

Report

Report to:	Planning Committee
Date of Meeting:	13 March 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application No	CR/18/0012
Planning Proposal:	Creation of a New Public Greenspace Including Native Planting and Habitat Creation, Footpaths, Boundary Treatment and Fencing, Community Allotment Area, Junior Mountain Bike Track, Car Park and Associated Works

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : The site of the former Blairbeth Golf Course
Fernbrae Avenue
Rutherglen

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

None

3 Other Information

- ◆ Applicant's Agent: Ironside Farrar Ltd
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 3 – Green Belt and Rural Area
Policy 4 – Development Management and Placemaking
Policy 15 – Natural and Historic Environment

Development management, placemaking and design supplementary guidance (2015)

Green belt and rural area supplementary guidance (2015)

Natural and historic environment supplementary guidance (2015)

Scottish Planning Policy

◆ Representation(s):

- ▶ 8 Objection Letters
- ▶ 1 Support Letter
- ▶ 4 Comments Letters

◆ Consultation(s):

Roads and Transportation Services (Development Management)

Roads and Transportation Services (Flood Risk Management Section)

Environmental Services

Countryside and Greenspace

Estates Services – Housing and Technical Resources

Glasgow City Council

West of Scotland Archaeology Service

SportScotland

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

Historic Environment Scotland

Rutherglen Community Council

Police Scotland

Planning Application Report

1 Application Site

- 1.1 This application relates to an 18.6 hectare site located between the Fernhill area of Rutherglen and the Cathkin Braes which was formerly utilised as a golf course by Blairbeth Golf Club. The application site is undulating in nature throughout and generally slopes downwards from both the northern and southern boundaries of the site. The site is owned by South Lanarkshire Council and, as the golf club ceased to operate in 2015 and is no longer in a position to lease the site, it has been returned to the Council. Although currently accessible to pedestrians, the site is sparsely used since the closure of the golf club and is currently grassed but in a generally unmaintained state. The site is bounded to the south by the Cathkin Braes, to the north by the Fernhill area of Rutherglen, to the east by the Cathkin area of Rutherglen and to the west by the Cathkin Braes and an area of open space within the Glasgow City Council area, adjoining Castlemilk. At present, both vehicular and pedestrian access to the site is taken via Fernbrae Avenue, Rutherglen, while pedestrian access can also be taken at various other points along the site boundary.

2 Proposal(s)

- 2.1 Detailed planning permission is sought by South Lanarkshire Council to develop the site into a new public greenspace to include native planting and habitat creation, footpaths, boundary treatments, a community allotment area, a junior mountain bike track and a car park. The greenspace area would also include small scale landscape features on the former sites of greens and tees. The greenspace would be extensively linked to the Cathkin Braes which is located directly to the south and south-west of the site. As part of the proposed development, a new vehicular access to the site would be taken from Fernbrae Avenue to a dedicated car parking area. The project would be funded via support from Scottish Natural Heritage through the European Regional Development Fund Green Infrastructure Programme.
- 2.2 Due to the significant size of the application site, it was necessary for the applicants to undergo the Pre-Application Consultation process in advance of the submission of a formal application for the proposed works. As part of this process, a number of public events and stakeholder workshops were held locally in December 2017. The events were utilised to gauge public perception and preferences in terms of the layout of the proposed development. The applicants have stated that the outcome of the events has had a significant impact in terms of shaping their finalised proposals for the site. A statement of participation has been submitted with the planning application outlining the background to the consultation undertaken and the results obtained from the process. Overall, it was ascertained that the vast majority of participants favoured the proposal to carry out improvement works within the site.

3 Background

3.1 National Policy Status

- 3.1.1 Scottish Planning Policy (SPP) provides advice on national planning policy issues. The SPP states that the planning system should seek to protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking. Green infrastructure should be considered as an integral element of places from the outset of the planning process and opportunities to provide additional green infrastructure should be promoted.

3.2 Local Plan Status

3.2.1 A number of policies set out in the South Lanarkshire Local Development Plan (adopted 2015) are relevant to the consideration of the proposal specifically:

- Policy 3 – Green Belt and Rural Area
- Policy 4 – Development Management and Placemaking
- Policy 15 – Natural and Historic Environment

3.2.2 In particular, the adopted South Lanarkshire Local Development Plan identifies the site as being part of the Green Belt as designated by Policy 3. This policy seeks to promote Green Belt areas for agricultural, forestry and recreational uses and seeks to protect such areas from inappropriate forms of built development. The relevant policies of the adopted Local Development Plan are considered in detail in respect of the proposed development in Section 6 below.

