

Report to:	Planning Committee
Date of Meeting:	1 December 2009
Report by:	Executive Director (Enterprise Resources)

Application No	CR/09/0160
Planning Proposal:	Erection of Primary School, MUGA Pitch and Associated Works Including the Installation of CCTV

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : Vacant land between Newton Farm Road and Harvester Avenue Cambuslang

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – (Subject to Conditions – Based on Conditions Listed)

2.2 Other Actions/Notes

- (i) The Planning Committee has delegated powers to determine this application.
- (ii) The associated Section 75 for Phase I of this development will require amendment. However, this will not preclude the release of this planning consent.

3 Other Information

- ◆ Applicant's Agent: RMJM
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted 2009)**
Policy RES2 – Proposed Housing Site (2008 Housing Land Supply Consent)
Policy DM1 – Development Management

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

- ◆ Consultation(s):

Halfway Community Council

Environmental Services

Roads & Transportation Services H.Q. (Flooding)

Bt Cellnet

Scottish Water

West of Scotland Archaeology Service

Power Systems

Scottish Gas, Digital Records Department

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

Roads and Transportation Services (North Division)

Education Resources

Planning Application Report

1 Application Site

- 1.1 The application site is located on the east side of Harvester Avenue to the north of the village of Newton and is bounded to the east by Newton Farm Road and to the south by a new roundabout constructed as part of phase 1 of the major residential development at Newton. The site which extends to an area of approximately 0.94Ha and is triangular in shape with a gentle slope down to the south west is currently lying as vacant and unused grassland.

2 Proposal(s)

- 2.1 A detailed planning application has been submitted for the erection of a two storey school building which will incorporate a new Multi Use Games Area (MUGA) pitch. This will be a replacement for the existing St Charles RC Primary School in Newton. The new building will be situated towards the north and west of the site at a point which maximises the distance between the school and the neighbouring residential properties on Newton Farm Road. The play ground will be located to the south west of the school with the MUGA pitch to the south east. The school building will be orientated in a north/south line running parallel to Harvester Avenue.
- 2.2 The site will be bounded by a galvanised steel mesh fence and gates extending to 2.4 metres in height. The MUGA pitch, which will not be floodlit, will be bounded by a 5 metre high mesh fence. A fenced off area to the north east of the site will accommodate a bin store and a water tank (for the sprinkler system) with access to the main vehicular access area. Two CCTV security cameras are proposed for the development – one at the south west corner of the MUGA pitch, covering the pitch, the play ground and the southern elevation of the school and one adjacent to the northern entrance to the car park covering the car park and the north elevation of the school. Each camera will be mounted on a 6 metre high pole.
- 2.3 Vehicular and pedestrian access will be provided from Harvester Avenue to the west. Vehicular access will be from the north of the school and will lead into a car park which will provide 33 parking spaces as well as drop-off area. An additional bus drop-off point will be provided at a lay-by on Harvester Avenue adjacent to the school. A pedestrian access will be provided to the south of the playground.
- 2.4 The proposed school will be of a contemporary innovative design and shape and will use a range of materials including brick with a metal cladding, aluminium roof, and powder coated aluminium window frames. A mix of colours will be utilised to give the school an attractive and modern appearance. The building has been designed to maximise natural heat and ventilation to create a comfortable and sustainable environment for the pupils and staff of the school.
- 2.5 In conjunction with this planning application, the applicant has submitted a Phase 1 Habitat Survey, a tree survey, a soil quality survey and a Site Investigation desk study. These identified that the site has negligible to low ecological value with no evidence of or habitat which would support bats or badgers and that no mitigation will be required with respect of protected species. In addition, it is concluded that there are no issues with respect to soil quality or trees on the site however it is recommended that an intrusive site investigation be undertaken prior to the commencement of the development in terms of contaminated land and foundation stability.

