

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

Draft index of application under the above acts to be considered by Planning Applications Committee on
14th March 2023.

Reference No: 2022/0719/TP

Ward: 1

Applicant:

Briar Homes
205 St Vincent Street
Glasgow
Scotland
G2 5QD

Agent:

Scott Graham
16 Robertson Street
Glasgow
Scotland
G2 8DS

Site: Former Lyoncross Farm Aurs Road Barrhead East Renfrewshire

Description: Erection of residential development of 39 detached dwellings (to include retention of existing listed farmhouse) with associated access roads, landscaping, open space and other required infrastructure.

Please click [here](#) for further information on this application

4 REPORT OF HANDLING

Reference: 2022/0719/TP

Date Registered: 16th January 2023

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 -Barrhead, Liboside And Uplawmoor

Co-ordinates: 251607/:657965

Applicant/Agent:

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Proposal: Erection of residential development of 39 detached dwellings (to include retention of existing listed farmhouse) with associated access roads, landscaping, open space and other required infrastructure.

Location: Former Lyoncross Farm
Aurs Road
Barrhead
East Renfrewshire



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	No objections subject to conditions.
East Renfrewshire Council Environmental Health Service	No objections subject to conditions.
East Renfrewshire Council Principal Officer (Planning Obligations Lead)	Objection. Recommends the application is refused as the proposal was not anticipated or planned for within the LDP2 or Barrhead South Master Plan, the scale of the proposal has not been revised and the applicant has not agreed to the on-site provision of affordable housing in line with master plan requirements. If the application were to be approved, any decision should be subject to the satisfactory conclusion of a Section 75 legal agreement to secure relevant planning obligation requirements (affordable housing provision in line with the master plan framework and development contributions)
East Renfrewshire Council Dams to Darnley Supervisor	Objection. The proposed development would have a significant adverse impact on the Dams to Darnley Country Park in three key ways: Loss of country park land; negative impact on the setting of the country park; and it would sever the route of a key access link.
Coal Authority (Planning And Local Authority Liaison)	No objection.
Scottish Water	No objection. Scottish Water advises that whilst there is capacity for a foul only connection to the Shieldhall Waste Water Treatment Works, they are unable to reserve capacity. Further consideration will be given to the matter by Scottish Water once they receive the applicant's application for connection.
Barrhead Community Council	No response at time of writing.
West Of Scotland Archaeology Service	No objection subject to the implementation of a programme of archaeological works in accordance with an agreed written scheme of investigation.

PUBLICITY:

27.01.2023

Barrhead News

7

Expiry date 10.02.2023

SITE NOTICES: None.

SITE HISTORY:

2021/0980/TP	Erection of residential development of 72 dwellings (to include retention of existing listed farmhouse) with associated access roads, landscaping, open space and other required infrastructure	Withdrawn	08.12.2022
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REPRESENTATIONS: Sixteen representations have been received and can be summarised as follows:

- Loss of open space
- Access via existing development will give rise to road safety issues
- Traffic congestion
- Overlooking
- Overshadowing
- Loss of daylight
- Disruption to amenity during the construction phase
- Loss of trees
- Damage to existing roads and retaining walls during the construction phase
- Departure from Barrhead South Master Plan
- Drainage issues
- Inadequate healthcare facilities
- Impact on Dams to Darnley Country Park
- Impact on wildlife
- Impact on property values

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:

The relevant policy documents can be found at the following links:

National Planning Framework 4:

<https://www.gov.scot/publications/national-planning-framework-4/>

Local Development Plan 2:

<https://www.eastrenfrewshire.gov.uk/ldp2>

SUPPORTING REPORTS:

Arboricultural Assessment – provides an assessment of the arboricultural impact of the proposed development. It states that the development can be undertaken with minimum loss of tree cover and that the proposed planting will enhance the area's biodiversity. However, it concedes the loss of tree cover is significant but that the development complies with the terms of the development plan.

Archaeological Report – provides a report of a walkover survey. Indicates that the site is not particularly archaeologically sensitive.

Design and Access Statement – provides an analysis of the site, its context and the design proposals. Concludes that the development has been designed in response to the immediate context of the site, whilst delivering a modern development.

Drainage Design Statement – provides a description and assessment of the drainage proposals for the site. Indicates that no watercourses are located near to the site and that the site is not at risk from flooding.

