site would improve its appearance.

- d) **How will the community allotment benefit the people of Burnhill? How will they be looked after? People in the area should be able to use the site free of charge as there are many people in flats with no gardens.**

Response: It is understood that the site would be managed by the Council alongside other allotment and raised bed sites across South Lanarkshire, with local residents being able to apply for a raised bed if desired. There is a set fee for renting a raised bed, however this is not a material planning consideration. A further benefit to the area would be the redevelopment of the currently vacant site and the improvement to its appearance.

- e) **Concerns that the site should be used for community use. The community should get to decide what is best for this space as it is in their neighbourhood. The space should be used for containers for storage purposes by the residents of Burnhill or for a kids play park.**

Response: It is noted that there are other potential ways to develop this site, however when a planning application is submitted an assessment of that proposal requires to be undertaken. As part of the assessment of any planning application, people can make their views known via the submission of a letter of representation and the contents of these letters are taken into consideration as part of the assessment of the proposal.

- f) **Concerns that the land is contaminated as the concrete foundations and floor slab from the former Sports Centre were left in place. How will this be managed?**

Response: The site is potentially contaminated and the proposal has therefore been carefully designed to avoid contamination pathways. The existing foundations and floor slab would remain in place and food would only be grown in raised beds, separated from the surrounding land. A contamination action plan has been submitted to detail the precautions.

- g) **Concerns regarding anti-social behaviour, that people may break into the site and injure themselves falling from the storage containers.**

Response: The site would be appropriately fenced to stop unauthorised access to the site. The Police would be able to investigate any instances of anti-social behaviour in the area.

5.2 These letters are available for inspection on the planning portal.

6 Assessment and Conclusions

6.1 The applicant seeks detailed planning consent for the change of use of the site of the demolished Burnhill Sports Centre, Toryglen Road, Rutherglen, to form a raised bed growing area with associated alterations. The main determining issues in assessing this proposal are whether it accords with adopted local development plan policy and its impact upon residential and visual amenity.

6.2 In terms of the adopted South Lanarkshire Local Development Plan 2, the relevant policies to be considered for this application are Policies 3, 5 and DM2. Policy 3 (General Urban Area) states that within urban areas and settlements residential developments will generally be acceptable, and proposals for uses ancillary to residential areas will be assessed on their individual merits, with particular regards to their effect on the amenity and character of the area. Developments which would be detrimental to the amenity of residents and the wider community or to the character of the surrounding area will not be permitted.

6.3 Policy 5 (Development Management and Placemaking) seeks to ensure that development takes account of and is integrated within, the local context and built form. Proposals should have no significant adverse impacts on the local community and include where appropriate measures to enhance the environment.

6.4 Policy 13 (Green Network and Greenspace) sets out the requirements in relation to proposals affecting the Green Network, Priority Greenspace and Green Infrastructure. With specific reference to the Green Network, the policy states that development proposals should safeguard the Green Network, as identified on the proposal map, and identify opportunities for enhancement and/or extension which can contribute towards:

- placemaking,
- mitigating greenhouse gases and adapting to the impacts of climate change,
- supporting biodiversity,
- enhancing health and quality of life,
- providing water management including flood storage, and buffer strips,
- development of blue-green networks using existing watercourses,
- improving air quality,
- providing areas for leisure activity,
- providing areas for allotments and community growing areas, and
- promoting active travel.

6.5 Finally, Policy DM1 (New Development Design) states that new development will require to promote quality and sustainability and should enhance and make a positive contribution to the character and appearance of the environment. New developments will require to:-

- Respect the local context and be appropriate to the character and topography of the site in terms of layout, scale, proportion, massing and appearance.
- Be of a high quality design which is sympathetic to local traditions of form, detailing and materials.

- Ensure that any archaeological, built heritage, landscape features and natural conservation interests on or adjacent to the site are identified and incorporated into the overall layout and design, with appropriate measures taken to enhance and/or protect the setting of these features.
- Address sustainable development issues including the incorporation of energy efficient designs and layouts, the re-use/recycling of materials, water and waste, and the use of alternative energy sources.
- Incorporate the use of sustainable drainage systems (SUDs).