3 Background

3.1 Local Plan Status

Within the adopted South Lanarkshire Local Plan 2009 the site is covered by Policy RES2 as the site lies within the Newton Residential Development (Phase 1) which has outline planning consent and is included in the local plan as part of the 2008 Housing Land Supply. Within the masterplan attached to the outline consent, the application site was identified for Community/Educational use. Policy DM1 - Development Management is also applicable. This policy requires all development to take fully into account the local context and built form and that it should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

3.2 **Relevant Government Advice/Policy**

None relevant.

3.3 **Planning Background**

Outline planning permission (CR/03/0272) was granted in February 2006 for the erection of a residential development, distributor road with associated land reclamation, landscaping, infra-structure upgrades and community services at Newton Farm.

4 **Consultation(s)**

4.1 **Roads and Transportation Services (North Division)** – no objections to the proposed development subject to conditions relating to visibility splays, parking and vehicular access details, including the requirement for dropped kerbs.

Response: Noted. Appropriate conditions will be attached to any consent granted.

4.2 **Roads and Transportation Services HQ (Flooding Unit)** – no objections subject to design criteria guidance being satisfied.

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

4.3 **Environmental Services** – have advised that conditions relating to noise, dust and contamination be attached along with advisory notes regarding noise and demolition.

Response: Noted. Where appropriate these conditions or informatives will be attached to any consent granted.

4.4 **Education Resources** – no objections.

Response: Noted.

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

Response: Noted.

4.6 **Scottish Environmental Protection Agency (SEPA)** – no objections to proposed development but offered advice relating to foul drainage, foul and surface water drainage and regulatory requirements.

Response: Noted.

4.7 **West of Scotland Archaeology Service** - no objections.

Response: Noted.

4.8 **Halfway Community Council** – no response to date.

Response: Noted.

4.9 **Scottish Power** – no objections but provided plan of Scottish Power equipment in the vicinity of the application site.

Response: Noted.

4.10 **Scottish Gas** - no response to date.

4.11 **BT Cellnet** – no response to date.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the application was advertised in the local press due to the nature or scale of the proposed development. Two letters of representation were received from adjoining neighbours. A representation was also received from the Newton Residents Association. The grounds of concern are summarised below:

a) **The proposed CCTV camera to the north of the site will adversely affect the privacy of the nearby property at Gowanbank on Newton Farm Road.**

Response: The applicants have confirmed that the CCTV system will be designed to limit its coverage so that it does not encroach into 'private' spaces, which are outside the area of surveillance.

b) **The application site includes land outwith the ownership of the Council contrary to the certificate in the planning application form.**

Response: An amended plan has been submitted which re-defines the site boundary to exclude the area referred to in this representation. In the initial drawings this area was outwith the school boundary fence and no development was proposed for it and the revised plan now reflects the correct ownership.

c) **The proposed school will not be able to meet the needs of the expected number of families with children moving into the area.**

Response: Education Resources have concluded that the school is the required size for a Roman Catholic Primary School in this area taking account of all known future development within the catchment area. Notwithstanding this however the plans identify an area at the southern end of the school building which has been set aside for future expansion to accommodate three more classrooms should they be required at a later date.

d) **Object to the proposed development as it does not include a community centre as set out in the S75 agreement attached to the original outline consent for the Newton Phase 1 development and for which £300,000 has already been paid by the developers.**

Response: It is acknowledged that a financial contribution of £300,000 towards a community facility has already been made by the developers of phase 1 in line with the agreed Section 75 agreement. However the Council's Community Resources in conjunction with Education Resources have decided that the preferred site for a new community facility would be within the community area outlined in the Newton Farm Phase 2 Master Plan on a site which lies approximately 600 metres north of the current application site. The funding and land available at the new site will allow for a much more comprehensive facility than would be available at the St Charles site and as such the best use for the financial contribution will be to go towards the future facility. This will require an amendment to the Section 75 legal agreement between the Council and the applicants for Phase 1. In the meantime it should be noted that areas within the proposed new school will be available for community use outwith school hours, at the weekends and during school holidays.

