



PLANNING APPLICATIONS COMMITTEE

Report by Director of Development and Regeneration Services

Contact: Mr N Gray Phone: 0141 287 6039

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| APPLICATION TYPE | Outline Planning Permission | | |
| RECOMMENDATION | Grant Subject to condition(s) and Section 69 Agreement | | |
| APPLICATION | 05/03468/DC | DATE VALID | 28.04.2006 |
| SITE ADDRESS | Site (Bellway Homes) At Rigby Street - Banknock Street - Myreside Street & Carntyne Road Glasgow | | |
| PROPOSAL | Residential development: Contrary in part to the Greenspace Policy in the City Plan. | | |
| APPLICANT | Bellway Homes West Scotland Bothwell House Hamilton Business Park Caird Street Hamilton ML3 0QA | AGENT | Ark Architecture And Design 14 Royal Terrace Glasgow G3 7HY |
| WARD NO(S) | 44, Tollcross Park | COMMUNITY COUNCIL LISTED | 02_050, Gartcraig |
| CONSERVATION AREA | | | |
| ADVERT TYPE | Contrary to Development Plan Bad Neighbour Development Contrary to Development Plan | PUBLISHED | 11 November 2005 |
| CITY PLAN | Residential | | |

REPRESENTATIONS/ CONSULTATIONS

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| Sportscotland | - | no objection/conditions. |
| Scottish Natural Heritage | - | objects unless conditions imposed. |
| Scottish Power | - | objection (holding). |
| Environmental Protection Services | - | no objection/conditions. |
| Scottish Water | - | objection. |
| Land Services (Roads) | - | no objection/conditions. |
| SPT | - | no reply. |
| SEPA | - | no objection; conditions. |

SITE AND DESCRIPTION

BACKGROUND

The application site is located in the South Carntyne area of the City. To the south of the site is the Glasgow to Airdrie rail line and beyond that low amenity industrial areas, showpeople's caravan sites and vacant ground. Otherwise, the site is bounded by Carntyne Road, Rigby Street, Myreside Street and Banknock Street. To the north of the site is generally two storey housing with gardens with a nursing home (northeast) and special needs school (St Aidans/northwest). To the east is an industrial area. To the west is a large electrical substation and Carntyne Road, with a new medical centre and open space on the west side of Carntyne Road.

The majority of the site is vacant and brownfield in nature and was formerly occupied by a mix of housing, industry and open space (grassed area and blaes pitches). Within the site, on its northern edge, is an existing industrial building.

The site measures 27 hectares in size. Its highest point is in the northwest corner. The site falls between 20 and 30 metres approximately from northwest to southeast (where the lowest part of the site is found). The site has some significant slopes, particularly in the northwest part. From the higher parts of the site there are wide uninterrupted views to the south and west. The southern, former industrial, part of the site is generally level but with steep embankments and retaining walls to Rigby Street and Myreside Street as it descends to the railway line.

The site historically contained a greyhound racing track, Rolls Royce Factory and tenemental housing. The only trees on site are on the edges of these former uses and along the rail line.

The site has a significant industrial legacy and site investigation has revealed fill material across the entire site. This has also revealed: soil contamination which will require inert capping up to 1.0 metres over various parts of the site; mineral instability over 75% of the site requiring drilling and pressure grouting; and the need for abnormal foundations in areas of deep fill and gas preclusion measures over an area of the site (membrane below flats).

The Camlachie Burn culvert lies under the southeast corner of the site. The Carntyne Burn culvert lies on the northwest edge of the site.

Carntyne Rail Station lies to the southeast of the site and the site of the proposed Parkhead Rail Station, as yet not fully defined, would lie to the southwest of the site.

Noise sources adjacent to the site include road traffic (Carntyne Road/Rigby Street/Myreside Street), noise and vibration from the rail line, noise from the adjacent industrial area and noise and possible electromagnetic impacts from the large electricity substation to the west.

Planning Permission Context

Outline planning permission was granted for residential development on the former industrial southeast part of the site (south of Myreside Street either side of Rigby Street) in June 1993 (92/00725/DC).

Full planning permission for housing on the eastern half of this site was applied for in 1995 by Miller Homes (95/02234/DC) but the application was withdrawn.

To the northwest of the site is the route of the East End Regeneration Route (EERR), a route reservation in the City Plan. The on-ramp proposed for the EERR lies on Carntyne Road in the extreme northeast corner of the site. The EERR was granted planning permission in November 2005 (04/04000/DC).

A full planning application has also been submitted which proposes 324 houses and flats with associated vehicular access, attenuation features, regrading of land and realignment of Myreside Street (06/02191/DC). This relates to the eastern (former industrial) part of the site in this outline application.

PROPOSAL

This application is in outline and exact details of the type and mix of residential accommodation has not been submitted. However, an indicative Masterplan has been submitted. In this, the applicant indicates that there will be approximately 700 residential units with both flats and family housing. Blocks of flats are shown on either side of the southern part of Rigby Street, in the area to the north of the Electricity substation (western end of Myreside Street) and at the junction of Myreside Street and Banknock Street. Otherwise the bulk of the site is occupied by family housing. There will be two main access points from Carntyne Road (at Rigby Street) and Shettleston Road (at Rigby Street). The applicant recognises that junction improvements will be required off site at Carntyne Road/Todd Street, Carntyne Road/Myreside Street and Shettleston Road/Rigby Street, that a footpath upgrade will be required at Rigby Street south of the railway bridge and traffic calming on adjacent streets. A linear park (in excess of 20 metres wide) will be located along the south of the site and on land above the culverts (southeast of the site). This will incorporate the SUDS drainage element and formal and informal play space, including kickabout pitches. The site will be landscaped using native species to enhance the railway line to the south. The applicant indicates that the site will be landscaped to meet the terms of City Plan policies RES 3, ENV 2 and DEV 11.

