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21 March 2024

**Members of the
Planning Committee**

Chief Executive's Office

Archie Aitken
Chief Officer (Legal & Democratic)
Civic Centre, Windmillhill Street,
Motherwell ML1 1AB
www.northlanarkshire.gov.uk

Notice is given that a Meeting of the **Planning Committee** is to be held in the Council Chamber, Civic Centre, Windmillhill Street, Motherwell, ML1 1AB on Thursday, 04 April 2024 at 10:00 AM which you are requested to attend.

The agenda of business is attached.

Archie Aitken
Chief Officer (Legal & Democratic)

Members :

N Shevlin, G Currie, G Brennan, B Burgess, A Bustard, J Cairns, A Campbell, T Carragher, M Coyle, S Coyle, K Docherty, M Hughes, L Jarvie, T Johnston, J Logue, H Loughran, C McManus, M McPake, J McPhilemy, A McVey, J Reddin, D Robb, G Robinson, A Smith, G Woods.

Agenda

- | | | |
|---|--|---------|
| 1 | Declarations of Interest In Terms of the Ethical Standards In Public Life Etc. (Scotland) Act 2000 | |
| 2 | Planning Applications Index
Submit Planning Applications Index | 5 - 52 |
| 3 | Notice of Planning and Enforcement Appeals Decisions
Submit report by the Chief Officer (Place) advising of two planning and enforcement appeals decisions | 53 - 54 |

***North
Lanarkshire
Council***

Planning Applications for Consideration
of Planning Committee

Committee Date: 04/04/2024

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APPLICATIONS FOR PLANNING COMMITTEE

4th April 2024

Page No	Application No	Applicant	Development/Site	Recommendation
7 – 21	22/01478/FUL	North Lanarkshire Council	Former Site Of Drumpark School Glasgow Road Coatbridge	Grant
22-32	23/00972/FUL	Dalziel Ltd	Two Storey Front Extension to Form Office Space (Including Internal Alterations) and Formation of New Staff Car Park with Dedicated Access from Hattonrigg Road at Dalziel Limited 8 Belgowan Road Bellshill North Industrial Estate Bellshill ML4 3NS	Grant
33-45	23/01357/FUL	North Lanarkshire Council	A New Campus for the Relocation of Gartcosh Primary School, a New Language Communication Support Centre, Nursery Class and Community Facilities with Associated Car Parking, Sports Facilities, Community Garden and Landscaping Land At Woodneuk Road Gartcosh G69 8AG	Grant
46-52	24/00132/FUL	Mr William Livingstone	2 Burnhead Road Balloch Cumbernauld G68 9BT	Refuse

Application No:

22/01478/FUL

Proposed Development:

Construction of primary school with community facilities including meeting rooms, touchdown space, MUGA and Games Hall with associated parking, hard and soft landscaping features

Site Address:

Former Site of Drumpark School
Glasgow Road
Coatbridge

Date Registered:

21st December 2022

Applicant:

North Lanarkshire Council
Former Site of Drumpark School
Glasgow Road
Coatbridge

Agent:

Stallan Brand
Oxford Chambers
80 Nicholson Street
Glasgow
United Kingdom
G5 9ER

Application Level:

Major Application

Contrary to Development Plan:

Yes

Ward:

10 Coatbridge West
Kevin Docherty, Lesley Mitchell, Gary Robinson,

Representations:

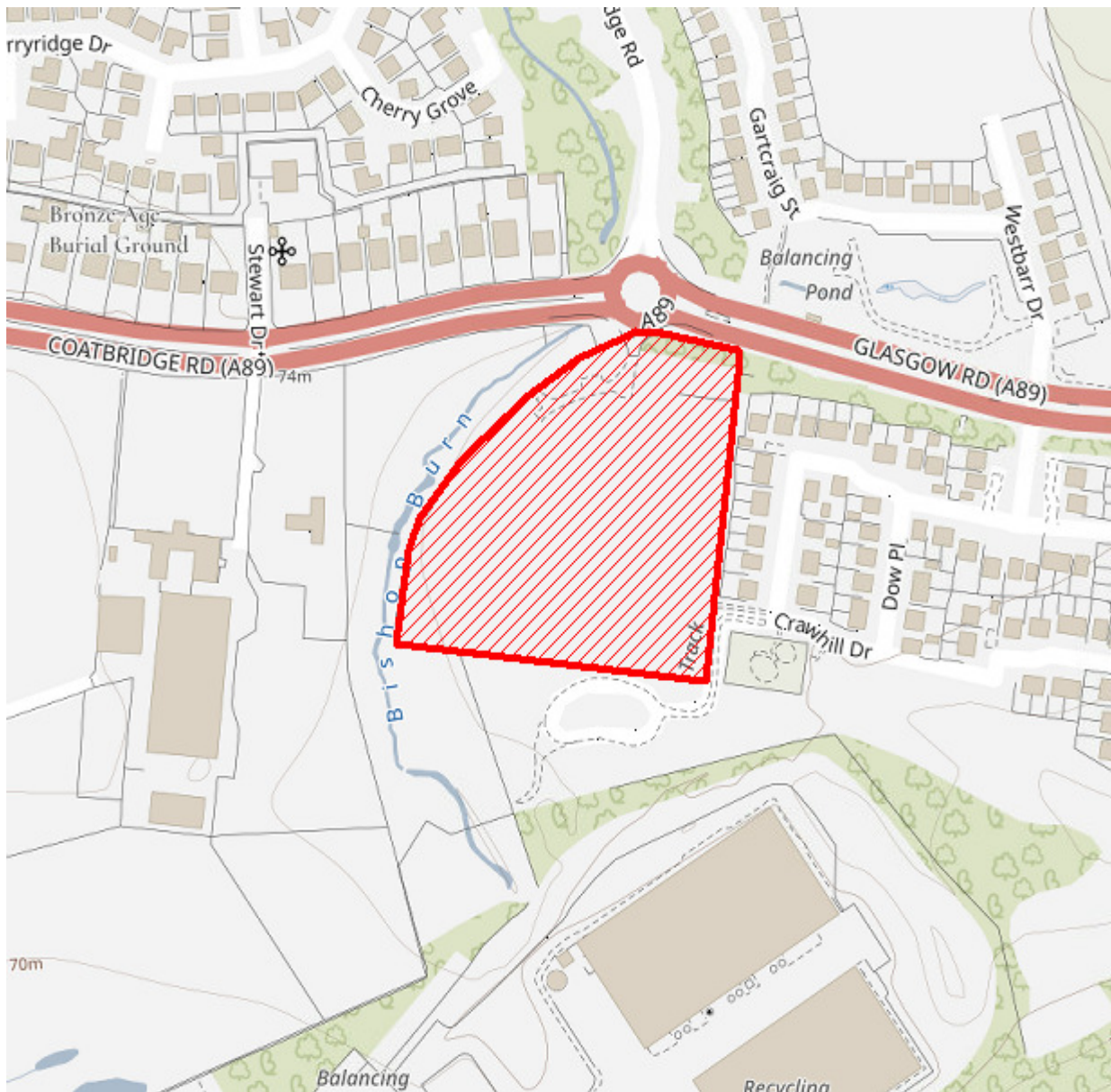
9 letter(s) of representation received.

Recommendation:

Approve Subject to Conditions

Reasoned Justification:

The proposed primary school with community facilities is considered to be in accordance with the relevant planning policies contained within both National Planning Framework 4 and in the North Lanarkshire Local Development Plan in that it is of high quality design and layout which could be accommodated without unacceptable detriment to the character and amenity of the surrounding area.



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Planning Application: 22/01478/FUL
Name (of applicant): North Lanarkshire Council
Site Address: Former Site of Drumpark School
Glasgow Road
Coatbridge

Development: Construction of primary school with community facilities including meeting rooms, touchdown space, MUGA and Games Hall with associated parking, hard and soft landscaping features



Proposed Conditions:-

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers:-

STK-SBA-XX-00-D-A-000002 P6 Site Plan – Proposed
STK-SBA-XX-00-D-A-000002 P12 – Ground Floor Plan
STK-SBA-XX-ZZ-D-A-200400 P5 Elevations
STK-SBA-XX-00-D-A-000003 P3 Site Sections
STK-OOB-XX-XX-D-L-100001 P05 Landscape Site Plan
STK-OOB-XX-XX-D-L-100002 P05 Landscape Hard Surfaces
STK-OOB-XX-XX-D-L-100003 P05 Landscape Soft Surfaces
STK-OOB-XX-XX-D-L-100004 P05 Landscape Boundaries
STK-OOB-XX-XX-D-L-100006 P02 Indicative Landscape Levels
STK-OOB-XX-XX-D-L-100005 P02 Tree Retention Removal
STK-RSP-XX-00-D-E-090001 P02 Proposed External Lighting and CCTV layout
STK-CUR-XX-XX-D-C-920100 Rev P09 Drainage Strategy;

Reason: To clarify the drawings on which this approval of permission is founded.

2. That BEFORE the development hereby permitted starts, full details of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by the Planning Authority and the development shall be implemented in accordance with the details approved under the terms of this condition.

Reason: To enable the Planning Authority to consider these aspects in detail.

3. That unless otherwise agreed in writing and prior to commencement of landscaping work on site, a detailed scheme of landscaping shall be submitted to, and approved in writing by the Planning Authority, and it shall include:-
 - (a) details of any earth moulding and hard landscaping, boundary treatment, grass seeding and turfing;
 - (b) a scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted;
 - (c) details of those to be retained, and measures for their protection in the course of development
 - (d) details of wildflower species and grass varieties
 - (e) a detailed timetable for all landscaping works which shall provide for these works being carried out contemporaneously with the development of the site and prior to the School and community facilities first coming into use.

Reason: To ensure the provision of suitable planting in the interests of the amenity of the site.

4. That the landscaping as approved under condition 3 above shall be implemented in accordance with a timetable to be submitted for the written approval of the Planning Authority. Furthermore, the landscaping shall be maintained in accordance with a maintenance schedule to be submitted for the written approval of the Planning Authority prior to commencement of work on site.

Reason: To ensure the provision and maintenance of suitable planting in the interests of the amenity and biodiversity of the site.

5. That BEFORE any works of any description start on the application site, unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation report shall be submitted to and for the approval of the said Authority. The investigation must be carried out in accordance with current best practice advice, such as BS 10175 : 'The Investigation of Potentially Contaminated Sites' or CLR 11. The report must include a site specific risk assessment of all relevant pollution linkages and a conceptual site model. Depending on the results of the investigation, a detailed Remediation Strategy may be required. Information on the required format of the report and how it should be submitted to us can be found online:

Reason: To establish whether or not site decontamination is required in the interests of the amenity and wellbeing of future users.

6. That any remediation works identified by the site investigation required in terms of Condition 5 shall be carried out to the satisfaction of the Planning Authority. A certificate (signed by a chartered Environmental Engineer) shall be submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

Reason: In the interests of the amenity and wellbeing of future users.

7. That the Flood management measures as outlined in the Flood Risk Assessment by Terrenus dated 8 August 2022, including floodplain avoidance and minimum finished floor level shall be adopted and a certificate (signed by a Chartered Civil Engineer experienced in flood mitigation) shall confirm that the flood management measures detailed in the FRA have been incorporated and adhered to.

Reason: To protect people and property from flood risk as per the flood risk requirements of National Planning Framework 4.

8. That BEFORE any works start on site, the applicant must confirm in writing to the Planning Authority that the foul drainage can be connected to the public sewer in accordance with the requirements of Scottish Water. The surface water must be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland published by CIRIA in March 2000. Furthermore, site drainage shall be carried out in accordance with Drainage Strategy and General Drainage plan produced by Curtins dated 19.01.2024.

Reason: To safeguard adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future users adjacent to and within the development site

9. That the surface water drainage scheme approved under the terms of condition 8 above shall be implemented contemporaneously with the development in so far as is reasonably practical. Within three months of the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer experienced in drainage works) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant CIRIA Manual and the approved plans.

Reason: To safeguard adjacent watercourses and groundwater from pollution.

10. That PRIOR to the occupation of development, the applicant shall provide written confirmation to the Planning Authority that all the requirements of Scottish Water can be fully met to demonstrate that the development will not have an impact on their assets, and that suitable infrastructure can be put in place to support the development.

Reason: To ensure the provision of satisfactory drainage arrangements.

11. That should development not have commenced within one year of the date of the Preliminary Ecological Appraisal & Pre-works Survey carried out by Heritage Ecological Limited dated February 2024, an updated survey shall first be submitted to, and approved in writing by the Planning Authority. Should this survey identify evidence of protected species within the site and require any mitigation measures, these measures shall be implemented in accordance with a timetable agreed in writing with the Planning Authority in consultation with Nature Scot before works commence on the site.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Amendment (Scotland) Regulations 2007.

12. That prior to any works commencing on site (including site clearance and tree removal) details of a suitably qualified Ecological Clerk of Works shall be appointed and written confirmation provided to the Planning Authority.

Reason: To oversee construction works and help protect water voles and badgers within the site by ensuring the required protection measures identified in the Preliminary Ecological Appraisal & Pre-

Works Survey carried out by Heritage Ecological Limited dated February 2024 and any NatureScot licenses are adhered to.

13. That before any works start on site (including site clearance and tree removal) details of a 10m stand off from Bishop Burn shall be submitted to the Planning Authority and thereafter be protected at all times during construction.

Reason: To minimise disruption to any water vole habitat.

14. That before any works start on site (including site clearance and tree removal works) written confirmation shall be provided to the Planning Authority that the required Badger Development Nature Scot License has been approved.

Reason: In the interests of protected species and minimise disruption to badgers and their habitat.

15. That before works start on site a biodiversity enhancement report shall be submitted to the planning authority detailing the location, nature and implementation of the enhancements. The report shall give consideration to additional enhancements of including understory and wildflower planting within the woodland strip around the boundary of the site, incorporated bird, bat and insect boxes, a rain garden and creation of hibernacula and bee banks detail where these can/have been included or give reasons for not including them.

Reason: In the interest of biodiversity enhancements in accordance with National Planning Policy 4 Policy 3.

16. That before the development is first occupied a Habitat Management Plan shall be submitted to the Planning Authority for its approval.

Reason: To ensure that habitats across the site are appropriately managed and maintained.

17. That before the development hereby permitted first comes into use, the means of vehicular and pedestrian access shall be constructed in accordance with the approved plans and that all the parking and manoeuvring areas shown on the approved plans (including drop off/circulatory route) shall be levelled, properly drained, surfaced in a material which has been approved in writing and clearly marked out. Thereafter it shall be maintained as such.

Reason: In the interests of traffic safety and visual amenity of the area.

18. That, unless otherwise agreed in writing, before the development hereby permitted first comes into use, a Toucan Crossing shall be installed to the West of the site Access across Glasgow Road (A89).

