



PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Development and Regeneration Services

Contact: Mr M Thomson Phone: 0141 287 6031

ITEM 1 (j)

29th November 2011

APPLICATION TYPE Full Planning Permission

RECOMMENDATION Grant Subject to Condition(s)

APPLICATION 11/01882/DC

DATE VALID 02.09.2011

SITE ADDRESS Site In Kelvingrove East Pavillion At Sauchiehall Street/ Gray Street Glasgow

PROPOSAL Extension to existing pavilion and erection of floodlighting columns.

APPLICANT Glasgow City Council
Chief Executive Department
235 George Street
Glasgow
G1 1QZ

AGENT Glasgow City Council
Project Management And
Design-CSG/Commonwealth
229 George Street
GLASGOW
G1 1QU

WARD NO(S) 10, Anderston/City

COMMUNITY COUNCIL LISTED 02_030, Woodlands/Park

CONSERVATION AREA Park

ADVERT TYPE Affecting a Conservation Area/Listed Building

PUBLISHED 9 September 2011

CITY PLAN Green Space

REPRESENTATIONS/ CONSULTATIONS

Three letters of representation were received from neighbouring residential proprietors on Gray Street, the grounds of which are outlined in a later section of this report.

Land and Environmental Services (Environmental Health) - No objection (conditions).

SITE AND DESCRIPTION

The application site comprises the existing Kelvingrove East Pavilion located on the southern edge of Kelvingrove Park. Immediately to the north of the pavilion are tennis courts and to the south are the bowling greens. The pavilion, courts and greens are located in a square parcel of land surrounded to the south by Sauchiehall Street, to the east by Gray Street, to the west by Kelvin Way and to the north by the River Kelvin. Four Storey Victorian tenements are located on Gray Street and Sauchiehall Street. Beyond the River Kelvin is Kelvingrove Park and further west across Kelvin Way are additional bowling greens and Kelvingrove Museum and Art Gallery.

Planning permission is sought for the extension of the existing pavilion and erection of floodlighting columns. The existing pavilion consists of a single-story building of octagonal design with two small wings on the north west and south east sides of the building. The building is finished in red brick, with timber windows and a slate roof. The proposal would see these small wing extensions enlarged in order to create a community meeting room/function room in the north west wing and changing facilities and storage in the south west wing. The original drawings submitted showed the extensions would be finished in grey stone cladding, timber cladding, oak windows, steel roller shutters and reclaimed slates. The applicant submitted revised elevation drawings on the 21st September 2011 showing the use of a red facing brick rather than the grey stone cladding originally proposed.

The floodlighting columns would be 8 metres tall. 24 columns are proposed for the 6 tennis courts. Each court would have four columns located at each of the 4 corners of these courts.

Access to the pavilion will be taken from the existing accesses off Gray Street and Kelvin Way.

The proposal forms the final part of the wider scheme to upgrade the existing bowling and tennis facilities as part of the Commonwealth Games, but also to modernise the facilities in order to encourage wider participation by the public. In addition to providing an improved pavilion facility for all the existing users the venue will offer accommodation for local community groups to use. To date the five bowling greens have been rebuilt and the six tennis courts resurfaced. The floodlighting will enable the facility to be used all year round by extending the current limited opening hours.

POLICIES

National Planning Framework for Scotland (NPF2)

Scottish Planning Policy (SPP)

Glasgow and Clyde Valley Structure Plan (2006) (GCVSP)

Glasgow City Plan 2 (2009)

DEV 11 - Green Space

DES 1 - Development Design Principles

DES 2 - Sustainable Design and Construction

DES 3 - Protecting and Enhancing the City's Historic Environment

DES 4 - Protecting and Enhancing the City's Natural Environment

DES 12 - Provision of Waste and Recycling Space

TRANS 4 - Vehicle Parking Standards

TRANS 6 - Cycle Parking Standards

ENV 1 - Open Space Protection

ENV 7 - National, Regional and Local Environmental Designations

Under the provisions of the 2006 Planning Act and The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 (regulation 45(1) (a)) the Planning Authority is to have regard to the following matters:

ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS (E.I.A)

Under the EIA regulations the proposal does not constitute a Schedule 1 development as the site areas is less than 0.5 hectares. Furthermore the proposal is not a Schedule 2 development as its scale, nature and location would not have a significant effect on the environment. Consequently no Environmental Impact Assessment is required.

CONSERVATION (NATURAL HABITATS ETC) REGULATIONS 1994

These regulations are not applicable in this instance.

DESIGN ACCESS STATEMENT

Issues relating to design and access have been addressed in the drawings submitted by the applicant.

IMPACT/POTENTIAL IMPACT STATEMENT

Not required.

S75 AGREEMENT

Not required.

DETAILS OF DIRECTION UNDER REGULATIONS 30/31/32

These regulations are not applicable in this instance.