In support of the application the applicant has submitted the following reports:

- Supporting Planning Statement
- Development Framework and Design Strategy
- Transport Assessment and Addendum Report
- Noise and Vibration Impact Assessment
- Ground Conditions and Drainage Statement
- Tree Survey
- Bat and Badger Survey
- EMF (Electro Magnetic Field) Measurement
- Site Investigation

The Development Framework and Design Strategy submitted by the applicant states:-

Redevelopment of the site as a residential neighbourhood will make a significant contribution to the regeneration of the East End of Glasgow and South Carntyne, in particular new homes, streets and paths will reconnect the rest of Carntyne with the Parkhead Town Centre area, providing a safer and more attractive route to the main shopping and services area in the East End.

It identifies the opportunities of the site as including:

- formation of a gateway feature and frontage onto Carntyne Road;
- introduction of a series of linked green spaces that contribute to the wider greenspace Strategy;
- re-enforcing Rigby Street as an important local linkage;
- introduction of a mix of house types and sizes;
- providing new homes in close proximity to public transport facilities;
- decontamination and regeneration of a large brownfield site;
- new planting and greenspace to encourage bio-diversity;

- integration with the wider context through clearly identifiable and safe linkages;
- improve the appearance of the environment, built heritage and landscape; and
- impact positively on the social and economic profile in the area and encourage further investment.

It considers that the constraints on development can be outlined as follows:

- the steep topography in the northern part of the site – this may affect roads and issues of overlooking and visibility;
- the impact of the electricity transformer station located on the western boundary of the site. This will require sound attenuation measures around it;
- proximity to railway lines which will require an offstand against noise and vibrations;
- proposed EERR junction planned to meet Carntyne Road adjacent to the site. The exact location and design of this is not yet finalised and could blight development of this part of the site;
- drainage constraints associated with the Carntyne Burn and Camlachie Burn culverts;
- the existing ground conditions which will require special foundations and measures to deal with contamination;
- requirements for widening of footpaths and roads close to the site to facilitate access.

The Development Strategy outlines the applicant's vision for the site as follows:

"Our vision for the development at South Carntyne is to create a new and attractive neighbourhood for a long term sustainable future. The neighbourhood will have a distinct identity, safe and pleasant well-designed spaces between the buildings where people feel safe. The neighbourhood will be permeated with existing and new routes and residents and visitors will feel a sense of welcome as they enter or pass through the development. A range of well-designed public spaces and beautiful, energy-efficient homes will allow for adaptability and will complement what is already existing. A place where people want to settle and invest in the long term maintenance of their homes and environment. The open spaces will be designed to be flexible, useful, attractive and safe. They will include areas equipped for play, path networks, a Sustainable Urban Drainage System (SUDS) and wildlife corridor along the edge of the railway. These common areas will also be well-maintained into the future. New owners will receive an information pack which will encourage them to look after their new environment, get involved in their local community and lead an energy-efficient and sustainable lifestyle".

From this statement the applicant develops strategies for access and circulation, landscape and open space and flooding and drainage.

The applicant then develops character areas and design principles to influence the Masterplan as follows:

- (a) Welcoming gateways from Carntyne Road. This is the principal entry point and marked with landmark buildings and architectural features including flats with corner features;
- (b) Boulevard on Rigby Street. This is the second principal entry through the development with a formal boulevard proposed;
- (c) Central boulevard on Myreside Street. This is the principal east-west axis with boulevard planting proposed;

- (d) traditional streets. The bulk of the development will be a regular grid pattern;
- (e) homes overlooking the linear park. Houses should be orientated to face south over the linear park; and
- (f) well overlooked greenspace. Houses will generally overlook open spaces.

SUPPORTING PLANNING STATEMENT

The applicant's Supporting Planning Statement can be summarised as follows. It identifies five main issues with regard to the acceptability of this outline application.

1. Can the loss of the redundant sports pitch on the site be adequately compensated for?
 2. Is the application site a suitable site for residential development?
 3. Can the development appropriately meet City Plan greenspace obligations?
 4. Can an acceptable transport solution be found?
 5. Can an acceptable drainage solution be found?
1. The applicant considers that this requires him to justify relocating the redundant on-site football pitch to a nearby park by way of a monetary contribution (relocating on site is not a feasible option). It is agreed that the existing blaes pitch is redundant (derelict/no longer serving the use for which it was originally intended) and that money is required to upgrade sports pitch provision in nearby Greenfield Park. SportsScotland and GCC have jointly agreed that £120,000 is appropriate compensation for the loss of this pitch provided it is targeted, via a Section 69 agreement, towards the upgrading of facilities in Greenfield Park. As such the applicant considers that the loss of the redundant sports pitch can, therefore, be adequately compensated for.
 2. The applicant notes that the majority of the site is allocated for residential development in the City Plan under DEV 2, with the exception of the aforementioned sports pitch and its surrounding amenity open space which is allocated DEV 11 (greenspace). Given the agreement to compensate for the sports pitch and the provision for replacement amenity space of the appropriate quality and size in the indicative layout plan/development framework the applicant considers the site to be a suitable site for residential development.
 3. The applicant considers that this requires adherence to City Plan policy RES 3. The required kickabout, children's play areas and amenity open space has been provided on site as detailed in the indicative layout plan. The applicant considers that the development can, therefore, appropriately meet City Plan greenspace obligations.
 4. The applicant considers that the Transport Assessment demonstrates that the proposed development is well served by both existing and proposed public transport services. It has also been demonstrated that the proposed development can be accommodated on the adjacent road network even when the effects of the committed developments are considered. A transport Assessment Addendum contains sufficient information to allow appropriate conditions relating to transport infrastructure and other issues that will permit the redevelopment of this site to occur in full without prejudicing in any way the EERR scheme.
 5. The applicant considers that the submitted Surface Water Drainage and Flood Risk Assessment (Stage 1) concludes that the development can be drained into culverts at a discharge rate of 5 litres per second, attenuated to the 1 in 200 year event. The predicted nominal increases in flooding in four locations will be mitigated as detailed in full Drainage and Flood Risk Assessment (Stage 2) currently being carried out. As such the applicant considers that an acceptable drainage solution can be found.