Reason: In the interest of pedestrian safety

Background Papers:**Consultation Responses:**

NLC Traffic & Transportation – 03.02.2023, 19.05.2023

NLC Greenspace – 30.03.2023

Scottish Environment Protection Agency - 10.03.2023, 18.04.2023, 09.01.2024, 16.02.2024

Archaeology Service – 10.01.2023

SportScotland – 23.01.2023, 05.06.2023

Scottish Water – 12.01.2023

Scottish Power Environmental Planning 09.01.2023

Environmental Health (including Pollution Control) 02.02.2023, 13.02.2023, 28.04.2023, 18.04.2023,
15.05.2023, 05.09.2023, 26.09.2023, 15.11.2023, 08.03.2024

Contact Information:

Susan Hunt at planningenquiry@northlan.gov.uk

Report Date:

20th March 2024

REPORT

1. Site Description

- 1.1 The site is 2.1ha, irregular in shape and lies to the south of Glasgow Road. The site has an existing vehicular access from the roundabout junction of Glasgow Road/ Coatbridge Road (A89) and Oakridge Road. The site is bound to the north by Glasgow Road; to the east by housing on Crawhill Drive (Burnbank Estate); to the south by open space serving the housing development to the east (Burnbank Estate) and the site of Viridor Waste Management further south again; and to the west by the Bishop Burn with Drumpark Farm occupying the land beyond. The site is level across most of the site but dips around the west boundary where the burn is located. The site is surrounded by mature trees and was previously occupied by Drumpark School (demolished in 2014).

2. Proposed Development

- 2.1 The proposal is for the construction of Community Hub with Primary School (St Kevin's), meeting rooms, touchdown space, Multi-Use Games Area (MUGA) and games hall with associated parking, hard and soft landscaping features.
- 2.2 The building form takes inspiration from the poem 'St Kevin and the Blackbird' by Seamus Heaney with the school accommodation being accommodated with a crescent shaped building (the nest) with games hall attached. The teaching zones are generally positioned on the inner face of the crescent looking out onto the playground with supporting accommodation (offices, touchdown zone, cloakrooms) facing north towards the carpark. The central area is for communal spaces such as the dining area the attached games hall/theatre block.
- 2.3 The building has a footprint of approximately 3000 sq.m, is single storey with the overall height of the main curved building approx. 8 m and the games hall projection approx.10 m. The proposed material palette includes brickwork, brickwork with texture relief panes and cladding with a standing seam roof.
- 2.4 The layout allows for a main Parking and Drop Off access to the North of the Hub building which allows visitors to arrive at the main entrance. A total of 43 parking spaces (including 6 visitor and 3 disabled) are provided.
- 2.5 The playground will be located to the south of the school building and consist of a mixture of hard and soft landscaping. The MUGA is to be located in the south eastern most corner of the site and is to be bound 3m high fencing.
- 2.6 The existing palisade fencing will be removed around the site entrance and carpark area but will be retained along the western and part of the southern boundary. A new 2m high steel vertical bar perimeter fence is to be erected along the remaining southern boundary and the play area south of the playground entrance gate along the eastern boundary. The remaining section of eastern boundary north of the main playground gate will remain as post and wire 1.2m high fencing.
- 2.7 There is an existing footpath linking Crawhill Drive to the site at the South Eastern corner of the site.

3. Applicant's Supporting Information

- Pre-Application Consultation Report
- Design and Access Statement
- Flood Risk Assessment
- Arboricultural Impact Assessment Report and Tree Retention Removal Plan
- Ecology Report
- Phase 1 Phase 1 Preliminary Risk Assessment
- Phase 2 Ground Investigation Report
- Environmental Noise Survey Report
- Landscape Design and Access Statement
- Transport Assessment

- Drainage Strategy Plans
- Air Quality Assessment
- Health Impact Assessment

4. Site History and Background

- 4.1 As noted above the site was previously occupied by Drumpark School now demolished. In 2006 it was approved that Drumpark ASN school would be subdivided and relocated to share a joint campus with Greenhill Primary School and St Ambrose High Schools (completed in 2012). Drumpark School site was declared surplus in August 2011 albeit was not vacated until 2012. The empty school building was badly fire damaged in 2014 and the site was cleared at that time following an emergency order.

Requirement for a new St Kevin's Primary School

- 4.2 St Kevin's Primary School is a denominational (Roman Catholic) primary school currently located on a purpose-built joint campus, shared with Bargeddie Primary School. The school also incorporates childcare and early years provision (nursery). The shared campus is located on Langmuir Road in Bargeddie and was opened in 2007.
- 4.3 Due to the impact of new build housing, both current and future in the area there will not be sufficient capacity at the existing joint campus to accommodate the anticipated increase in pupil numbers. St Kevin's Primary School is currently operating above capacity and it is anticipated that there will be further constraints on available space due to the increase in housing in the Bargeddie area. Bargeddie Primary School and the Nursery will remain within the existing building which, with the relocation of St Kevin's, will then gain additional capacity.
- 4.4 Building on the existing school site was considered but a design could not be created to accommodate the required facilities on the site. The site at the location of the old Drumpark school was identified as the preferred option as the land is currently available and within the ownership of NLC and there are no other suitable sites within the existing catchment area. Formal Statutory Education consultation was conducted and concluded, and the project was approved to proceed in 2018. A formal report was presented to Committee and approved on 21st May 2019.
- 22/01110/PAN St Kevin's Primary School and Community Hub
 - 22/01362/EIASCR Proposed Replacement Primary School – Screening decision EIA not required.

5. Development Plan

- 5.1 The Development Plan comprises National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan. Policies 3, 9, 13, 14, 15, 21 and 22 of NPF4 are considered to be of most relevance to the application. Policies PP3 General Urban Area, Prom Loc 3 Housing Development and Environmental Design Qualities EDQ1-3 of the North Lanarkshire Local Development Plan are applicable.

6. Consultations

- 6.1 SEPA has no objections to the application on flooding grounds subject to a condition being applied securing the flood management measures outlined in the Flood Risk Assessment. They have not objected but offered significant concerns relating to the co-location of the proposed community hub and school and the existing Viridor Waste MRF site to the south. The concerns primarily relate to the separation distance between the two uses and the potential for odour, bioaerosol and fly nuisance. SEPA's concerns have been given extensive consideration in the assessment of this application primarily around any planning policy requirements for a buffer distance between the two sites and with the applicant producing a Health Impact Assessment compiled by highly qualified technical specialists in respect of these issues and any potential for adverse impacts on the school environment. SEPA was consulted on the Health Impact Assessment and maintains that they have serious concerns about the co-location and lack of separation distance between the two uses. In turning to planning policy NPF4 has no guidance when assessing a site next to an existing waste facility; it does, however, state that an appropriate buffer may be required when considering assessing a proposed waste site. There is no guidance on what distance an appropriate buffer would be. Previous guidance in Scottish Planning

Policy which preceded NPF4 suggested 250m. That said appropriate buffer distances are not mandatory and guidance only. The North Lanarkshire Local Development Plan does not place any buffer around the Viridor site nor does it require any buffer to be considered. It is considered reasonable to assess the application on its own merits and on the basis of the technical reports produced in the supporting Health Impact Assessment which concludes that the risk from Viridor to the School in terms of odour, fly nuisance and bioaerosols is low. Whilst SEPA maintain their concerns NLC Environmental Health (Including Pollution Control) have reviewed the technical assessments contained within the Health Impact Assessment (and additional information provided in response to SEPA's comments) and find that the reports are reasonable in their methodology and conclusions and have no objection to this planning application.

- 6.2 Sportscotland does not object to the application but asked that consideration be given to including a synthetic grass 'sevens' pitch rather than the proposed MUGA (which is smaller) based on their own 'School Playing Fields Planning and Design Guidance'. The applicant advised that the MUGA would serve the school well and would provide an additional resource to the wider community and advised that they did not wish to provide a synthetic grass 'sevens' pitch on this site.
- 6.3 NLC Archaeology Service provider had no comments or objections to make.
- 6.4 Scottish Water does not object to the application. They advise that there is sufficient capacity in terms of Balmore Water Treatment Works to service the development subject to further investigations and formal process. They confirm that Daldowie Waste Water Treatment Works would service the site but could not confirm capacity until further Pre-Development Enquiry processes were carried out.
- 6.5 Scottish Power have no objection but have noted overhead lines and underground cables in the vicinity of the proposals.
- 6.6 NLC Environmental Health (Including Pollution Control) has no objections to the application. The Noise Impact Assessment, Air Quality Assessment and Health Impact Assessment (and additional information that followed) were all considered satisfactory. A Site Investigation (SI) has been submitted and several amendments have followed. At the time of writing the SI has not yet been fully signed off and as such it is considered appropriate to require this by means of condition.
- 6.7 NLC Transportation has no objection to the application. Detailed pre-application discussions were held prior to submission of the application. Comments were made in respect of the layout which have largely been addressed by subsequent submissions. Those outstanding are of a technical nature which would not preclude the conclusion of the planning application process and could be addressed through the RCC process (of which extensive pre-application discussions have been taking place). It is noted that a new staggered toucan crossing west of the school and community hub access is to be provided. This requirement can be secured via a planning condition.
- 6.8 NLC Greenspace reviewed the Preliminary Ecological Assessment and advised that they had no objection but made comments on the requirement for an ECoW during construction, A habitat management plan, specific species preconstruction survey work that may be required, biodiversity enhancements within the scheme and a scheme of lighting to minimise impact on nocturnal species. It is noted that the recently completed pre-construction survey work identified that a development licence will be required from NatureScot in respect of badgers. NLC Greenspace note the biodiversity enhancement included within the proposal but have requested consideration be given to incorporating the following:
- Inclusion of understory and wildflowers within the woodland strips along the boundaries
 - Incorporating bird, bat and insect boxes
 - Including a rain garden
 - Creation of hibernacula and bee banks

It is considered that the further investigation of the above enhancements can be secured by a suitably worded condition.

7. Representations

Following standard neighbour notification and press advert procedures 9 letter(s) of representation objecting to the application were received. The matters raised can be fairly summarised as follows:

- Neighbour notification was not carried out fully
- The connecting footpath between Crawhill Drive in the Burnside View estate and the school site will encourage parents to drop children off at this point rather than the main entrance causing congestion, safety issues and parking issues
- The trees are covered by a TPO and their removal will result in a loss of amenity
- The MUGA is located close to residential properties and may result in stray footballs into neighbouring houses and gardens which may cause damage.

In addition Viridor submitted a later objection expressing concerns about a school being proposed in such close proximity to their existing facility and raised concerns that the location of the school may impinge on its current operations.

8. Planning Assessment

- 8.1 In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In this instance the Development Plan consists of National Planning Policy Framework 4 (NPF4) and The North Lanarkshire Local Development Plan (NLLDP). Therefore, the proposal requires to be determined under the terms of the relevant policies within NPF4 and the North Lanarkshire Local Development Plan (NLLDP). Whilst the NLLDP pre-dates NPF4 many of the policies reflect those contained within NPF4. As such, specific reference is made to those NPF4 policies which are most relevant to the application under consideration.
- 8.2 In looking at NPF4 Policy 3 (Biodiversity) An Ecological Appraisal has been submitted which concludes that there are no significant biodiversity impacts or potential for protected species on the site. The landscaping plans include planting to provide biodiversity enhancements and offer varied habitats across the site (particularly the playground area and boundary treatment) over and above the tree planting required to offset the removal of mature trees. Enhancements within the site are noted but NLC Greenspace has requested further enhancements including understory and wildflower planting within the woodland strip around the boundary of the site, incorporated bird, bat and insect boxes, a rain garden and creation of hibernaculua and bee banks. In terms of NPF4 it is considered that a reasonable and proportionate level of Biodiversity enhancements are achieved on the site and that the further enhancements requested by NLC Greenspace can be secured by condition.
- 8.3 NPF4 Policy 9 (Brownfield, vacant and derelict land and empty buildings) offers support to the development that results in the sustainable reuse of brownfield land including vacant and derelict land and buildings. This site is considered to be classed as brownfield as it was previously occupied by Drumpark School and grounds up until 2014 and is therefore afforded support from this policy.
- 8.4 NPF4 Policy 13 (Sustainable Transport) Policy 13 will facilitate a transition towards more sustainable, lower emissions travel including active travel and public transport. The application site is located within a well-established urban area which is accessible to a range of bus services along both north and south sides of Glasgow Road. The site is also accessible to Bargeddie and Kirkwood train stations which can be accessed via existing foot/cycle path network. The supporting Transport Assessment demonstrates that the proposed school can be accommodated on the site without detriment to the surrounding road network. In terms of vehicle parking this includes an appropriate level of EV charging as well as cycle parking. The site has also been designed to accord with the NLC Active Travel Strategy infrastructure requirements and a pedestrian crossing is to be provided on Glasgow Road to ensure a safe crossing point. As such it is considered that the development accords with this policy.
- 8.5 Policy 14 (Design, Quality and Place) This policy intends to improve the quality of design within development proposals regardless of location and indicates that development proposals will be supported where they are consistent with the 6 qualities of successful places (healthy, pleasant, connected, distinctive, sustainable and adaptable). The principles of this policy are enshrined, and expanded upon, within the Environmental Design Policies EDQ1-3 of the North Lanarkshire Local

Development Plan and are discussed in detail below. It is considered that the proposal offers a high quality design which meets the six qualities of successful places and therefore accords with this policy.

- 8.6 Policy 15 (Local Living and 20 Minute Neighbourhoods) This policy intends to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options. In this case, the application site is not of a scale itself to form a 20- minute neighbourhood but it is clear that the site benefits from good transport links, pedestrian and cycle connectivity through the existing network and serving its catchment area. It is considered that the site would contribute to the broader aims of this policy.
- 8.7 Policy 21 (Play, recreation and sport) This policy seeks to encourage, promote and facilitate spaces and opportunities for play, recreation and sport. Parts d, f and g are most relevant. It is considered that the outdoor landscaping plans provide for a good quality school playground with opportunities for outdoor learning and have been designed with thought to the various age groups of the school and with a high level of soft landscaping and planting. The proposed MUGA is for use both by the School and wider community and as such introduces a new facility for the local area. It is considered that the proposal meets and is supported by Policy 21.
- 8.8 Policy 22 (Flood Risk and Water Management) This policy seeks to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. In relation to this site the application was submitted with a Flood Risk Assessment due to the proximity of Bishop Burn and identifies mitigation measures. SEPA were consulted on the Flood Risk Assessment and have no objection subject to condition. It is considered that the proposal accords with policy 22 subject to the condition being attached. A Drainage Strategy has been submitted with the application and a condition requiring the surface water to be dealt with by means of SUDS shall be applied.
- 8.9 The North Lanarkshire Local Development Plan 2022 Identifies the site as being within the General Urban area, Purpose of Place Policy 3 (PP3). General Urban Areas are either primarily residential in character or have mixture of recognisably urban uses. To support these urban areas support is primarily afforded to class 8 and 9 of the Town and Country Planning Order 1997 (Residential Institutions and Houses). The maintenance of the existing mix of other urban uses, or introduction of a limited range of ancillary uses and activities, outwith Classes 8 and 9, of an appropriate scale, with recognisably mixed use areas can be appropriate to maintain and support the operation of the General Urban Area. An Assessment of Appropriateness requires to be submitted for uses outwith Classes 8 and 9 and requires to include a statement justifying that the development is ancillary and to serve the area in which this is located and has been assessed using the Town Centre First Approach, a statement on existing uses, whether the proposal is an intensification of an existing use, its impact on the attractiveness of the General Urban Area, evidence of specific locational requirement for the proposal, evidence that the proposal will result in significant economic benefit, its impact on travel patterns and accessibility by sustainable modes of transport.
- 8.10 Schools fall under Class 10 (Non-Residential institutions) and, as such, the application has been submitted together with a supporting statement which details the site selection process carried out prior to submission of the planning application. It is accepted that Schools are an ancillary and supporting use to residential areas, particularly in the case of Primary Schools. In terms of sequential approach, it is accepted that there is a specific locational need for the School to be located on a site accessible to children within the operational catchment that it serves. Bargeddie does have a Local Centre; however, due to the small scale of this designated area (which is within a particularly built up area of Bargeddie) and lack of any appropriate site of suitable size to accommodate the proposed school, it is considered that the applicant, having undertaken a review of suitably sized sites within the required catchment area (including extending the current school) has demonstrated that the site under consideration is acceptable in this regard. The site is also located in an area that capitalises on accessibility by sustainable modes of transport (further discussed in the report below). On this basis, it is considered that the proposed School (Class 10 – Non Residential Institution) is an appropriate use for this General Urban Area PP3 and that the proposed development represents a significant enhancement in terms of school, recreation and community support provision for the area.

