

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be considered by Planning Applications Committee on
10th April 2019

Reference No: 2018/0623/TP

Ward: 2

Applicant:

East Renfrewshire Council
211 Main Street
Barrhead
United Kingdom
G78 1SY

Agent:

JM Architects
50 Bell Street
Glasgow
United Kingdom
G1 1LQ

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Site: Crookfur Pavilion, Crookfur Park, Ayr Road, Newton Mearns, East Renfrewshire

Description: Erection of family centre/nursery school (including phase 2 community changing rooms extension), plant room and cycle/pram shelter; with car parking

Reference No: 2019/0027/TP

Ward: 1

Applicant:

East Renfrewshire Council
211 Main Street
Barrhead
Scotland
G78 1SY

Agent:

East Renfrewshire Council Property and Technical Services
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
Scotland
G46 8NG

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Site: Cross Arthurlie Primary School, 7 Fern Drive, Barrhead, East Renfrewshire, G78 1JF

Description: Erection of extension to accommodate a nursery with associated playground; extension to car parking.

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REPORT OF HANDLING

Reference: 2018/0623/TP

Date Registered: 18th October 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 254077/656079

Applicant/Agent:

Applicant:

East Renfrewshire Council

211 Main Street

Barrhead

United Kingdom

G78 1SY

Agent:

JM Architects

50 Bell Street

Glasgow

United Kingdom

G1 1LQ

Proposal: Erection of family centre/nursery school (including phase 2 community changing rooms extension), plant room and cycle/pram shelter; with car parking

Location: Crookfur Pavilion
Crookfur Park
Ayr Road
Newton Mearns
East Renfrewshire
G77 6DT

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	No objection subject to conditions
East Renfrewshire Council Environmental Health Service	No objection subject to conditions

PUBLICITY:

02.11.2018	Glasgow and Southside Extra	Expiry date 16.11.2018
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SITE NOTICES: None.

SITE HISTORY: None valid.

REPRESENTATIONS: 17 representations have been received and can be summarised as follows:

Additional traffic in already busy area/lack of Transport Assessment
 Parking impact at a facility which is currently utilised beyond its capacity
 Impact on the greenspace character of the existing park
 Inadequacy of the proposed building for the purposes outlined
 Impact on existing parking and businesses dependant on its availability.
 Loss of existing play park
 Lack of clarity on consultations undertaken
 Sportscotland not consulted

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Design Statement	Outlines the reason for the development and the design approach taken.
Drainage Strategy	Outlines the philosophy behind the design of the surface water and foul water drainage systems. The surface water is to be directed to an attenuation tank before discharging to the existing combined sewer. The foul water is to be directed to the existing combined sewer. Also indicates that the site is not at risk from flooding. Concludes the site is not restricted by flood risk or drainage capacity.
Ecological Walkover, Preliminary Roost Appraisal and Bat Activity Surveys (September 2018)	The surveys were undertaken in August 2018 to determine potential ecological constraints and biodiversity opportunities. Indicates no notable ecological issues were identified within the site that would require further more detailed survey.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009. However the application requires to be determined by the Planning Applications Committee as more than 10 objections have been received.

Planning permission is sought for the erection of a new family centre/nursery school at Crookfur Pavilion which is an established Council owned community facility west of Ayr Road, Newton

Mearns. The facility is centred on the Crookfur Pavilion building which is oriented on a south west to north west axis with two grass football pitches and a gravel running track at its rear. A children's play area is currently sited to the south west of the pavilion building in part of the maintained grassed area.

Parklands Hotel and Leisure Centre is situated to the north of the pavilion building. Parking provision for Parklands and the pavilion is situated to the south and east adjacent to Ayr Road. There are residential properties to the south and the Crookfur Cottage Homes further to the north west.

The Crookfur Pavilion will be demolished and the site cleared to facilitate the proposed development. The new family centre/nursery school is to be constructed in approximately the same position as the pavilion.

The building is of a contemporary design and predominantly single storey with a broadly rectangular footprint 50m long and 17m wide. It has a dual pitched main roof structure which will accommodate an upper mezzanine section, with an open gallery platform. Low profile flat roofed sections extend either side of this dual pitched section. These will also be canopied open porch areas. Externally the building will be finished in a varied palette of materials including facing brick, timber cladding and steel coated composite panels.