Taking all of the above into account, the applicant considers that the proposal finds support from Structure Plan policy, the Glasgow City Plan and National Planning Policy and Guidance.

POLICIES

- City Plan
 - DEV 2 Residential Policy
 - DEV 11 Greenspace Policy
 - ENV 2 Development Related to Greenspace
 - ENV 3 Flood Prevention and Land Drainage
 - ENV 7 Corridor of Wildlife And/Or Landscape Importance
 - ENV 12 Landscape Standards in New Developments
 - ENV 13 Trees and Development
 - RES 1 Residential Density
 - RES 2 Residential Site Layouts
 - RES 3 Residential Greenspace Standards
 - TRANS 1 Transport Route Reservations
 - TRANS 4 Vehicle Parking Guidelines
- NPPG 11 - Sport, Physical Recreation and Open Space
- SPP 7 - Planning and Flooding
- Glasgow and Clyde Valley Joint Structure Plan

ASSESSMENT AND CONCLUSIONS

ASSESSMENT

Section 25 of the 1997 Planning Act requires the determination of this application to be made in accordance with the provisions of the development plan, unless material considerations indicate otherwise.

In terms of the City Plan the East End is recognised as an 'Area of Focus'. As such it has been recognised as a regeneration priority area where amongst other requirements there remains a need for new housing, particularly private housing. The City Plan recognises the particular development potential of the site and its surrounds given its location close to the EERR, the proposed Parkhead rail station and Forge Shopping Centre. The site also falls within a Social Inclusion Partnership Area.

In strategic terms it is considered that the proposal meets the goals and aims of the Glasgow and Clyde Valley Joint Structure Plan (2000). This plan seeks to encourage regeneration, particularly through the re-use of existing urban land to maintain and enhance the quality of the built environment, to promote greater social inclusion and integration by improving the quality of life and identity of local communities. It also aims to integrate land uses and transportation. The site is located within a Metropolitan Flagship Initiative Area where investment is to be prioritised. It is recognised that the East End has a requirement for additional housing provision to restructure the urban area. It is considered that the proposal, given its location in the East End, its high accessibility and its contribution to regeneration meets the terms of the Structure Plan.

The City Plan identifies the bulk (85%) of the site as falling within a Residential Policy area and the proposal conforms to this. This area contains an active industrial use in its northern part but is otherwise vacant. The remainder of the application site (15% - west corner) falls within a greenspace policy area which has a presumption in favour of retaining greenspace.

Looking initially to the Residential policy part of the site, detailed policies in terms of RES 1, RES 2 and RES 3 are more properly dealt with at the reserved matters or detailed stage. In terms of RES 1, the site is located in the Outer Urban Area with a substantial part of the site being within a base accessibility catchment. The site is 27 hectares and is defined as a large or locally significant site in terms of RES 1. This policy states that the development of such sites should be undertaken within the context and framework of a masterplan or planning brief for the site. The Planning Authority will determine whether a masterplan or planning brief is required and it will be prepared by the landowner or developer. The applicant has submitted both an indicative Masterplan and a Development and Design Strategy. It is suggested that a condition is imposed to ensure that this is updated with each subsequent application.

In terms of the greenspace part of the site, the City Plan policy ENV 2 sets out the criteria that must be conformed to by any Development Related to Greenspace, ie that will have a physical impact upon it. In addition to the land designated greenspace (3 hectares), a further three hectares within the residential policy area is considered amenity space and also subject to Policy ENV 2. Any proposals regarding development affecting this also needs to conform to policy ENV 2.

Policy ENV 2 states that development on greenspace may be acceptable if, as part of a proposal, an area of equivalent or better quality greenspace (preferably nearby) is provided by way of upgrading existing spaces or creating new ones. Development can also be justified if the greenspace can be defined as functionally redundant, provided alternative new facilities or the upgrading of existing facilities is provided. Where a proposal conforms to this justification it must also be demonstrated that all of the following criteria is met:

- not prejudice the Council's recreational greenspace standards nor have a negative impact on the distribution of greenspace within the surrounding area;
- not prejudice or conflict with the terms of an environmental designation (ENV 3-11 and HER 1); and
- detailed design provides for appropriate habitat creation and/or landscape improvement and/or improved management of the retained or newly created greenspace.

The railway line, to the south of the site, is a recognised corridor of wildlife and/or landscape importance to which policy ENV 7 applies. This presumes against any development likely to have an adverse effect on the integrity or character of such areas. Policy ENV 3 (Flood Prevention and Land Drainage) is also of relevance here, given the culverts on site and the need for sustainable urban drainage. In terms of outdoor playing pitch, because the loss exceeds 0.4 hectares, Sportscotland are a statutory consultee. To conform to the requirements of ENV 2 Part 1, Sportscotland will need to find the proposed mitigation acceptable. It should be noted that the blaes pitch appears to be little used and in a poor state.

After discussions with the Planning Authority, the applicant has set out a strategy to deal with greenspace issues, notably policies ENV 2, RES 3, ENV 7 and the spatial elements of ENV 3. This is considered to be a satisfactory way forward at this outline application stage. This strategy can be outlined as follows:

The applicant states that the City Plan emphasises that greenspace obligations should be met in a 'flexible' manner appropriate to each particular proposal. This RES 3 greenspace obligation needs to be taken together with the need to compensate for both the DEV 11 and DEV 2 greenspace as required by ENV 2.

The applicant has submitted a revised indicative masterplan which meets all of the RES 3, and ENV 2 greenspace obligations on site, with the exception of sports pitch provision. The applicant states that quality will be maximised via adherence to development principles as outlined in his indicative masterplan. The overprovision of amenity greenspace as shown in the indicative layout plan attempts to compensate for some of the DEV 2 greenspace, as does the adherence to strict open space quality standards in the Development Framework document.