3.3 **Planning History**

3.2.3 The site has historically been utilised as a golf course prior to the closure of Blairbeth Golf Club in 2015. No previous planning applications have been submitted in relation to the application site.

4 **Consultation(s)**

4.1 **Roads and Transportation Services (Development Management)** – Offered no objections to the proposed development subject to conditions relating to access, turning space and surface water management within the site.

Response: Noted. The requested conditions would be attached to any consent issued.

4.2 **Roads and Transportation Services (Flood Risk Management Section)** – offered no objections to the proposal subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document.

Response: Noted. The requested condition would be attached to any consent issued.

4.3 **Environmental Services** – offered no objections to the proposed development.

Response: Noted.

4.4 **Countryside and Greenspace Service** – confirmed that they are generally supportive of the proposals as detailed in the plans submitted. They have, therefore, offered no objections to the application.

Response: Noted.

4.5 **Estates Services - Housing and Technical Resources** – offered no objections to the proposed development.

Response: Noted.

4.6 **Glasgow City Council Planning Department** – have not responded to date.

4.7 **West of Scotland Archaeology Service** – offered no objections to the proposed works.

Response: Noted.

4.8 **SportScotland** – initially raised concerns as the proposal would result in the loss of a golf course. However, following further assessment of the proposals and discussions with the applicants, SportScotland have confirmed that they have no objection to the proposal as it can be undertaken without detriment to the overall quality of golf course

provision in the local area and would be used as a local resource for physical activity and sport.

Response: Noted.

- 4.9 **S.E.P.A. (West Region)** – offered no objection to the proposed development.

Response: Noted.

- 4.10 **Historic Environment Scotland** – offered no objection to the proposed development.

Response: Noted.

- 4.11 **Rutherglen Community Council** – have not responded to date.

- 4.12 **Police Scotland** – have not responded to date.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Rutherglen Reformer as development affecting the setting of a listed building and for neighbour notification purposes. Thirteen letters of representation were received in relation to the proposed works. The points raised have been summarised as follows:

- a) **The proposal could create vandalism and anti-social behaviour issues in the vicinity of the site, particularly at locations that are in close proximity to residential properties.**

Response: The proposal relates to the formation of a maintained greenspace area on a site that is currently unmaintained but is available for public use. As such, it is considered that the improvement of the area, through the introduction of additional security measures such as boundary fencing, would be likely to result in an overall reduction rather than an increase in current levels of anti-social behaviour. The applicants have advised that, in general, they have sought to position proposed seating areas away from residential properties that bound the site, to ensure that there is no adverse amenity impact on these properties. A significant area of additional planting is also proposed to be put in place along the eastern boundary of the site to ensure further protection of amenity to residents of nearby properties in Cathkin. As such, it is noted that the issue of anti-social behaviour has been taken into account as part of the design of the proposal and it is considered unlikely that there would be any significant issues in this regard.

- b) **The proposal could have an adverse amenity impact on residential properties located in close proximity to the site in terms of privacy and overlooking issues.**

Response: Given that the entire greenspace area is available for public use at the present time, it is not considered that there would be any significant additional adverse impact as a result of the development proposed. Extensive boundary planning and improved boundary fencing is proposed to be put in place, where appropriate, along site boundaries that are located adjacent to residential properties to provide additional privacy to residents of these properties.

- c) **The proposal could have an adverse amenity impact on residential properties located in close proximity to the site in terms noise issues created by pedestrians with dogs and the congregation of groups of people.**

Response: While it is likely that there would be some increase in noise levels due to increased use of the greenspace as a result of the improvement works proposed, it is noted that the overall site comprises 18.6 hectares of open space and, as such, use of the park is likely to be widely dispersed throughout the site. The Council's Environmental Services have been consulted regarding the planning application and have not raised any specific concerns regarding potential noise issues resulting from the development proposed. There are, therefore, no significant concerns in this regard.