The main reason for the development is that the Scottish Government has made a commitment to increase the provision of early learning and childcare by 2020 for children who are 3 or 4 years old as well as for vulnerable children who are 2 years old. This is in effect a rise to 30 hours per week, for each child. It has been indicated the Council's existing nursery provision is almost at full capacity and the new duty effectively doubles the required provision for the same number of children.

To meet this demand the building will principally accommodate a new early years nursery unit provision for up to 120 pupils. The proposed building contains play zones, adaptable external classroom area, staff accommodation, meeting rooms, dining area, kitchen, toilets, storage space, etc. An access stair to the mezzanine area is shown on the plans but no accommodation is detailed in the roof space.

The main access to the nursery is from its south east side facing Ayr Road. On its side facing towards the pitches there will be an enclosed external area that is to contain various play and educational elements/equipment.

The current pavilion is a community resource and supports several client groups. Therefore a sports and community building (identified as Phase 2) is to be linked to the nursery section on its north side. It contains four rooms, shower/changing facilities and storage areas. This is indicated in the proposed plans as the second phase of the development. The submitted information confirms the intention to provide temporary changing accommodation for the users of the pitches. No details of that provision or its location are available at present.

The existing pedestrian footway to the pavilion from Ayr Road will be removed. The main area of new parking will be formed in the existing grassed area this footway currently runs across. In total 31 spaces, including two disabled spaces, will be provided a number of which will be close to the utility and bin store area to be formed south of the new building. A new footway to Ayr Road will be constructed along the southern edge of the park.

Initially the proposal involved the relocation of the existing play area to an area adjacent to the bin store/utility area on the south west side of the proposed building. This has been removed from the proposal. However it is understood that a new play area is planned by the Council within the park and the details and location of the new play area can be addressed by a condition if planning permission is approved.

It should be noted that the proposal to replace the play area outwith this application site to anywhere in the park would not necessarily require planning permission.

This application is required to be assessed against the adopted East Renfrewshire Local Development Plan (LDP) and any material planning considerations.

The site is in the General Urban Area (covered by Policy D2). This policy indicates that development will be supported where it is compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan. As the proposal is to improve and expand educational facilities as well as providing new sports changing facilities, in an urban location, it is considered to accord with this policy.

The site is identified under Policy D13 as being a Community Leisure and Education use. This policy indicates that the Council will safeguard and, where appropriate, undertake improvements to existing community, leisure and educational facilities. As the proposal is to improve and expand educational facilities as well as providing new sports changing facilities it is considered to accord with this policy.

Policy D1 contains a number of criteria that relate to all development proposals. The visual impact of the new building will be localised. It is larger than the existing pavilion however it is visually separate from other buildings and this additional massing is lessened by the generous setting in the park. It would not detract from the character or visual amenity of the wider area. The design and appearance of the proposed building in itself is therefore considered acceptable.

The closest residential properties are in excess of 28m to the south of the proposed building and screened by existing groups of trees. Therefore no significant additional overlooking or overshadowing would occur given the design of the family centre, its distance from the site boundaries and its orientation in relation to the adjacent dwellings.

The site is also designated as part of the Green Network (covered by Policy D4) and Urban Greenspace (covered by Policy D5). These policies aim to protect and promote wildlife, recreational, landscape and access value of such areas. The proposal will not impact adversely on these functions and also in specific response to Policy D5 will deliver a community use whereby the provisions of the policy can be set aside.

Part of the local core path network (identified under Policy D9) runs from Ayr Road through the park past the west side of the existing pavilion building. The new building will sit over this route, however if the application is approved re-routing can be addressed by means of a condition.

In terms of the submitted ecological report this concludes that there are no notable ecological issues that would require further detailed surveys. It recommends monitoring programmes as the development including the demolition proceeds. These include precautionary working practices in connection with possible impacts on bats and nesting birds. An advisory note can be added if planning permission is approved in relation to best practice in line with the Conservation of Natural Habitats, the Wildlife and Countryside Act 1981 (as amended) and the Nature Conservation (Scotland) Act 2004.