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

6 Assessment and Conclusions

- 6.1 The proposal involves the erection of a new primary school on a vacant site at Harvester Avenue, Newton. The main planning considerations in determining the application are compliance with the local plan, the impact on residential amenity, ecology, road safety and community facilities.
- 6.2 The site is affected by Policy RES2 – Proposed Housing Site Policy which supports the development of housing on those sites in the Housing Land Audit as summarised in appendix 1 of the Local Plan and identified on the Proposals Map. In this instance the policy refers to site CR1001 – Newton Phase 1 also has outline planning permission for a residential development which includes a school/community facility on the application site.
- 6.3 In terms of the adjacent and surrounding development, the proposal will result in a replacement school for the existing school on the nearby site within the older established part of Newton. It is considered that the proposal will relate satisfactorily to the adjacent residential properties on Newton Farm Road as all of the proposed access and resultant activity will be from the opposite side of the site on Harvester Avenue. The materials being used will reflect the modern nature of the proposal and allow the building to be clearly identifiable as a focal point for the community without being to the detriment of the surrounding area.
- 6.4 In terms of character and amenity with specific regard to traffic generation, parking, visual instruction and noise, it is considered that the size of the site can satisfactorily accommodate the required car-parking and pedestrian accesses. Furthermore, a new bus drop-off area will be provided on Harvester Avenue to serve the school. It is anticipated that the location of the school and playground will minimise any adverse noise impact on the neighbouring properties and it is proposed that the area will be covered by CCTV cameras to control use outwith school hours. As a result it is considered that there is no material adverse effect on character or amenity of the area.
- 6.5 In terms of open space and vegetation it is noted that there are very few trees on the site and the phase 1 habitat survey concluded that there is little of ecological value within the site. Indeed it is hoped that the landscape planting proposed for the development will enhance the habitat value of the area.
- 6.6 As regards servicing of the site, vehicular access and parking will be formed to meet Roads and Transportation requirements. In addition pedestrian and cycle access will be improved from Harvester Avenue as will public transport with the construction of the bus drop-off area.
- 6.7 In terms of road safety, after consultation Roads and Transportation Services are satisfied that the proposed development is acceptable subject to appropriate conditions being imposed.
- 6.8 In addition to the above policies Policy DM1 - Development Management also requires to be considered. It requires all development to take fully into account the local context and built form. From the above detailed assessment, I am satisfied that the proposal will not unduly impact upon any residential properties and the proposal is consistent with this policy.
- 6.9 Three letters of objection were received in relation to this planning application however it is considered that neither of the concerns raised are sufficient to justify refusal of this application. Confirmation has been provided by the applicant that the

CCTV security cameras will be masked to ensure that no private spaces away from the school will be included within their range. As regards land ownership, the amended plans have altered the application site boundary to exclude any areas of ownership outwith those mentioned on the application form. In light of this I am satisfied that the grounds of objection have been adequately addressed.

