

**Corporate and Community Services Department**

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Date: 24 September 2020

When calling please ask for: Paul O'Neil (Tel No. 0141 577 3011)

e-mail:- paul.o'neil@eastrenfrewshire.gov.uk

TO: Councillors A Ireland (Chair), B Cunningham (Vice Chair), A Convery, J Fletcher, J McLean, S Miller and J Swift.

**PLANNING APPLICATIONS COMMITTEE**

A meeting of the Planning Applications Committee will be held on **Wednesday, 30 September 2020 at 2.00pm.**

The agenda of business is as shown below.

**Please note this is a virtual meeting.**

**Caroline Innes**

C INNES

DEPUTY CHIEF EXECUTIVE

1. **Report apologies for absence.**
2. **Declarations of Interest.**
3. **Notification of planning appeals and appeal decisions – Report by Director of Environment (copy attached, pages 3 - 4).**
4. **Applications for planning permission for consideration by the committee - Reports by Director of Environment (copy attached, pages 5 - 36).**

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EAST RENFREWSHIRE COUNCIL  
PLANNING APPLICATIONS COMMITTEE

30 September 2020

Report by Director of Environment

APPEALS

1.0. **INTRODUCTION**

- 1.1. This report is to inform Members about a planning appeal decision that has been issued by the Scottish Government's Planning and Environmental Appeals Division (DPEA).

2.0 **APPEAL DECISIONS**

- 2.1. **ERC reference 2019/0295/TP; DPEA reference PPA-220-2060.** This appeal relates to the decision of the Council to refuse permission for the erection of a one and a half storey side extension, upper storey rear extension and single storey side and rear extensions at 99 East Kilbride Road, Busby. It was refused on the basis of the size and scale of the extension.
- 2.2. The reporter has allowed the appeal and has granted planning permission. He was of the view that the proposal was generally well designed and sympathetic to the area and concluded that it accords overall with the relevant provisions of the development plan and that there are no material considerations which would justify refusing to grant planning permission.
- 2.3. **ERC reference 2019/0442/TP; DPEA reference PPA-220-2059.** This appeal relates to the decision of the Council to refuse permission for the erection of 14 flats, formation of access, parking and associated landscaping at land at Williamwood Golf Club (South of 730 Clarkston Road), Clarkston Road, Clarkston.
- 2.4. The reporter has dismissed the appeal and has refused planning permission. He considered that the scale and massing of the development would not be sympathetic to the local area, but instead would overwhelm it; and was of the view that there was no evidence to link the sale of the land to deliver intended outcomes for the golf club. He concluded that the proposal did not accord overall with the relevant provisions of the development plan and that there are no material considerations which would justify granting planning permission.

3.0. **RECOMMENDATION**

- 3.1. Members are asked to note the above.

Director of Environment  
September 2020

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**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 applications under the above acts to be considered by Planning Applications Committee on  
30th September 2020.

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**Reference No:** 2019/0858/TP

**Ward:** 4

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**Applicant:**

Ms Sabah Hassan  
7 Ferguston Road  
Bearsden  
Glasgow  
Scotland  
G61 2DX

**Agent:**

Maura McCormack  
39 Dunipace Crescent  
Dunfermline  
Scotland  
KY12 7LZ

**Site:** 37 Busby Road Clarkston East Renfrewshire G76 7BN

**Description:** Erection of 4 retail units following demolition of existing dwellinghouse

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

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**Reference No:** 2020/0330/TP

**Ward:** 4

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**Applicant:**

Mr and Mrs S McAleer  
18 Gordon Road  
Netherlee  
Glasgow  
Scotland  
G44 3TW

**Agent:**

Donna Kennedy  
32 Treebank Crescent  
Ayr  
Scotland  
KA7 3NF

**Site:** 18 Gordon Road Netherlee East Renfrewshire G44 3TW

**Description:** Erection of a one and half storey dwelling following demolition of existing dwellinghouse.

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

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# REPORT OF HANDLING

Reference: 2019/0858/TP

Date Registered: 23rd December 2019

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257399/:657442

Applicant/Agent:

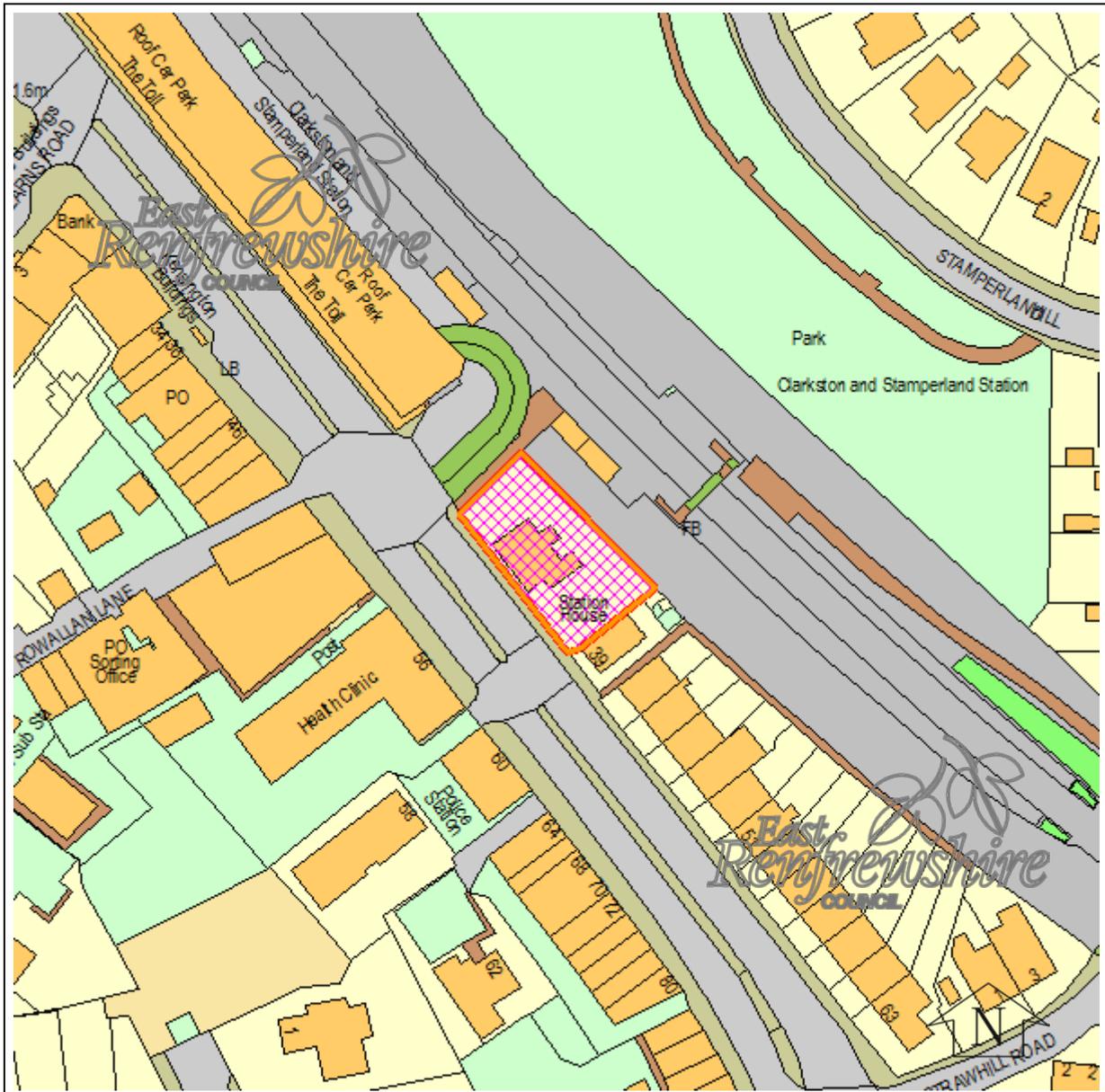
Applicant:  
Ms Sabah Hassan  
7 Ferguston Road  
Bearsden  
Glasgow  
G61 2DX

Agent:  
Maura McCormack  
39 Dunipace Crescent  
Dunfermline  
KY12 7LZ

Proposal: Erection of 4 retail units following demolition of existing dwellinghouse

Location: 37 Busby Road  
Clarkston  
East Renfrewshire  
G76 7BN

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**CONSULTATIONS/COMMENTS:**

East Renfrewshire Council Economic Development Service	The Economic Assessment is in line with expected evaluation techniques.
East Renfrewshire Council Strategic Services (Local Development Plan)	The proposal satisfies the terms of the adopted East Renfrewshire Local Development Plan.  The site is included within the Clarkston town centre as defined within the proposed East Renfrewshire Local Development Plan (LDP2).
East Renfrewshire Council Roads Service	No objection subject to conditions.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.
Network Rail	No objection.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:**

2008/0019/AD	Display of non-illuminated free standing signboard	Granted	03.09.2008
2019/0372/TP	Erection of 4 retail units following demolition of existing dwellinghouse	Refused	30.08.2019

**REPRESENTATIONS:** Thirty two representations have been received in respect of the application. Of those 32, ten are in support and twenty two object to the proposal: Representations can be summarised as follows:

Support

Improvement of derelict and disused site  
Increase the vitality and viability of the town centre  
Increased job opportunities

Object

Adverse economic impact on the town centre  
Loss of former station master's house  
No demand  
Visual impact/introduction of hard urban edge  
Reduction in housing stock  
Contrary to LDP  
At odds with the work of the Clarkston BID (Business Improvement District)  
Pressure on car-parking and traffic congestion  
Over-development of the site

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

**SUPPORTING REPORTS:**

Economic Assessment – The assessment was carried out in accordance with the Scottish Government's Guidance on Net Economic Benefit and Planning and provides an assessment of the proposal and its impact on the town centre. Depending on the eventual employment density of each retail unit, the likely level of net new employment will range from 10 to 20 net new jobs. This level of employment will generate a GVA of £436000. The report concludes that the development will result in a net benefit to the town centre and will have no adverse impact on its vibrancy and vitality.

Sequential Assessment – The assessment demonstrates, in line with national and local planning policy requirements, that there are no sequentially preferable sites within Clarkston town centre capable of accommodating the proposed development. The assessment considers vacant sites within the town centre making comment on their size, location and leasing arrangements.

## **ASSESSMENT:**

The application site comprises a traditional single storey dwelling and its curtilage and lies within the general urban area as defined within the adopted East Renfrewshire Local Development Plan (LDP) on the north-east side of Busby Road. Clarkston town centre abuts the north-west boundary of the site i.e. the site is not within the town centre as defined in the adopted LDP, but is adjacent to it. Pedestrian access to Clarkston Railway Station and vehicular access to the roof-top car park lies immediately to the north-west, beyond which lies an established shopping/commercial parade. A single storey retail unit lies immediately to the south-east and is currently vacant. Further commercial premises lie opposite on the other side of Busby Road. The Glasgow to East Kilbride railway line runs at the rear of the site.

It should be noted that the site lies within the Clarkston Town Centre as defined within the proposed East Renfrewshire Local Development Plan (LDP2) which extends the town centre to include the adjacent retail unit to the south-east. This is discussed further elsewhere in this report

The existing dwelling is a sandstone cottage with a slate roof and a timber entrance canopy detail and is currently rather dilapidated. It was originally the station master's house associated with Clarkston railway station; however it is not a listed building. The site is fronted by a sandstone wall approximately 1 metre high.