- d) **A proposed seating bench adjacent to residential properties at Mary Slessor Wynd is likely to create an anti-social behaviour issue and significantly affect residential amenity at this location.**

Response: While, in general, it is noted that proposed seating areas would be located a significant distance from nearby residential properties it was noted that this particular area, situated on the site of a disused golf tee, could create an amenity issue given its proximity to residential properties. The applicants have, therefore, advised that no bench seating will be put in place at this particular location.

- e) **The proposal could create road safety issues at the proposed vehicular and pedestrian access point on Fernbrae Avenue and could create traffic congestion and parking issues in the vicinity of the site. An area adjacent to the former clubhouse could be used as a car park instead of the chosen location off Fernbrae Avenue.**

Response: Given the proposed park improvements, it was considered necessary to provide a designated vehicular access and parking area within the site to ensure that the proposed development does not create parking issues on nearby residential streets. The applicants have advised that the access point to the parking area from Fernbrae Avenue was chosen to be located at the most easterly point possible to reduce the extent of Fernbrae Avenue that would be used by vehicles accessing the site. The Council's Roads and Transportation Services have advised that they are satisfied with the proposed access and parking arrangements, subject to adherence to planning conditions including the formation of a turning area within the car park. The requested conditions would be attached to any consent issued. Subject to these conditions, it is not considered that there would be an adverse impact on traffic or road safety as a result of the development.

- f) **The proposed allotments could have an adverse impact on the appearance of the local area and on local residential amenity.**

Response: Although the allotments are proposed to be located towards the north of the site, near to Fernbrae Avenue, it is noted that they would generally be screened from view by existing natural vegetation and separated from residential properties by the car park associated with the nearby Fernhill School. The applicants have further advised that the allotments would be fenced off, would include locked gates and would be subject to agreed rules of use to ensure that there is no amenity impact on nearby residential properties. As such, it is not considered that the proposed allotments would have an adverse impact on residential amenity or the appearance of the local area.

- g) **The proposed development could have an adverse impact on the Fernhill School, which is located directly adjacent to the site, in terms of overlooking from the proposed greenspace area and in terms of wider child safety issues.**

Response: The applicants have advised that a fence of at least 1.8 metres in height would be put in place along the extent of the boundary of the site with

the school to ensure that there is no adverse amenity impact on the property as a result of the development proposed. It is noted that this would represent a considerable improvement over the current boundary fence which has a height of approximately one metre and is poorly maintained. It is, therefore, considered that there would be an improvement in terms of the levels of privacy afforded to the school as a result of the proposed development.

- h) **Park users could inadvertently encroach into the school grounds due to the lack of fencing on the boundary between the school and the proposed park.**

Response: As noted above, the applicants have advised that a boundary fence of at least 1.8 metres in height would be put in place along the extent of the boundary of the application site and the school, to ensure that there is no adverse impact on the school as a result of the proposed development. As such, it is not considered that there would be any issue in terms of encroachment into the school grounds.

- i) **Pedestrian links should be provided between the proposed greenspace and the Cathkin Braes.**

Response: It is noted that, in the event that permission is granted for the proposed development, extensive pedestrian links are proposed to be provided to link the site and the surrounding area with the Cathkin Braes, which are located directly to the south and south-west of the site.

- j) **Further community consultation should be undertaken with regard to the naming of the proposed greenspace.**

Response: The applicants have advised that further consultation would be carried out with regard to the naming of the greenspace area in the event that planning permission is granted for the proposed development.

- k) **The writers wish to state their support for the proposed development.**

Response: The writers' support of the proposed development is noted.

- l) **The writers queries why neighbour notification of properties that are located further than 20 metres from the application site was not carried out.**

Response: Statutory neighbour notification was carried out in accordance with standard Council procedures and relevant planning legislation. The application was also advertised in the local press for neighbour notification purposes. It is therefore considered that the neighbour notification procedure has been carried out correctly in this instance.

- 5.2 The above letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 Detailed planning permission is sought by South Lanarkshire Council to develop the site of the former golf course associated with Blairbeth Golf Club into a new public greenspace to include native planting and habitat creation, footpaths, boundary treatments, a community allotment area, a junior mountain bike track and a car park. The greenspace area would also include small scale landscape features on the former sites of greens and tees. The greenspace would be extensively linked to the Cathkin Braes which is located directly to the south and south-west of the site. As part of the proposed development a new vehicular access to the site would be taken from Fernbrae Avenue to a dedicated car parking area. The project would be funded via

support from Scottish Natural Heritage through the European Regional Development Fund Green Infrastructure Programme.