- 8.11 Policy AD 3 - Amount of Development is also relevant. This policy states that applications for planning permission for new development will be assessed for their implications related to the amount of development proposed. The need for an assessment depends on the combination of type (use class), scale and location of development and whether it should be located to a more appropriate Character Area or whether there are considerations which can be introduced to justify the development is appropriate for the General Urban Area.
- 8.12 In this regard, the proposed School requires to be subject to the Sequential Approach or a Town Centre first approach. It also requires a statement on whether the proposal is an intensification of use, its impact on land supplies, evidence regarding the existence of suitable alternative sites, evidence regarding the re-use of vacant or underutilised industrial land.
- 8.13 As noted above, the use of a school the application was submitted together with a supporting statement. For the reasons given above the school is considered an appropriate ancillary use which has been justified in terms of the sequential approach through the site selection process and also represents the reuse of a vacant site.
- 8.14 Whilst falling within an area designated as General Urban Area it is noted that this specific site is identified as Prom Loc 3 Housing Site in the plan and therefore contributes towards the housing land supply. It is accepted that this will remove the site from the housing land supply; however, this is justified as there is an overriding need to increase the school capacity and indeed the additional school capacity is required to be able to support the development of other identified housing sites in Bargeddie.
- 8.15 Furthermore, Planning application 23/00725/PP was recently approved by committee on land to the east of Crawhill Drive. This application permitted housing on the site rather than business uses which it had been designated for in the Local Development Plan. This site has an area of 1.45h and sought a total of 43 houses which has added to the housing land supply in Bargeddie.
- 8.16 On this basis, it is considered a justified exception to allow the proposed school use on a site designated for housing.
- 8.17 Taking the above into account it is considered that the proposal is acceptable in terms of the policy provisions of PP3 General Urban Areas and associated AD3. In turning to the designation of the site as Prom Loc 3 Housing Site it is considered that the overriding need for a school to serve the Bargeddie area justifies the use of the site for the purposes of a Community Hub and School.
- 8.18 Policy EDQ1 Site Appraisal states that a proposed development will be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity. The policy includes guidance on what should be included in such an appraisal. In this regard, it is considered that the supporting Design and Access Statement together with the other technical reports provide a full and detailed appraisal of the site. It is therefore considered that the proposal complies with Policy EDQ1.
- 8.19 Policy EDQ2 Specific Features for Consideration states that consideration will be given to development in areas subject to hazards (hazardous Zones) and other specific features in accordance with plans and protocols of the relevant managing agencies.
- 8.20 In relation to this site the application was submitted with a Flood Risk Assessment due to the proximity of Bishop Burn and identifies the following mitigation measures:
- The FRA undertaken confirms that a minimum ground floor finished floor level of 70.53m AOD would be required to allow a minimum freeboard of 600mm above the 1 in 1000 year plus climate change peak water level in the Bishop Burn.
 - Development should be avoided in the lower level areas immediately adjacent to the Bishop Burn where a high ground water table may be encountered and there is a Medium to High Risk of Fluvial Flooding in a 1 in 1000 year plus climate event.

- All earthworks in close proximity to the Bishop Burn require to be properly protected to ensure there is minimal pollution risks to the watercourse. Sediment control and run off control measures may be required due to the sloping topography of the site towards the watercourse.
- 8.21 SEPA were consulted on the Flood Risk Assessment and have no objection subject to condition securing the mitigation measures outlined.
- 8.22 In terms of contaminated land, a Site Investigation has been carried out and consulted upon. There have been several subsequent updated amendments submitted since to address comments from NLC Protective Services. Whilst significant progress has been made and additional information provided; at the time of writing, this process has not yet been concluded. As such the standard submission of an SI condition and Remediation Strategy condition shall be applied.
- 8.23 Taking the above into account it is considered that the application accords with the requirements of policy EDQ2.
- 8.24 Policy EDQ3 - Quality of Development only permits development where high standard of site planning and sustainable design and development are achieved and lists specific criteria for assessment from (8) to (h). The following addresses each of the criteria in turn.
- 8.25 It is considered that the Design and Access Statement demonstrates that full cognisance of the Site Appraisal (required by EDQ1 as discussed above) during the design development process. This has resulted in a clear vision for the site, with a distinctive building of high quality design and materials that sits well within the site and is acceptable in terms of scale mass and height.
- 8.26 The development is considered safe, pleasant and inclusive, convenient and welcoming in its design, is easy to move around and attractive to pedestrians, cyclists and people with disabilities.
- 8.27 The supporting Transportation Assessment and detailed layout drawings demonstrate that the site is safe for all road users, is accessible by foot, public transport and sustainable access for cars with an appropriate level of parking (and a circulatory drop-off provision).
- 8.28 The design has been developed with sustainability as a key objective. The form, materials, specification and detailing ensure a fabric first approach. This combines with efficient building services systems to reduce energy demand and carbon emissions. The site also makes provision for electric vehicle charging points.
- 8.29 The application is supported by a Noise Impact Assessment and Air Quality Assessment both of which have been consulted upon and found to be acceptable.
- 8.30 As noted above the site lies adjacent to Bishop Burn and as such the application is supported by a Flood Risk Assessment which outlines mitigation measures to be incorporated. SEPA has no objection on the basis of flooding provided a condition requiring the implementation of the mitigation measures is attached. A drainage strategy has been submitted and is considered acceptable and a condition requiring full details of the SUDs scheme and confirmation of its implementation can be applied.
- 8.31 In terms of maintenance of the landscaping this shall site shall fall under the Education Estate of NLC and as such will be managed accordingly.
- 8.32 In terms of specific existing features on the site it is noted that the site has many mature trees around its perimeter. A Tree Preservation Order was promoted for this site prior to 1996; however, the required legal processes were not completed at this time and as such there is no Tree Preservation Order (TPO) covering the site. Notwithstanding the lack of formal TPO efforts have been made to retain as many of the mature trees on site as possible. The Tree Retention and Removal Plan primarily shows mature trees being removed from the South East corner of the site to accommodate the MUGA and around the site access to accommodate works to the entrance, carpark and works to the public road and footpath. As part of the proposed layout additional tree planting is proposed along the southern and western boundaries of the site which is considered adequate to off-set those that are to be removed.

8.33 Taking the above into account it is considered that the proposal meets and accords with the policy provisions of EDQ3 and would provide a high quality development.

8.34 **Representations**

8.35 Following neighbour notification and press advert procedures 7 objections were received within the allocated time for representations. 2 other representations objecting were received outwith the allocated time but raised similar issues. A final representation was received outwith the allocated time from Viridor and in light of the issues raised has been discussed below. The matters raised in the objections received can be fairly summarised as follows:

Neighbour notification was not carried out fully

8.36 **Response:** Neighbour notification and press advert procedures were carried out in line with legislation. Concerns was raised that not all residents of the Burnside View estate; however, the legislation only requires that those within 20m of the boundary of the site are neighbour notified.

Connecting footpath between Burnside View estate and the School

8.37 **Response:** It is recognised that there are concerns about parents dropping off children within the Burnside View Estate at the footpath link rather than use the proposed car park and drop off at the main entrance. It is also acknowledged that the Estate is a Designing Streets layout with little available parking. That said the school has been designed to offer a circulatory drop off layout to the front of the school in order to be as attractive as possible to parents and the School will make efforts to ensure that parents do not choose to use Crawhill Drive as a drop off point. From a planning perspective the physical footpath link has already been formed to the School Site and offers permeability from the Burnside Estate to those attending by foot without having to walk alongside the A89. A comment was raised in respect of potential additional traffic to the Burnside View estate not being considered within the Transport Assessment; however, this was not considered necessary to allow the assessment of the proposal.

The Trees are covered by a TPO and their removal will result in a loss of amenity which is the purpose of the TPO.

8.38 **Response:** As discussed in the body of the report the site is not covered by a TPO; however, an approach to retain as many mature trees as possible has been applied with additional tree planting being included by means of mitigation and enhancement.

The MUGA is positioned very close to my garden. My concern here is that there is a risk of stray footballs flying into my garden and hitting my family or damaging property.

8.39 **Response:** The MUGA will have standard 3m high fencing around it. Any issues of straying footballs does not fall within the planning remit but would fall to management of the facility.

8.40 **Viridor Concerns** - Viridor objected to the application outwith the time for submitting objections and stated that the introduction of a school in such close proximity to Viridor's existing operations appears incompatible and that is of significant concern. It appears that the planning application has not taken into account the proximity of Viridor's facility and is therefore deficient in terms of its content. The applicant should be asked to demonstrate that the use design and layout of the scheme have taken into account the neighbouring waste activities and that the neighbouring waste activities can continue to be undertaken without compromise. Furthermore the applicant will require to demonstrate that the environment is suitable for a new school.

8.41 **Response:** Viridor's waste operations are licensed by SEPA and it is their duty to adhere to those requirements. It is not considered that the Primary School as a use would impinge on the activities of Viridor. As discussed above extensive consideration has been given to the issue of co-location together with the submission and assessment of technical reports which are considered satisfactory and demonstrate a low risk of impact from Viridor's activities for the site. It is considered that the applicant has demonstrated that the site is acceptable for use as a school and this view is shared by NLC Environmental Health (Including Pollution Control).

- 8.42 Due consideration has been given to the issues raised in objections; however, these are not considered to carry such weight as to merit the refusal of the application.

9. Conclusions

- 9.1 Taking the above into account it is considered that the proposed St Kevin's primary school and community facilities is in accordance with the relevant policies of the development plan. A justifiable need has been identified to locate the facilities within the school catchment area and the site is well located in terms of sustainable transport. The design is of high quality and distinctive and will offer biodiversity enhancements to the site. The technical support documents demonstrate that the proposal can be accommodated within the site without adverse impacts on the surrounding area including residential properties and neighbouring existing uses such as Viridor. Extensive consideration has been given to the comments from both external and internal consultees and no matters have been raised which would merit the refusal of the application and the requested conditions can be applied. Due consideration has also been given to the issue raised in objections but these are not upheld or carry such weight as to merit the refusal of the application. On this basis, it is recommended that planning permission be granted subject to conditions.

Application No:

23/00972/FUL

Proposed Development:

Two Storey Front Extension to Form Office Space (including internal alterations) & Formation of New Staff Car Park with Dedicated Access from Hattonrigg Road

Site Address:

Dalziel Limited
8 Belgowan Street
Bellshill Industrial Estate
Bellshill
ML4 3NS

Date Registered:

6th November 2023

Applicant:

Dalziel Ltd
8 Belgowan Street
Bellshill North Industrial Estate
Bellshill
ML4 3NS

Agent:

Mhairi Shaw Planning
4 Old Station Wynd
Troon
KA10 6RR

Application Level:

Local Application

Contrary to Development Plan:

No

Ward:

15 Bellshill
Angela Campbell, Pat Patton, Lisa Stubbs, Anne McCrory,

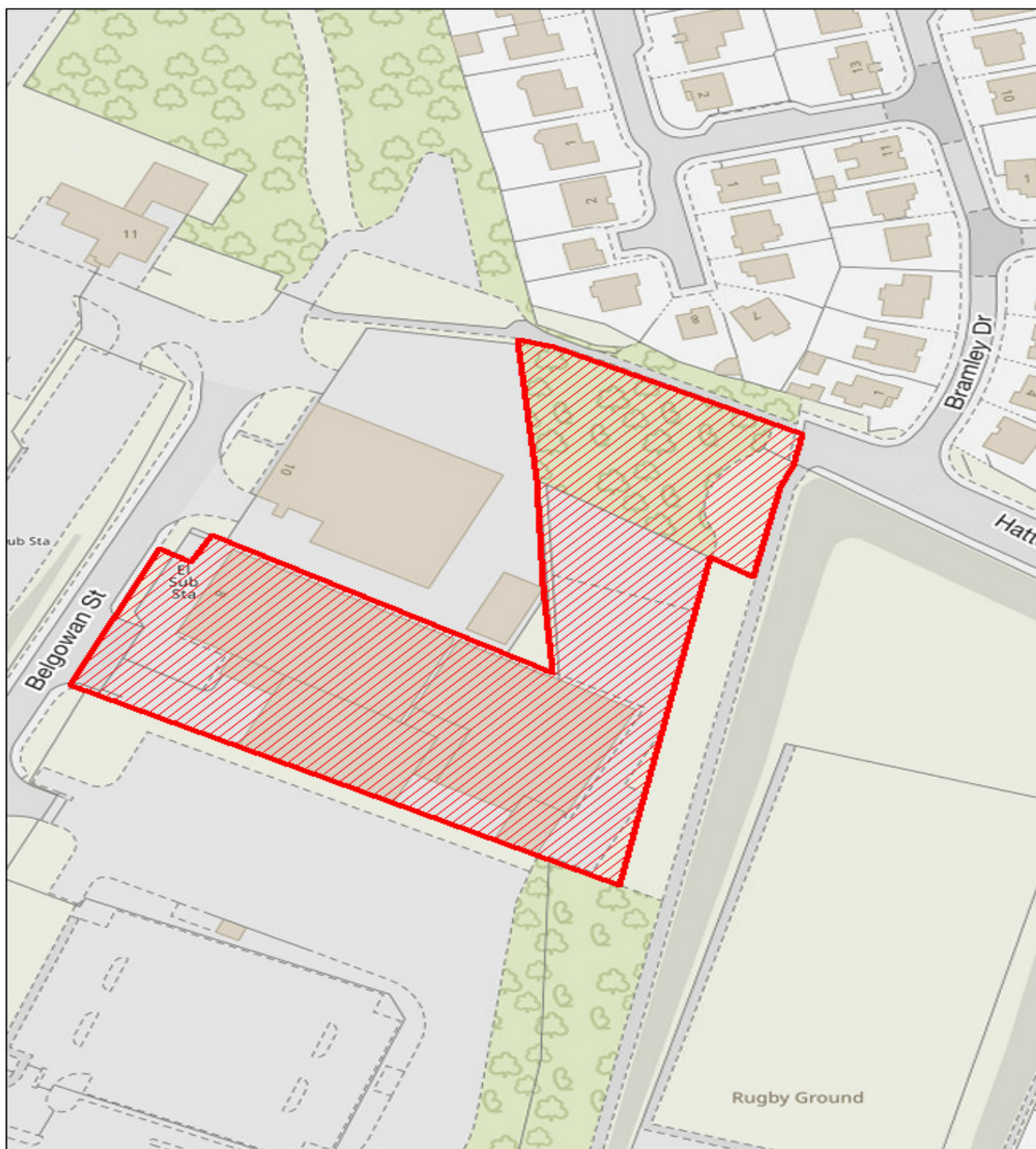
Representations:

Twenty-four letter(s) of representation received.