The Flood Risk and Drainage Strategy does not anticipate any major issue. Full details of the drainage and attenuation measures outlined can be secured by a condition if the application is approved.

In terms of consultations the Council's Roads Service has raised no objection to the proposal. They are satisfied with the proposal and the car and cycle parking provision as proposed. In considering the proposal they have also commented on a Transport Assessment (TA) that was submitted prior to the submission of any planning application. A number of TAs had been prepared at an earlier stage when the Council, being aware of the Scottish Government's position, embarked on a process of assessing possible locations for the new nurseries. This assessment process was informed by the TAs submitted at that time to determine likely traffic generation and impact on local roads networks.

Although the TA has not been submitted with this planning application the Council's Roads Service having referred to it are seeking the improvement of the right hand turning lane into Crookfur Park and the installation of a signalised pedestrian crossing to facilitate safer pedestrian

access to the site from the east. If this application is approved these matters can be addressed by a planning condition.

The Council's Environmental Health Service has commented on several aspects including noise impact, management of waste and site investigation. These aspects can be addressed by conditions if the application is approved.

In terms of the objections that have been received the following comments are made.

The Council's Roads Service has not objected to the impact of the development on the local roads network in terms of traffic generation or safety.

In terms of concerns regarding the scale of the family centre and the resultant loss of green space/play area provision which will diminish the functionality of the park it is acknowledged that the proposal will impact on the extent of grassed areas and will be more close to and impact on circulation space adjacent to the football pitches/running track. However it is considered that this impact is limited. The pitches and running track will remain.

Concerns have been raised on the scope of consultations undertaken particularly in regard to SportsScotland. The circumstances in which SportsScotland is consulted on a planning application are outlined in Schedule 5 of the Town and Country Planning (Development Management) (Procedure) (Scotland) Regulations 2013. SportsScotland is required to be consulted where the development is likely to result in the loss or prejudice the use of an outdoor sports facility. As stated above the outdoor sports facilities at Crookfur Park will remain. For the purposes of these Regulations a play area is not an outdoor sports facility.

Comments have also been made on the design of the building, the internal relationship between elements and lack of consideration of other groups who could share the facility. This is principally a management matter for the Council service commissioning the building and making it available for use.

Overall conclusion

The proposed development is to provide new and improved facilities at this location and to provide early years education requirements. The proposal is considered to accord with the relevant policies in the adopted Local Development Plan and is an acceptable development at this location. It is recommended that the application is approved.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None.

CONDITION(S):

1. Development shall not commence until details of the phasing of the development have been submitted to and approved in writing by the planning authority. The details shall include the temporary changing facilities as referred to in the Crookfur Pavilion Family Centre Design & Access Statement September 2018. Thereafter the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

2. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

4. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority. The starting up/warming up and shutting down of any construction machinery outwith these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

5. Other than during the period of construction, noise from any plant/equipment associated with the development must not exceed Noise Rating Curve 35 (as described in BS8233:2014) during the hours of 0700 - 2300 hrs and Noise Rating Curve 25 during the night-time hours of 2300 - 0700, as measured at any neighbouring residential property.

Reason: To avoid noise disturbance to nearby residential properties

6. Development shall not commence until a ground investigation report has been submitted to and approved in writing by the planning authority. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby approved shall be submitted to and approved in writing by the planning authority. The site shall be remediated in accordance with the approved measures prior to commencement of construction of the development and a verification report shall be submitted.

Reason: In the interests of public health and to protect users of the development and the wider environment from the effects of contamination.

7. The parking spaces shown on the approved layout plan shall be constructed, surfaced and delineated on the site in all respects before phase 1 of the development hereby approved is brought into use/occupied.

Reason: To ensure the provision of adequate parking facilities to reduce the incidence of roadside parking.

8. Development shall not commence until details of vehicle wheel cleaning facilities and a road cleaning strategy have been submitted to and approved in writing by the planning authority. Thereafter the approved vehicle wheel cleaning facilities and road cleaning strategy shall be implemented as approved during all phases of the development. All construction vehicles exiting the site shall have all tyres and wheels cleaned before entering the road.

Reason: To ensure mud and deleterious materials are not transferred to the road.

9. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall fully be implemented before phase 1 of the development hereby approved is brought into use/occupied.