- 6.2 The determining issues in the assessment of this application are its compliance with local plan policy as well as its impact on surrounding amenity. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan framework against which the proposal requires to be assessed comprises the South Lanarkshire Local Development Plan (adopted 2015) and its associated supplementary guidance.
- 6.3 In terms of national planning policy, the Scottish Planning Policy states that the planning system should seek to protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking. Green infrastructure, in particular, should be considered as an integral element of places from the outset of the planning process and opportunities to provide additional green infrastructure should be promoted. This proposed development of a large, maintained green space area is considered to be entirely in keeping with the ambitions of the Scottish Planning Policy.
- 6.4 In terms of Local Development Plan policy as set out in the South Lanarkshire Local Development Plan (adopted 2015), the site is located within an area forming part of the Green Belt as designated by Policy 3 of the Local Development Plan. This policy seeks to promote Green Belt areas for agricultural, forestry and recreational uses and seeks to protect such areas from inappropriate forms of built development. It is noted that the proposed development would allow a generally unmaintained area, comprising 18.6 hectares of Green Belt land, to be formally designated as a green space. Given the sensitive location of the site directly to the south of Rutherglen it is considered that the proposed development would significantly strengthen the settlement boundary at this location. As such, the proposed development is considered to be fully compliant with the provisions of the Policy 3 of the Local Development Plan and its associated supplementary guidance.
- 6.5 With regard to the specific design and layout of the proposed development Policy 4 – Development Management and Placemaking requires all proposals to take account of and be integrated with the local context and built form. The policy states that development proposals should have no significant adverse impacts on the local community and, where appropriate, should include measures to enhance the environment and the quality of placemaking. These requirements are further supported by the associated supplementary guidance relating to development management, placemaking and design.
- 6.6 In this instance, it is considered that the formation of a designated greenspace area would make a significant positive contribution to the local community and would enhance the local environment and overall local residential amenity. The re-use of an area of ground which has been sparsely utilised since the closure of the golf course in 2015 as a local resource for physical activity and sport is to be welcomed. It is noted that a designated car parking area is proposed to be located within the site, to minimise the amenity impact of the development on nearby residential areas in terms of traffic and parking issues. Additional fencing, walling and planting is also proposed to be put in place where required at the site boundary to minimise any adverse impact on adjacent residents in terms of loss of amenity to their properties. As such, it is considered that the proposed development would have a significant positive amenity impact on the surrounding area and fully complies with the provisions of Policy 4 of the Local Development Plan and its associated supplementary guidance.

- 6.7 It is noted that a section of the application site bounds the site of the Fernhill School, a Category C Listed Building. In this regard the proposed development requires to be considered against Policy 15 – Natural and Historic Environment of the adopted plan and its associated supplementary guidance. Policy 15 seeks to protect natural and historic features from adverse impacts resulting from development. Additionally, Policy NHE3 of the associated supplementary guidance specifically seeks to protect the character and appearance of listed buildings and their settings. In this instance, it is noted that limited built development is proposed and that the proposals primarily relate to the formation of an area of designated green space. Additionally, it is noted that the site bounds the curtilage of the existing listed building to the rear but does not have any impact on the building itself. As such, it is considered that there would be no adverse impact on the historic feature in this case and it is, therefore, considered that the proposed development does not raise any issues in terms of Policy 15 or its associated supplementary guidance.
- 6.8 In addition to the standard neighbour notification procedure carried out by the Council, the application was also advertised in the local press. Eight letters of objection, four comment letters and one letter of support have been received in relation to the proposed development. The points raised are addressed in detail in Section 5 above. It is not considered appropriate for the application to be refused planning consent based on the points of objection raised.
- 6.9 In conclusion, it is considered that the proposed development would have a significant positive impact on the local and wider area, would be appropriate to the site in terms of design and layout, would have a positive overall impact on surrounding amenity and would be fully compliant with the provisions of the relevant policies of the South Lanarkshire Local Development Plan, specifically Policies 3, 4 and 15 as well as with all policy and guidance contained within relevant associated supplementary guidance. The proposal would also support the ambitions of the SPP to enhance the green network while protecting and enhancing the quality, character and landscape setting of the area. I would, therefore, recommend that planning permission is granted for the proposed development subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposal would have a positive impact on the amenity of the local area and is fully compliant with Policies 3, 4 and 15 of the South Lanarkshire Local Development Plan (adopted 2015) and with all relevant associated supplementary guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