Ecological Assessment – indicates that the proposals will have negligible impact on international or UK designated sites as none are located within 2.5 km of the site. No evidence of badgers was found within the site and no potential for bat roosting and negligible potential for foraging was found.

Flood Risk Assessment – concludes that the site is not at risk from flooding and that the development of the site would not materially increase the risk of flooding elsewhere.

Ground Investigation Report – provides findings in relation to the geotechnical, mining, chemical contamination and gas emissions constraints on the site. It sets out various remedial measures to ensure the site can be safely developed.

Landscape and Visual Impact Assessment – provides a review of the site's physical conditions, followed by a review of the physical impacts the development is likely to produce. Concludes that the development would represent an incremental expansion of the existing development in the area. Recommends planting to mitigate the visual impact.

Planning Statement – Makes an assessment of the proposal against the Policies contained with the adopted East Renfrewshire Local Development Plan 2. Concludes that the proposal can be favourably considered against the terms of LDP2.

Transport Statement – Assesses the potential for minimising private car use through an assessment of the existing pedestrian, cycle and public transport facilities; and makes an assessment of vehicular traffic generated by the proposed development on the local road network. It concludes that the proposed development is accessible by a range of sustainable transport modes and pedestrian connections via the local footway network; that no capacity problems are anticipated within the local road network; that the parking provision accords with the SCOTS National Roads Development Guide parking standards; and that service vehicles can be accommodated within the road layout.

Tree Survey Report – Undertakes a detailed survey of the 99 trees within the site in respect of their nature, extent and condition; provides an inventory of the surveyed trees; and provides recommendations for works in the interest of the proper management of the trees.

Report on Railway Sound – provides a noise impact assessment in terms of the impact of railway noise on the proposed development. It concludes that the railway sound levels will be within the limits given in current guidance and that there is therefore no requirement to introduce any mitigation measures.

ASSESSMENT:

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

Application site

The application site comprises an area of land around Lyoncross House to the south-east of Barrhead. The site is irregular in shape and extends to 3.5 ha. It consists of open fields to the east and west of Lyoncross House and wooded areas to the north and south as well as part of the

original tree-lined avenue running from Aurs Road to Lyoncross House. Lyoncross House itself is a former farmhouse, built in the traditional U-shaped plan with wings and outbuildings to the north side. It is a category C listed building dating from 1780, with additions and modifications around 1900. At the time of a recent site visit, it was still in use as a dwelling. New residential development, approved under planning permission reference 2018/0408/TP is under construction to the south and west of the site. The site is elevated and visually prominent, particularly when viewed from the north-west, along Aurs Road and from the Dams to Darnley Country Park to the east.

The site lies within the Barrhead South Strategic Development Opportunity Site and master plan area; within the wider housing site SG1.5; within the Dams to Darnley Country Park; and within the Green Network, all as defined within the adopted East Renfrewshire Local Development Plan 2 (LDP2).

As noted, the site lies within the Barrhead South master plan area and forms part of the wider LDP2 SG1.5 allocation at Lyoncross with an allocated capacity of 158 units. The most recent planning permission granted for Lyoncross provides planning permission for 160 residential units on the master plan site.

Proposed development

Planning permission is sought for the erection of 38 two storey detached dwellings and a single one and a half storey dwelling; associated access roads; landscaping; and open space. The proposal includes new native tree planting in the northern and eastern parts of the site. The site is accessed via the existing residential development to the west. The former farmhouse is to be retained, although no works are proposed to it.

The dwellings are proposed to be externally finished with a mix of render and facing bricks and incorporate concrete roofing tiles. With the exception of the single one and a half storey dwelling, all the houses are proposed to have roof-mounted solar panels.

No on-site affordable housing is proposed as the applicant proposes the payment of a commuted sum.

National and local planning policy

The application requires to be assessed with regard to the Development Plan which comprises National Planning Framework 4 (NPF4) and the adopted East Renfrewshire Local Development Plan 2 (LDP2).

National Planning Framework 4 (NPF4)

The policies most relevant to this proposal in NPF4 are Policy 1 (tackling the climate and nature crises), Policy 2 (Climate mitigation and adaptation), Policy 3 (Biodiversity), Policy 4 (Natural places), Policy 6 (Forestry, woodland and trees), Policy 7 (Historic assets and places), Policy 12 (Zero Waste), Policy 13 (Sustainable transport), Policy 14 (Design, quality and place), Policy 15 (Local living and 20 minute neighbourhoods), Policy 16 (Quality homes) and Policy 20 (Blue and green infrastructure).