Reason: In the interests of sustainable development.

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10. A new signalised pedestrian crossing shall be provided on Ayr Road. Development shall not commence until details of the location of the crossing have been submitted to and approved in writing by the planning authority. Thereafter the crossing shall be fully implemented before phase 1 of the development hereby approved is brought into use/occupied.

Reason: In the interests of road and pedestrian safety.

11. Development shall not commence until a scheme for the improvement of the existing right turn lane from Ayr Road into Crookfur Park has been submitted to and approved in writing by the planning authority. Thereafter the approved improvement works shall be completed before phase 1 of the development hereby approved is brought into use/occupied.

Reason: In the interests of road and pedestrian safety.

12. Development shall not commence until details of the re-routed core path to the west of the proposed family centre have been submitted to and approved in writing by the planning authority. Thereafter the approved path shall be implemented before phase 1 of the development hereby approved is brought into use/occupied.

Reason: In the interest of public safety and amenity.

13. Development shall not commence until details and location of the new play area within the Crookfur Park have been submitted to and approved in writing by the planning authority. Thereafter the play area shall be fully implemented before phase 1 of the development hereby approved is brought into use/occupied.

Reason: To ensure the details and location of the play area is acceptable.

ADDITIONAL NOTES:

The applicant is requested to comply with the requirements of Scottish Environment Protection Agency (SEPA).

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of wildlife and, in particular, the need to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise interfere with any wild bird nest which is in use or being built or, which, at any other time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit for service connections and footway crossover.

The applicant/developer is advised that vehicles associated with the construction works must be parked within the application site.

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Development Plan policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Ian Walker on 0141 577 3042.

Ref. No.: 2018/0623/TP
(IAWA)

DATE: 3rd April 2019

DIRECTOR OF ENVIRONMENT

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Reference: 2018/0623/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should

- be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
 14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
 15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
 16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D13

Community, Leisure and Educational Facilities

The Council will safeguard and, where appropriate, undertake improvements to existing facilities. New facilities should be located where they are accessible by a range of transport modes. The provision of community, leisure and educational facilities will be a core component of any master plan.

Proposals which would result in the loss of existing community/ leisure/educational facilities will only be supported where it can be clearly shown that:

Appropriate alternative local provision of at least equivalent suitability and accessibility will be provided; or

That the existing use is no longer required/viable; or

There is no demand and the facility is incapable of being made viable or adapted for other community, leisure or educational uses.

The Council will support the implementation of the projects listed in Schedule 7.

Policy D2

General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

Policy D4

Green Network

The Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the green networks shown on the Proposals Map.

Proposals for development that are likely to destroy or impact adversely on the character or function of the green network will be discouraged.

Where proposals are likely to adversely impact upon the green network, appropriate mitigation will be required.

The provision of the green network will be a core component of any master plan.

Further detailed information and guidance, which all proposals require to reflect, is set out in the Green Network and Environmental Management Supplementary Guidance.

Policy D5

Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, identified on the Proposals Map, will be safeguarded. Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;

There will be no loss of public access;

There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;

The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

The outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Planning Guidance

Policy D9

Protection of Outdoor Access

There will be a strong presumption against proposals which have an adverse impact upon outdoor access including core paths, rights of way as shown on the Proposals Map and referred to under Schedule 1 and other important access provision unless a satisfactory alternative route is provided.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

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REPORT OF HANDLING

Reference: 2019/0027/TP

Date Registered: 21st January 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 - Barrhead, Liboside And Uplawmoor

Co-ordinates: 249609/:659728

Applicant/Agent:

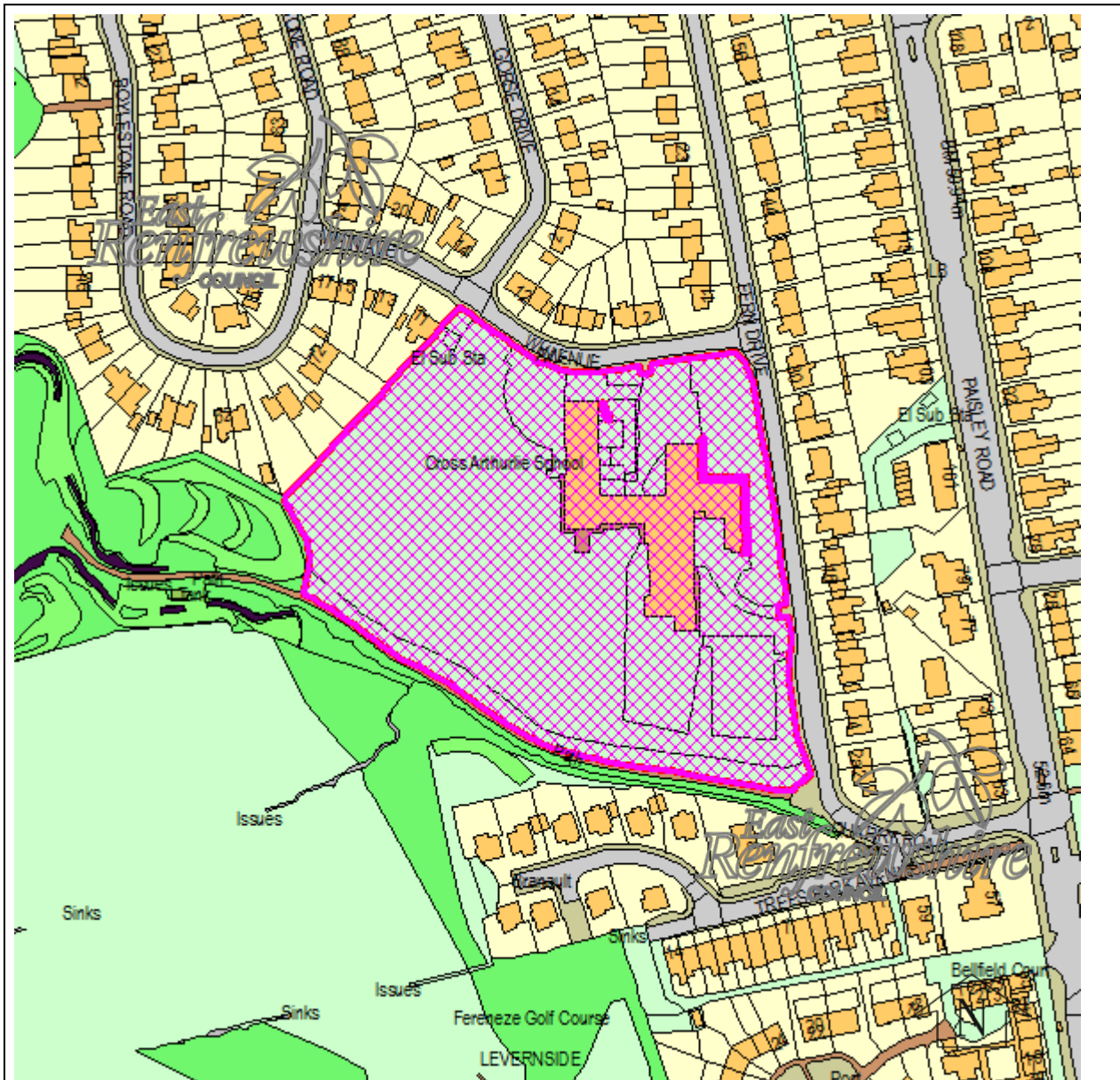
Applicant:
Director of Education
East Renfrewshire Council
211 Main Street
Barrhead
G78 1SY

Agent:
East Renfrewshire Council Property
and Technical Services
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG

Proposal: Erection of extension to accommodate a nursery with associated playground; extension to car parking.

Location: Cross Arthurlie Primary School
7 Fern Drive
Barrhead
East Renfrewshire
G78 1JF

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	No objection subject to conditions.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.

PUBLICITY:

01.02.2019	Barrhead News	Expiry date 15.02.2019
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SITE NOTICES: None.

SITE HISTORY:

2015/0809/PN - Demolition of janitor's house (prior approval). Approved subject to conditions
05.01.2016

REPRESENTATIONS: 15 representations have been received. 14 object to the application and one neither objects nor supports the proposal. Representations can be summarised as follows:

Neither objecting nor supporting:

Asks whether there will be restrictions or changes to on-street car-parking as a result of the new access or during the construction phase?