Recommendation:

Approve, Subject to conditions

Reasoned Justification: The proposed Two Storey Front Extension to Form Office Space (including internal alterations) & Formation of New Staff Car Park with Dedicated Access from Hattonrigg Road is considered acceptable in terms of the criteria set out in the relevant policies, PP2A (Strategic Business Centres), AD2A (Amount of Development) and policies EDQ 1-3 of the North Lanarkshire Local Plan 2022.



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Planning Application: 23/00972/FUL
Name (of applicant): Dalziel Ltd
Site Address: 8 Belgowan Street
Bellshill Industrial Estate
Bellshill
ML4 3NS
Development: Two Storey Front
Extension to Form Office Space
(including internal alterations) &
Formation of New Staff Car Park with
Dedicated Access from Hattonrigg Road
Dalziel Limited
8 Belgowan Road
Bellshill North Industrial Estate
Bellshill
ML4 3NS



Proposed Conditions:-

1. That, except for the requirements of conditions below or as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers;

EX/AL(0)01 rev C, EX/AL(0)02, EX/AL(0)03, EX/AL(0)04, EX/AL(0)05a, PL2/AL(0)12b, PL2/AL(0)13c, PL2/AL(0)14 and 1456_PL2_AL(0)10E.

Reason: To clarify the drawings on which this approval of permission is founded.

2. That PRIOR to any works of any description being commenced on the application site, a comprehensive site investigation report incorporating mineral stability issues shall be submitted to and approved in writing by the Planning Authority. The investigation must be carried out in accordance with current best practice, such as BS 10175: The Investigation of Potentially Contaminated Sites, or CLR 11. The report must include a site specific risk assessment of all relevant pollution linkages and a conceptual site model. Depending on the results of the investigation, a detailed Remediation Strategy may be required as part of the above report.

Reason: To ensure that the site is free of contamination.

3. That for the avoidance of doubt, any remediation works identified by the site investigation required in terms of Condition 3 above, shall be carried out to the satisfaction of the Planning Authority. A certificate (signed by a responsible Environmental Engineer) shall be submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the terms of the Remediation Strategy.

Reason: To ensure that the site is free of contamination.

4. That before the development hereby permitted is completed, a pedestrian crossing point, footways, parking and manoeuvring areas, including servicing areas shown on the plans approved under condition 1 above (in particular plan reference 1456_PL2_AL(0)10E), shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing work and clearly marked out, and shall, thereafter, be maintained for the approved purpose. For the avoidance of doubt, the pedestrian crossing should consist of dropped kerbs with tactile paving at either end.

Reason: To ensure the provision of satisfactory vehicular and pedestrian access facilities.

5. That BEFORE the development hereby permitted starts, unless otherwise agreed in writing with the Planning Authority, full details of the proposed surface water drainage scheme shall be submitted to the said Authority and shall be certified by a chartered civil engineer as complying with the most recent SEPA SUDS guidance.

Reason: To ensure that the drainage scheme complies with best SUDS practice to protect adjacent watercourses and groundwater and in the interests of the amenity and wellbeing of existing and future residents adjacent to and within the development site.

6. That the SUDS compliant surface water drainage scheme required under Condition 5 above shall be implemented contemporaneously with the development in so far as is reasonably practical. Within three months of the construction of the SUDS and before the development hereby permitted is brought into use, a certificate (signed by a Chartered Civil Engineer) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant SEPA guidance and the certified plans.

Reason: To safeguard adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future residents adjacent to and users within the development site.

7. That BEFORE the development hereby permitted starts, a scheme of landscaping shall be submitted to, and approved in writing by the Planning Authority, and it shall include:-
- (a) details of any earth moulding and hard landscaping, boundary treatment, grass seeding and turfing;
 - (b) a scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted;
 - (c) an indication of all existing trees and hedgerows, plus details of those to be retained, and measures for their protection in the course of development
 - (d) a detailed timetable for all landscaping works which shall provide for these works being carried out contemporaneously with the development of the site
 - (e) details of all biodiversity enhancements to be undertaken

Reason: To enable the Planning Authority to consider these aspects in detail.

8. That BEFORE the development hereby approved is occupied, all planting, seeding, turfing and earth moulding included in the scheme of landscaping and planting, approved under the terms of condition 7 above, shall be completed; and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased within two years of the completion of the development, shall be replaced within the following year with others of a similar size.

Reason: To ensure the implementation of the landscaping scheme in the interest of amenity.

9. That BEFORE the development hereby permitted starts, full details of the design and location of all fences and walls to be erected on the site shall be submitted to, and approved in writing by the Planning Authority and the development shall be implemented in accordance with the details approved under the terms of this condition.

Reason: In the interest of the amenity of the site and the general area.

10. Full details of all proposed lighting to the car park shall be submitted to, and approved in writing by, the Planning Authority.

Reason: In the interest of the amenity of the site and the general area.

11. That the staff parking area hereby approved will be retained as such with only a pedestrian link between it and the rest of the application site. To ensure this, the raised kerbing area and security fence will be retained for all time between the staff car park and the yard i.e. no vehicular access will be formed in this boundary without the consent of the Planning Authority. In addition, once installed, the height restricting 'Goal Posts' sited at the entrance to the proposed staff car park shall be maintained and retained at all times.

Reason: to define the permission and in the interest of the amenity of the site and the general area

Background Papers:

Consultation Responses:

Traffic & Transportation dated 28th November 2023 & 1st February 2024

Food Safety / Business Regulations dated 9th November 2023

Environmental Health (including Pollution Control) dated 15th November 2023

Contact Information:

Any person wishing to inspect these documents should contact Colin Bradley at 01236 632500

Report Date: 18th March 2023

APPLICATION NO. 23/00972/FUL

REPORT

1. Site Description

- 1.1 Dalziel Ltd's head office is located within the Bellshill Industrial Estate, at the north-eastern edge of the estate. Access to the site is currently taken from Belgowan Street within the industrial estate.
- 1.2 The application site is made up of the existing building and immediate curtilage along with additional land to the north of the existing yard area which was recently acquired from the Council with the express aim of providing additional staff parking.
- 1.3 The existing premises has been subject to a number of expansions of the years which has seen the site become quite constrained and the current proposal also includes an extension to the office space.

2. Proposed Development

- 2.1 The applicant intends to provide parking provision to a level of sixty spaces, exclusively for the use of their staff, on the newly purchased area of ground and accessed via Hattonrigg Road, (previously known as Hospital Road). It is further intended to provide an extension to the principal elevation of the building to provide further space for office functions.
- 2.2 The overall scale and massing of the proposed office extension is reasonably compact with a footprint of 90sqm on the ground floor. The first floor has a projection that sticks out over parking-spaces and the footprint of this level is 128sqm. The total amount of increased office space shall be equal to 218sqm.
- 2.3 It is important to note that there is no intention to provide a throughfare from Hattonrigg Road to Belgowan Street within the Industrial Estate. To this end the design retains the existing 2.1m tall, galvanised security fence to the northern end of the existing yard and the southern end of the newly purchased ground shall be retained. A secure controlled pedestrian access gate shall be provided to the western end to allow pedestrian only access to the main building of Dalziel's head office.

3. Applicant's Supporting Information

- 3.1 The applicant has provided a full suite of drawings along with the following documents:
 - Bio-Diversity Enhancement Statement
 - Planning Supporting Statement
 - Transport Statement

4. Site History

- 4.1 Alongside a series of previous applications refereeing to the warehouse / workshop, the following applications form part of the planning history of the site:
 - 22/01370/PREAPP Proposed Staff Car Park (Potential Purchase of Council Land) – Comments given 22nd November 2022. The sale of council land to Dalziel was concluded in May 2023.
 - 23/00282/FUL Two Storey Front Extension to Form Office Space (including internal alterations) – Withdrawn 25th May 2023. This application was withdrawn due to the site being constrained with regards to parking and once the conclusion of the land sale was complete, a redesign of the proposal was undertaken resulting in this application.

5. Development Plan

- 5.1 The site sits within a 'Strategic Business Centre and is cover by policies 'PP 2A – Purpose of Place' and 'AD 2A Amount of Development' in the North Lanarkshire Local Development Plan 2022. All development is required to be assessed against the Environmental Design Qualities policies, EDQ 1-3 also.
- 5.2 The site is also subject to National Planning Framework 4 and of particular relevance are policies 3 – Biodiversity and 26 – Business and Industry.
- 5.3 The impacts of the policies identified above shall be examined in the planning assessment stage of the report in section 8.

6. Consultations

- 6.1 NLC Traffic & Transportation initially stated that a footway should be provide either side for pedestrian access, an uncontrolled crossing point should be provided and that a drawing detailing suitable drainage facility should be provided. Upon receipt of the revised drawing detailing the information above, NLC Traffic & Transportation stated *"Having received drawing 1456_PL2_AL(0)10e Proposed Site Plan I can confirm that Roads are satisfied that conditions have been met and have no objection. I would reiterate that the car park and access will not be considered for adoption by NLC, the access works will be subject to a Section 56 Permit, and the pedestrian crossing should consist of dropped kerbs with tactile paving at either end – no road markings or signal equipment should be provided."*
- 6.2 NLC Protective Services stated that a 'Phase 1 Site Investigation' must be carried out, to the satisfaction of the Local Authority, prior to the start of development. This shall be carried over to the recommendation in the form of a planning condition.
- 6.3 NLC Food Safety / Business Regulations stated that the premises, when complete, must comply with the provisions of the Health & Safety at Work etc Act 1974 and its associated legislation.

7. Representations

- 7.1 24 letter(s) of representation received along with two petitions, featuring eighty-eight signatures and seventy-three signatures respectively. Both petitions were received outside of the prescribed timeframe. Regardless of this fact, the comments within the petitions are represented through comments made within time and as such, these comments will be considered. All representations are seeking to object to the proposal. The areas of objection identified within the letters of representation shall be discussed in the following paragraphs: (N.B. 2 follow up objections have been received following the submission of a revised drawing.)

- 7.2 **Comment:** Increase traffic in a residential area (at a primary access point for Rockburn park)

Response: The proposal shall result in a slight increase to the levels of traffic using this area of Hattonrigg Road however any traffic movements generated shall be by private car. It is considered likely that each space provided, (60 spaces), shall have on average 2 vehicle movements per day, one for staff members arriving to their work and one for the staff member departing at the conclusion of their work. It is therefore the opinion of the Planning Service that the overall impact of the increase in traffic shall not have a significant or overtly detrimental impact on the adjoining residential areas. NLC Traffic & Transportation have required a pedestrian crossing point be installed but did not seek to object to the proposal on any grounds.

- 7.3 **Comment:** Has the potential to add to traffic congestion.

Response: the Planning Service consider that the provision of 60 off street parking spaces may have the effect of alleviating the current on-street parking issues thereby alleviating traffic congestion. NLC Traffic & Transportation did not seek to object to the proposal on any grounds.

7.4 **Comment:** Road safety concern for pedestrians (School pupils, local workers and leisure seekers)

Response: NLC Traffic & Transportation have been consulted with regards to this proposal and did not seek to object to the proposal but rather stated conditions that should be placed on the granting of any permission, as detailed in point 6.1 of this report. Included in their recommendations is the provision of a pedestrian crossing point. It is considered that it is likely that each space provided, (60 spaces), shall have on average two vehicle movements per day, one for staff members arriving to their work and one for the staff member departing at the conclusion of their work. It is also repeatedly mentioned within the representations that car parking is a significant issue in the area at present. The planning service considers that by providing sixty dedicated parking spaces to the parent business, the issue of parking in the immediate vicinity is likely to be significantly alleviated.

7.5 **Comment:** Proposal shall create a 'through road' to the industrial estate and accommodate 'Heavy Traffic.'

Response: It shall not be possible to use the proposed carpark to gain vehicular access from Hattonrigg Road to Belgowan Street, (or vice-versa). It is intended to segregate the commercial vehicles, both HGV's and LGV's, and staff vehicles in two separate compounds. The access for HGVs and LGVs shall be exclusively via Belgowan Street (as at present) whereas the proposed carpark accessed via Hattonrigg Road shall be controlled to only accommodate private vehicles. This shall be achieved through a raised platform (kerb stone height) and retention of the existing 2.1m tall, galvanised security fence, separating the two compounds. Access from the proposed car park to the parent building shall be taken through a pedestrian gate only located to the southwest of the proposed carpark. This gate shall be controlled through a keypad access. Furthermore, a planning condition may be employed to ensure that both the height restricting 'Goal Posts' and the existing security fence must be maintained and retained in situ in perpetuity.

7.6 **Comment:** Three access points to industrial estate already exist.

Response: It is not the intention of the applicant to use the proposed staff car park to access the industrial estate beyond providing a parking area for staff of the parent business, accessing the building through a controlled, pedestrian access point within their compound.

7.7 **Comment:** The process of re-zoning the land from public open space to industrial land has not been transparent.

Response: Through the adoption of the North Lanarkshire Local Development Plan (2022) on the 6th July 2022 the land has been designated for Industrial / Business use. The plan process is a transparent public exercise which began in 2016 with the publishing of the Main Issues Report.

7.8 **Comment:** The sale of the land was not consulted on.

Response: The transfer of the land ownership has been conducted by the Chief Officer (Assets & Procurement) using the prescribed method. It is not within the remit of the Planning Service to provide further comment with regards to the processes and procedures however it is not standard practice for the council to consult on land sales.

7.9 **Comment:** The loss of trees is currently subject of an investigation by the Forestry Commission

Response: It is not possible to comment on an investigation being conducted by another agency. From a planning perspective, although the loss of the trees is regrettable, the land was sold to the applicant and the trees did not benefit from any protection measures. Therefore, the applicant may remove the trees without any input from the planning service.

7.10 **Comment:** No Environmental Impact Assessment (EIA) has been provided with the application.

Response: The application is not of suitable scale to warrant an EIA in relation to the application.