Policy 1 (Tackling the climate and nature crises) states that when considering all development proposals, significant weight will be given to the global climate and nature crises. Two of the impacts of this policy, as set out in NPF4 are to promote local living and compact urban growth.

Policy 2 (Climate mitigation and adaptation) states at a) "development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible"; and at b) "development proposals will be sited and designed to adapt to current and future risks from climate change."

Policy 3 (Biodiversity) states at a) that development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and

strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible. At c) it states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance; and at d) it states that any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design.

Policy 4 (Natural places) states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. It further states that development proposals that affect a site designated as a local nature reserve or landscape area in the Local Development Plan will only be supported where the development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified.

Policy 6 (Forestry, woodland and trees) states that development proposals that enhance, expand and improve woodland and tree cover will be supported and that where woodland is removed, compensatory planting will most likely be expected to be delivered.

Policy 7 (Historic assets and places) states that "development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records."

Policy 12 (Zero waste) b) states that development proposals will be supported where they reuse existing buildings and infrastructure.

Policy 13 (Sustainable transport) states that development will be supported where it can be demonstrated that sustainable transport requirements have been considered and where it provides easy access to walking and cycling networks, cycle parking and EV charging points.

Policy 14 (Design, quality and place) states: "Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale."

Policy 15 (Local living and 20 minute neighbourhoods) states that development proposals should contribute towards local living and where appropriate, 20 minute neighbourhoods. To establish this, consideration should be given to the existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area.

Policy 16 (Quality homes) states at e): "Development proposals for new homes will be supported where they make provision for affordable housing to meet an affordable need. Proposals for market homes will only be supported where the contributions to the provision of affordable housing on a site will be at least 25% of the total number of homes, unless the LDP sets out circumstances where:

- i. a higher contribution is justified by evidence of need, or
- ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.

f): "Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

- i. the proposal is supported by an agreed timescale for build-out; and

ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods."

Policy 20 (Blue and green infrastructure) seeks to protect blue and green infrastructure and their networks. It states that development proposals that result in the fragmentation or loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision and that the overall integrity of the network will be maintained.

East Renfrewshire Local Development Plan 2

Strategic Policies 1 and 2 and Policies M2, M2.2, D1, D4, D6, D7, D9, D14, D15, SG1, SG2, SG4 and E1 of the adopted East Renfrewshire Local Development Plan are also relevant to this development.

Strategic Policy 1 sets out the Council's development strategy. It can be summarised as: the regeneration, consolidation and environmental enhancement of the urban areas; a master-planned approach to development at the Strategic Development Opportunity locations; infill development within the rural settlements; the phased release of sites; and the protection and enhancement of the green belt and landscape character and setting and the distinct identity of towns and villages. It further states that proposals for windfall sites will be required to provide the required infrastructure arising from development in accordance with Strategic Policy 2 and not prejudice the delivery of allocated sites. Where infrastructure constraints cannot be overcome, including any impacts of residential development upon education infrastructure, proposals will not be supported.

Strategic Policy 2 relates to development contributions and states that where new developments individually or cumulatively generate a future need for new or enhanced infrastructure provision, services or facilities, the Council will require to meet or proportionately contribute to the cost of providing or improving such infrastructure.

Policy M2 states that the Council supports the master planned growth of Barrhead in accordance with Policy M2.2.

Policy M2.2 states that development within the Barrhead South SDO will be acceptable in principle in accordance with Policy M2 and its supporting master plan which sets out a comprehensive approach to the delivery and phasing of sites per schedule 15 and 16 of LDP2. Policy M2.2 goes on to state that the master plan addresses various requirements including: a landscape framework that will enhance and promote a multi-functional and accessible green network of connected green infrastructure; provision of improved connections to the surrounding road, foot and cycle path network and to the Dams to Darnley Country Park; and enhancement of the Dams to Darnley Country Park.

Policy D1 states that all development should not result in a significant loss of character or amenity to the surrounding area and that safe and functional pedestrian, cycle and vehicular access and parking facilities and infrastructure are provided in accordance with the Roads Development Guide.

Policy D4 states that the Council will be required to protect and enhance the green network.

Policy D6 sets out the open space requirements for new development.