Objections:

- Impact on pedestrian and public road safety
- Traffic Assessment has not given sufficient weight to cycling and contains inaccuracies
- Inappropriate on-street parking
- Proposed car-parking is inadequate
- Visual impact of extension
- Visual impact of fence enclosing nursery playground
- Out of character
- Loss of daylight
- Overlooking from playground
- Anti-social behaviour
- Extension should be built on the other side of the school buildings
- Air pollution from idling cars
- Disturbance to residents from extended hours
- Not all residents on Fern Drive were notified
- Disruption during the construction phase
- Impact on visibility at junction of Fern Drive with Whin Avenue
- Loss of daylight to dining hall and gym.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Transport Assessment (July 2018) – The Assessment outlines the national, regional and local policy context and discusses the existing conditions. It describes the proposal and makes an assessment of its impact. It makes recommendations on increasing the width of the access, use of waiting restrictions, improvement to crossing facilities on Paisley Road near Boylestone Road and on the preparation of a travel plan.

Ecological Walkover, Preliminary Roost Appraisal and Bat Activity Surveys (September 2018) – The Assessment describes an ecological walkover, preliminary roost appraisal and bat activity

surveys. It concludes that no notable ecological issues were identified which would require further detailed survey.

Supporting Statement – The Statement outlines the requirement for the proposal, describes the proposal, and outlines the Transport Assessment recommendations. It concludes that the proposal will benefit the children and families of the area.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009. However the application requires to be determined by the Planning Applications Committee as more than 10 objections have been received.

The application site comprises Cross Arthurlie Primary School, its associated playground and car-parking areas. It lies within a residential area with residential properties to the west, north and east on Boyleston Road, Whin Avenue and Fern Drive. Open space and further residential properties on Treespark Gardens lie to the south. The primary school itself is externally finished in red facing brick and light brown render with flat and shallow roofs. There are currently 25 car-parking spaces associated with the school. The school buildings generally occupy the north-east part of the site. To the south of the buildings is an area of hard-surfaced playground and to the west is a large area of grass. To the north of the buildings lie the car park, landscaped grassed areas and shrub beds. The car-park is accessed from Whin Avenue.

Planning permission is sought for the erection of a single storey extension to the school to accommodate a 60 place nursery with an associated playground area and for an extension to the car-parking. The proposed extension lies on the north side of the building, wrapping around the existing gym hall. It measures 27 metres by 20 metres across its greatest dimensions. It comprises shallow mono-pitch roofs and is proposed to be externally finished in facing brick, timber and a metal standing seam roof. A glazed canopy is proposed along the east elevation of the extension measuring 3 metres deep by 21 metres.

The car-park is proposed to be extended eastwards over a grassed area that was formerly occupied by a janitor/caretaker's house with an additional 10 spaces to be provided. The car-park will be accessed via the existing access from Whin Avenue which is proposed to be widened to 6 metres. The playground area is proposed to be located to the east of the proposed nursery extension adjacent to Fern Drive. The playground is proposed to be enclosed by a 1.8 metre high timber close-boarded fence. The nursery is proposed to operate between the hours of 8am to 6pm. Pram and cycle stores are also proposed adjacent to the extension and Fern Drive.

The reason for the development is that the Scottish Government has increased the provision of early learning and childcare by 2020 for children who are 3 or 4 years old as well as for vulnerable children who are 2 years old. This is in effect a rise to 30 hours per week, for each child. It has been indicated the Council's existing nursery provision is almost at full capacity and the new duty effectively doubles the required provision for the same number of children.

It has been indicated that the preference of the Council's Education Department is to locate the nursery school as close as possible to the primary school. This allows a natural transition between the early years and the primary years. The primary school currently has no nursery class associated with it and there is no scope within the school building to allocate more accommodation to nursery provision given the high occupancy of East Renfrewshire schools. The proposed solution is therefore to erect a new extension to the primary school to accommodate the nursery classes.

Prior to arriving at this solution, the applicant undertook several feasibility studies across the authority and council buildings including schools, community halls, vacated council buildings, council parks plus land under private ownership was considered as part of the feasibility appraisals. They were assessed against potential risks relating to planning constraints, traffic management concerns, project delivery by 2020, economies of scale and most importantly, the geographical location to suit the needs of each early years community across the authority.