- 7.11 **Comment:** Light Pollution for residences (no details of possible additional lighting for development)
- Response:** If planning permission is granted a planning condition is recommended requiring details of any lighting and security measures to be submitted to, and approved by, the Planning Authority.
- 7.12 **Comment:** Overall net reduction in provision of biodiversity and now 'unsightly' (felled trees provided 'coverage' of the Industrial Area).
- Response:** The proposal is accompanied by an Outline Biodiversity Enhancement Plan and features soft landscaping in the form of both shrub and tree landscaping. Although the site previously featured some trees, these were considered to have naturally seeded and were not protected.
- 7.13 **Comment:** During Bellshill Athletic match days, cars are parked on the street '...bumper to bumper....'
- Response:** Bellshill Athletic play in the 3rd Division of the West of Scotland Football League and are based in the adjoining 'Rockburn Public Park'. This league features both home and away matches, with the majority of games being played on a Saturday. Occasionally there are mid-week games which start circa 7:00pm. The hours of operation for Dalziel are from Monday to Friday 7am – 5pm. It is therefore considered that the proposal shall not have a detrimental impact on the parking provision in the area during the football matches.
- 7.14 **Comment:** Potential for noise intrusion as a direct result of increased traffic and automatic traffic control barriers for neighbouring dwellings
- Response:** the Planning Service consider that the vast majority of the spaces proposed will feature two vehicle movements per day, one for members of staff to arrive at work and one for the staff members to depart. With a total of sixty spaces available, this would equate to 120 additional vehicle movements per day. It is not considered that this level of additional vehicle movements would represent a significant or detrimental impact to residential amenity. It is similarly not considered that key controlled metal gates would constitute a harm to residential amenity.
- 7.15 **Comment:** Insufficient Drainage Arrangements
- Response:** The Proposed Site Plan drawing details subterranean surface water attenuation crates being built into the carparking area, to control any surface water build-up that may occur. This was detailed in a revised drawing that was submitted as a direct result of the NLC Traffic & Transportations consultation response.
- 7.16 **Comment:** "...goes against almost every policy stated in the National Planning Framework 4..."
- Response:** NPF 4, and the policies contained within, have been considered by the Planning Service and two policies have been identified as being of particular reference. These policies shall be explicitly examined in the 'Planning Assessment' section of the report at section (8) below and the overall document of NPF 4, and its principles, shall be applied to the consideration of this recommendation to committee.
- 7.17 **Comment:** House values will be negatively affected by the granting of permission.
- Response:** The values of properties are not a material planning consideration and as such, this may form no part of the deliberations with regards to this planning application.
- 7.18 **Comment:** Detrimental impact to health, safety, and wellbeing of residents of the nearby dwellings.
- Response:** No evidence has been provided with regards to any specific concerns regarding health, NLC Protective Services did not request an Air Quality Impact Assessment. NLC Traffic & Transportation have been consulted and did not perceive a potential road safety element to the proposal once the pedestrian crossing had been introduced to the proposal.

7.19 **Comment:** Goes against NL's Climate Plan – Action on Climate Together 2030.

Response: The Climate Plan – Action on Climate Together 2030, is a strategic document with the aim “...to improve services and outcomes for communities who live here. It provides a shared ambition for inclusive growth and prosperity for all. It sets a path for the council and its partners to follow.” It is therefore not considered that this proposal goes against the principles of the plan but rather aids the ‘... inclusive growth and prosperity for all.’ statement.

7.20 **Comment:** Addition of crossing point to Hattonrigg Road has been introduced, no evidence of road safety audit.

Response: NLC Traffic & Transportation in their initial consultation response advised that ‘An uncontrolled crossing should be provided to Hattonrigg Road.’ As NLC Traffic & Transportation are the experts in road safety, the crossing has been introduced as a direct result of their comments to the benefit of road safety. NLC Traffic & Transportation have no objections to the application.

7.21 **Comment:** Water Attenuation tanks have been introduced with no data to back their installation up.

Response: Again, these measures have been introduced as a direct result of the initial consultation comments from NLC Traffic & Transportation who have since confirmed they have no objection to the proposal.

8. **Planning Assessment**

8.1 This application seeks permission for the expansion of floor space to the office area of Dalziel Head Office and further seeks permission for the extension of hardstanding to the rear of the building along with the creation of a new, separate carpark to accommodate employees' vehicles.

8.2 The overall scale and massing of the proposed office extension is not imposing, and it is considered that the extension shall not appear incongruous with regards to the overall scale of the existing parent building. The total amount of increased office space shall be equal to 218sqm which represents a very modest extension when compared to the scale and massing of the parent building.

8.3 The material palette selected for the proposed office extension is modern and reflective of current building practice using steel cladding panels and buff brick and it is considered that this shall not appear incongruous within the wider industrial estate. It is not considered that the proposed extension presents any issues from a policy perspective.

8.4 The element of the proposal that has proved to cause most consternation with the local community is that of the proposed staff car park. It is important to note that the proposal shall **NOT** result in a throughfare from the Industrial Estate and Belgowan Street to Hattonrigg Road and there shall be no increase in industrial traffic to the largely residential Hattonrigg Road area. This has been ensured through the retention of the existing 2.1m galvanised security fence sitting at the boundary of the property prior to the sale of land which shall be maintained and retained in perpetuity. This shall be controlled through the imposition of a Planning Condition.

8.5 Preparatory works were undertaken to the site which involved felling a small copse of trees where the staff carparking is intended to be sited. These works were to allow for site investigations to be undertaken however they have inadvertently caused a great deal of dismay within the local community who placed great value on the trees and the visual protection they offered with regards the neighbouring industrial estate. Whilst the loss of these trees is regrettable, they did were not protected in any way and therefore the felling of the trees is a matter for the landowner.

8.6 The proposal features sixty parking spaces; it is considered that these sixty parking spaces may alleviate the on-street parking issues (both within the industrial area and on adjoining streets) that have been widely reported in the representations to the Planning Service. Due to the hours of operation of the parent industrial unit, Monday to Friday 7am – 5pm, it is not considered that the proposal shall lead to any conflicts with the Bellshill Athletic Football Club junior matches.

- 8.7 NLC Traffic & Transportation responded to their initial consultation request and stated that an *“uncontrolled crossing point should be installed for pedestrians and wheeled users”* and that suitable drainage provision should be provided within the curtilage. The applicant submitted a revised site plan detailing these requested changes and as a result, NLC Traffic & Transportation did not seek to object to the proposal.
- 8.8 Where the proposal shall increase traffic levels to the area of Hattonrigg Road, it is considered that the traffic movements would most likely be limited to two movements per day, one for arrival at workplace and one for departure from the workplace. It is not considered that these movements would constitute a strain on the existing road network.

Development Plan

- 8.9 In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of National Planning Framework 4 (NPF4) and the Adopted North Lanarkshire Local Development Plan 2022. The National Planning Framework was adopted on the 13th of February 2023. Of particular relevance, is NPF Policy 3 Biodiversity and NPF Policy 26 – Business and Industry.

NPF4

- 8.10 NPF Policy 3 has the stated aim of including appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. It goes on to state that measures should be proportionate to the scale and nature of the development, delivering positive effects from the development and strengthen nature networks. The applicant has submitted a Biodiversity Enhancement plan which features details on the biodiversity enhancement opportunities including tree & shrub planting, hedgerow planting, urban planters/bio-cubes.
- 8.11 Policy 26 of NPF 4, Business and Industry states that *“Development proposals for business and industry uses on sites allocated for those uses will be supported”*. The policy further states that the impact on surrounding residential amenity must be taken into account.
- 8.12 It is considered that this proposal has the potential to comply with both policy 3, Biodiversity, and policy 26, Business and Industry, of National Planning Framework 4. In order to ensure this compliance, it is intended to impose planning conditions requiring the submission of landscaping scheme including biodiversity measures.

Local Development Plan

- 8.13 Purpose of Place Policy PP 2A applies and encourages large scale business users to locate to our Strategic Business Centres and safeguard their character from dilution by other inappropriate uses. Strategic Business Centres offer a full range of Class 4 Business, Class 5 General Industrial and Class 6 Storage and Distribution sites with good locations for major rail/motorway connections. Eurocentral is a Strategic Business Centre and as such the proposal is acceptable in principle.
- 8.14 Policy AD 2A Amount of Development requires new development to be assessed for their implications related to the amount of development proposed and depends on a combination of use class, scale and location. Class 4 Business, Class 5 General Industrial and Class 6 Storage and Distribution do not require the amount of development to be assessed and thus the proposal is acceptable.
- 8.15 Environmental and Design Qualities Policies EDQ 1 -3 apply to all new development proposals and are addressed in turn below.

Policy EDQ 1 (Site Appraisal): This policy requires a high quality of development by ensuring proposals integrate well into the surrounding area and avoid harm to neighbouring amenity. It also considers the impact of the proposed development in terms of its requirements for additional community facilities or infrastructure which is necessary to meet future demands on existing provisions..

Policy EDQ2 (Specific Features for Consideration): There are no Hazardous Zones and as such the policy is not relevant in this case.

Policy EDQ 3 (Quality of Development): This policy requires high standards of site planning and sustainable design..

- 8.16 The proposed development (both the extension to the building to provide additional office accommodation and the proposed car park extension) are considered to be acceptable in planning terms and in keeping with the character of this zoned established business/industrial area. As indicated above, it is unfortunate that this proposal necessitated the removal of a copse of trees but replacement landscaping is proposed and, in this instance, it is considered that the visual impact of the development is not so significant as would justify a refusal of planning permission, particularly when the wider benefits of the proposal are taken into account. The new access into the proposed car park will open up views of the site. However, existing trees outwith the site (on the residents side of the path that links through from Hattonrigg Road to the industrial area) along with the raised embankment on the edge of Rockburn Park will mean that such views are very localised.
- 8.17 The proposal accords with the relevant policies contained within the Development Plan

9. Conclusions

- 9.1 The felling of the copse of trees that followed the sale of the land and the re-designation of this ground to industrial business use, along with the perceived lack of consultation with the community regarding both these events has caused a great deal of angst within the community. Regardless of the consternation that has been caused, the site is owned by the applicant, it is designated as industrial/business land and the trees did not benefit from of protection.
- 9.2 The proposed development (the provision of staff parking spaces and the expansion of the office accommodation) has been assessed against the development plan and all material planning considerations and has been found to be acceptable in planning terms. It is therefore recommended that planning permission be granted, subject to conditions.

Application No:

23/01357/FUL

Proposed Development:

A new campus for the relocation of Gartcosh Primary School, a new Language Communication Support Centre, Nursery Class and Community Facilities with associated car parking, sports facilities, community garden and landscaping.

Site Address:

Land At Woodneuk Road
Gartcosh
G69 8AG

Date Registered:

9th January 2024

Applicant:

North Lanarkshire Council
Civic Square
Windmill Hill Street
Motherwell
ML1 1AB

Agent:

Scott Mackenzie
BDP Limited
15 Exchange Place
Glasgow
G1 3AN

Application Level:

Major Application

Contrary to Development Plan:

No

Ward:

06 Gartcosh, Glenboig And Moodiesburn
Greg Lennon, Michael McPake, Joanne Katy Keltie,

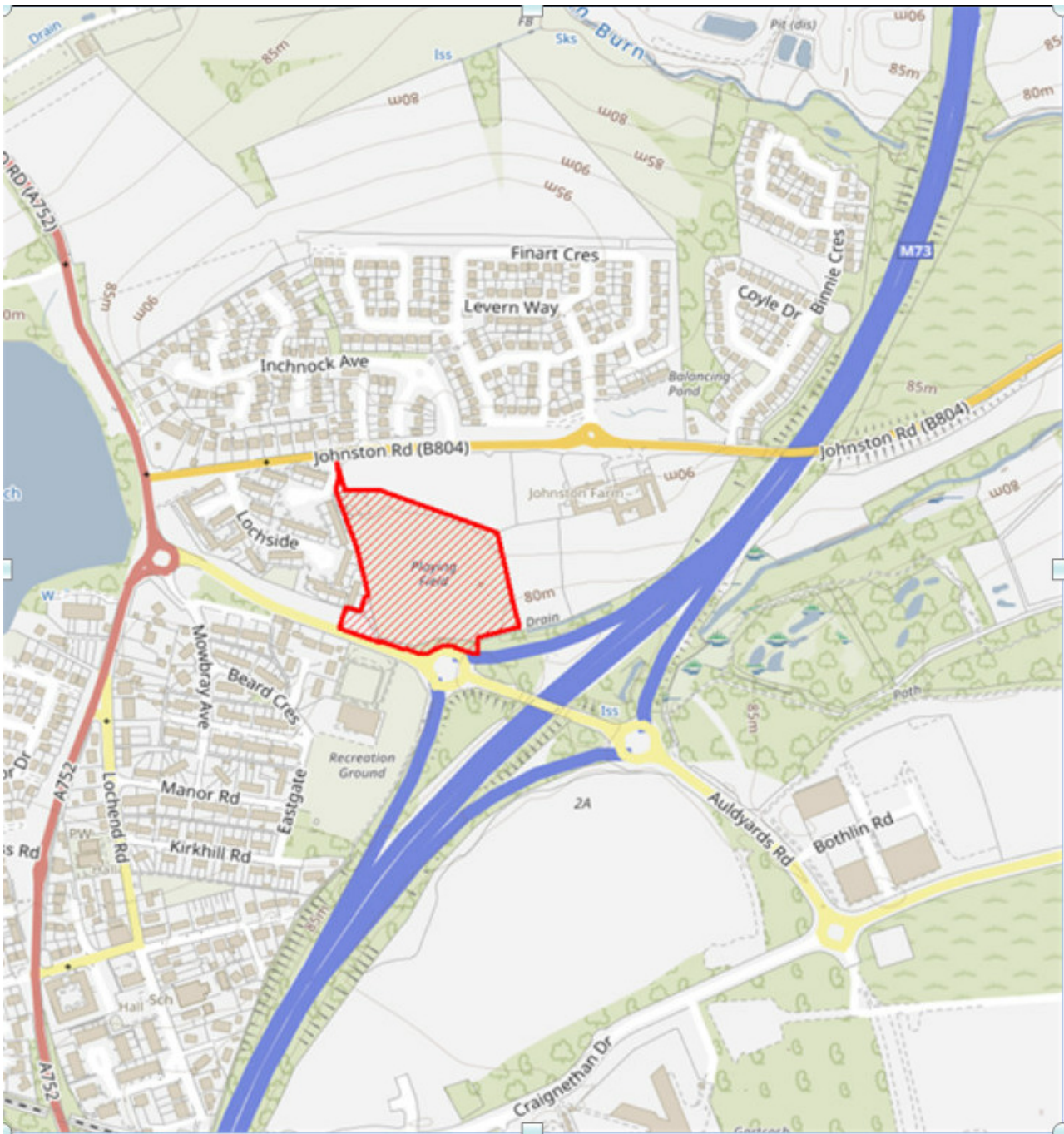
Representations:

Two letters of representation received.

Recommendation:

Approve Subject to Conditions

Reasoned Justification:



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Planning Application: 23/01357/FUL
Name (of applicant): North Lanarkshire Council
Site Address: Land At Woodneuk Road Gartcosh G69 8AG
Development: A new campus for the relocation of Gartcosh Primary School, a new Language Communication Support Centre, Nursery Class and Community Facilities with associated car parking, sports facilities, community garden and landscaping.