The following way forward is suggested by the applicant:

- the majority of the greenspace is to be provided to the south of the site (end of streets) in the form of a linear park – which will create links to the ENV 7 wildlife corridor (railway line);
- the number and location of kickabout areas: two MUGAs (36 x 18 m) and one kickabout (61 x 43.5m) pending detailed design;
- the areas of children's play and amenity open space links with SUDS and the need to ensure equipped play areas are provided in safe locations (not directly adjacent to busy roads); and
- a required £574,592 for pitches on/off-site in terms of RES 3 in addition to the £120,000 to replace the existing sports pitch on site. The £120,000 will be targeted to Greenfield Park.

The sum of £120,000 is required as a prior requirement of this consent by Sportscotland as compensation for the loss of the existing pitch. The RES 3 payment will be levied at detailed or reserved matters stage.

The linear park will also incorporate the SUDS – incorporating about 20% of the total amenity open space provided. One SUDS pond will be provided within this strip which will provide an amenity feature. The rest of this 20 metre strip will be walkable greenspace (landscaped/path network, wildlife corridor). In brief, the applicant states that it is proposed to design the basins in such a manner that during dry periods and spells of low intensity rainfall a low flow channel will allow them to be used. In order to facilitate this, a series of footpaths and access ramps will be constructed to allow ease of use. The total area of the SUDS element (excluding the pond) is about one hectare. The SUDS basins will be planted with low maintenance woodland scrub planting on slopes with wetland type grass on the lower slopes and basin floors.

It is considered that the above strategy and indicative Masterplan submitted meet the requirements of DEV 2, DEV 11, ENV 2, ENV 3 and ENV 11. This should form part of the condition which seeks an updated Masterplan with any full or reserved matters application.

Other material considerations include:

- (a) Flood Risk and Drainage;
- (b) Impact on Playing Fields;
- (c) Traffic and Transport;
- (d) Noise, Vibration and Electromagnetism;
- (e) Habitat, Wildlife and Landscape;
- (f) Ground Contamination; and
- (g) Objections from Scottish Power and Scottish Water.

(a) Flood Risk and Drainage

Planning and Flooding (SPP7) issues guidance with the prime purpose of preventing further development which would have a significant probability of being affected by flooding or which would increase the probability of flooding elsewhere.

A culverted section of the Camlachie Burn is located within the area of the proposed development and its confluence with the Lightburn culvert located near the eastern boundary. The Carntyne Burn culvert is located in the vicinity of the western boundary of the proposed development. The Council, in its role as Flood Authority and SEPA have historical records of internal and external flooding of properties, roads and footpaths from these watercourses during periods of heavy rainfall in areas located downstream and upstream from the proposed development. There is a record of significant flooding of the Rigby Street/Shettleston Road area from the Camlachie Burn during flood events on 3 December 1999 and 31 July 2002. To the north of the site there is a record of flooding of Carntyne Road and to the east of Carntynehall Road on 12 December 1994.

Policy ENV 3 of the City Plan requires that the proposed development should be protected against flooding from watercourses during the predicted 1 in 200 year (houses) and/or 1 in 500 year (flats) return period flood events. In addition, no building or structure should be erected over, adjacent to, or in such a position as to interfere with the structural integrity or maintenance of a culverted watercourse. There are also 'Restrictions on Tree and Shrub Planting' in the area of culverted watercourses.

The developer should determine the exact location of, and any drainage connections to, the culverted watercourses located below, and adjacent to, the area of their proposed development and should also carry out a pre and post-development CCTV survey of the Camlachie and Carntyne Burn culverted watercourses located in the area of the proposed development. The developer should take measures to ensure that no deleterious material enters, nor damage occurs to, the Camlachie and Carntyne Burn culverted watercourses as a result of their operations. No additional flows should be discharged to the watercourses. The proposal from the developer to discharge surface water run-off from the area of their proposed development to the watercourses via a surface water drain/sewer will not be permitted without the approval of the Council in its role as Flood Authority. In principle, a maximum discharge of five litres per second of surface water run-off from the area of the proposal to Camlachie and Carntyne Watercourse has been agreed. A Drainage Impact and Flood Risk Assessment has still to be carried out and submitted to the Planning Authority for approval.

SEPA recommend that further assessment of the risk of flooding is undertaken in line with SPP7 Planning and Flooding and that the route, condition and capacity of all culverted watercourses impacting on the site are determined prior to the development. SEPA, while having no objection in principle to the application, reserve their right to raise objection to future applications once detailed drainage and flood risk information become available. SEPA further indicate that the design of the drainage system will be site specific and dependent upon the contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.

In view of the above, it is considered that this matter can be entrusted to suspensive conditions which seek the prior submission of an acceptable Drainage and Flood Risk Assessment.

In terms of surface water, SEPA advise that a condition is imposed to ensure that Sustainable Urban Drainage Systems are implemented on site.

(b) Impact on Playing Fields

A blaes pitch (0.5 hectares) lies in the southwest of the site. Sportscotland initially objected to the proposal as the applicant failed to consider the provisions of para 47 of NPPG 11 or inform of the level of compensation that the applicant would be proposing to offset the loss of the existing pitch. The applicants have now indicated a willingness to pay £120,000 for off-site pitch works. After discussion with Sportscotland and Culture and Leisure Services it has been agreed that this money is spent at Greenfield Park on works to convert/re-orientate an existing pitch within the confines of the running track to form two parallel pitches, the erection of new ball-stop fencing along the northern site boundary and the provision of new drainage for two other grass pitches located alongside the new pavilion. Sportscotland consider this to be adequate compensation and have withdrawn their objection provided these are subject to a Section 69 Agreement. This Section 69 Agreement would involve the applicant, the Council and Sportscotland with regard to the transfer and spending of the £120,000. Culture and Leisure Services has written to indicate that they will liaise with appropriate parties to expedite the requisite Section 69 Agreement.

(c) Traffic and Transport

The applicant considers that the Transport Assessment (TA) submitted with this application has demonstrated that the proposed development can be accommodated on the adjacent road network when the effects of committed developments, including the John Wheatley College and the East End Regeneration Route (EERR), are considered. In addition, he states that the TA provides evidence that up to around 50% of the development traffic can be accommodated on the adjacent road network prior to the completion of the EERR. A further Transport Assessment addendum was also submitted by the applicant in support of this application which examined the potential traffic impact of the whole development without the EERR being present (given the uncertainty at the time over whether the EERR was ever likely to be built) and concluded a phased transport solution was also possible in the event that the EERR never existed.