Policy D7 states that the Council will seek to increase the quantity and quality of the area's biodiversity and that development affecting trees, groups of trees, or areas of woodland will only be permitted where any tree group of trees or woodland that makes a significant and positive contribution to the setting, amenity and character of the area has been incorporated into the development through design and layout.

Policy D9 states that the Council will continue to support the Dams to Darnley Country Park and the implementation of relevant management and access plans.

Policy D14 states that development likely to adversely affect the historic built environment will not be supported.

Policy D15 states that there is a presumption against works that adversely affect the special interest of a listed building or its setting.

Policy SG1 supports housing development on allocated housing sites set out in schedule 15 of LDP2. It states that proposals will require to comply with Strategic Policies 1 and 2, Policy D1 and other relevant policies of the plan. Schedule 15 of LDP2 identifies the wider Lyoncross site as having a capacity of 158 units.

Policy SG2 states that the Council will require residential proposals to provide a mix of dwelling types, sizes and tenure types to meet housing needs to widen housing choice and contribute towards the creation of sustainable mixed communities.

Policy SG4 provides that the Council will require residential proposals of 4 or more dwellings to provide a minimum of 25% affordable housing contribution. This can be by means of on-site provision; payment of a commuted sum; or off-site.

Policy E1 requires that sustainable design should be incorporated into new developments.

Supplementary Planning Guidance

The Supplementary Planning Guidance: Barrhead South Masterplan (2015) is also relevant to the consideration of this application. It sets out the development framework, greenspace strategy and the design principles for the development of the Barrhead South SDO, including housing site SG1.5 at Lyoncross.

Under 1.8 Greenspace Strategy, it states that the proposal for Barrhead South will create a sensitive extension to Barrhead with an attractive transition between town and country. The visual effects of the wider Barrhead South development have been mitigated by the master plan via the greenspace strategy with areas of open space created to mitigate views into the site. Open space has also been located to take advantage of views out of the site. Views across the country park have also been incorporated.

At 1.10 Landscape Fit, it states that the development framework has been designed to integrate with the surrounding landscape. In that regard, the Barrhead South Technical Appraisal identifies four areas of sensitivity, including Lyoncross East, which is generally coterminous with the application site. It states that the existing vegetation should be retained and integrated onto the greenspace framework throughout the site.

The Development Framework at 1.12 envisages the former Lyoncross farmhouse as being renovated and integrated into the Barrhead South development as a small group of "steading homes". The areas to the east, north and north-west of the farmhouse are envisaged by the master plan as being open space to facilitate the transition between town and country.

The master plan indicates that the original tree-lined avenue leading from Aurs Road to Lyoncross farmhouse is to be retained and states that construction should not take place within the root protection areas of the trees to ensure their survival.

The master plan also identifies a comprehensive network of paths to be established across the area. This includes a key active travel route running east to west, connecting Lyoncross and the country park with the rest of the Barrhead South SDO site.

The adopted Supplementary Planning Guidance: Green Networks (June 2023) supports and forms part of Policy D6 of LDP2. It sets out the minimum open space requirements for private gardens and amenity open space in new residential developments.

For private gardens it stipulates:

1. Rear gardens should have a depth of at least 10m from rear elevation of house to plot boundary in order to maintain adequate privacy. 2. Front garden provision should complement the design of the house. 3. There should be a minimum of 2m from any house to the side plot boundary. A 3m house to side plot boundary will be expected where properties are 3 full storeys.

For amenity open space it stipulates a minimum of 10 square metres per habitable room.

The Supplementary Planning Guidance: Dams to Darnley Country Park is a material consideration. It identifies key access priorities including the key east-west active travel route referred to in the master plan.

Detailed Assessment

Principle of the development

In assessing the proposal against the development plan, an assessment is firstly made on the principle of the development, that is: whether the proposed development at this location is acceptable in terms of broader planning policy. In this regard, Policy 16 of NPF4 and Strategic Policy 1 and Policies M2, M2.2 and SG1 of LDP2 are relevant.

As noted above, the application site is located within the wider Lyoncross site allocated within LDP2 as site reference SG1.5. Site SG1.5 has an allocated capacity of 158 units. Planning permission 2018/0408/TP for the erection of 160 dwellings on site SG1.5 was granted on 19 November 2018 and is now nearing completion. This current application seeks planning permission for the erection of a further 39 dwellings on site SG1.5, surrounding Lyoncross House on the west, south and east sides. This new proposal is not anticipated nor planned for in LDP2 and goes beyond the capacity of site SG1.5 as set out in schedule 15 of LDP2 and does not accord with the phased release of sites as shown in schedule 15.