Planning permission is sought for the erection of four retail units in a single storey block. The block measures 27 metres wide by 11 metres deep by 4.8 metres high. Each unit is proposed to have an internal floor area of between 97.75 square metres and 98.15 square metres. It comprises a flat roof with shop-front windows facing Busby Road. It is proposed to be externally finished in facing brick and white render. The block will be set back 2.5 metres from the heel of the footway with parts of the existing front boundary wall retained. A raised access is proposed within the site, between the proposed retail units and the existing public footway. The existing building will be required to be demolished to facilitate the proposal.

The application is required to be assessed with regard to Strategic Policy 2 and Policies D1, D2 and SG7 of the adopted East Renfrewshire Local Development Plan.

Strategic Policy 2 states that the Council will apply a sequential approach to development, giving priority to previously used sites within the general urban area. In general terms the proposal does not raise any conflict with Strategic Policy 2 at this is a previously developed site.

Policy D1 states, among other things, that all development should:

- Not result in a significant loss of character or amenity to the surrounding area;
- Be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design and materials;
- The parking and access requirements of the Council should be met.

In terms of its general form, design and massing, the proposed development is acceptable in appearance. It is in keeping with the character and design of the single storey retail unit to the south-east and to the general character and design of the larger, established shopping parade with its roof-top car park to the north-west. The proposed development would be viewed in the context of the neighbouring town centre and would form a logical extension to the town centre in terms of its visual character. The loss of the former station master's cottage is noted, however it is not a listed building and the Council has limited control over its demolition. The Council's Roads Service has no objection to the proposal subject to conditions relating to the provision of a guardrail and surface water run-off. It is noted that the Council's Environmental Health Service has recommended that the opening hours of the proposed retail units be restricted. Given this is an edge of town centre site on a principal thoroughfare and given the proposed use is retail, it is not considered necessary to restrict the opening hours at this location. The proposed retail use would not be considered to unduly impact on the amenity of nearby residences which lie approximately 10 metres to the south-east. The proposal is therefore considered to comply with the terms of Policy D1.

Policy D2 states that development will be supported within the general urban area where it is compatible with the character and amenity of the locality and surrounding land uses and where it complies with other policies of the plan. Subject to compliance with other relevant policies, there would be no conflict in principle with Policy D2.

Policy SG7 states that existing town and neighbourhood centres will be the focus for new retail development. It goes on to state that proposals for new retail development out with town and neighbourhood centres will be assessed against the following criteria:

- Proposals must demonstrate why more sequentially preferable sites (ie existing town centre sites) have been discounted as unsuitable or are unavailable.
- There will be no significant individual or cumulative impact on the vitality and viability of any town or neighbourhood centre.
- The proposal will help to meet identifiable qualitative and quantitative deficiencies in existing provision.
- The proposal is of a scale which is commensurate with the size of the local community.

The Economic Assessment submitted with the application states that the likely level of net new employment will range from 10 to 20 net new jobs and states that this will have an economic impact providing a GVA of £436000. This takes into account any likely displacement with the town centre. On this basis the net economic impact assessment shows that the proposed development will have a net positive impact on the town centre and on the local economy. It is therefore considered that the applicant has demonstrated that there will be no significant adverse impact on the vitality and viability of the town centre.

The Sequential Assessment submitted with the application considers alternative sites at 39 Busby Road, 52-54 Busby Road, Helena Place and 3-4 The Toll. The Sequential Assessment considers the suitability of those sites for the proposed development in terms of their size, location and leasing arrangements and concludes that there are no suitable alternative town centre sites. In *Tesco Stores Ltd v Dundee City Council (2012)* the court determined that "suitable" had the meaning of being "suitable for the development proposed by the applicant." In terms of the current proposal the development relates to a configuration of 4 retail units within a free-standing building with an overall floor space of 392sqm. Of the alternative sites considered: 39 Busby Road has a floor space of 42sqm and is therefore too small; 52-54 Busby Road is an occupied by a supermarket with no prospect of the current lessee vacating the premises; 3-4 The Toll is being lies within an existing building and is being marketed as a class 3 use; and the property at Helena Place is on the first floor within an existing building. It is therefore accepted that none of the alternative sites described in the Sequential Assessment would be reasonably capable of accommodating the current proposal.

The Economic Assessment indicates the proposed development will help meet a deficiency in retail floor space in the area. The Assessment states that, in common with other similar sized town centres, retail forms the largest single unit use at 40%. This is lower than in most other

audited town centres where retail forms 45-55% of all units. It also states that the commercial vacancy rate in Clarkston is 10% which is lower than other town centres.

Therefore, both the Sequential Assessment and Economic Assessment provided with this application are considered to have appropriately considered the criteria of Policy SG7 and demonstrated that: alternative sites within the town centre have been considered and concluded as not suitable for the proposed development; no significant individual or cumulative adverse impact on the vitality and viability of the town centre have been identified; the proposal will help meet identifiable qualitative and quantitative deficiencies.

The proposed development is considered to be of a scale commensurate with the size of the adjacent town centre and raises no concerns with regard to Policy SG7.

Drawing together the above, the proposal is therefore considered to comply with the terms of the adopted East Renfrewshire Local Development Plan and should therefore be approved unless material considerations indicate otherwise. . .

The points of representation in support of the application are noted.