6 March 2018

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)

- ▶ Neighbour notification letter dated 26 January 2018
- ▶ Consultations

Roads & Transportation Services (Flood Risk Management Section)	14/02/2018
Environmental Services	05/02/2018
Countryside & Greenspace	31/01/2018
West of Scotland Archaeology Service	08/02/2018
Roads & Transportation Services (Development Management)	26/02/2018
SportScotland	08/02/2018
S.E.P.A. (West Region)	20/02/2018
Historic Environment Scotland	14/02/2018
Estates Services	23/02/2018

▶ Representations

Representation from :	Mark McColl, 50 Mary Slessor Wynd, High Burnside, G73 5RJ, DATED 14/02/2018 16:37:11
Representation from :	Mark McColl, 50 Mary Slessor Wynd, High Burnside, G73 5RJ, DATED 14/02/2018 17:19:42
Representation from :	Joanna Gold 40 Mary Slessor Wynd, Glasgow, G73 5RJ, DATED 13/02/2018 19:33:16
Representation from	Mr John Connor, 76 Fernbrae Avenue, Rutherglen, DATED 31/01/2018
Representation from :	Lynn Anderson, 78 Fernbrae Avenue, Fernhill, Rutherglen, G73 4AE, DATED 31/01/2018
Representation from :	Sandra Porter, received via email, DATED 05/02/2018
Representation from :	Sandra Porter, received via email, DATED 09/02/2018
Representation from :	John and Kathleen Clark, received via email DATED 02/02/2018
Representation from :	Janice Keir, received via email DATED 02/02/2018
Representation from :	Felsham Planning and Development, received via email DATED 16/02/2018
Representation from :	Fernhill School, received via email DATED 19/02/2018
Representation from :	Mrs Elaine Samson, received via email DATED 27/02/2018
Representation from :	Fernhill School, received via email DATED 05/03/2018

Contact for Further Information

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Ext 5049 (Tel: 01698 455049)

E-mail: declan.king@southlanarkshire.gov.uk

CONDITIONS

- 1 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.
- 2 That before the development hereby approved is completed, the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 1 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 3 That the landscaping scheme as shown on the approved plans 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 the 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.
- 4 That full details of the incidents shown on the approved plans, including details of all sculptures, seating areas, exercise facilities, community garden areas, allotments, biking areas, shelters or any other structures or facilities to be erected within the site shall be submitted to and approved in writing by the Council as Planning Authority prior to their installation on site.
- 5 That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Appendices 1,3 & 5).
- 6 That, prior to the commencement of any development on site and unless otherwise agreed in writing with the Council as Planning Authority, details of an appropriate engineering solution relating to the historic drainage of water from the site onto the public road at Burnside Road shall be submitted to and approved by the Council as Roads and Planning Authority. The agreed engineering solution shall thereafter be implemented on site to the satisfaction of the Council as Roads and Planning Authority prior to the completion of the development hereby approved.
- 7 That, before any works commence on site, details of the provision of a turning area, to allow vehicles to enter and exit the proposed car park in forward gear, shall be submitted to and approved by the Council as Roads and Planning Authority. The works shall thereafter be undertaken in accordance with the approved details to the satisfaction of the Council as Roads and Planning Authority prior to the completion of the development.
- 8 That the proposed access to the site shall be via a 5.5 metre wide vehicular dropped kerb access, of which the first two metres behind the heel kerb shall be constructed of non-deleterious material. No water shall discharge from the access road onto the public road.

- 9 That the footpaths opposite pedestrian access points to the site shall include dropped kerbs, with a 6mm upstand provided at all pedestrian crossing points, unless otherwise agreed in writing with the Council as Roads and Planning Authority.
- 10 That, prior to the commencement of any works on site, full details of any tree works required to be undertaken in respect of the formation of car park and the associated vehicular access shall be submitted to and approved by the Council as Planning Authority. The works shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing with the Council as Planning Authority.