Whilst the Barrhead South Master Plan states that Lyoncross House will be restored and integrated into the Barrhead South development to form a small group of "steading homes," that proposal did not come forward as part of the 2018 application and does not form part of the current application. If the current application were to be approved, pushing the unit numbers on site SG1.5 beyond the allocation in LDP2, this may, at least in the short term, prejudice the future conversion and restoration of Lyoncross House as a small development of steading homes.

As such, the proposal is considered to be contrary to Policy 16 of NPF4 and Strategic Policy 1 and Policies M2.2 and SG1 of LDP2.

Impact on Existing Infrastructure

Strategic Policy 2 requires that new development must be accompanied by the appropriate infrastructure and services required to support new or expanded communities. Where new developments individually or cumulatively generate a future need for new or enhanced infrastructure provision, services or facilities, the Council will require the development to meet or proportionately contribute to the cost of providing or improving such infrastructure. The Principal Strategy Officer (Planning Obligations Lead) has advised that a per unit development contribution figure was agreed in 2016 for the Barrhead South master plan sites that were planned and programmed through the LDP. This per unit figure included development contributions for affordable housing commuted sums; education; Dams to Darnley Country Park; green network; path networks and access integration; community facilities (community halls & libraries and sports); and parks and open space. Since that time the Council has experienced a significant increase in the number of resident pupils and the pupil product ratio has risen (i.e. the propensity of residential units to generate children of school age). The catchment schools and early years establishments associated with the site are experiencing high occupancy rates (currently above 90% for primary schools and 85% for secondary schools) and are expected to exceed 100%. As this new proposal was not anticipated or planned for, and given that its impact on the education estate (should it be supported) would be significant, an updated assessment of the education

element of the required development contributions was required, based on the Council's current Development Contributions Supplementary Guidance (2023).

Should this proposal be approved, along with development contributions towards affordable housing commuted sums, Dams to Darnley Country Park, green network, path networks and access integration, community facilities (community halls & libraries and sports), and parks and open space, discussions would also be required with the Education Department to carefully and strategically plan the scheduling of the proposed dwellings to mitigate the impact of this development on the school estate. The applicants have agreed to these development contributions requirements.

Impact on character and amenity of the area and setting of the listed building

Given the site's elevated nature, the proposed dwellings would have a significant visual impact when viewed from Aurs Road to the north-west and from the Dams to Darnley Country Park to the south-east, east and north. Whilst the proposed landscaping in the northern and eastern parts of the site is noted, the proposed dwellings will nevertheless be visible against the skyline when viewed from long views at lower elevations. The removal of the existing mature trees from the west of Lyoncross House, including part of the avenue and from the south, mostly to accommodate the proposed development, will further exacerbate the visual impact and detract from the character and visual amenity of the site. It is further considered that the erection of the proposed dwellings, given their design and proximity to the listed building will encroach upon and detract from its setting and character.

In terms of the provision of safe and functional pedestrian, cycle and vehicular access and parking provision, the Council's Roads Service has indicated that, subject to minor changes in relation to the road surface, it has no significant opposition to the proposed layout. This element of the proposal therefore raises no conflict with Policy D1 of LDP2.

Given the site's layout and in particular the separation distances between the proposed dwellings and the dwellings approved under planning permission 2018/0408/TP, the proposal would not give rise to significant additional overlooking, overshadowing or loss daylight that would be to the detriment of the occupants of the existing dwellings. Further, given the site's layout and the orientation of the proposed dwellings relative to each other, the proposal is considered to be adequately designed in so far as the occupants of the proposed dwellings would be protected from significant overlooking and overshadowing and would have access to adequate daylight.

Nevertheless, taking all of the above into account, the proposal is therefore considered to be contrary to Policies 7 and 14 in respect of impact on the listed building of NPF4 and contrary to Policies D1, D14 and D15 of LDP2. This aspect of the proposal is also further contrary to the aims and aspirations of the Barrhead South Master Plan that seeks to retain the trees within the site, including the tree-lined avenue.