The following comments are made in respect of the points of objection. As stated above the existing cottage is not a listed building and therefore not a protected building. The Economic Assessment states that the proportion of retail units in Clarkston is lower than in most other audited town centres. The viability of any proposed business would be a matter for the applicant to assess. As noted above, the applicant has demonstrated in the Economic Assessment that there will be no impact on the existing town centre. The proposed units are considered to be acceptable in the context of the surrounding built form and visual character of the adjacent buildings. The loss of one residential unit would not be considered to significantly impact on the local housing stock. The proposal has been assessed against the relevant policies of the Local Development Plan and is considered to be compliant. The work of the Clarkston Business Improvement District (BID) is noted. However, the application is considered with regard to the development plan. The Council's Roads Service has not objected to the proposal nor substantiated concerns about car-parking and traffic congestion. The proposal is not considered to represent the over-development of the site as the development is in keeping with the surrounding density and built form and the applicant is not required to provide open space for this type of development.

The Proposed Local Development Plan 2 (LDP2) is a material consideration with regard to this planning application and is the Council's most recent expression of local planning policy. It should be noted that the site lies within the Clarkston town centre as defined within LDP2. LDP2 is presently at the examination stage. The East Renfrewshire Council Strategy Section has advised that no representations are being examined with regard to the site's inclusion within the town centre in LDP2. The relevant policies of LDP2 are considered to be Strategic Policy 1, D1 and SG10. Policy SG10 promotes a "town centre first" approach to retail development. The remaining policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposed works accord with the relevant policies in the Proposed Local Development Plan.

### Overall conclusion

The proposal is considered to comply with the terms of the adopted East Renfrewshire Local Development Plan. There are no material considerations that indicate the application should not be approved. It is therefore recommended that the application is approved subject to the conditions set out below.

For the avoidance of doubt, the applicant has applied for "retail units", so the use class is considered to be 'Class 1 Shops' (as defined in the Town and Country (Use Classes)(Scotland) Order 1997); and planning permission would be needed to change the use class e.g. to food & drink.

**RECOMMENDATION:** Approve Subject to Conditions

**PLANNING OBLIGATIONS:** None.

**CONDITIONS:**

1. Prior to the commencement of any work on site, details of a pedestrian guardrail to be provided in the location indicated in blue on the approved plan reference drawing 1 shall be submitted and approved in writing by the Planning Authority. Thereafter the guardrail shall be provided prior to the use of any of the retail units.

Reason: In the interest of pedestrian safety.

2. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the planning authority. For the avoidance of doubt, the details shall provide that no surface water discharges out onto the public road. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

3. No development shall take place until a site investigation has been submitted to and approved in writing by the Planning Authority. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Planning Authority. The site shall be remediated in accordance with the approved measures prior to commencement of construction and a validation report submitted and approved in writing by the Planning Authority before the buildings are to be occupied.

Reason: In the interest of environmental amenity.

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

Reason: To prevent noise nuisance to the surrounding area.

5. Noise from the proposed retail units and any associated equipment shall not exceed residential Noise Rating Curve 25 (as described in BS 8233 2014) between the hours of 2300 and 0700 and NR Curve 35 between 0700 and 2300 hrs, as measured from any neighbouring residential property.

Reason: In the interest of residential amenity.

**ADDITIONAL NOTES:**

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of Wildlife and, in particular, the needs to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise interfere with any wild bird nest which is in use or being built or, which, at any other

time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact Network Rail Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer  
151 St. Vincent Street, GLASGOW, G2 5NW  
Tel: 0141 555 4352  
E-mail: [AssetProtectionScotland@networkrail.co.uk](mailto:AssetProtectionScotland@networkrail.co.uk)

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

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

The applicant is required to consult with East Renfrewshire Council Protective Services regarding compliance with the Workplace (Health, Safety & Welfare) Regulations 1992.

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

No materials or skips should be placed on the footpath / road without the prior written consent of East Renfrewshire Council Roads Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, G46 8NG.

The Developer is required to consult with East Renfrewshire Council's Development Plans Section on 0141 577 8542 on proposed street naming and numbering at an early stage in the development.

**ADDED VALUE:**

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

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3861.

Ref. No.: 2019/0858/TP  
(DESC)

DATE: 9th September 2020

**DIRECTOR OF ENVIRONMENT**

**Reference: 2019/0858/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Strategic Development Plan**

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

**Adopted East Renfrewshire Local Development Plan**

Policy Strat2 - Assessment of Development Proposals

Proposals for new development, other than smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), will be assessed against the criteria below:

1. A proven need for the development.
2. The consideration of alternative locations, forms and layout of development.
3. Resulting community and economic benefits.
4. The impact on communities, individual properties and existing land uses.
5. The impact on existing and planned infrastructure.
6. The transport impact of the development, taking into account the need for a Transport Assessment and the scope for Green Transport Plans.
7. The impact on the built and natural environment, including local greenspace, the wider greenspace network, and the Green Belt, taking into account the need for Environmental Impact Assessment.
8. The impact on air, soil and water quality.
9. The potential for remedial or compensatory environmental measures.
10. The contribution to energy reduction and sustainable development.
11. The impact on health and well being.
12. The cumulative impact of the development.
13. The impact of proposals on other proposals set out in the Local Plan.
14. The suitability of proposals when assessed against any approved Supplementary Planning guidance.

Other strategic considerations to be taken into account are as follows:  
Sequential Approach

The Council will adopt a sequential approach in the assessment of all development proposals with preference being given to urban locations and in particular brownfield sites. Preference will also be given to sustainable locations (town and neighbourhood centres and other sites within the urban area well-served by public transport, walking and cycling). Where this is not possible, the Council will entertain other sites within the urban area. In all cases, the proposal should not prejudice other Local Plan policies and proposals. Locations within the Green Belt will only be considered where it has been clearly demonstrated that a suitable site does not exist within the urban area. The onus will be on the prospective developer to prove to the Council that the first or second preferences cannot be met.