It is now confirmed that the EERR is likely to proceed as planned, given the M74 now has the go-ahead and the key issue is the phasing of the proposal in relation to the timescale of the EERR.

In response to the applicant's Transport Assessment, Land Services indicates that it has no objections in principle to the outline proposals to redevelop the site for residential use, subject to the external traffic impact/mitigation and the internal road hierarchy and layout being satisfactorily addressed as part of any full or reserved matters planning application.

Land Services indicate that as the Transport Assessment is unable to take account of the potential changes that Land Services are currently considering to the consented junction layout of the EERR, north of Duke Street and its connection and its connection with Carntyne Road; it would be premature to agree the site access arrangements onto Carntyne Road at this time. It is therefore recommended that the issues relating to the external traffic impact/mitigation are resolved and agreed in an update to the TA prior to the submission of the full or reserved matters planning application(s) – in particular for the western part of the site adjacent to Carntyne Road. Land Services are satisfied that with regard to the initial eastern/Phase 1 site (GCC Planning Ref 06/02191/DC) that the impact on Duke Street will be less of a concern. Based upon a review of the TA, as submitted, the update to the TA should address the following issues, subject to consultation and agreement:

- (i) Provide an effective design for a new staggered signalised site access/EERR junction on Carntyne Road that can accommodate the traffic flows and movements associated with both the development and EERR.
- (ii) Identify appropriate traffic mitigation measures to accommodate development traffic between the site access and Duke Street (that avoids delay on the Duke Street Quality Bus Corridor) should redevelopment (full occupation/completion) of the site proceed in advance of construction of the EERR.
- (iii) Upgrade existing footways and lighting on Rigby Street, south of the railway overbridge (outwith the development site).
- (iv) Provide a design for a new staggered signalised Rigby Street/Hart Street junction on Shettleston Road that can safely and effectively accommodate future traffic flows and movements.
- (v) Subject to the finalised location/layout of the new Parkhead railway station and agreement with Strathclyde Passenger Transport, the applicant should provide an appropriate developer contribution towards the costs of delivering new connecting pedestrian/cycle routes to the station from the western end of the development site

Land Services (Roads) accept that the development layout plans submitted with the outline planning application are indicative and have been provided for information purposes. A review of the indicative development layout identifies the following observations, which should be considered in the production of the development layout associated with the full or reserved matters planning application(s). These include:

- (i) In order to accord with the road hierarchy requirements of the GCC Roads Development Guide, a 'distributor' road link shall be provided between Carntyne Road and Rigby Street (on the section between its junction with Myreside Street and north of the railway bridge) with Rigby Street (south of Myreside Street) upgraded to 'distributor' road standard. The 'distributor' road shall be designed to accommodate buses and to control traffic speeds, traffic calming measures could be installed on the 'distributor' road. No frontage access (ie driveways) would be permitted on the 'distributor' road and Carntyne Road in the vicinity of the proposed staggered traffic signal controlled site access/EERR junction. Subject to the final development layout and walking routes, pedestrian crossing facilities may be required.
- (ii) A maximum of 300 dwellings can take access via one point, and 'watershed' features to minimise through traffic movements may be required.
- (iii) GCC Roads Development Guide requires that a residential core road is the step down from distributor road before a housing road is reached. 'Gateway features' will be required on the lesser category roads.

- (iv) Traffic calming measures shall be provided on Rigby Street (between its junction with Myreside Street and Carntyne Road) and off-site on Moorfoot Street, Seagrove Street and Ravelston Street to prevent 'rat running'.
- (v) Banknock Street is an industrial road and, as such, should not have frontage access.
- (vi) The pedestrian and vehicular travel requirements for the existing school on Rigby Street must be taken into account in the detailed design of the site layout.
- (vii) Car parking shall be provided in accordance with Policy TRANS 4 of the Glasgow City Plan (ie 125% which equates to one allocated off-road space per dwelling for residents and one unallocated off-road space per four dwellings for visitor use).
- (viii) The on-road visitor car parking spaces shall be evenly spread throughout the development site. Should the proposed 'open space' areas act as play areas, their location should be carefully considered to minimise any risk to pedestrian and, more importantly, child safety.
- (ix) Any trees adjacent to adoptable roads and footways shall be located within tree pits

It is considered that points (i) to (ix) above should be the subject of an advisory note or conditions.

The applicant has agreed to make contributions towards (a) pedestrian/cycle links to proposed Parkhead Rail Station and (b) Traffic calming in surrounding streets and suggests that this be incorporated into a Section 69 Agreement. Land Services indicate that (a) above could await the detailed stage for the western part of the site and they wish (b) to be undertaken directly by the developer. The other off-site works fall within the public highway and do not require the certainty of a Section 69 Agreement.

(d) Noise, Vibration and Electromagnetism

Environmental Protection Services (EPS) point out that a number of noise sources adjoin the site being the Glasgow to Airdrie rail line to the south, an industrial estate to the east and a large electricity sub-station to the west. The last named was also found to be emitting toneical noise. A Noise and Vibration Assessment has been submitted by the applicant.

This Assessment demonstrates that noise from road, rail and commercial sources in the area can be adequately addressed by the installation of appropriate glazing. However, the noise assessment for the electrical substation indicates that complaints are likely. Appropriate internal levels could be met if the 6 metre high acoustic barrier proposed in the applicant's report was constructed around the boundary of the substation. Glazing units of a 10/12/6 composition would also be necessary on any façade facing the substation up to 200 metres away. If this development is granted, EPS would advise that this acoustic barrier is constructed and validation monitoring is undertaken to demonstrate that mitigation measures with regard to substation noise have resulted in the predicted decrease in levels.