Proposed Conditions:-

1. That, except as may otherwise be agreed in writing by the Planning Authority, the development shall be implemented in accordance with drawing numbers or such updated drawings as may be required to reflect the requirements of planning conditions 2-24 that follow:- :-

GCH-BDP-XX-XX-DR-A-070001 Rev P02,
GCH-BDP-XX-XX-DR-A-070002 Rev P02,
GCH-BDP-XX-XX-PL-A-PP0002 Rev P01,
GCH-BDP-XX-XX-PL-L-PP0001 Rev P01,
GCH-BDP-XX-XX-PL-L-PP0003 Rev P01,
GCH-BDP-XX-XX-PL-L-PP0004 Rev P01,
GCH-BDP-XX-XX-S-L-PP0005 Rev P01,
GCH-BDP-XX-XX-S-L-PP0006 Rev P01,
GCH-BDP-XX-XX-VS-A-PP0001 Rev P01,
GCH-BDP-XX-XX-VS-A-PP0002 Rev P01,
GCH-BDP-XX-ZZ-SE-A-PP0001 Rev P01,
GCH-BDP-XX-ZZ-SE-A-PP0002 Rev P01,
GCH-BDP-XX-ZZ-SE-A-PP0003 Rev P01,
GCH-BLY-XX-XX-DR-C-950002 Rev P02,
GCH-BLY-XX-XX-DR-C-960001 Rev P02,
GCH-BLY-XX-XX-SK-C-900001 Rev P01,
GCH-BLY-ZZ-ZZ-DR-C-950001 Rev P02,
GCH-HAK-XX-XX-DR-E-630002 Rev P01,
GCH-BDP-XX-01-PL-A-PP0002 Rev P01,
GCH-BDP-XX-Rn-PL-A-PP0001 Rev P01,
GCH-BDP-XX-01-PL-A-PP0001 Rev P01,
GCH-BDP-XX-00-PL-A-PP0001 Rev P01,
GCH-BDP-XX-00-PL-A-PP0003 Rev P01,
GCH-BDP-XX-ZZ-EL-A-PP0001 Rev P01,
GCH-BDP-XX-ZZ-EL-A-PP0002 Rev P01,
GCH-BDP-XX-ZZ-EL-A-PP0003 Rev P01,
GCH-BDP-XX-ZZ-EL-A-PP0004 Rev P01,
GCH-BDP-XX-ZZ-EL-A-PP0005 Rev P01
and Topographical Survey.

Reason: To clarify the drawings on which this approval of permission is founded.

2. That visibility splays of 2.5m x 60m at a height of 1.05m shall be provided in both directions along Woodneuk Avenue and shown on a drawing. The visibility splay should be provided entirely within the public road boundary, or on land within control of the applicant. Everything above 1.05m shall be removed from the sight lines and thereafter nothing exceeding 1.05m shall be planted, placed, erected or allowed to grow within the sight lines area.

Reason: To ensure adequate sight lines are achieved.

3. That before development hereby permitted starts, with the exception of ground enabling works which includes land profiling, and unless otherwise agreed in writing with the Planning Authority, details shall be submitted and approved in writing by the planning authority showing the following active travel improvements:
 - a) new signalised crossing at the site access on Woodneuk Avenue
 - b) a left in/left out access with 3.5m wide footway leading to the new pedestrian crossing west of the proposed access
 - c) a new 3.5m wide footway on the north side of Woodneuk Avenue between the proposed site access and the existing puffin crossing to the west
 - d) a secondary pedestrian access north of Johnston Road via Blades Court
 - e) existing footway on the west side of Blades Court to be improved to allow suitable connection from the site to Johnston Road.

Reason: To ensure that the site is served by appropriate pedestrian access facilities and in the interest of road safety.

4. That before the school is brought into use the pedestrian links shall be completed to the satisfaction of the planning authority.

Reason: To ensure that the site is served by appropriate pedestrian access facilities and in the interest of road safety.

5. That before the development hereby permitted is brought into use, all the parking and manoeuvring areas shown on the approved plans, shall be levelled, properly drained, surfaced in a material which the Planning Authority has approved in writing before the start of surfacing work and clearly marked out, and shall, thereafter, be maintained as parking and manoeuvring areas.

Reason: To ensure that the parking and manoeuvring areas are suitable surfaced.

6. That before the development hereby permitted starts, a scheme of landscaping shall be submitted to, and approved in writing by the Planning Authority, and it shall include:-
- a) Details of any earth moulding and hard landscaping, grass seeding and turfing;
 - b) A scheme of tree and shrub planting, incorporating details of the location, number, variety and size of trees and shrubs to be planted; in particular this should include a detailed scheme of biodiversity enhancement, seasonal shrub planting and trees within and bordering the edge of the site.
 - c) A detailed timetable for all landscaping works within the site and shall set out that the works be carried out contemporaneously with the development of the site.

For the avoidance of doubt, the details submitted to discharge this condition shall build upon the landscaping plans submitted as part of the application.

Reason: To enable the Planning Authority to consider these aspects.

7. That all works included in the scheme of landscaping and planting, approved under the terms of Condition 6 above, shall be completed in accordance with the approved timetable, and any trees, shrubs, or areas of grass which die, are removed, damaged, or become diseased, within two years of the full occupation of the development hereby permitted, shall be replaced within the following year with others of a similar size and species.

Reason: To ensure the implementation of the landscaping scheme in the interest of amenity.

8. That before any works of any description start on the application site, with the exception of ground enabling works which includes land profiling and unless otherwise agreed in writing with the Planning Authority, a comprehensive site investigation report shall be submitted to and for the approval of the Planning Authority. The investigation must be carried out in accordance with current best practice advice such as BS10175: 'The Investigation of Potentially Contaminated Sites' or CLR 11. The report must include a site-specific risk assessment of all relevant pollutant linkages and a conceptual site model. Depending on the results of the investigation, a Detailed Remediation Strategy may be required.

Reason: To establish whether or not site decontamination is required in the interests of the amenity and wellbeing of future residents of the site.

9. That any remediation works identified by the report agreed in terms of Condition 8 above shall be carried out in accordance with an implementation timetable. This timetable shall be agreed in writing with the Planning Authority before any works start on site. The shared campus shall not be occupied until a certificate (signed by a chartered Environmental Engineer) has been submitted to the Planning Authority confirming that any remediation works have been carried out in accordance with the agreed Remediation Strategy.

Reason: To ensure that any remediation identified has been implemented in the interests of the amenity and wellbeing of users.

10. That before the development hereby permitted starts, with the exception of ground enabling works which includes land profiling and unless otherwise agreed in writing with the Planning Authority, full details of the proposed surface water drainage scheme shall be submitted to the said Authority and shall be certified by a chartered civil engineer as complying with the most recent SEPA SUDS guidance.

Reason: To ensure that the drainage scheme complies with best SUDS practice to protect adjacent watercourses and groundwater and in the interests of the amenity and wellbeing of existing and future residents adjacent to and within the development site.

11. That the SUDS compliant surface water drainage scheme approved in terms of Condition 10 shall be implemented contemporaneously with the development in so far as is reasonably practical. Within three months of the construction of the SUDS, a certificate (signed by a Chartered Civil Engineer experienced in drainage works) shall be submitted to the Planning Authority confirming that the SUDS has been constructed in accordance with the relevant CIRIA Manual and the approved plans.

Reason: To safeguard adjacent watercourses and groundwater from pollution and in the interests of the amenity and wellbeing of existing and future residents adjacent to and within the development site.

12. That prior to the commencement of development, with the exception of ground enabling works which includes land profiling, the applicant shall provide written confirmation to the Planning Authority that all the requirements of Scottish Water can be fully met to demonstrate that the development will not have an impact on their assets, and that suitable infrastructure can be put in place to support the development.

Reason: To ensure the provision of satisfactory drainage arrangements.

13. That prior to any works commencing on site, with the exception of ground enabling works which includes land profiling a Construction Environmental Method Statement shall be submitted to and approved by the Planning Authority. The Construction Method Statement shall cover:

- Details of how the development will be phased
- Details of the location of site compound and management facilities
- Details of construction access, parking and manoeuvring areas
- Submission of a Dust Action Plan

The development shall thereafter be implemented in accordance with the approved Construction Method Statement.

Reason: In the interests of the amenity of the area and to ensure ecological protection measures are in place.

14. That should 12 months or more has elapsed between the timing of the initial ecological survey dated July 2023 hereby approved, and development commencing, a further survey shall be undertaken on the site to determine the presence of any statutorily protected species including Badgers and water voles, the said surveys shall thereafter be submitted to and approved in writing by the Planning Authority before any development commences on the site. As a result of the study, should any mitigation measures be required for any protected species, this shall be implemented in accordance with the species protection plan agreed in writing with the Planning Authority in consultation with Scottish Natural Heritage before works commence on the site.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Regulations 1994 (as amended); the Wildlife and Countryside Act (1981) as amended; the Protection of Badgers Act 1992 (as amended); and the Nature Conservation (Scotland) Act 2004.'

15. That as Water Voles have been recorded on site, before the development hereby permitted starts a protected species licence will need to be sought and granted from NatureScot. It is proposed that the water voles will be translocated to another site and habitat enhancement works for this species will be included within the development. All habitat enhancement works must be agreed in writing with both NatureScot and North Lanarkshire Council. A Habitat Management Plan should be developed for the area reserved and enhanced for the water vole.

Reason: To ensure compliance with The Conservation (Natural Habitats & c.) Regulations 1994 (as amended); the Wildlife and Countryside Act (1981) as amended; the Protection of Badgers Act 1992 (as amended); and the Nature Conservation (Scotland) Act 2004.

16. That before the development hereby permitted starts, with the exception of ground enabling works which includes land profiling, and unless otherwise agreed in writing with the Planning Authority, full details of the facing materials to be used on all external walls and roofs shall be submitted to and approved in writing by the Planning Authority.

Reason: In the interests of amenity and design by ensuring that external materials are appropriate for the site.

17. That before the development hereby permitted starts, with the exception of ground enabling works which includes land profiling, and unless otherwise agreed in writing with the Planning Authority, full details of the design and finish materials to be used in the construction of the access road, footways, junctions, parking and manoeuvring areas shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented contemporaneously with the development in so far as is reasonably practical.

Reason: In the interests of amenity and design by ensuring that the materials are appropriate for the site.

18. That before the development hereby permitted starts, with the exception of ground enabling works which includes land profiling, and unless otherwise agreed in writing with the Planning Authority, full details of the design and location of all fences and walls to be erected on the site shall be submitted to and approved in writing by the Planning Authority. The approved details shall be implemented contemporaneously with the development in so far as is reasonably practical.

Reason: To enable the Planning Authority to consider these aspects in detail.

19. That, notwithstanding the generalities of Condition 18 above and prior to commencement of the development hereby permitted, with the exception of ground enabling works which includes land profiling, and unless otherwise agreed in writing with the Planning Authority, details of the fencing / barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. The fencing / barrier proposals shall be located at a minimum distance of 1.2 metres from the existing fencing, and in such a place that they can be erected and maintained from within the development without requiring access to the trunk road.

Reason: To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

20. That before development hereby permitted starts, with the exception of ground enabling works which includes land profiling, and unless otherwise agreed in writing with the Planning Authority, a revised Noise Impact Assessment Report shall be submitted to ensure that adequate mitigation is provided between the proposed MUGA pitch and existing residences to the satisfaction of the Council as Planning authority and thereafter any mitigation approved shall be implemented before the MUGA pitch comes into use.

Reason: To ensure that adequate mitigation is provided at the site.

21. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk road drainage network is not affected.

22. The design, installation and operation of any air conditioning/ventilation or other plant for the proposed development and any other noise associated with the completed development shall be such as will not give rise to a noise level, assessed with the windows open, within any dwelling or noise sensitive buildings in excess of the equivalent to Noise Rating Curve (N.R.C.) 35 between 07.00 hours and 22.00 hours and N.R.C. 25 at all other times.

Reason: In the interests of surrounding residential amenity.

23. That unless otherwise agreed in writing with the Planning Authority, before development starts, a timetable for the delivery and handover of the replacement pitch shall be submitted and approved in writing by the planning authority which shall include any interim arrangements for the football club to play/train elsewhere.

Reason: To ensure that a replacement football pitch is in place in a timely manner.

24. That, unless otherwise agreed in writing by the planning authority, the Community Hub should not be brought into use without the replacement football pitch being delivered.

Reason: To ensure delivery of the replacement football pitch.

Background Papers:

Consultation Responses:

Memo from Environmental Health (including Pollution Control) dated 18/1/24, 26/2/24
Memo from Traffic & Transportation dated 5/2/24
Letter from Scottish Water dated 10/1/24
Letter from SportScotland dated 6/3/24
Letter from Transport Scotland dated 7/3/24
Letter from Scottish Environment Protection Agency dated 17/1/24
Memo from NLC Greenspace dated 23/1/24 and 13/3/24

Contact Information:

Jim Lennon at planningenquiry@northlan.gov.uk .

Report Date:

20th March 2024

REPORT

1. Site Description

- 1.1 The site lies to the east of Johnston Loch in Gartcosh and amounts to some 6.6 acres and is fairly regular in shape. It is previously undeveloped and has been utilised as a Football playing field for a number of years and forms part of the Gartcosh / Glenboig Community Growth Area (GGCGA). It has a flat central area (football pitch) and fairly steep sloping land sloping down to the pitch on its east and north side.
- 1.2 The site is bounded by residential properties to the west, Gartcosh Social Club and grounds and Junction 2a on-slip for the M73 to the south, agricultural land to the east and north, albeit that this land is located within the GGCGA.

2. Proposed Development

- 2.1 The proposal consists of a new campus for the relocation of Gartcosh Primary School, a new Language Communication Support Centre, Nursery Class and Community Facilities with associated car parking, sports facilities, community garden and landscaping. Access to the campus is via a new access off Woodneuk Avenue (this will necessitate a left in left out arrangement). The proposed Gartcosh Community Hub is proposed to be developed over two storeys with a double height atrium at its heart. This central space will provide several shared activity areas. There are also single storey wings either side of the main entrance to the building. The building will have a footprint of 4,000 square metres, with an upper floor of 1,760 square metres. There is also a Sports store which amounts to some 24 square metres and the Outdoor Classroom is 50 square metres, making a total area 5834m². Entrance to the community hub is centrally located on the south-west elevation where a glazed foyer will provide a waiting area and is part of the administration office. A conference room and meeting rooms are located close to reception to ensure ease of supervision. These facilities also have a close relationship to the staff zones. The class bases of Gartcosh Primary School are arranged in two teaching wings with the junior school on the ground floor and the senior school on the upper floor. The integrated Language and Communication Support Centre (LCSC) class bases are located within both the junior and senior school. The main hall is centrally located within the north-east wing and can be subdivided into two single court halls using a flexible curtain system and the hall is supported by ancillary space for storage, changing rooms and toilets. There is a social dining area adjacent to the atrium on the ground floor. A nursery class facility is located in a single-story wing, shared with LCSC, adjacent to the entrance. Internally the playrooms are generally open plan with direct access to a south facing secure play space.
- 2.2 There are two car parks, one is for Drop off and Nursery parking and the other car park is for staff parking, LCSC drop off and accessible parking spaces. In total there are 105 car parking spaces which includes 40 drop off bays, 14 bays for electric charging and 6 accessible bays. Along Woodneuk Avenue there will be a 3.5 metre wide shared pedestrian/cycleway. An existing desire line connecting Blades Court (to the north) will be recognised with a surfaced path to create a more connected network for the surrounding community, promoting walking.
- 2.3 School children will typically enter the building direct from the playground, not via the main entrance. Sheltered cycle and scooter parking will be provided at both playground entrances with 18 cycles and 10 scooters at the north and 8 cycles and 10 scooters to the south. Additionally, stands for eight cycles will be provided beneath the main entrance canopy for staff or visitor use. The proposed campus includes a two court MUGA all-weather pitch (30m x 36m) in the north-west corner of the site which will provide facilities for outdoor sports.
- 2.4 The proposal increases a biodiverse habitat on the site whilst creating a landscape suited to ecological study. The site will be divided into two habitat zones with grassland to the north and woodland to the south. The grassland generally uses the existing slopes. The woodland builds on the existing planting to provide screening and shelter from the surrounding road network. The outdoor classroom will provide a sheltered space for studying flora and fauna within the surrounding grassland habitat and beyond.