#### Precautionary Principle

The Council will apply the precautionary principle, which states a general presumption against development that is judged to pose a significant risk of serious or irreversible environmental damage or adverse impact on public safety. However, if measures can be taken by the developer to minimise this potential threat to levels acceptable to the Council, then planning permission may be granted, subject to appropriate conditions.

#### Developer Contributions

The Council wishes to secure community, infrastructure and environmental benefits arising from new development to offset their environmental or social costs. Where a proposed development would create new or exacerbate existing deficiencies in local physical or community infrastructure, facilities or the environment, the Council will seek contributions from developers to assist in making good the deficiencies. The Council will also encourage 1% contributions from developers to fund public artwork in appropriate developments. Developers will be expected to assist in developing local work skills and employability in line with the Scottish Governments initiatives in relation to securing 1% Community Benefits in Procurement and 1% Linking Opportunity and Need. It is the Council's intention to produce Supplementary Planning Guidance on the matter of Developer Contributions.

#### Affordable Housing

The Council will give favourable consideration to proposals for affordable housing on greenfield sites or in the green belt provided that:

- \* the development is small scale and respects the setting, form and character of any adjacent urban area and the surrounding landscape;
- \* the proposal is for 100% affordable housing and would meet a local need as identified through the Local Housing Strategy;
- \* it would comply with the terms of the Council's SPPG on Affordable Housing and Policy H3 Affordable Housing;
- \* in the case of green belt sites it is located adjacent to the urban area; and
- \* it is of a scale and nature appropriate to its location and to the objective of achieving a mixed and balanced community.

Other housing proposals (for less than 100% affordable housing) to meet an identified deficiency in the land supply fall to be assessed against this policy and proposed supplementary planning policy guidance (as set out under proposal H1).

Where acceptable in principle, development proposals also require to meet the general planning principles set out in Policies DM1, DM2, DM3 and DM4.

#### Policy D1 - Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In

some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D2 - General Urban Areas

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

Policy SG7 - Town and Neighbourhood Centre Uses

The town and neighbourhood centres, as shown on the Proposals Map and listed in Schedule 14, will be the focus for new retail (Class 1 use), leisure, community, residential, and other relevant, complementary uses in accordance with the sequential approach to site selection. Proposals will be supported where of an appropriate scale and design quality, in order to contribute to the quality of the environment and the role and function of the centre.

Proposals for change of use away from retail within these centres require to comply with Policy SG9.

Proposals for new retail (Class 1 use) and leisure development outwith the town and neighbourhood centres will be assessed against Strategic Policy 2 and the following criteria:

A sequential approach to site selection has been followed. Proposals must demonstrate why more sequentially preferable sites have been discounted as unsuitable or unavailable;

There will be no significant individual or cumulative adverse impact on the vitality and viability of any town and neighbourhood centre;

The proposal will help to meet identifiable qualitative and quantitative deficiencies in existing provision; and

The proposal is of scale which is commensurate with the size of the local community

**Proposed Local Development Plan 2**

Strategic Policy 1 - Development Strategy

Proposals will be required to meet the objectives of the Proposed Plan and contribute to the delivery of the Development Strategy in order to create sustainable, well designed, connected, healthy, safe and mixed communities and places. Proposals should be designed to promote the health and wellbeing benefits of the development for people of all ages, abilities and backgrounds and demonstrate economic, social and environmental benefits. Proposals should not result in a significant adverse loss of character or amenity to the surrounding area.

The Council's approach to development is as follows:

1. Regeneration, consolidation and environmental enhancement of the urban areas through the provision of an efficient and sustainable use of land, buildings and infrastructure that encourages the re-use of brownfield and vacant sites, in keeping with a sequential approach and in accordance with other relevant policies of the Proposed Plan;
2. Master planned approach to development at the following Strategic Development Opportunity locations:
  - a. Maidenhill/Malletsheugh, Newton Mearns (Policy M2.1);
  - b. Barrhead South - Springhill, Springfield, Lyoncross (Policy M2.2);
  - c. Barrhead North - Shanks/Glasgow Road, Barrhead (Policy M3);
3. Infill development within the rural settlements compatible with the character, amenity and settlement pattern;

4. Phased release of sites to make efficient use of existing infrastructure and ensure the coordinated delivery of new infrastructure and investment, including schools; green infrastructure; transport infrastructure; community and leisure facilities; and health and care facilities all in accordance with Strategic Policy 2. Proposals for windfall sites will be required to provide the required infrastructure resulting 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 additional residential development upon education infrastructure, proposals will not be supported;
5. Implementation of City Deal strategic infrastructure projects set out in Strategic Policy 3 and Schedule 1 and other major infrastructure programmes;
6. Protection and enhancement of the green belt and landscape character and setting and the distinct identity of towns and villages in accordance with Policies D2 and D3;
7. Protection, creation and enhancement of an integrated multi-functional green network and connected green spaces within and around the urban areas which actively contribute to local amenity, recreation, active travel and biodiversity objectives in accordance with Policies D4 and D6;
8. Protection and enhancement of the built, historic and natural environment in accordance with Policies D7 and D14 to D20;
9. Provision of homes to meet the all tenure housing requirements of Clydeplan (Table 1) in accordance with Policies SG1, SG2 and SG4. The sites listed in Schedules 15 and 16 will provide a range and choice of housing sizes, types and tenures across the Council area to meet these requirements in accordance with the Strategic Housing Need and Demand Assessment and the Council's Local Housing Strategy;
10. Sustainable and inclusive economic growth and community benefits, including the creation of new employment opportunities through the provision of a range of sites and areas to provide a strong and diverse economy in both the urban and rural areas, in accordance with Policies SG5, SG6 and SG7;
11. Maintaining and enhancing the vitality and viability of the town and neighbourhood centres by adopting a town centre first approach that directs development and investment to town and neighbourhood centre locations in accordance with Policies SG10 and SG11; and
12. The contribution to energy reduction and sustainable development in accordance with Policies E1 and E2.