It is the view of EPS that although mitigation measures can be used to ensure appropriate internal levels are met (windows closed), if the buildings around the substation have any outdoor areas, the amenity of these could be comprised by the continual low frequency hum being emitted. As such, EPS believes that the area surrounding the substation is not appropriate for housing with gardens. If flatted developments are proposed, it would be prudent when designing the interior layout to situate bedrooms to the front of the building with the windows facing away from the substation.

In terms of electromagnetism, EPS are satisfied with regard to the calculation details submitted by the applicant regarding the electrical substation and pylons (Electro Magnetic Field Measurements).

(e) Habitat and Wildlife and Landscape

A Tree Survey and Bat and Badger Survey reports have been submitted as part of this application to meet consultation comments made by SNH. SNH initially objected to this application unless conditions covering the pre-surveys of bats and badgers and tree protection measures were imposed.

SNH has commented on the bat and badger surveys that the development is at present not likely to result in actions contrary to the species protection elements of the Conservation (Natural Habitats etc) Regulations 1994 and the Conservation (Natural Habitats etc) Amendment (Scotland) Regulations 2004. No evidence of badgers was found but common pipistrelle bats use the site for foraging.

SNH comment that their original concerns have been partly addressed but given that the application is in outline and a start to housebuilding could be some time away, SNH maintain their objection unless a further survey is undertaken (if development does not start by November 2006 and any mitigation measures implemented thereafter

In addition, SNH seek conditions requiring:

- (i) A survey of trees and scrub on the site, and implementation of its recommendations. The survey should identify any trees suitable for bat roosts, and include assessment of value for biodiversity.
- (ii) Details should be submitted for approval by the Planning Authority showing how trees in and around the site and any associated ground habitat will be protected during construction
- (iii) To avoid impacts on legally protected breeding birds, any felling or cutting back of trees or scrub should be outwith the bird breeding season (March to July inclusive).
- (iv) Access between the ponds and the railway boundary should be discouraged by appropriate planting, in order to strengthen enhancement of the wildlife corridor.
- (v) Details of landscaping, new planting and boundary treatment should, in particular, address the enhancement of the wildlife corridor along the railway, and should specify the use of native species for the majority of new planting.

In addition, it is considered a landscape strategy for the entire site should be included in any future application for full planning consent. This strategy should address the requirement to provide a landscape framework for the site which meets the requirements of ENV 12 and ENV 13 and should include proposals for soft landscape treatment, pedestrian and cycle access, areas of open space and children play which meet the requirements of RES 3 and a SUDS approach to the treatment of surface water drainage. It is considered that this should be the subject of conditions. A tree survey has been submitted by the applicant which concludes that there is no merit in retaining any of the trees on site.

(f) Ground Contamination

Records held by EPS show that the north west and south of the site have a history of industrial use. In particular the south of the site was occupied by a Crane Works and a Wheel and Axle Works. As such, EPS require a condition with regard to ground contamination. The applicant has submitted a ground investigation report which is currently being considered by EPS. Of concern to EPS and SEPA are possible pollutant linkages between the contamination on site and watercourses. SEPA advise that if material is to be imported for use at the site, the applicant must contact SEPA directly to ensure compliance with the terms of the Waste Management Licensing Regulations 1994 (as amended).

(g) Objection from Scottish Power and Scottish Water

Scottish Power stated that they had no option but to object to the application given the lack of information on the potential effect of the proposal on a Scottish Power substation and underground apparatus crossing over the proposed development. The applicant wrote to Scottish Power confirming that the existing substation within the site will be removed as part of the development and substituted with two substations within the new development. They have confirmed with Scottish Power that this information is sufficient to remove their objection.

Scottish Water objects unless conditions are imposed which require prior agreement with Scottish Water for the provision of a drainage scheme and a water/waste water scheme. This is a matter which is largely outwith the control of planning legislation. The applicant is currently in negotiations with Scottish Water and if agreement can be reached on a suitable mitigation scheme, Scottish Water indicate that its objection will be withdrawn.

An advisory note is suggested with regard to Scottish Power and Scottish Water.

In view of the above, it is recommended that outline planning permission is granted subject to the following conditions and subject to the prior signing of a Section 69 Agreement. This Agreement relates to payment as follows:

- £120,000 for off-site playing field works at Greenfield Park and involves the applicant, the Council and SportsScotland.

CONDITIONS AND REASONS

01. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained in writing from the Planning Authority prior to the start of any work on site. All reserved matters to be submitted for approval within three years of the date of this permission.

Reason: In compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997.

02. Sustainable Urban Drainage Systems (SUDS) shall be incorporated into the design of the surface water drainage system for the proposed development.

Reason: In the interests of flood prevention.

03. No development shall take place on site until the following has been submitted to the Planning Authority and approved in writing by that Authority:

(a) The Drainage Impact and Flood Risk Assessment Report.

(b) Details of the watercourse investigations (including culverts) and hydrological studies.

(c) Details and drawings of the design of the proposed surface water drainage/sewerage systems, including attenuation and SUDS, the name of the Authority or the appointed Third Party who will be responsible for the future maintenance of the watercourses and proposed SUDS located within the area of the proposed development.

(d) Details of any other matters related to potential flooding from watercourses associated with the proposed development.

Reason: In the interests of flood prevention and policy ENV 3.

04. No building, structure, or landscaping shall be erected or formed over, adjacent to, or in such a position as to interfere with the structural integrity of a culverted watercourse or to interfere with access to such a watercourse for inspection and maintenance.

Reason: In the interests of flood prevention.

05. A CCTV survey shall be undertaken of the Camlachie and Carntyne Burn culverted watercourses within the development both prior to and after development. These CCTV surveys shall be submitted to the Planning Authority for written approval together with details of any remedial works related to the impact of the development on the culvert. Thereafter these remedial works shall be undertaken as approved.

Reason: In the interests of flood prevention.