3. Applicant's Supporting Information

3.1 The applicant has provided the following information in support of their application:

- Plans including Landscape/Levels/Elevations/Drainage
- Design and Access Statement
- Air Quality Assessment
- Flood Risk Assessment
- Ecology Report
- Noise Report
- Pre-Application Consultation Report
- Site Investigation Information
- Construction Method Statement
- Drainage Report
- External Lighting Impact Assessment Report
- Transport Assessment and Addendum
- Tree Survey
- Water Vole Protection Plan
- Dust management Plan
- Biodiversity and Maintenance Plan

4. Site History

- 4.1 Planning permission was granted for Development of Roadside Facilities on the site in May 2006, Reference No. 06/00655/REM. This consent was never implemented.
- 4.2 Planning permission was granted for Residential Development on the site consisting of 72 units in December 2022 – Reference No. 20/01411/FUL.

5. Development Plan

- 5.1 The proposals require to be assessed under the terms of the North Lanarkshire Local Development Plan (NLLDP) 2022 and, in particular under the terms of:

PROM LOC3 Housing Development Sites
PP 3 POLICY Purpose of Place
AD 3 POLICY Amount of Development
EDQ1 Site Appraisal
EDQ3 Quality of Development

- 5.2 The site is an allocated housing site in the NLLDP and is covered by the above policies. The aim of the Plan within these areas is to maintain and improve the level of amenity appropriate for the local context and encourage diversity in more mixed-use areas. This policy requires such proposals to be assessed against the criteria of AD 3 (Amount of Development), EDQ1 (Site Appraisal) and EDQ3 (Quality of Development) which considers issues such as location of development, size, materials and road safety and which states that proposals must integrate successfully with the surrounding area by avoiding harm to the neighbouring amenity.
- 5.3 NPF4 forms part of the development plan; given the nature and scale of this development the most relevant considerations are already enshrined in the North Lanarkshire Local Development Plan policies. The policies within NPF4 that are relevant to the application are being Policies 3 (Biodiversity), Policy 9 - Brownfield, Vacant and Derelict Land and Empty Buildings, Policy 13 (Sustainable Transport), Policy 14 – Design, Quality and Place, Policy 15 (Local Living and 20 Minute Neighbourhoods), Policy 18 (Infrastructure First) and Policy 21 (Play, Recreation and Sport).
- 5.4 This application can therefore be assessed against the policy provisions of the North Lanarkshire Local Development Plan and the relevant policies with NPF4.

6. Consultations

- 6.1 **NLC Traffic and Transportation** raise no objection to the application. Detailed discussions have taken place in respect to the layout and access. There are no concerns raised over the relationship with the wider public road network. It is proposed to attach the recommended Conditions to any planning approval.
- 6.2 **NLC Pollution Control** raise no objection to the application. In respect to the noise report and follow-up submission, the findings are considered generally acceptable and there is a requirement for details of an acoustic fence to be erected via a condition to mitigate the MUGA pitch within the site for the existing residential properties. Similarly, Site Investigation requirements can also be secured through conditions. Otherwise, matters of construction impact are raised and these could be addressed as advice in the decision notice.
- 6.3 **NLC Greenspace** are satisfied with the proposals and the relevant surveys submitted, however if 12 months has elapsed before development starts, a further updated survey will be required. A Water Vole Protected Species license will be required before any works take place on the site due to the presence of Water Voles. Conditions are attached to ensure that their concerns are met.
- 6.4 **Scottish Water** have no objections, however state that they cannot confirm capacity for water or foul drainage, therefore the developer must contact Scottish Water and complete a Pre-Development Enquiry form.
- 6.5 **SEPA** raise no objections to the proposals.
- 6.6 **Transport Scotland** have no objections to the proposals, subject to conditions concerning boundary fencing and ensuring that drainage from the site does not impact on the trunk road. Conditions are attached to ensure that their concerns are met.
- 6.7 **Sportscotland** have no objections to the loss of the football playing field provided that a suitable replacement playing field is provided.

7. Representations

- 7.1 Following the standard neighbour notification and press advertisement process, two letters of representation were received with respect to the proposed development. The concerns and my comments thereon may be summarised as follows:-

- Assurance is sought that the current arrangement for accessing the rear of their property via a footway was unaltered.

Comment The existing access arrangements will remain unaltered.

- An allotment garden is located within the redline boundary of the application site, will this be left as is.

Comment It is hoped that the allotment garden can remain in situ for the time being, however there may be issues with its location in the future and it may be incorporated within the 'Hub' grounds.

- There will be a major impact on wildlife within the site e.g. bats, water voles, mice, foxes, deer, stoats, rats, birds etc. If rats are displaced, this would be a major issue for existing residents and cause a health hazard.

Comment A Protected Species Survey has been carried out on the site and was considered to be appropriate. Mitigation is proposed which is satisfactory to the Council and includes the translocation of water voles. If there is a rat issue at the site this is something that the Council's Environmental Services section would deal with and is not a valid planning consideration in the determination of a planning application.

- Drainage is also an issue as well as access to the site.

Comment The Council is satisfied that the development can be accommodated without detriment to the drainage of the area nor road safety.

- The area is used by children to play football and other activities.

Comment A new, larger school is required to replace the existing old school. It is much needed in the area and a MUGA pitch is proposed which will be open to children in the area to access outwith school hours. It is also worth noting that the site has had the benefit of planning permission for more than 17 years, albeit for different proposals i.e. Roadside facilities (2006) and housing development (2022).

- There is no mention of construction traffic in the application. Blades Court should not be used for accessing the site.

Comment A Construction Method Statement has been submitted and is available to view on the Planning portal. It is intended to use Blades Court as a temporary construction access during the initial phase of construction. Due to the condition of this opening, it is intended to only be used on a temporary basis whilst the new permanent road junction is constructed off Woodneuk Avenue. Once established to a safe and useable condition, all traffic will access and egress the site via the new junction off Woodneuk Avenue, thereafter there will only be pedestrian access to the Community Hub.

8. Planning Assessment

8.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 Within the North Lanarkshire Local Development Plan (NLLDP) the site is located within an allocated housing site (Policy PROM LOC3) and is covered by Policy PP3 General Urban Area which seeks to maintain and improve the level of amenity appropriate for the local context and encourage diversity in more mixed-use areas. Although allocated as a Housing site in the NLLDP, it is considered that, due to the location of the site, that the site lends itself to being developed for a community hub (it was always envisaged that a new primary school would be required to be located within the community growth area). It should also be noted that any shortfall in housing supply numbers, as a result of the site changing from a housing site to a Community Hub, can be suitably addressed within the overall Gartcosh/Glenboig Community Growth Area (GGCGA) as there is an area allocated as a 'reserve area' where any shortfall can be met. There is a current Planning Permission in Principle application being processed for this 'reserve area' at Heathfield Farm which lies to the west of Johnston Loch. This policy also requires such proposals to be assessed against the criteria of AD 3 (Amount of Development), EDQ 1 (Site Appraisal) and EDQ 3 (Quality of Development) which consider issues such as size, materials and road safety and which states that proposals must integrate successfully with the surrounding area by avoiding harm to the neighbouring amenity. In relation to AD 3 (amount of development) it is considered that there are no significant issues with regard to the potential impact of the proposal on existing infrastructure as confirmed by consultation responses. The school is required and needs to be located within the catchment area it serves. It was always envisaged that a new primary school would be required and this location is considered to be the most appropriate as it serves both the existing and new housing. With regard to Policies EDQ 1 (Site appraisal) and EDQ3 (Quality of Development) an assessment has to be made. With regards to the proposed layout, it is considered that with appropriate noise mitigation measures identified in the NIA at the MUGA pitch, any potential issues in terms of impact of noise from the pitch can be suitably addressed, a condition is therefore proposed to address this issue. It is considered that the proposed development is suitable for this location and it will provide a much needed replacement primary school within the village with added community facilities located within the hub. The construction of a Community Hub is considered to be an appropriate use of the land as it is located within a predominantly residential area and near to amenities and a main thoroughfare. Access to the site is considered to be satisfactory as well as parking within the site. It is therefore considered that the proposals comply with Policies PP 3, AD 3, EDQ 1 and EDQ 3 of the adopted North Lanarkshire Local Development Plan.

- 8.3 In terms of National Planning Framework 4 (NPF4), there are number of policies that affect the proposal, with the most notable ones being Policy 3 (Biodiversity), Policy 9 - Brownfield, Vacant and Derelict Land and Empty Buildings, Policy 13 (Sustainable Transport), Policy 14 – Design, Quality and Place, Policy 15 (Local Living and 20 Minute Neighbourhoods), Policy 18 (Infrastructure First) and Policy 21 (Play, Recreation and Sport). These policies are embedded and reflected within the NLLDP policies listed above.
- 8.4 Policy 3 supports development that will contribute to the enhancement of biodiversity. A Biodiversity Report was submitted and is considered to capture the general principles of this policy with various types outdoor areas within the site proposed. It is considered that the proposed development generally complies with this policy.
- 8.5 Policy 9 supports development that will result in the sustainable use of brownfield or vacant/derelict land. Although the site has never been developed, it has been used by the community for leisure pursuits e.g. football it has benefitted from planning permission for its' redevelopment since 2006. It is considered that the proposed development generally complies with this policy.
- 8.6 Policy 13 requires proposals to improve, enhance or provide active travel infrastructure, public transport and should include electric vehicle charging, safe walking and cycling routes including cycle parking. It is considered that the proposals meet this policy aim as the local footpath network is being enhanced with footways of some 3.5m in width leading to the school from the residential area. It is also proposed to construct cycle shelters and there are vehicle charging points within the site. It is considered that the proposed development generally complies with this policy.
- 8.7 Policy 14 states that development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Proposals will be supported if the development is consistent with the six qualities of successful places as set out in Appendix D of NPF4, namely:- Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. It is considered that the proposed Community Hub is consistent with these qualities and is of a good design and without detriment to the surrounding area and it is therefore considered to comply with this policy.
- 8.8 Policy 15 requires development proposals to contribute to local living, including, where relevant, 20 minute neighbourhoods. It is considered that the proposed school and hub is located in an ideal location by virtue of its location within the urban area and the various improvements that are to be made in the area to ensure that the site is accessed safely via walking/cycling and by vehicle. It is considered that the proposed development which will provide a much needed new primary school and other community uses generally complies with this policy.
- 8.9 Policy 18 states that developments should not have a detrimental impact on local infrastructure and will only be supported and when conditions of planning are used then they must meet certain criteria i.e. necessary, relevant to planning, relevant to development to be permitted, enforceable, precise and reasonable in all other aspects. It is considered that the development meets the terms of this policy and all conditions proposed meet the criteria listed above.
- 8.10 Policy 21 states that if outdoor sports facility is being lost as a result of a proposal then this should only be supported where the proposal will replace the facility which is being lost. In this instance the football pitch used by Gartcosh Amateurs on the site is proposed to be replaced on land within close proximity of the site at Gartcosh Social Club. A planning application is currently being considered for a new football pitch within the Social Club grounds and Sportscotland are satisfied with this arrangement. It is therefore considered that the proposed development generally complies with this policy.
- 8.11 The above NPF 4 policies are embedded in the adopted NLLDP and, in particular, Policies PP 3, AD 3, EDQ 1 and EDQ 3 discussed in 8.2 above. The development is therefore considered to be consistent with both NPF 4 and NLLDP policies.

9. Conclusions

- 9.1 It is therefore considered for the above reasons that the proposed development is acceptable in policy terms and is acceptable in terms of residential amenity. This application is therefore recommended for approval subject to the imposition of appropriate planning conditions. Taking the above assessment into account, it is considered that the detailed design and layout of the proposal represents an acceptable development in creating a sense of place and identity in complying with the provisions of the adopted North Lanarkshire Local Development Plan with no other material considerations to the contrary. It is also considered to align with NPF4 for the reasons stated above. There is no objection from consultees, subject to conditions. Whilst the concerns expressed by neighbouring residents are noted, it is considered that the loss of the playing field and amenity space is unfortunate, a much needed community facility, including a new much needed Primary School will be built to serve the community and its' future needs. The MUGA pitch will be available for community use and a replacement grass pitch is to be proposed adjacent to the Social Club on the other side of Woodneuk Avenue. It is therefore recommended that planning permission be granted, subject to conditions

Application No:

24/00132/FUL

Proposed Development:

Single Storey Dwellinghouse

Site Address:

2 Burnhead Road
Balloch
Cumbernauld
G68 9BT

Date Registered:13th February 2024**Applicant:**

Mr William Livingstone
2 Burnhead Road
Balloch
Cumbernauld
G68 9BT

Agent:

Wilson Architects
4 Hareshaw Road
Cleland
ML1 5LZ

Application Level:

Local Application

Contrary to Development Plan:

No

Ward:

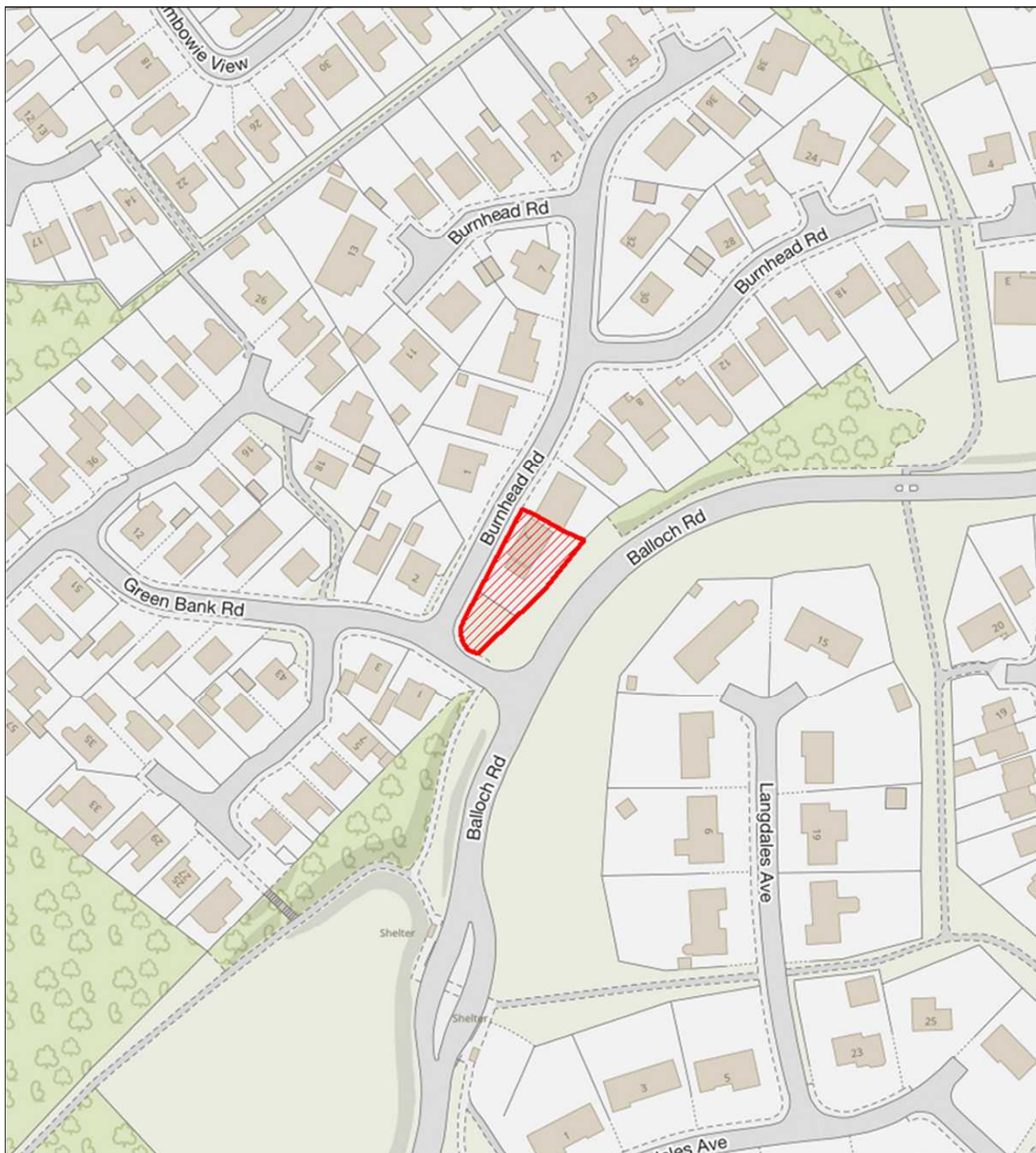
02 Cumbernauld North
Danish Ashraf, Tom Fisher, Alan Masterton,
Gordon Currie

Representations:

9 letter(s) of representation received.