- 6.6 The use of the site as a raised bed growing area is considered to be generally acceptable. In this respect, the site has been vacant for some time and, given the ground contamination concerns, the base layers of the former sports centre and car park have required to be retained. The proposed development will contribute positively to the visual amenity and character of the area by covering the remaining concrete foundations and floor slab and forming a new raised bed growing area on this site, thereby bringing the site back into productive use. The proposal will have no significant impact upon the Green Network and, indeed, the use of the site for community growing areas and allotments is specifically noted as positively contributing towards the Green Network in Policy 13.
- 6.7 With regards to the size, scale and design of the proposed development, I am content that it will have no significant adverse impact upon the character or amenity of the area or upon the amenity of residents living near. The proposed site would not be located immediately adjacent to any dwellings, and the only structures proposed for the site would be the two storage containers and the portable WC. The overall site would be a significant visual improvement upon the existing situation and the structures proposed would not result in any loss of amenity to local residents. The use of the site as a raised bed growing area is also considered to be unlikely to generate any significant noise or noise at unsociable hours, and it would be managed by the Council alongside its other allotments and raised bed sites, with those renting the raised beds required to follow the site rules.
- 6.8 With regards to public safety, the site has been designed to avoid any ground contamination coming into contact with the raised bed growing area and it would make use of a carefully designed sustainable drainage and rainwater collection system to provide safe and usable water for use on the site. A carefully designed composting bay would also form part of the proposal. Suitable conditions can be used to ensure that these measures are implemented and retained. In addition, the existing vehicular access and car park will be retained, albeit with the car park reconfigured to create usable parking spaces for modern vehicles. The parking layout can be controlled by a suitable condition. The level of traffic and parking that would be expected would not be of a level that would be likely to impact upon public safety. Finally, the existing access ramp would be altered to meet modern access standards for all up to the growing area. As such, the proposal is considered to comply with the relevant policies of the adopted Local Development Plan 2.
- 6.9 In summary, following a full and detailed assessment of the proposed development, it is considered that it would have no significant adverse impact upon amenity, the character of the area, public safety or upon the Green Network and that it is in accordance with the adopted South Lanarkshire Local Development Plan 2 (2021). As such, the granting of planning permission is recommended.

7 Reasons for Decision

- 7.1 The proposal will have no significant adverse impact upon amenity, the Green Network or public safety and it complies with the relevant policies of the adopted South Lanarkshire Local Development Plan 2 (2021) (Policies 3, 5, 13 and DM1).

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Date: 15 July 2021

Previous references

- ◆ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
- ▶ Development Management, Placemaking and Design Supplementary Guidance (2015)
- ▶ Green Networks and Greenspaces Supplementary Guidance (2015)
- ▶ Neighbour notification letter dated 27 January 2021
- ▶ Newspaper Advert, Rutherglen Reformer dated 03 February 2021
- ▶ Contamination Action Plan and Report, South Lanarkshire Council dated 9 June 2021
- ▶ Correspondence with applicant, various dates

- ▶ Consultations

Roads Development Management Team

Dated:
22 February 2021

Environmental Services

08 March 2021

Estates Services - Housing And Technical Resources

28 January 2021

- ▶ Representations

Ms Kim Jackson, 34 Westmuir Place, Rutherglen, G73 1HF

Dated:
04 March 2021

Miss Elizabeth McDonald, 73 Toryglen Road, Glasgow, G73 1HZ

10 March 2021

Miss Jackie French, 43 Toryglen Road, Rutherglen, G73 1HZ

11 March 2021

Miss Diane Dickson, 115 Toryglen road, Rutherglen, G73 1HY

13 March 2021

Ms Patricia Elliott, 87 Toryglen Road, Glasgow, G73 1HY

10 March 2021

Mrs Margaret Kane, 105 Toryglen Road, Rutherglen South Lanarkshire, G73 1HY

11 March 2021

Miss Elizabeth Stevenson, 81 Toryglen Road, Rutherglen, Glasgow, G73 1HZ

10 March 2021

Miss Margaret Mcmillan, 85 Toryglen road, Rutherglen, G731HY 10 March 2021

Mr Tony McDonald, 18 Penman, Rutherglen, G73 1HO 11 March 2021

Mrs Lesley Colligan, 82 Pinkerton Ave, Rutherglen, Rutherglen, G73 1HT 10 March 2021

Mrs Denise Galloway, 77 Toryglen Road, Rutherglen, Glasgow, G731HZ 13 March 2021

Contact for further information

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

Andrew Muir, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455058

Email: andrew.muir2@southlanarkshire.gov.uk

Conditions and reasons

01. For the avoidance of doubt, the development shall be carried out in accordance with the approved drawings and as set out in the Contamination Action Plan and Report, dated 09 June 2021, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: In the interest of public safety and in order to avoid the spread of ground contamination.