VARIATION OF PROPOSALS

Not applicable.

ASSESSMENT AND CONCLUSIONS

The two main issues to consider in the assessment of this application are:-

- (a) whether the proposal conforms with the Development Plan; and
- (b) whether there are any other material considerations to be taken into account, including comments and any matters arising in letters of objection.

In respect of (a), the Development Plan, there are no specific policies of relevance in The Glasgow and The Clyde Valley Joint Structure Plan 2008 (Fourth Alteration).

Section 25 of the 1997 Planning Act requires the determination of this application in accordance with the Development Plan unless material considerations indicate otherwise.

City Plan 2 contains the Development Policy Principles and the Development Policies and Design Standards used by the Council to consider development applications. The Development Policy Principles and Development Policies considered to be relevant to the current application are listed above.

DEV 11 'Green Space' generally represent the larger permanent green space/open spaces serving the City's population and visitors. The policy presumes in favour of the retention of all public and private green space and refers to policy **ENV 1 'Open Space Protection'**. Currently the site comprises a mixture of tennis courts and bowling greens separated by a pavilion building. The proposal seeks to upgrade these existing facilities without affecting the character of the site and its landscape and as such complies with the **DEV 11** and **ENV 1**.

The proposal complies with **ENV 1 'Open Space Protection'** as it enhance an existing public, green, open space; is directly related to the current use of Kelvingrove as open space; and better serves local community needs by the provision. As such the proposal complies with Scottish Planning Policy (SPP) on Open Space and Physical Activity.

DES 1 'Development Design Principles' seeks to promote new development which contributes positively towards the creation of high quality environments and sustainable places. The proposal is in accordance with the policy in that it demonstrates a high standard of design which respects the character of the area. The siting, form, scale, proportions, architecture and robust materials of the proposed extension have been sensitively designed to relate to the existing building and surrounding context.

DES 2 'Sustainable Design and Construction' requires proposals to demonstrate their contribution towards achieving sustainable design and construction. By extending, rather than replacing, the existing building and by using reclaimed slates the proposal has demonstrated that it complies with this policy.

DES 3 'Protecting and Enhancing the City's Historic Environment' states that proposals for new development in, or affecting the setting of, a conservation area, must: preserve and enhance the special character and appearance of the area; be of a high standard of design, respecting the local architectural and historic context and use materials appropriate to the historic environment; protect significant views into, and out of, the area; and retain all existing open space.

DG/DES 3 'Design Guidance for Listed Buildings and Properties in Conservation Areas' gives advice on extending properties within conservation areas. The proposal complies with the policy as the proposed extensions would be located to the side of the property; they would be complementary in scale, sympathetic in design, reflect the character of the original building and not dominate it; they are not taller than the existing building and the materials would match; and the roofs would be ridged.

DES 4 'Protecting and Enhancing the City's Natural Environment' ensures that all development will have a strong landscape framework which improves and enhances the setting and visual impact of the development. The proposal complies with this policy as it respects the existing landscape character and amenity of the area and due to the unobtrusive nature of the proposal it maintains local diversity and distinctiveness, including natural and built heritage and cultural features of the landscape. The use of timber cladding seems incongruous given the simplicity of the original red brick building. The applicant has confirmed that they prepared to review the use of brickwork in this location perhaps by varying the bond and pattern to break up the façade. A planning condition will ensure finalised details are submitted for the approval of the Planning Authority.

DES 12 'Provision of Waste and Recycling Space' ensures that appropriate and well designed provision is made within all new developments for waste storage, recycling and collection. The proposed floor plan identifies a number of storage areas which are suitable for refuse and recycling storage. Planning conditions will ensure the submission of finalised details for approval.

Policy **ENV 7 'National, Regional and Local Environmental Designations'** identifies the site as a Site of Special Landscape Importance (SSLI) and a Garden and Designed Landscape. Proposals should not have an adverse effect on the integrity or character of this area. The proposal seeks to sensitively extend the existing pavilion and upgrade the existing greens and provide floodlighting. The character of the designed landscape and the SSLI remain unaltered and as such the proposal complies with this policy.

Turning to point (b), three letters of objection from residents on Gray Street were received, the grounds of objection can be summarised, with appropriate comment, as follows:-

- The erection of floodlighting will further contribute to the light pollution in this area of the city. Floodlights would obscure views from Gray Street to the University and Kelvingrove Museum. Furthermore light could spill into rooms of the adjacent flats, including bedrooms. By whom and how is the flood lighting to be controlled?

Comment: The hours of operation will be 9 a.m. to 9 p.m. in the summer and 12 p.m. to 9 p.m. in the winter. The floodlighting only be used during these hours of operation and when light levels necessitate it. The floodlighting will be controlled by Glasgow Life staff on site and controls situated within the pavilion. Environmental Health have no objection to the proposal and planning conditions will control the lighting levels.