Recommendation: Refuse

Reasoned Justification: Whilst the proposed house has the potential to be acceptable due to the site being within the General Urban Area, it is considered that the proposed scale and layout of the development fails to meet the criteria set out in the development plan policies and would result in the loss of a valuable and prominent area of open space. The proposed development would likely have a detrimental impact on the amenity of neighbouring dwellings and the wider local area and as such it is concluded that planning permission should be refused.



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Planning Application: 24/00132/FUL
Name (of applicant): Mr William Livingstone
Site Address: 2 Burnhead Road
Balloch
Cumbernauld
G68 9BT
Development: Single Storey Dwellinghouse



Recommendation: Refuse for the Following Reasons:-

1. That the proposed development is contrary to development plan policies 14 & 16 of NPF4 and policies PP 3 and EDQ1 & 3 of the local development plan in that the proposed development would have a detrimental impact on the amenity of the area and the adjacent dwelling through restricted garden depth, loss of an area of landscaping which undermines the character of the area and would result in the loss of a sense of place, and the proposed layout of the development is not in keeping with the design and character of the wider residential area.

Background Papers:

Consultation Responses:

Traffic & Transportation received on 12th March 2024

Environmental Health (including Pollution Control) received on 27th of February 2024

Scottish Water received on 26th of February 2024

Contact Information:

Mr Joe Gannon at planningenquiry@northlan.gov.uk

Report Date: 12th March 2024

APPLICATION NO. 24/00132/FUL

REPORT

1. Site Description

- 1.1 The application site comprises of part private garden ground and public open space (approximately 340m²) to the southwest of an existing dwellinghouse in Balloch, Cumbernauld. Approximately 60% of the application site is Council land and the applicant of the adjacent dwelling would need to buy land from the Council to enable this development to take place (this would be finalised if permission were to be obtained). The applicant proposes to erect a single storey dwellinghouse on the site. To all sides of the application site are residential properties which are similar in style, age, and design.

2. Proposed Development

- 2.1 Planning permission is sought for the construction of a single storey dwellinghouse. The application follows a previous refusal (23/00056/FUL) for a dwellinghouse on the same plot, and which seeks to address some of the previous issues such as parking requirements, as well as size and layout of development. The proposed materials consist of concrete roof tiling, grey window frames, and buff facing brickwork, which can be deemed to have no detrimental impact on the aesthetic of surrounding residential properties.
- 2.2 The proposed dwelling would measure 10.5m at its longest point, and is approximately 9.1m at its widest, giving the dwelling a footprint of approximately 91m². The dwelling has an eaves height of 2.2m, with a total height of approximately 4.9m. Internally, the dwelling accommodates several habitable rooms, including an open-plan lounge and kitchen, two bedrooms, and two bathrooms. The dwelling also has a crossed gable roof.

3. Applicant's Supporting Information

- 3.1 There is not supporting information to the scaled drawings submitted.

4. Site History

- 4.1 As aforementioned, planning permission was refused through delegated powers on the 13th of March 2023 for a single dwellinghouse, as the proposal was considered contrary to policies PP 3 and EDQ 1-3 of the Local Development Plan by virtue of its negative impacts on existing property, design, and size of plot. Predating this application, in 2021 the planning service were asked for an opinion by NLC Property on the potential sale of the plot. Our expressed view was that we would be unlikely to be supportive of such a development but a full assessment would be undertaken if a planning application were to be submitted.

5. Development Plan

- 5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 states that a planning application should be assessed and decided in accordance with the relevant development plan policies unless material considerations indicate otherwise. The application site is covered by Placemaking Policy 3 (General Urban Area) within the adopted North Lanarkshire Local Development Plan (2022).
- 5.2 For applications for houses in the General Urban Area, the proposal must comply with policies set out in PP 3 (Purpose of Place) and AD 3 (Amount of Development), and no assessment of amount of development is required. Policies EDQ 1 (Site Appraisal) and 3 (Quality of Development) are also relevant as these policies consider issues such as size, materials, existence and quality of connections and road safety and which states that proposals must integrate successfully with the surrounding area by avoiding harm to neighbouring amenity, supported by high standards of site planning and sustainable design.
- 5.3 NPF4 forms part of the development plan; given the nature and scale of this development, the most relevant considerations are already enshrined in the North Lanarkshire Local Development Plan policies. The policies within NPF4 that are relevant to the application include Policy 14 (Design, Quality and Place), Policy 15 (Local Living and 20-minute neighbourhoods), and Policy 16 (Quality homes).

- 5.4 The application can therefore be assessed against the policy provisions of the North Lanarkshire Local Development Plan and the relevant policies within NPF4.
- 6. Consultations**
- 6.1 **NLC Pollution Control** – raise no objections to the proposal in principle.
- 6.2 **NLC Traffic & Transportation** – raise no objections to the proposal in principle, subject to revisions in the proposed drawings should the application be approved.
- 6.3 **Scottish Water** – raise no objections to the proposal in principle, subject to written confirmation that the development if approved can be serviced.
- 7. Representations**
- 7.1 Following standard neighbour notification procedures, 9 letters of representation were received, 8 of which objecting to the proposal in principle, and 1 in support which attempts to respond to the objections made. The issues raised in the objection can be fairly summarised as follows:
- Road safety concerns: Increased on-street parking, congestion during development, access issues for larger vehicles, safety hazard, adverse impact on local residents' mobility and accessibility
 - Increased privacy issues (overlooking) on neighbouring properties
 - Loss of mature trees and hedging, impact on character of estate
 - Impact on mental health and wellbeing
 - Design not in-keeping and out of character with estate
 - Same issues apply as previously objected application
 - Insufficient parking proposed
 - Garden ground of existing house significantly reduced
- 8. Planning Assessment**
- 8.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 **Local Development Plan:** Policies EDQ 1 (Site Appraisal) and EDQ 3 (Quality of Development) are relevant as these policies consider issues such as size, materials, existence, quality of connections and road safety, which states that proposals must integrate successfully with the surrounding area by avoiding harm to neighbouring amenity, supported by high standards of site planning and sustainable design.
- 8.3 **PP 3 (Purpose of Place):** North Lanarkshire Council seeks to maintain and improve the level of amenity in urban areas, by encouraging development that is in keeping with their residential character and encouraging diversity in more mixed-use areas. The aim of the Plan is to maintain and improve the level of amenity appropriate for the local context. The residential use of the plot would be deemed to support the purpose of the General Urban Area and offer an opportunity to meet the aims of those places.
- Meeting those aims will be primarily achieved through the provisions of the Environmental and Design Qualities policies of the Plan.
- 8.4 **EDQ 1 (Site Appraisal)** – Any proposed development will require to be appraised in terms of the site and its surroundings to ensure it will integrate successfully into the local area and avoid harm to neighbouring amenity. The matters to be addressed in the appraisal include, but are not limited to, criteria set out in the Local Development Plan under EDQ 1.
- The proposed development requires the removal of a prominent area of open space at the entrance to this residential area which is also an intrinsic part of the planned landscape evident all along Balloch distributor road. As such the development is considered to be at odds with the character of the area such that it fails to integrate successfully and undermines the amenity of the area.

- 8.5 **EDQ 3 (Quality of Development)** – This policy considers siting, overall layout, density, form, scale, height, massing, proportion, detailing, colour, materials considering successful integration into the local area and avoiding harm to neighbouring amenity. This is discussed below.

It is acknowledged that the layout of the proposal does not meet the Council's Open Space standards for detached dwellinghouses in terms of front garden depth, where a shortfall can create an unacceptable environment for living and is out of character with the area which is typified by detached dwellings on large plots. Furthermore, the plot hosts hedging, planting and vegetation which is considered to create a sense of place for the entrance of the estate and to remove would undermine the character of the area. It is considered that the proposal and the positioning of the proposed windows of the dwellinghouse may have an unacceptable impact on the privacy of neighbouring properties, with a distance of approximately 14m between the habitable windows of 2 Green Bank Road. In this revised application the applicant has attempted to address some of the shortcomings of the previous scheme/points of objection in that the scale of the dwelling has been reduced and parking has been provided for both the application property and the existing dwelling. Notwithstanding the development is still considered to be unacceptable.

- 8.6 In considering National Planning Framework 4 (NPF4) there are a number of policies that affect the proposal, with the most notable ones being **Policy 14** (Design, Quality and Place), **Policy 15** (Local Living and 20-minute neighbourhoods), and **Policy 16** (Quality homes). These policies are embedded and reflected within the Local Development Plan policies listed above.
- 8.7 **Policy 14** states that development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Proposals will be also supported where they are consistent with the six qualities of successful places NPF4 namely: healthy; pleasant; connected; distinctive; sustainable; and adaptable. It is considered that these policies are reflected in the local development plan EDQ policies so for the same reason as the development is unacceptable when considered against those policies it is also contrary to the aims of NPF Policy 14.
- 8.8 **Policy 15** states that development proposals will contribute to local living including, where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area. The proposed development being located in an established urban area is considered to be as well located as existing properties and is well accommodated by local infrastructure including schools, local shops, and greenspaces within the local area (approximately a 15 minute walk one way to the shops at Ben Lawers Drive & a 13 minute walk to Eastfield Primary School). As such, the proposal has the potential to comply with the local living element of NPF4 Policy 15.
- 8.9 **Policy 16** encourages, promotes, and facilitates the delivery of more high quality, affordable and sustainable homes, in the right locations providing choice across tenures that meet the diverse needs of people and communities across Scotland. Householder development proposals will be supported where they do not have a detrimental impact on the character of the surrounding area in terms of size, design, and materials, as well as not having a detrimental effect on neighbouring properties in terms of physical impact and overlooking. It is considered the development proposal does not adhere to these requirements.
- 8.10 **Representations:** In response to the grounds of representation above in 7.1, these are commented on in the same order as they appear above:

- **Road safety concerns**

Traffic & Transportation raised no objections through consultation with regard to traffic-related issues such as on-street parking, congestion through and post-development, as well as accessibility for larger vehicles and residents with mobility issues.

- **Increased privacy issues on neighbouring properties**

Given the distance between the proposal and neighbouring habitable windows of 2 Green Bank Road being approximately 14m, it is considered the proposal may have an adverse impact on the privacy of surrounding dwellings.

- **Loss of mature trees and hedging, impact on character of estate**

As the site is in part made of open space comprised of mature planting and shrubs is considered important towards creating a sense of place to the entrance of the residential estate, it is the view of the planning authority that to develop on this would undermine the character of the area.

- **Impact on mental health and wellbeing**

Whilst recognised the role and importance of planning plays in improving the mental health and well-being of local people, through access to open green space and restoring local pride in development, it is considered that the potential impact of the proposal on the mental health and well-being of neighbouring residents does not warrant refusal of planning permission for this alone.

- **Design not in-keeping and out of character of estate**

Whilst the design, finishing and materials of the proposed dwellinghouse are considered to be in-keeping with the character of the surrounding properties, it is considered the proposal will reduce the size of the plot associated with the existing house in an acceptable way and involve the loss of a prominent area of public open space such that the proposed development will be detrimental to the area.

- **Same issues apply as previously objected application**

It is considered that some of the issues addressed in the previously refused application have been addressed in this application (e.g., parking provision, garden depth). However, matters raised regarding the adverse impact on the character of the estate and loss of open space on the plot to be developed have not been bettered.

- **Insufficient parking proposed**

Two off-street parking spaces for a 2-bedroom dwellinghouse is considered acceptable in terms of in-curtilage parking requirements, as confirmed by NLC's Infrastructure & Transportation department following consultation.

- **Garden ground of existing house significantly reduced**

It is considered that the loss of private garden ground on the adjacent dwellinghouse under ownership of the applicant would create a congested environment and is therefore unacceptable.

9. Conclusions

- 9.1 To conclude, whilst the use of this site for a dwelling has the potential to be acceptable in terms of Planning Policy 3 (Purpose of Place), the loss of an area of open space, lack of front garden depth, and the impacts on privacy of neighbouring properties but also in terms of the amenity of the site and character and surrounding area. It is considered that given the limitations of the application site; these impacts cannot be sufficiently mitigated to enable this application to be approved.

PLANNING COMMITTEE

Agenda item _____ ☐ approval x noting Ref Date 04/04/2024

**NOTICE OF PLANNING AND ENFORCEMENT APPEALS
DECISIONS**

From Pamela Humphries, Chief Officer (Place)
Email humphriesp@northlan.gov.uk **Telephone** 01236 632487

Executive Summary

1. Purpose of Report
- 1.1 This report is to advise the Committee of the recent decisions in respect of the undernoted planning appeals.

Recommendations

It is recommended that the Committee note the decision in respect of this appeal.

Background

Application No. & Proposal	Applicant & Site	Appeal Decision & Date	Note
22/01463/PPP Residential Development of Five Dwellinghouses and Garages (In Principle)	Land to the North of Drumpellier Avenue Drumpellier Coatbridge	Appeal Dismissed 12/02/2024	
23/00385/FUL Two Semi Detached Dwellinghouses	Land South of Heatheryford Gardens Plains	Appeal Dismissed 08/03/24	



**Pamela Humphries
Chief Officer (Place)**