REASONS

- 1.1 These details have not been submitted or approved.
- 2.1 In order to retain effective planning control
- 3.1 In the interests of amenity.
- 4.1 In the interests of amenity and in order to retain effective planning control.
- 5.1 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.
- 6.1 In the interest of road safety.
- 7.1 In the interest of road safety.
- 8.1 In the interest of road safety.
- 9.1 In the interest of road safety.
- 10.1 To ensure the protection and maintenance of trees where appropriate within the site.

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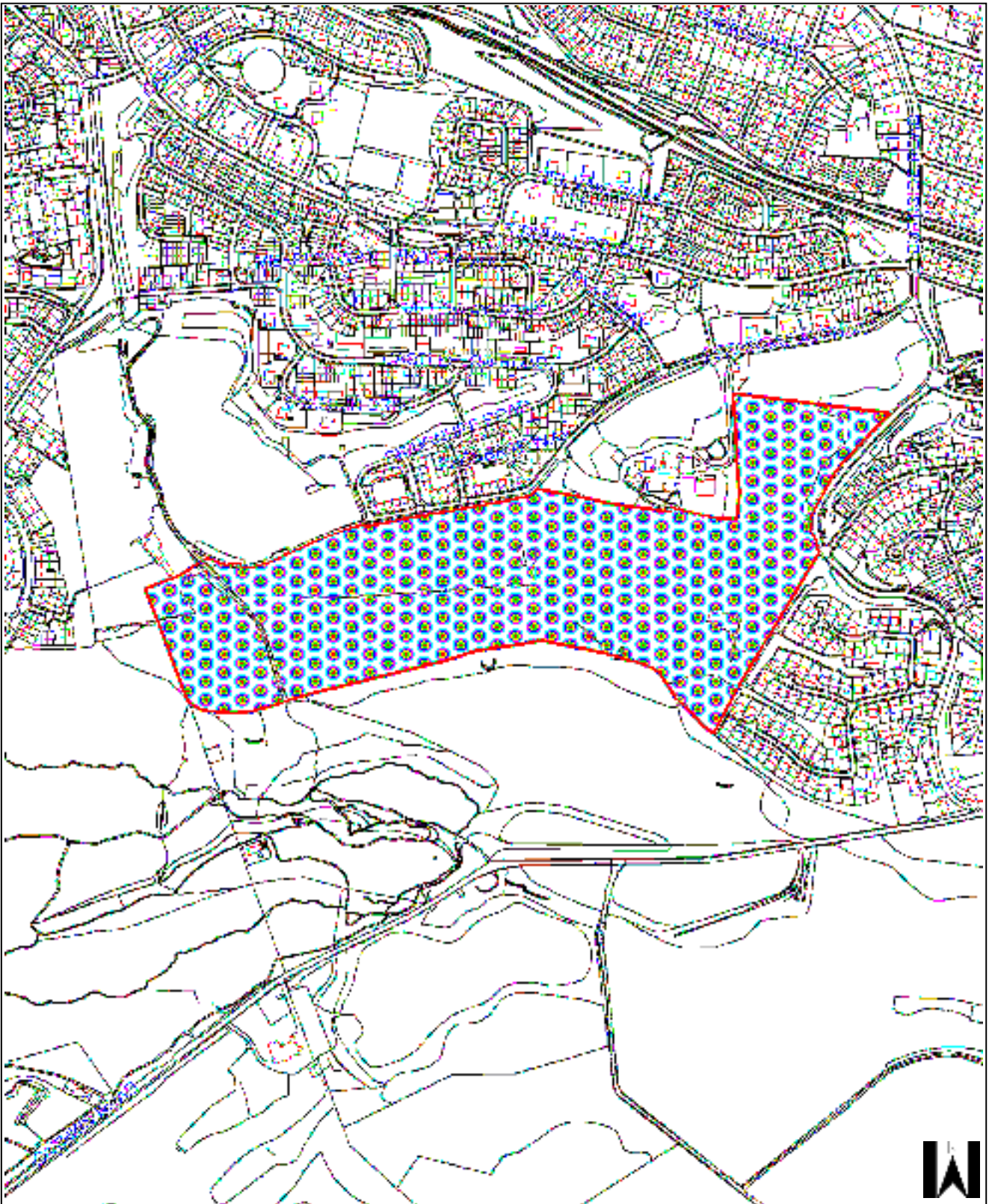
Planning and Building Standards

The site of the former Blairbeth Golf Course, Fernbrae
Avenue, Rutherglen

Not to Scale

For information only

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