- The extension to the pavilion is unsympathetic to the traditional bowling green and the modern design of the floodlighting would spoil the character of this section of the park and the adjacent buildings.

Comment: The design of the pavilion and floodlighting and their potential affect on the character and setting of the park have been assessed in earlier sections of the report and are acceptable.

- Given the existing pavilion is finished in red brick why is it proposed to finish the extension in grey brick. Are there no alternatives to steel roller shutters.

Comment: The applicant has submitted revised drawings showing the extension finished in red brick to match the existing building. The applicant has confirmed that the reason for using steel roller shutters is due to the need for a high security solution. A planning condition will ensure the application of a painted finish to the steel shutters which will help them blend in better with the building.

CONCLUSION

In conclusion, the proposal is considered acceptable as it complies with the policies of City Plan 2. Other material considerations, namely the points raised in the letters of objection, have been addressed and do not outweigh the Development Plan. Given the proposal constitutes the refurbishment and upgrading of the existing bowling pavilion to provide a better facility for existing users, creates a meeting space for the local community and contributes towards the success of the Commonwealth Games in 2014 is recommended that Planning Permission be granted subject to the following conditions.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing number(s):

AL(00)02 received 5 August 2011
 AL(01)04 received 2 September 2011
 AL(01)02 received 21 September 2011

as qualified by the undernoted condition(s), or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings constitute the approved development.

02. External materials shall be red brick, timber windows, natural slate roof. Samples shall be submitted to and approved by the Planning Authority in writing in respect of type, colour and texture. Written approval shall be obtained before the materials are used on site.

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

03. For the avoidance of doubt no timber cladding is approved on the external elevations of the building. Full details of a revised elevation showing the use of red brick shall be submitted for the written approval of the Planning Authority prior to the commencement of works on site.

Reason: In order that the works do not detract from the appearance of the building.

04. Full details of the finalised colour of the steel roller shutter doors shall be submitted for the written approval of the Planning Authority prior to the commencement of works on site.

Reason: In order that the works do not detract from the appearance of the building.

Reason: To safeguard the character of the surrounding conservation area.

05. Light from the development 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) "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 the interests of limiting the effects of light pollution on the environment and the users of surrounding developments, and of energy efficiency.

06. The use of the premises shall be restricted to the following days and hours of operation:

0900 to 2100 hours, seven days a week

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

07. The only method of heating food employed in the premises shall be a microwave oven or other sealed unit (as indicated in the application). No other form of cooking and/or heating of foodstuffs shall be utilised within the premises.

Reason: To protect local residents from nuisance resulting from the disposal of cooking odours.

08. Before any work on the site is begun, details of refuse and recycling storage areas and bins shall be submitted to and approved in writing by the planning authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: To ensure the proper disposal of waste and to safeguard the environment of the development.

09. All external colours shall be approved in writing by the planning authority before they or any relevant materials are used on the site.

Reason: In order that the works do not detract from the appearance of the building.

Reason: To safeguard the character of the surrounding conservation area.

10. 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 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

11. Before any work on the site is begun, a noise survey shall be submitted to and approved in writing by the planning authority. The noise survey shall show that acoustic/amplified music from within the proposed development will not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 and 45 dB LA max(fast) at all other times. Where the survey predicts that these levels will be exceeded, mitigation measures to ensure that these levels are met shall be specified in the survey report. The approved mitigation measures shall be completed before the use of the development commences.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

12. In the event that any previously unidentified contamination is found at any time when carrying out the approved development, it shall be reported in writing to the planning authority within one week. A comprehensive contaminated land investigation, including risk assessment and remediation strategy, shall be carried out as required by the planning authority. The approved remediation works shall be carried out prior to the recommencement of development on the affected part of the site.

Reason: In the interests of pedestrian and vehicular safety.

REASON(S) FOR GRANTING THIS APPLICATION

01. The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

ADVISORY NOTES TO APPLICANT

01. Before the lighting system is installed, the applicant should submit certification from a member of the Institute of Lighting Engineers, or other suitably qualified person, to the planning authority confirming that the proposed system will satisfy the requirements of the light pollution condition.
02. Before the use commences, the applicant should, following the testing of the installed lighting system, submit certification from a member of the Institute of Lighting Engineers, or other suitably qualified person, to the planning authority confirming that the system complies with its design specification.
03. In order to protect local residents' amenity, noise associated with construction and demolition works in residential areas should not occur before 0800 or after 1900 Monday to Friday, and not before 0800 or after 1300 on Saturdays. Noise from construction or demolition works should be inaudible at the site's perimeter on Sundays and public holidays. The planning authority should be notified of necessary works likely to create noise outwith these hours.
04. Commercial waste from the premises requires to be disposed of in accordance with the Duty of Care requirement under section 34 of the Environmental Protection Act 1990. Waste transfer notes require to be obtained for the disposal of such waste and retained for a period of two years.
05. Premises used for the purposes of a food business require to register under the Food Premises (Registration) Regulations 1991. An application form for registration of the premises or change of details of an existing registration can be obtained from Land and Environmental Services (Environmental Health).