#### Policy D1 - Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks,

vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;

7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

#### Policy SG10 - Town and Neighbourhood Centre Uses

1. The network of town and neighbourhood centres, shown on the Proposals Map and listed in Schedule 19 are the preferred locations for significant footfall generating uses, including retail, leisure, entertainment, office, residential and community and cultural facilities.
2. A sequential 'town centre first' approach will be applied to proposals that would attract significant footfall. Proposals will be assessed against the following criteria:
  - a. Demonstrate a sequential approach has been undertaken to site selection in the following order of preference, as set out in SPP, and why more sequentially preferable options have been discounted as unsuitable or unavailable:
    - i. Town centres (including neighbourhood centres);
    - ii. Edge of town centre;
    - iii. Commercial centres;
    - iv. Out of centre locations that are, or can be, made easily accessible by a choice of transport modes.
  - b. Demonstrate that the proposal is of an appropriate scale and does not significantly impact upon the role and function of the centre, adjacent uses or the character and amenity of the surrounding area;
  - c. Demonstrate that the proposal will help to meet proven qualitative and quantitative deficiencies;
  - d. Demonstrate that there will be no unacceptable individual or cumulative impact on the vitality and viability of any town or neighbourhood centre; and
  - e. Demonstrate that the proposal is accessible by a choice of sustainable transport modes.
3. Proposals over 2,500m<sup>2</sup> (gross) floorspace out-with a town centre will require a retail impact assessment to be carried out. This should include a quantitative assessment of retail impact and capacity, and the qualitative impacts of the proposal. The cumulative effect of recently implemented or consented retail developments in nearby locations should also be taken into account.
4. Residential developments on the upper floors of existing buildings within the town and neighbourhood will be supported subject to compliance with other relevant policies of the Proposed Plan.
5. Proposals for changes of use at street level away from Class 1 retail use within the town and neighbourhood centres will be required to:
  - a. Demonstrate that there is no current or likely future demand for Class 1 retail use. Proposals will be required to demonstrate that the unit has been actively marketed for solely Class 1 retail use for a minimum of 6 months; and
  - b. Should not have an adverse impact on the mix and diversity of uses in the centre.
6. Proposals for hot food takeaways within the town and neighbourhood centres will be required to meet the following criteria:
  - a. Meet the requirements of criteria 5 where the proposal is for change of use away from Class 1 retail;
  - b. Avoid the concentration, including cumulatively, with other existing hot food takeaways in the area; and
  - c. Not result in a detrimental impact on the overall character and amenity of the centre, including the amenity of residential properties situated adjacent to or above

existing premises, by virtue of noise, disturbance or odour.

7. There will be a strong presumption against hot food takeaways out-with the town and neighbourhood centres. Proposals out-with the town and neighbourhood centres should not result in a detrimental impact on the overall character and amenity of the area and will be assessed against the criteria of Policy D1.

**GOVERNMENT GUIDANCE:**

Scottish Planning Policy on Promoting Town Centre indicates that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should: apply a town centre first policy when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities; encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening; ensure development plans, decision-making and monitoring support successful town centres; and consider opportunities for promoting residential use within town centres where this fits with local need and demand.

# 25 REPORT OF HANDLING

Reference: 2020/0330/TP

Date Registered: 22nd June 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257335/:658958

Applicant/Agent:

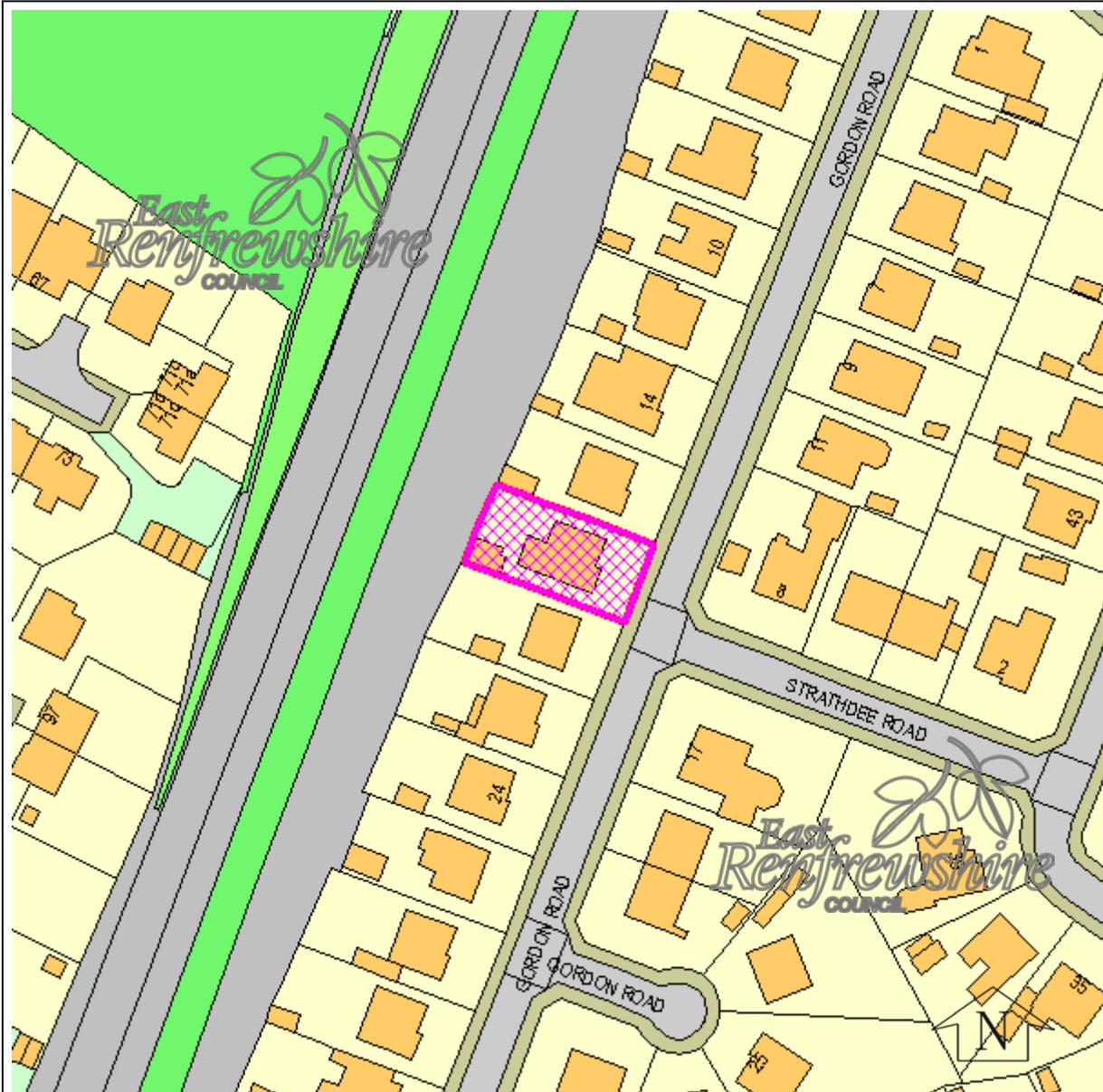
Applicant:  
Mr and Mrs S McAleer  
18 Gordon Road  
Netherlee  
Glasgow  
G44 3TW