Impact on green network and Dams to Darnley Country Park

As noted above, the proposal represents the erection of a residential development within the green network and within the Dams to Darnley Country Park. This would result in the loss of a significant part of the green network and the country park to the detriment of the character and amenity of the area and would compromise the aim of the Barrhead South Master Plan to create an attractive transition between town and country. This has been substantiated by the consultation comments of the East Renfrewshire Council Strategy Service (Dams to Darnley Project Supervisor).

The Barrhead South SDO Master Plan identifies a comprehensive network of paths to be established across the area. The network is to include a key active travel route running west to east, connecting the sites to the west with the Lyoncross site, across Aurs Road. The master plan identifies the indicative route of the path as following the line of pylons within the public open space associated with Lyoncross, before turning south towards the railway. The aspiration is for this route to connect to the Core Path running through the entire Country Park. The route is identified as a key access priority within the Dams to Darnley SPG (section 3.3.4).

The proposal is therefore contrary to Policies 4 and 20 of NPF4 and Policies D4 and D9 of LDP2 and further contrary to Policy M2.2 of LDP2 in respect of its detrimental impact on the Dams to Darnley Country Park; loss of the green network and the severance of a proposed key active travel route.

Tree loss and impact on biodiversity

The Tree Survey Report, submitted in support of the application, indicates that 99 trees were individually surveyed within the site. Of those trees, 40 are to be retained with 30 being removed solely to accommodate the development and a further 29 being removed for health and safety reasons. According to the Tree Survey Report, of the 30 trees to be removed solely to accommodate the development, 1 is category A, 10 are category B and 19 are category C. The 29 trees to be felled for health and safety reasons are all category U.

The Arboricultural Impact Assessment sets out proposals for mitigation planting, mainly in the northern and eastern parts of the site. It indicates that 185 trees are to be planted along with numerous woodland and hedgerow plants.

The Ecological Assessment submitted in support of the application states that that no protected species were found on the site with no potential for bat roosting and negligible potential for bat foraging. The phase 1 habitat survey revealed restricted habitat diversity and that the habitats are of low value and are unexceptional. It also states that the proposed development will result in opportunities for improved habitat diversity in the form of the proposed tree and shrub planting.

Notwithstanding the benefits of the proposed planting and the terms of the Ecological Assessment, the proposal involves the loss of a significant amount of established tree cover, specifically protected by the terms of the Barrhead South Master Plan. The tree cover at Lyoncross is considered to be locally important in terms of its contribution to the character and setting of the listed building and a valuable resource for future residents in terms of its contribution towards the areas green space. The established tree loss would have a significant detrimental impact on the character and setting of Lyoncross House and on the character and amenity of the wider area. It is noted that Policy 6 of NPF4 states that development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal; and that development proposals on sites which include an area of existing woodland will only be supported where the enhancement and improvement of woodlands are integrated into the design.

Given the loss of a significant part of this locally significant tree cover the proposal is contrary to the aims of Policy 6 of NPF4 and contrary to Policy D7 of LDP2 and further contrary to Policy 14 of NPF4 and Policies D1 and D14 and D15 of LDP2.

Design and layout

As discussed above, the number of dwellings proposed, their design and their proximity to the listed building raise significant issues in terms of the setting and character of Lyoncross House and the ability to deliver the master plan's aspiration for the conversion and steading development. Again, as noted above, the layout also compromises the delivery of a Key Active Travel Route as envisaged by the masterplan.

In isolation, the layout would generally comply with the principles of Designing Streets and, as noted, the Roads Service offered no objection subject to minor changes that could have been addressed by condition had the application been otherwise acceptable. This would not, however have addressed the impact of the design and layout on the character and setting of Lyoncross House or the delivery of the Active Travel Route.

It is also noted that the proposed dwellings show little regard to the character and design of the listed building and, with the exception of a single one and a half storey dwelling, all are of two storey detached villa styles.

In terms of open space, the proposal meets the minimum requirements for public amenity open space. However, a significant number of the private gardens fail to meet the specific size and configuration requirements as set out in Policy D6 of LDP2 and in the adopted Supplementary Planning Guidance: Green Networks.

The proposal is therefore contrary to Policy D6 of LDP2 and contrary to the terms of the adopted Supplementary Planning Guidance: Green Networks.