The application has to be assessed against the relevant policies of the adopted East Renfrewshire Local Development Plan as well as any material planning considerations. The existing school building and the site of the proposed extension are located in the existing urban area (covered by Policy D2) whereas the school grounds to the south and west of the buildings are identified as protected urban greenspace (covered by Policy D5) in the adopted East Renfrewshire Local Development Plan.

Policy D2 indicates that development will be supported within the general urban areas where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan. As the proposal is to improve and expand educational facilities at an existing school it is considered to accord in general terms with this policy.

Policy D13 is also relevant and indicates that the Council will safeguard and, where appropriate, undertake improvements to existing community, leisure and educational facilities. As the proposal is to improve and expand educational facilities at an existing school site it is considered to accord in general terms with this policy.

Policy D1 states that all development should not result in a significant loss of character or amenity to the surrounding area and that proposals should be of size, scale and massing that is in keeping with the buildings in the locality. It also requires that the Council's access and parking requirements should be met.

The proposed nursery and car-park extension are considered to be in keeping with the character of the surrounding area given that they are located within the grounds of an existing primary school. In terms of the design, the nursery building will be relatively modest in scale in relation to the existing school buildings and complementary in terms of its design and materials. The development, including the pram and cycle stances, is considered to be acceptable in appearance. It would not therefore be considered to detract from the character or visual amenity of the wider area. No significant additional overlooking, loss of daylight or overshadowing would occur given the design of the nursery, its distance from the site boundaries and its orientation in relation to the adjacent dwellings. It is not considered that significant additional overlooking would occur from children playing in the proposed playground. As noted, the Council's Roads Service has no objection to the proposal subject to conditions relating to access and parking and to the provision of a new signalised pedestrian crossing on Paisley Road in the vicinity of Boylestone Road. The Transport Assessment made recommendations in relation to: the width of the access; waiting restrictions (yellow lines) around the junction of Whin Avenue with Fern Drive; improving pedestrian accessibility to the site from the east of Paisley Road; and the preparation of a site specific travel plan. The development includes the widening of the access to 6 metres and as noted above, a condition can be attached to ensure the provision of a new signalised crossing on Paisley Road.

The proposal would not therefore give rise to significant road safety issues and is considered to comply with Policies D1 and D2.

As the proposed nursery extension and car-park do not affect the area identified as important urban green space, the proposal does not conflict with Policy D5. As they lie to the north of the school buildings on a landscaped grassed area, they do not give rise to a significant loss of open space.

In terms of the representations received that have not been addressed above the following comments are made.

The Traffic Assessment has been considered by the Council's Roads Service and it is considered to be sufficient to allow full consideration of the proposals. Illegal or inappropriate car-parking would be a matter for the traffic wardens or the Police to address. Roads Service has not raised any objections to the proposed car-parking numbers or that the proposal would interfere with junction visibility. The 1.8 metre high timber fence is not considered to significantly detract from visual amenity, however, full details of all fences and walls can be approved prior to work commencing and this can be addressed by a condition. Anti-social behaviour is a matter for the

Police to address. The Development Management Service has to consider the application before it and cannot suggest or consider alternative locations. It is not considered that the proposal would give rise to such an additional degree of air pollution from idling cars as would justify its refusal. The proposed operational hours of 8am to 6pm are considered to be acceptable and would not significantly detract from the amenity of adjacent residents. The neighbour notification has been carried out in accordance with the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013 and the correct properties have been notified. In addition the application has been advertised in the local press. Potential disruption during the construction phase would not be considered to be as severe as would justify a refusal of the application. A condition can be included on any planning permission granted to limit the hours of construction on the site. Any reduction in daylight entering the existing school as a result of the proposal would be considered as severe as would justify a refusal of the application. The design of the proposals will have been considered by the Director of Education to ensure it meets the Department's operational requirements and obligations.

Overall conclusion

The proposed development is to provide new and improved facilities at an existing school site and to provide early years education requirements at this location. The proposal is considered to accord with the relevant policies in the adopted Local Development Plan and is an acceptable development at this location. It is recommended that the application is approved.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None.