02. That, prior to the development hereby approved being completed or brought into use, a plan showing the proposed reconfiguration of the existing car park to provide functional parking spaces shall be provided for approval by the Council as Planning and Roads Authority.

Reason: In the interests of amenity and road safety.

03. That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

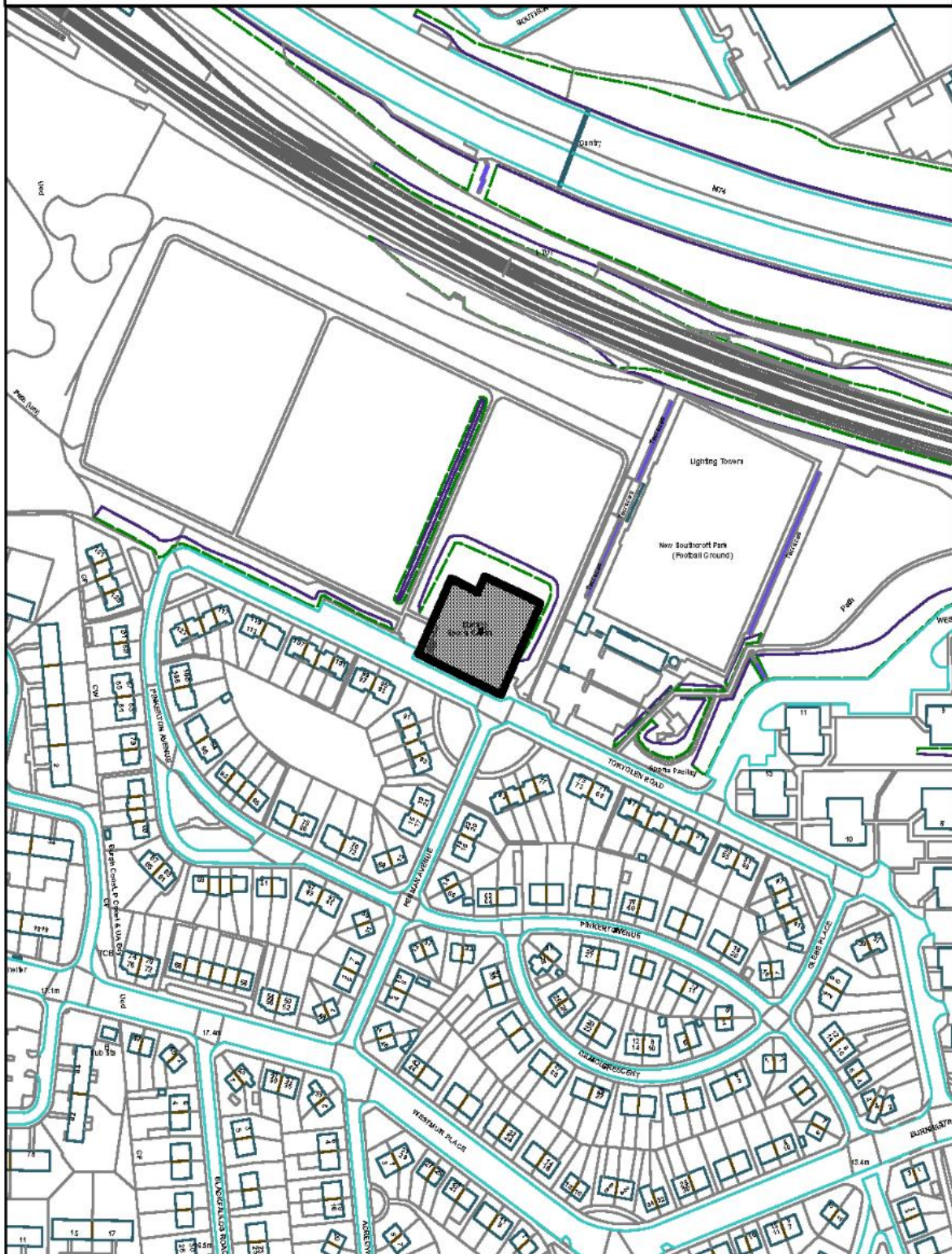
Reason: To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

04. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

P/21/0054

Site of former Burnhill Sports Centre, Toryglen Road, Rutherglen



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Scale:
1:2,500
Date:
07/07/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development