06. Any future full or reserved matters applications for all or part of the site shall be accompanied by a Master Plan (including phasing) for the whole site which includes:
- (a) distribution of land uses;
 - (b) housing areas with type, layout, mix, density and phasing;
 - (c) vehicular, cycling and pedestrian routes and linkages including connections to areas outwith the site;
 - (d) hierarchy of open space provision;
 - (e) compensation areas for loss of greenspace;
 - (f) landscape and habitat strategy;
 - (g) attenuation and drainage features including SUDS; and
 - (h) noise attenuation features.

Reason: To allow for the proper planning of the site.

Reason: To conform to City Plan policies, notably RES 1, RES 2, RES 3, ENV 2 ENV 3 and ENV 13.

07. The submission of any application for full planning permission or the approval of reserved matters shall include details of existing and proposed ground levels, finished floor levels, infilling and retaining features.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.

08. For the avoidance of doubt, drawings AL(0)04 Rev C and 110-SK-21 Rev A as received 26 April 2006 and AL(0)05 and 06 as received 31 October 2005 are considered to be for information only and do not form part of this consent.

Reason: In order that the Planning Authority might review these matters at a future date.

09. Internal noise levels in dwellings, with windows closed shall not exceed 45dB(A) day time and 35dB(A) night time when measured LAeqT.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

Reason: To protect residents from rail and traffic noise.

10. Light from the use of the facility shall not give rise to:
- (a) An "Upward Waste Light Ratio" (maximum permitted percentage of luminaire lux that goes directly to the sky) in excess of 15%.
 - (b) A "Light Into Windows" measurement in excess of 10Ev (lux). (Ev is the vertical luminance in lux.)
 - (c) A "Source Intensity" measurement in excess of 100 Kcd (kilocandela). (Source Intensity applies to each source in the potentially obtrusive direction out of the area being lit.)

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

11. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve (NRC) 35 between the hours of 0700 hours and 2200 hours and Noise Rating Curve (NRC) 25 at all other times.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

12. All mechanical ventilation and air conditioning plant shall be suitably isolated from the structure of the building and fan units positioned in a ducted system shall be isolated from the ducting by means of flexible connections.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

13. No construction work shall take place on site until a series of tests for ground contamination have been carried out in accordance with a method approved by the Planning Authority and the recommendations published by the Department of the Environment. No construction work shall be started until remedial work considered necessary by the Planning Authority as a result of these tests has been carried out and the ground has been made safe.

Reason: To ensure the ground is suitable for the proposed development.

14. A suitable scheme with details of appropriate bunding or barriers shall be submitted to protect any flats or houses from noise emanating from the electrical substation to the west of the site. This scheme, together with proposals for monitoring its impact, shall be submitted for the written approval of the Planning Authority and thereafter shall be implemented as approved prior to the occupation of any house or flat in the vicinity of the aforementioned substation.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

Reason: To protect residents from noise, including toneical noise.

15. A scheme of landscaping including boundary treatment(s) and details of trees and other features which are to be retained, shall be submitted to and approved by the Planning Authority in writing prior to the commencement of works on site.

Reason: In order to protect the visual amenity of the surrounding area.

16. Landscape proposals shall include:

- (a) details of footpath and cycling links to ensure that retained and proposed open spaces are linked by high quality access pathways;
- (b) address the enhancement of the wildlife corridor and strengthen the boundary of the site with this corridor; and
- (c) the majority of new planting shall be native species.

Reason: In the interests of habitat sustainability and the aims of ENV 7 of the City Plan.

Reason: In order to protect the visual amenity of the surrounding area.

17. On receipt of written approval the landscaping proposals including planting, seeding, turfing and hard landscaping shall be completed by the end of the first planting and seeding season following the occupation of the houses or flats in that particular phase or the completion of the development, whichever is sooner. All landscaping shall be maintained in the approved form.

Reason: In order to protect the visual amenity of the surrounding area.

18. Any trees or plants which, within a period of five years from the completion of the development, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Planning Authority gives written consent to any variation.

Reason: In order to protect the visual amenity of the surrounding area.

19. A maintenance management schedule for the landscaping scheme shall be submitted to and approved by the Planning Authority prior to the commencement of any works. The landscaping shall be maintained in accordance with the approved management schedule.

Reason: In order to protect the visual amenity of the surrounding area.

20. A detailed plan shall be submitted along with the landscape scheme which shows the exact location of all existing trees on site including a note of height, species, base level and extent of canopy or branch spread. This plan shall indicate those trees it is proposed to retain and those which the applicant intends to remove.

Reason: In order to protect the visual amenity of the surrounding area.

21. All retained trees on site shall be protected by a satisfactory method to be agreed in writing with the Planning Authority before any work commences on site. The agreed method of protection (as set out in BS5837/1991) shall be maintained on site until completion of all works in the vicinity of the trees.

Reason: In order to protect the visual amenity of the surrounding area.

22. No trees on the site shall be lopped, topped, felled or removed without the prior written approval of the Planning Authority. Any tree removed under the terms of the written approval shall be replaced by a tree of similar species and appropriate size at the locus.

Reason: In order to protect the visual amenity of the surrounding area.

23. Prior to the start of development on site, a re-survey for bats and badgers shall be undertaken and any mitigation measures required identified. This survey shall be submitted for the written approval of the Planning Authority and implemented as approved thereafter.

Reason: In the interests of wildlife and habitat conservation.

24. Any felling or cutting back of trees or scrub should be undertaken outwith the bird breeding season (March to July inclusive).

Reason: In the interests of habitat protection.

25. Details should be submitted for the approval of the Planning Authority which show how trees and any associated ground habitat will be protected during construction.

Reason: In the interests of habitat protection.

26. An updated Transport Assessment shall be submitted to and approved in writing by the Planning Authority prior to the determination of any full/reserved matters planning application(s) relating in particular to development phases associated with the western part of the site, adjacent to Carntyne Road. The update to the TA should address the following issues:-

- (i) Provide an effective design for a new staggered signalised site access/EERR junction on Carntyne Road that can safely and efficiently accommodate the traffic flows and movements associated with both the development and EERR.
- (ii) Identify appropriate traffic mitigation measures to accommodate development traffic between the site access and Duke Street (that avoids delay to the Duke Street Quality Bus Corridor), should redevelopment (full occupation/completion) of the site proceed in advance of construction of the EERR.