Affordable housing

The Barrhead South Master Plan sets out an affordable housing framework for all sites within the masterplan area. The framework details that the minimum 25% affordable housing policy requirement is to be split as follows: 8% on site provision; 8.5% entry level for sale units of a maximum 800sq ft; and 8.5% as a commuted sum payment. As noted, no on-site affordable housing is provided for in the submitted plans and the applicant has indicated that the full 25% contribution will be made via a commuted sum. The applicant has stated in communications with the Principal Strategy Officer (Planning Obligations Lead) that the site is not suitable for on-site provision of affordable housing.

The Principal Strategy Officer (Planning Obligations Lead) has advised that although the Council's affordable housing policy does allow flexibility for the Council to accept the payment of a commuted sum in some cases, this is usually on sites that are unsuitable for on-site provision and where there are advantages to the Council in accepting commuted sums. There are a number of adjacent and closely located sites within the masterplan area where affordable housing has been successfully delivered on site in accordance with Policies SG2 and SG4 and the terms of the Barrhead South Master Plan. The site is close to public transport and active travel networks and the wider masterplan is due to deliver a new railway station and neighbourhood retail development within proximity to the site. The Council does not therefore agree that the site is not suitable for on-site affordable housing provision. Given the pressing need and demand for affordable housing in the area; the significantly increased size of the Council's housing waiting list; and the increase in homeless applications submitted to the Council, it is considered appropriate for any planning approval to require on-site affordable provision in this instance.

In the absence of such on-site provision, the proposal is contrary to Policy 16 of NPF4 and Policies M2.2 and SG4 of LDP2.

Local living and climate change

Given the site's location, and connections with the wider public road and footpath network, the proposal would be relatively easily accessible via a range of transport options. This would offer ready access to Barrhead Town Centre and a variety of amenities. In this regard, it is considered that the proposal does not conflict with the terms of Policy 13 of NPF4 in terms of sustainable transport options.

Whilst the loss of trees is noted and for the reasons given above, found to be unacceptable, their loss is localised and would not therefore be considered to have a significant impact on climate change.

It is not therefore considered that the proposal would raise significant conflict with Policies 1, 2 or 15 of NPF4. However, this is insufficient to outweigh the concerns outlined above.

Given the fore-going, it is considered that the proposal is contrary to the terms of the development plan.

Representations

The points of objection not specifically considered above are addressed as follows:

It is inevitable that, if the application were to be approved, there would be some disruption to existing residents in terms of HGV movements, noise, dust and vibration. This would nevertheless be temporary and would not justify a refusal of the application. It would be the responsibility of the developer and any sub-contractors to operate the site and access and egress the site in a safe manner. Any damage to existing infrastructure would be a private legal matter and would not therefore be a material planning consideration.

A comprehensive drainage plan and Drainage Design Statement have been submitted in support of the application. The Roads Service as flooding authority has raised no objections to the proposal. Detailed drainage matters would be considered at the building warrant stage should the application be approved.

The objection relating to healthcare provision and surgery capacities is noted.

While the site is not covered by a nature designation, the impact on the loss of trees and open space has been considered above and found to be unacceptable.

Property values are not a material planning consideration and do not therefore have a bearing on the assessment of the proposals.

Overall Conclusion

The proposal has been assessed with regard to the terms of the development plan which comprises National Planning Framework 4; the adopted East Renfrewshire Local Development Plan 2; and the adopted Supplementary Planning Guidance on Development Contributions, Affordable Housing and Green Networks. Material considerations including the Supplementary Guidance: Dams to Darnley Country Park and the Barrhead South Master Plan; objections and consultation responses have also been considered.

In assessing the proposal, the principle of the development at this location was found to be contrary to Policy 16 of NPF4; and Strategic Policy 1 and Policies M2.2 and SG1 of LDP2, as it is not anticipated nor planned for in LDP2 and goes beyond the capacity of site SG1.5 as set out in schedule 15 of LDP2.

Notwithstanding the applicant's proposals for tree planting, the proposal to develop this elevated, prominent site would result in a significant loss of established tree cover and would detract from the character and setting of the listed building, the setting of the country park and the character and visual amenity of the wider area. As such, the proposal is found to be contrary to Policies 7 and 14 in respect of impact on the listed building of NPF4 and contrary to Policies D1, D14 and D15 of LDP2.

The proposal is also found to be contrary to Policies 4 and 20 of NPF4 and Policies D4 and D9 of LDP2 and further contrary to Policy M2.2 of LDP2 in respect of its detrimental impact on the Dams to Darnley Country Park; loss of the green network and the severance of a proposed key active travel route.