CONDITIONS:

1. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

2. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority. The starting up/warming up and shutting down of any construction machinery outwith these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

4. Other than during the period of construction, noise from any plant/equipment associated with the development must not exceed Noise Rating Curve 35 (as described in BS8233:2014) during the hours of 0700 - 2300 hrs and Noise Rating Curve 25 during the night-time hours of 2300 - 0700, as measured at any neighbouring residential property.

Reason: To avoid noise disturbance to nearby residential properties

5. Development shall not commence until a ground investigation report has been submitted to and approved in writing by the planning authority. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby approved shall be submitted to and approved in writing by the planning authority. The site shall be remediated in accordance with the approved measures prior to commencement of construction of the development and a verification report shall be submitted.

Reason: In the interests of public health and to protect users of the development and the wider environment from the effects of contamination.

6. The parking spaces shown on the approved layout plan shall be constructed, surfaced and delineated on the site in all respects before the development hereby approved is brought into use/occupied.

Reason: To ensure the provision of adequate parking facilities to reduce the incidence of roadside parking.

7. Development shall not commence until details of vehicle wheel cleaning facilities and a road cleaning strategy have been submitted to and approved in writing by the planning authority. Thereafter the approved vehicle wheel cleaning facilities and road cleaning strategy shall be implemented as approved. All construction vehicles exiting the site shall have all tyres and wheels cleaned before entering the road.

Reason: To ensure mud and deleterious materials are not transferred to the road.

8. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

9. The vehicular access to the car-park shall be widened in accordance with the approved site plan before the development hereby approved is brought into use/occupied. The access shall be formed such the surface water is contained within the site and shall not issue onto the public road.

Reason: In the interest of public road safety.

10. Prior to the commencement of any work on site, a plan showing area(s) dedicated for the parking of contractors' vehicles within the site, shall be submitted and approved in writing by the Planning Authority. Thereafter the dedicated parking areas shall be provided during the construction phase.

Reason: To reduce the need for on-street parking during the construction phase, in the interest of public road safety.

11. Prior to the commencement of any work on site, details of a new signalised crossing to be provided on Paisley Road, in the vicinity of Boyleston Road, shall be submitted and approved in writing by the Planning Authority. Thereafter, the approved signalised crossing, shall be installed and operational prior to the use of the nursery hereby approved.

Reason: In the interest of public road safety.

ADDITIONAL NOTES:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Waste materials arising from the demolition on site shall be disposed of to a licensed waste management facility or to a landfill site in accordance with the Waste Management Regulations 1994 (as amended) and the Special Waste Regulations 1996.

The applicant is required to consult with East Renfrewshire Council Protective Services regarding the requirements for the kitchen ventilation and extraction system.

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of wildlife and, in particular, the need to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise interfere with any wild bird nest which is in use or being built or, which, at any other time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/ breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

ADDED VALUE:

Conditions have been added that are necessary to control or enhance the development and to ensure the proposal complies with the Council's Local Development Plan policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2019/0027/TP
(DESC)

DATE: 3rd April 2019

DIRECTOR OF ENVIRONMENT

Reference: 2019/0027/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;

13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways soliums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D2

General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

Policy D5

Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, identified on the Proposals Map, will be safeguarded. Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;

There will be no loss of public access;

There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;

The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

Additionally, for outdoor sports facilities, the following will have to be demonstrated:

The proposal is ancillary to the principal use of the site as an outdoor sports facility;

The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;

The outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

The relevant strategy, prepared in consultation with SportsScotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Planning Guidance

Policy D13

Community, Leisure and Educational Facilities

The Council will safeguard and, where appropriate, undertake improvements to existing facilities. New facilities should be located where they are accessible by a range of transport modes. The

provision of community, leisure and educational facilities will be a core component of any master plan.

Proposals which would result in the loss of existing community/ leisure/educational facilities will only be supported where it can be clearly shown that:

Appropriate alternative local provision of at least equivalent suitability and accessibility will be provided; or

That the existing use is no longer required/viable; or

There is no demand and the facility is incapable of being made viable or adapted for other community, leisure or educational uses.

The Council will support the implementation of the projects listed in Schedule 7.

GOVERNMENT GUIDANCE:

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

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