- (iii) Upgrade existing footways and lighting on Rigby Street, south of the railway overbridge and outwith the development site.
- (iv) Provide a design for a new staggered signalised Rigby Street/Hart Street junction on Shettleston Road that can safely and effectively accommodate future traffic flows and movements.
- (v) Subject to the finalised location/layout of the new Parkhead railway station, define connecting pedestrian/cycle routes to the station from the western end of the development site.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

Reason: In the interest of traffic safety at the locus and to ensure satisfactory traffic circulation within the site.

27. Traffic calming measures shall be provided on Rigby Street (between its junction with Myreside Street and Carntyne Road) and also on Moorfoot Street, Seagrove Street and Ravelston Street. The type and extent of traffic calming on neighbouring roads shall be submitted to the Planning Authority for approval and shall be implemented prior to the occupation of the 350th residential unit on site.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

Reason: In the interest of traffic safety at the locus and to ensure satisfactory traffic circulation within the site.

28. Car parking shall be provided in accordance with Policy TRANS 4 of the Glasgow City Plan, with the on-road visitor car parking spaces evenly spread throughout the development site.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

Reason: In the interest of traffic safety at the locus and to ensure satisfactory traffic circulation within the site.

29. Any trees adjacent to adoptable roads and footways shall be located within tree pits.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

ADVISORY NOTES TO APPLICANT

- 01. It is recommended that the applicant should consult with Land Services (Roads) at an early stage concerning this proposal, in respect of legislation administered by that Department which is likely to affect this development.
- 02. It is recommended that the applicant should consult with Scottish Water concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development.
- 03. It is recommended that the applicant should consult with Environmental Protection Services (Environmental Health) concerning this proposal in respect of legislation administered by that Department which is likely to affect this development.
- 04. It is recommended that the applicant consult with the Scottish Environmental Protection Agency (SEPA) at an early stage, in respect of legislation administered by that Agency.

05. Land Services (Roads) advise that:
- (a) the applicant is responsible for verifying whether any areas require to be stopped up under the Town and Country Planning (Scotland) Act 1997;
 - (b) all proposed roads and work on the local road network shall be designed and constructed in accordance with GCC Roads Development Guide and in respect to the proposed signalised junctions the Design Manual for Roads and Bridges; and
 - (c) should the proposed open space act as play areas, their location should be carefully considered to minimise any risk to pedestrian and, more importantly, child safety (especially any sites adjacent to the distributor road).
06. Environmental Protection Services advise that the amenity of garden areas could be compromised by continual low frequency hum being emitted by the substation. Environmental Protection Services believes that the area surrounding the substation is not appropriate for housing with gardens.
07. The applicant is advised to contact Scottish Power with regard to substations on site and works related to them.
08. The applicant is advised to contact Network Rail prior to any work in the vicinity of the rail line.
09. Land Services (Roads) advise that the following should be considered as part of any application for full or reserved matters consent:
- (i) In order to accord with the road hierarchy requirements of the GCC Roads Development Guide, a 'distributor' road link shall be provided between Carntyne Road and Rigby Street (on the section between its junction with Myreside Street and north of the railway bridge) with Rigby Street (south of Myreside Street) upgraded to 'distributor' road standard. The 'distributor' road shall be designed to accommodate buses and to control traffic speeds, traffic calming measures could be installed on the 'distributor' road. No frontage access (ie driveways) would be permitted on the 'distributor' road and Carntyne Road in the vicinity of the proposed staggered traffic signal controlled site access/EERR junction. Subject to the final development layout and walking routes, pedestrian crossing facilities may be required.
 - (ii) A maximum of 300 dwellings can take access via one point, and 'watershed' features to minimise through traffic movements may be required.
 - (iii) GCC Roads Development Guide requires that a residential core road is the step down from distributor road before a housing road is reached. 'Gateway features' will be required on the lesser category roads.
 - (iv) Traffic calming measures shall be provided on Rigby Street (between its junction with Myreside Street and Carntyne Road) and off-site on Moorfoot Street, Seagrove Street and Ravelston Street to prevent 'rat running'.
 - (v) Banknock Street is an industrial road and, as such, should not have frontage access.
 - (vi) The pedestrian and vehicular travel requirements for the existing school on Rigby Street must be taken into account in the detailed design of the site layout.
 - (vii) Car parking shall be provided in accordance with Policy TRANS 4 of the Glasgow City Plan (ie 125% which equates to one allocated off-road space per dwelling for residents and one unallocated off-road space per four dwellings for visitor use).
 - (viii) The on-road visitor car parking spaces shall be evenly spread throughout the development site. Should the proposed 'open space' areas act as play areas, their location should be carefully considered to minimise any risk to pedestrian and, more importantly, child safety.
 - (ix) Any trees adjacent to adoptable roads and footways shall be located within tree pits.

10. The applicant is advised that any submission for approval of reserved matters or full planning permission should accord with City Plan policies, and in this regard your attention in particular is drawn to Policy RES 1 (Residential Density), RES 2 (Residential Site Layouts), RES 3 (Residential Greenspace Standards), DES 1 (Reinforcing Local Character and Identity), DES 2 (Urban Design), DES 3 (Building Design and Materials) and DES 4 (Design Statement).

ADVISORY NOTES TO COUNCIL

01. The completion of a satisfactory Agreement in terms of Section 69 of the Local Government (Scotland) Act 1973 is a pre-requisite to the issue of planning permission by the Planning Authority. Please consult the Planning Authority regarding the detailed terms of the Agreement.

REASONS FOR CONSENT CONTRARY TO DEVELOPMENT PLAN

01. The development of the greenspace policy area in the City Plan is considered acceptable as the applicant has demonstrated in the Indicative Master Plan and supporting statements that an acceptable solution in terms of Policy ENV 2 can be achieved on site.

for Director of Development and Regeneration Services

DC/NHG/MGR/MSTE/4
02/10/2006

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