Agent:  
Donna Kennedy  
32 Treebank Crescent  
Ayr  
KA7 3NF

Proposal: Erection of a one and half storey dwelling following demolition of existing dwellinghouse.

Location: 18 Gordon Road  
Netherlee  
East Renfrewshire  
G44 3TW

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**CONSULTATIONS/COMMENTS:**

Scottish Water	No objection.
East Renfrewshire Council Roads Service	No objection subject to conditions.

**PUBLICITY:**

14.08.2020                      Evening Times                      Expiry date 28.08.2020

**SITE NOTICES:**              None.

**SITE HISTORY:**

1997/0303/TP	Erection of garage and formation of double window.	Approved Subject to Conditions.	22.08.1997
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**REPRESENTATIONS:** Seventeen objections have been received and can be summarised as follows:

Out of character  
 Overlooking  
 Overshadowing  
 Loss of daylight  
 Disruption during the construction phase  
 Visual impact of fencing  
 Public road safety/traffic impact  
 Impact on foundations  
 Risk from mine workings  
 Reduces the amount of smaller homes  
 Title deeds restrictions  
 Motivated by profit  
 The most energy efficient option would be to retain the existing house  
 Flats out of place.

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

**SUPPORTING REPORTS:**

Design and Access Statement – The statement describes the site and its context. It refers to other dwellings that have been extended in the area. Outlines the design brief and explains that the proposed house will be highly energy efficient. It states that the proposed house will reflect and complement the other houses in the street. Provides an assessment against the Local Development Plan and the Supplementary Planning Guidance on Energy Efficient Design as well as national policy and guidance on energy efficiency.

**ASSESSMENT:**

The application site comprises a detached hip roofed bungalow with a front attic dormer and its curtilage and lies within an established residential area. The dwelling is externally finished in red/brown roofing tiles and render. The dwelling has a detached garage in the rear garden. The site occupies a prominent location opposite the junction of Gordon Road with Strathdee Road. The existing dwelling measures approximately 6.7 metres high by 10 metres deep by 10 metres wide. It has a single storey rear projection of 3.5 metres deep.

The surrounding area is characterised by similar bungalows, either detached or semi-detached - many also with attic dormers. Whilst the dwellings in the locality have been altered over the years, the predominant hipped roof design has been retained throughout the area. Where larger one and a half storey extensions have been developed, those have been to the rear of the dwellings. As such, the area retains much of its original character informed by low profile bungalows, restrained massing and hipped roofs.

Planning permission is sought for the erection of a replacement one and a half storey dwelling following demolition of the existing bungalow and garage. The proposed dwelling comprises side gable walls and a dual pitch roof with the ridge line running parallel with Gordon Road. It also comprises a front dormer and a rear gable wall. The dwelling is proposed to be externally finished in off-white render, stone cladding and grey concrete roofing tiles. The proposed dwelling measures 6.7 metres high by 10 metres wide by 14 metres deep. It has a footprint of 140sqm. The proposed rear garden area measures 133sqm in area. A 1.8 metre high boundary fence is proposed, increasing to 2.7 metres high for a 1.89metre long section between the proposed house and the neighbouring house at number 16 Gordon Road.

The proposal requires to be assessed with regard to Policies D1, D2, D7 and D15 of the adopted East Renfrewshire Local Development Plan (LDP) and any material planning considerations.

Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area; the proposal should be of a size, scale and massing in keeping with the buildings in the locality and should respect local architecture, building form, design and materials; the amenity of neighbouring properties should not be adversely affected; and the Council's access and parking requirements should be met.

Policy D2 supports development within the general urban area where compatible with the character and amenity of the area and where it complies with other appropriate local plan policies.

Policy D7 states that new development should incorporate open space provision as set out within the adopted Supplementary Planning guidance: Green Network and Environmental Management (Green Network SPG). The Green Network SPG sets out the minimum standards for private garden sizes. Among other things, the SPG states that for new dwellings, the private rear garden area should not be less than 1.5 times the area of the footprint of the dwelling.