- 6.10 A key element of the original outline consent for the new residential development around Newton was that the developer would assist the Council in the provision of a new community hall type facility to be available to the residents of the existing village. This requirement was included in a Section 75 agreement between the Council and the land owner/developer of the phase 1 development and a financial contribution was subsequently made to the Council by the developers to satisfy this requirement, as mentioned in paragraph 4.9 above. Since that time the Council has identified the need for a further phase of residential development at Newton which has been included in the recently adopted South Lanarkshire Local Plan as the Newton Community Growth Area (CGA). A masterplan has been prepared for the CGA which sets out a comprehensive development plan for the site which includes some 1500 houses, a neighbourhood retail development, access roads and public transport facilities, public open spaces and a site for community uses.
- 6.11 An application for outline planning consent for phase 2, based on this masterplan, has been submitted and is currently being considered under application number CR/09/0139. Given this change of circumstances the Council's Community Resources have concluded that the preferred site for any new community facility would be within the community area outlined in the Newton Farm Phase 2 masterplan on a site which lies some 600 metres north of the current application site. The area of land set aside in the phase 2 plan is much larger than the current site and will allow for a much more comprehensive community facility along with a new non-denominational primary school and a full size all weather synthetic football pitch creating a new community hub for the expanded Newton settlement. As detailed in paragraph 4.9 above, this change will require an amendment to the Section 75 legal agreement and although the principle land owner for the overall Newton development has given an indication that this will be acceptable it requires to be confirmed in writing. However, this will not preclude the release of this consent.
- 6.12 Notwithstanding this, it is noted that the proposed new school will provide scope for community use outwith school hours during term time, at weekends and during all school holidays.
- 6.13 The proposed development will provide a modern and attractive building which can accommodate improved facilities serving the needs of the local community. It will compliment the plans for the wider regeneration of Rutherglen and Cambuslang and the proposal complies with the adopted South Lanarkshire Local Plan. It is not considered that there will be any adverse impact on residential amenity or road safety and I therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposed development will provide a new primary school which will be a benefit to the local community and the application accords with Policies RES2 and DM1 of the adopted South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

23 November 2009

Previous References

- ◆ CR/03/0272 – Erection of a residential development, distributor road with associated land reclamation, landscaping, infra-structure upgrades and community services (in outline). Granted outline planning permission 24 February 2006.
- ◆ CR/09/0139 – Erection of a mixed use development including residential, community facilities, open space, distributor road, primary school and neighbourhood retail centre(in outline). No decision as yet.

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour Notification Certificate dated 17 May 2009
- ▶ South Lanarkshire Local Plan adopted 2009

- ▶ Consultations
 - Environmental Services 21/08/2009
 - Education Resources 01/09/2009
 - West of Scotland Archaeology Service 31/08/2009
 - Roads and Transportation Services 07/09/2009
 - Roads and Transportation Services (Flooding Unit) 23/11/2009
 - SP Energy Networks 11/09/2009
 - SEPA 02/11/2009
 - Scottish Water 23/11/2009

- ▶ Representations
 - Representation from : Fiona Argo, 16 MacNeill Drive
Kittochglen
East Kilbride G74 4TR, DATED 31/08/2009
 - Representation from : Gordon Argo, Newton Farm Road
Newton Road
Glasgow G72 7UQ, DATED 31/08/2009
 - Representation from : Newton residents Association, 57 Redlawood Road,
Newton, Cambuslang,
Glasgow G72 7TP, DATED 06/09/2009

Contact for Further Information

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

Bill Kerr, Planning Officer, Royal Burgh House, 380 King Street, Rutherglen, Glasgow G73 1DQ

Ext 5141 (Tel :0141 613 5141)

E-mail: Enterprise.cam-ruth@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:
(EX) 000-1
(00) 000-1 Revision B
(00) 000-2
(00) 100-1
(00) 101-1
(00) 102-1
(00) 300-1
(00) 300-4
(00) 400-1
(90) 701
- 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 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.
- 6 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.
- 7 That before development starts, full details of the boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.
- 8 That no building shall be completed or 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.

- 9 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.
- 10 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.
- 11 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.
 - (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
 - (c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.
- 12 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.
- 13 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.
- 14 That before the development hereby approved is brought into use, dropped kerb vehicular access to the site shall be constructed in accordance with the approved plans and to the specification and satisfaction of the Council as Roads and

Planning Authority.

- 15 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.
- 16 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

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 In the interests of the visual amenity of the area.
- 6 In the interests of amenity.
- 7 These details have not been submitted or approved.
- 8 To ensure the provision of a satisfactory sewerage system
- 9 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.
- 10 To minimise the risk of nuisance from dust to nearby occupants.
- 11 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 12 In the interest of public safety
- 13 To ensure the provision of adequate parking facilities within the site.
- 14 In the interest of public safety
- 15 In the interest of road safety
- 16 In the interest of public safety

For information only

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