

Report

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Report to:	Cambuslang/Rutherglen Area Committee
Date of Meeting:	6 July 2010
Report by:	Executive Director (Enterprise Resources)

Application No	CR/10/0052
Planning Proposal:	Formation of access road, service road and car parking at site of Fernhill Regeneration Area at the Fernhill Playing Fields

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Housing and Technical Resources
- Location : Playing Fields
off Fernhill Road
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 Conditions Listed)

2.2 Other Actions/Notes

- (i) The Area Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Housing and Technical Resources - Property Services
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Plan 2009**
Policy RES6 – Residential Land Use Policy
Policy COM5 – Retail Masterplan Site
DM1 – Development Management Policy

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

◆ Consultation(s):

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Power Systems

British Telecom

Roads & Transportation Services

Scottish Gas Networks

Planning Application Report

1 Application Site

- 1.1 The site, which extends to some 0.15 hectares, lies to the north of Fernhill Road in the Fernhill area of Rutherglen. The site is located at the south east corner of the Fernhill recreation area. The site is generally flat and is bounded to the north by the recreation area and the Fernhill Pavillion, to the south by Fernhill Road, to the east by Neilvaig Drive and to the west by the site for the proposed Fernhill Integrated Community Facility which was granted consent by the Planning Committee on 1st December 2009, reference number CR/09/0210.

2 Proposal(s)

- 2.1 This application is directly related to the development of the Integrated Community Facility mentioned above. At the time of consideration of the above mentioned application it was concluded that for engineering reasons it would be preferable to construct the complete road network at one time to serve the Integrated Facility and the retail units identified within the Fernhill Regeneration Plan. The proposals for the community facility, which were granted detailed planning consent, only included the access details for the community facility as the engineering details for the additional sections of road to access and service the retail units were not finalised. In order that the consent for the new community facility was not delayed it was agreed that the additional road and car park details should be the subject of a separate later application, and this is what forms the substance of this application.
- 2.2 To complete the local road network it is proposed that a service road for the proposed shops be constructed to the north of the site as a spur off of the already approved service road for the community facility. In addition it is proposed to extend eastwards the main access road for the site along the frontage of the site, parallel to Fernhill Road. A new junction onto Fernhill Road will be created at the eastern end of the site. This application also includes 42 car parking spaces to serve the proposed retail units. The new access and service roads and car parking areas will be constructed in permeable paving to form a Sustainable Urban Drainage System (SUDS).

3 Background

3.1. Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Plan 2009 provides the development plan context for this application. The application site lies within an area covered by Policies COM5 – Retail Masterplan Policy; RES6 – Residential Land Use Policy and DM1 – Development Management Policy. The content of these policies and how they relate to the proposal is assessed in detail in Section 6 of the report.

3.2 Relevant Government Advice Policy

- 3.2.1 Given the scale of the proposed development there is no relevant government advice to raise in this instance.

3.3 Planning Background

- 3.3.1 The planning application is in line with the Fernhill Regeneration Masterplan which was prepared by the Regeneration Partnership involving the Council and the Fernhill (Community) Steering Group and was approved by the Housing and Technical Resources Committee on 4 June 2008. The partnership group has been working together on the redevelopment of Fernhill for a number of years.

- 3.3.2 The proposed development is inter-linked with the previous planning application CR/09/0210 for the erection of an integrated community facility, with sports hall, dance studio, community rooms, youth area and 1 seven-a-side/3 five-a-side football pitches with associated parking and landscaping. This was granted detailed planning consent by the Planning Committee at their meeting of 1 December 2009.

4 Consultation(s)

- 4.1 **Roads & Transportation Services** – no objections subject to conditions regarding dropped kerb access, the position of footpaths and zebra crossings, sight lines, car parking and surface trapping and finishing.
Response: Noted and the appropriate conditions will be attached should consent be granted.
- 4.2 **Roads & Transportation Services HQ (Flooding)** - no objections subject to the required design criteria guidance being satisfied.
Response: Noted and the design criteria guidance will be forwarded to the applicants.
- 4.3 **Scottish Water** – no objections to the proposed development.
Response: Noted.
- 4.4 **Scottish Gas Networks** - no objections to the development and provided a plan showing their plant in the vicinity.
Response: Noted.
- 4.5 **SP Energy Networks (Scottish Power)** - no objections to the development and provided a plan showing their plant in the vicinity.
Response: Noted.
- 4.6 **BT Openreach** - no objections to the development and provided a plan showing their plant in the vicinity.
Response: Noted.

5 Representation(s)

- 5.1 Following statutory neighbour notification no letters of objection have been received.

6 Assessment and Conclusions

- 6.1 Section 25 of the 1997 Planning Act requires all planning applications to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. Consequently the adopted Local Plan is of fundamental importance to the assessment and determination of this application.
- 6.2 In assessing the earlier planning application for the Integrated Community Facility the Planning Committee agreed that the proposed development complied with local plan policy COM5 which requires that a retail masterplan be brought forward for the recreational area at Fernhill which will include shopping, residential and recreational uses and be complementary to the wider regeneration of Fernhill. As an extension to the proposals outlined in the earlier consent, this proposal would therefore serve the shopping facilities identified in the Fernhill Masterplan. It is therefore concluded that this application also accords with Policy COM5 of the adopted local plan.
- 6.3 In addition it is considered that the scale of the proposed development and its close relationship with the adjacent development is such that it can be concluded that the proposed development will also accord with local plan policy, RES6 – Residential Land Use Policy which aims to protect the character and amenity of residential areas

while supporting, in principle, compatible uses. Furthermore on this basis it is also considered that the proposal would accord with Policy DM1 – Development Management Policy which states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

- 6.4 Following statutory neighbour notification no objections to the development were submitted.
- 6.5 The proposed development will complete the roads infrastructure for the community and shopping facilities identified within the approved Fernhill Regeneration Masterplan and is thus integral to the regeneration of the local area. The development accords with the adopted local plan policies and has received no objections from either consultees or third parties.
- 6.6 Given the scale and nature of the proposed development and that it accords with the local plan and that there were no objections submitted against the development the application would in normal circumstances have been a delegated decision. However, as the application site is in Council ownership the Council's approved Scheme of Delegation requires that the application be considered at Committee.
- 6.7 Having regard to the above I am satisfied that the proposal is an acceptable development which accords with the relevant local plan policies and it is therefore recommended that planning permission be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on the local amenity and complies with Policies RES6, COM5 and DM1 of the adopted South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

21 June 2010

Previous References

- ◆ CR/09/0210

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan (adopted) 2009
- ▶ Fernhill Regeneration Masterplan 2008

▶ Consultations

Power Systems	06/04/2010
TRANSCO (Plant Location)	24/03/2010
Roads and Transportation Services	18/03/2010 15/04/2010

British Telecom

31/03/2010

Roads & Transportation Services H.Q. (Flooding)

30/03/2010

- ▶ Representations
- None

Contact for Further Information

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

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Detailed Planning Application

PAPER APART – APPLICATION NUMBER: CR/10/0052

CONDITIONS

- 1 The consent shall be carried out strictly in accordance with drawing numbers: CL(00)07; CL(00)03(A); CD(00)01; CL(52)02; CD(00)08.
- 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 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 accesses as indicated on the approved plans 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.
- 5 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.
- 6 The surface of the access roads hereby approved shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the public road.
- 7 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.

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 interest of road safety
- 5 To ensure the provision of adequate parking facilities within the site.
- 6 In the interest of public safety
- 7 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.

For information only

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