for Executive Director of Development and Regeneration Services

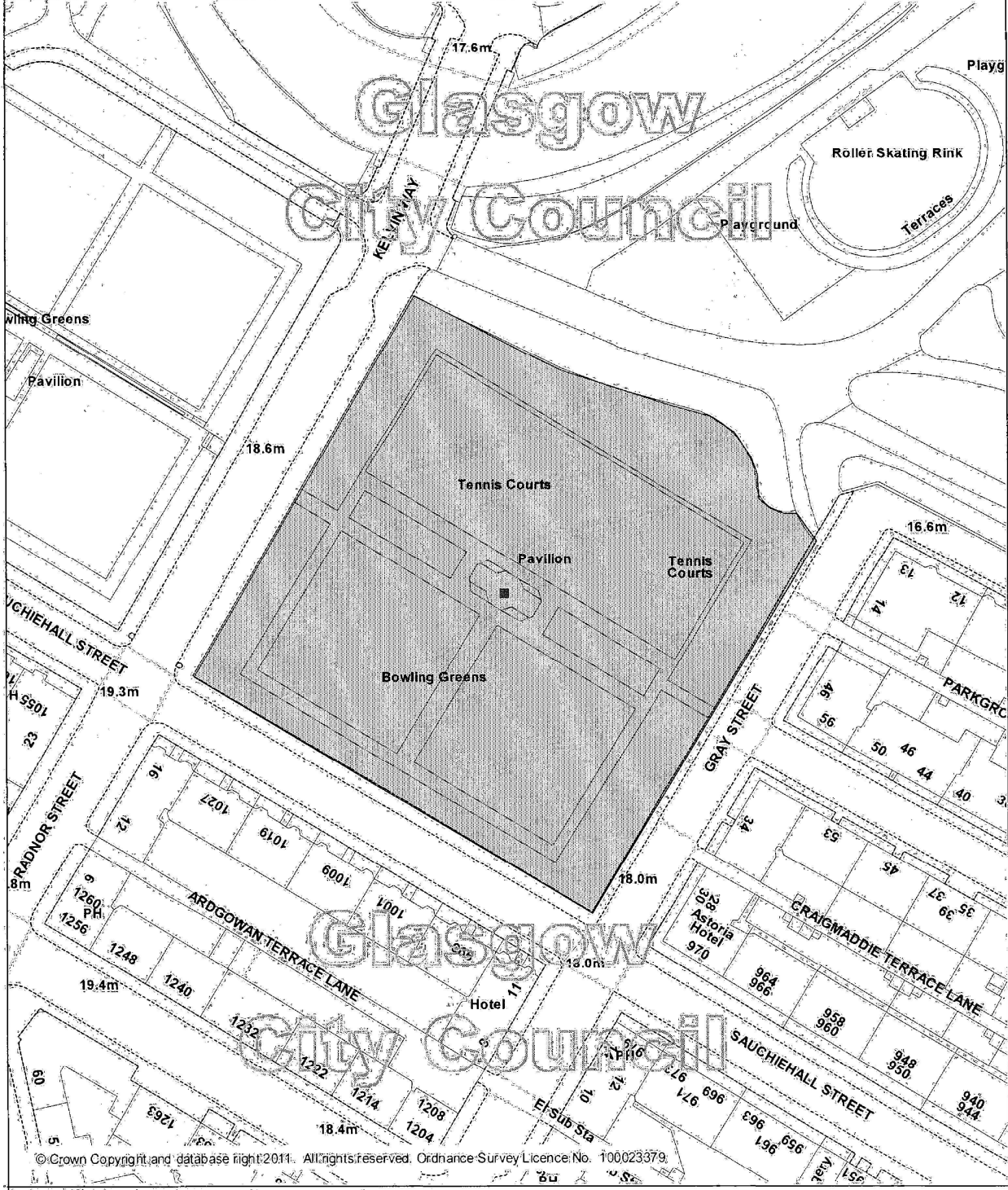
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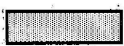
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 <p>Glasgow City Council Development and Regeneration Development Management 229 George Street Glasgow G1 1QU Executive Director: Gerry Gormal</p>	<p>Reference No. 11/01882/DC</p> <p>Address: Kelvingrove East Pavillion At Sauchiehall St</p>
<p>Scale: 1:1250</p>	<p>Indicative Site Location</p> <p>Ward: 10</p> 



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 Location of Site
 (For details, refer to Report)