Given the loss of a significant amount of locally significant tree cover the proposal is contrary to the aims of Policy 6 of NPF4 and contrary to Policy D7 of LDP2 and further contrary to Policy 14 of NPF4 and Policies D1 and D14 and D15 of LDP2.

The applicant has not provided on-site provision of affordable housing and as such, the proposal is contrary to Policy 16 of NPF4 and Policies M2.2 and SG2 of LDP2.

In conclusion, the proposal is contrary to the terms of the development plan. There are no material considerations that indicate the application should not be refused. It is therefore recommended that the application is refused.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: REFUSE

REASONS FOR REFUSAL:

1. The proposal is contrary to Strategic Policy 1 and Policies M2 and M2.2 of the adopted East Renfrewshire Local Development Plan 2 as it relates to residential development within the Barrhead South Strategic Development Opportunity Area that is unanticipated; does not accord with the comprehensive delivery and phasing of sites; and is contrary to the terms of the Supplementary Planning Guidance: Barrhead South Master Plan. It is also contrary to Policy 16 of National Planning Framework 4 and Policy SG1 of the adopted East Renfrewshire Local Development Plan 2, as it relates to residential development within allocated housing site SG1.5 that exceeds the site's allocated capacity by 39 dwellings and as such, does not accord with the comprehensive delivery and phasing of sites or with the Council's spatial strategy.
2. The proposal is contrary to the terms of the Supplementary Planning Guidance: Barrhead South Master Plan as: i) it relates to residential development within the Barrhead South Strategic Development Opportunity Area that is unanticipated and does not accord with the comprehensive delivery and phasing of sites; ii) results in the loss of a significant area of open space within the Dams to Darnley Country Park which is contrary to the aims of the master plan's greenspace strategy; iii) results in the loss of established trees including part of the avenue leading to Lyoncross farm house which is contrary to the specific aims of the master plan; iv) it is considered that the proposal would prejudice the delivery of the conversion of Lyoncross farm house given the significant increase in anticipated unit numbers which would be contrary to the stated aims of the master plan; and v) does not provide on-site provision of affordable housing.
3. The proposal is contrary to Policy 16 of National Planning Framework 4 and Policies M2.2 and SG4 of the adopted East Renfrewshire Local Development Plan 2 and the terms of the Supplementary Planning Guidance: Barrhead South Master Plan as it does not provide on-site affordable housing provision.
4. The proposal is contrary to Policy 20 of National Planning Framework 4 and contrary to Policy D4 of the adopted East Renfrewshire Local Development Plan 2 as it would lead to the loss of a significant area of the green network within the Dams to Darnley Country Park. This would be to the detriment of the character and amenity of the wider area and detract from the setting of the country park.
5. The proposal is contrary to Policy 6 (Forestry, woodland and trees) of National Planning Framework 4 and contrary to Policy D7 of the adopted East Renfrewshire Local Development Plan 2 as it would give rise to a significant loss of established trees, to the detriment of the character and amenity of the area.
6. The proposal is contrary to Policy 7 (Historic assets and places) of National Planning Framework 4 and contrary to Policies D14 and D15 of the adopted East Renfrewshire Local Development Plan 2 as it would give rise to an unacceptable impact on the setting of the listed building given the design, scale and proximity of the development to Lyoncross farm house and the significant tree loss.

7. The proposal is contrary to Policy 14 of the National Planning Framework 4 and contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan 2 as the proposed development would: i) be highly visible and break the skyline when viewed from the north-west along Aurs Road and from the adjacent Dams to Darnley Country Park; and ii) give rise to a significant loss of established tree cover, both to the detriment of the character and amenity of the area and of the wider Barrhead South master plan area.

8. The proposal is contrary to Policy D9 of the adopted East Renfrewshire Local Development Plan; the terms of the Supplementary Planning Guidance: Barrhead South Master Plan; and the Supplementary Planning Guidance: Dams to Darnley Country Park, as the residential development would sever a key proposed active travel route through Barrhead South SDO site.

ADDITIONAL NOTES:

None.

ADDED VALUE:

None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3001.

Ref. No.: 2022/0719/TP
(DESC)

DATE: 7th February 2024

DIRECTOR OF ENVIRONMENT

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