Policy D15 states that replacement dwellings should reflect the scale and character of the surrounding residences and should be designed to contribute towards the visual character of the area.

As noted above, the surrounding area is characterised by detached and semi-detached hip roofed bungalows with attic dormers which creates a strong street rhythm. The introduction of a one and a half storey chalet style dwelling with a dual pitch roof and side and rear gable walls at this prominent location would not be in keeping with and would be in stark contrast to that established character. Whilst the height is not increased, the introduction of side gable walls would significantly add to the massing of the dwelling relative to the existing house, impacting on the space between the dwelling and its neighbours thus disrupting the harmonious rhythm of the streetscape where there are no other houses designed in this chalet style within the immediate area. The proposed dwelling is therefore considered to be out of character with the surrounding area by virtue of its general form and design and by its increased massing and would result in a visually dominant and incongruous addition to the streetscape. Whilst one and a half storey gable-ended extensions are present in Gordon Road, those are few, lie to the rear of the houses and do not characterise the street scape. As such, they do not mitigate the impact of the proposal on the character of the area.

Given its design and orientation of the proposed dwelling in relation to its neighbours and the proposed boundary treatment, any additional overlooking, overshadowing or loss of daylight would not be as severe as would justify a refusal of the application on those grounds.

Given the detrimental impact on character and visual amenity as outlined above, the proposal is contrary to Policies D1 and D15 of the adopted East Renfrewshire Local Development Plan.

Policy D7 requires compliance with the open space standards set out in the Green Network SPG. The SPG states that the private rear garden area should not be less than 1.5 times the area of the footprint of the dwelling. In this instance the private rear garden area is 133sqm which is in fact less than the area of the footprint of the dwelling. As such, the proposal represents the over-development of the site. The proposal is therefore contrary to Policy D7 of the adopted East Renfrewshire Local Development Plan.

Whilst Policy D2 supports development within the general urban area, this is subject to proposals complying with all other relevant policies of the Local Development Plan. As noted above, the proposal is contrary to Policy D1, D15 and D7. It therefore does not meet all the terms of Policy D2.

In terms of the objections that have been received and have not been addressed above the following comments are made:

It is inevitable that there will be some disruption during the construction phase. However, if the application were to be approved, this could be managed by a condition limiting the hours of construction on the site. The visual impact of the fencing is not considered to be as severe as would justify a refusal of the application on those grounds. The Council's Roads Service has not objected to the proposal. The site lies within an area identified by the Coal Authority as a high risk area. If the application is approved the normal procedure is to attach a note to the permission advising the applicant to contact the Coal Authority. The proposal, given that it is one house, would not be considered to have a significant impact on the stock of smaller housing in the area. The foundations will be considered at the building warrant stage should the application be approved. The comments on energy efficiency in the Design and Access Statement are noted as is the Supplementary Planning Guidance on Energy Efficient Design; however they do not outweigh the above development plan considerations. Title restrictions are a private legal matter and are not a material planning consideration. The applicant's motives are not a material planning consideration. Flats are not proposed.

The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be D1, D1.2, D2 and D6. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposed works do not accord with the relevant policies in the Proposed Local Development Plan.

In conclusion, the proposal is contrary to Policies D1, D2, D7 and D15 of the adopted East Renfrewshire Local Development Plan as the proposed dwelling, with its gable walls and dual pitch roof, would be out of character at a prominent location within this homogeneous area; and the proposal represents the over-development of the site as the minimum open space requirements are not met. There are no material considerations that are considered to outweigh these policies. It is therefore recommended that the application is refused for the reasons set out below.

**RECOMMENDATION:** Refuse

**PLANNING OBLIGATIONS:** None.

**REASONS FOR REFUSAL:**

1. The proposal is contrary to Policies D1 and D15 of the adopted East Renfrewshire Local Development Plan as the proposed one and a half storey dwelling with its dual pitch roof and gable walls would be a prominent and incongruous addition to the streetscape by virtue of its form and design, to the detriment of the character and amenity of the area.

2. The proposal is contrary to Policy D2 of the adopted East Renfrewshire Local Development Plan as the proposed dwelling would be a prominent and incongruous addition to the streetscape by virtue of its location opposite the road junction and its contrasting design, to the detriment of the character and visual amenity of the area.
3. The proposal is contrary to Policy D7 of the adopted East Renfrewshire Local Development Plan and to the terms of the adopted Supplementary Planning Guidance: Green Network and Environmental Management, as the area of the proposed rear garden ground would be less than one and half times the area of the footprint of the dwelling, thus representing the over-development of the site, to the detriment of the character and amenity of the area.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3861.

Ref. No.: 2020/0330/TP  
(DESC)

DATE: 7th September 2020

**DIRECTOR OF ENVIRONMENT**

**Reference: 2020/0330/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**Strategic Development Plan**

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

**Adopted East Renfrewshire Local Development Plan**

Policy D1 - Detailed Guidance for all Development

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

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;

5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

#### Policy D2 - General Urban Areas

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

#### Policy D7

##### Green Infrastructure and Open Space Provision within New Development

New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage, wildlife habitat and landscaping. This infrastructure should not only form an integral part of the proposed scheme but should complement its surrounding environment.

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

Policy D15 - Sub-division of the Curtilage of a Dwellinghouse for a New Dwellinghouse and Replacement of an Existing House with a New House

The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.

Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.

Existing building lines should be respected.

Development should provide safe vehicular access and parking in accordance with the Council's roads and parking standards.

**Proposed Local Development Plan 2**

Policy D1 - Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should

be located in close proximity to the entrances of all buildings to provide convenience and choice for users;

11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

#### Policy D1.2 - Residential Sub-division and Replacement

Proposals will be assessed against the following criteria:

1. Reflect the scale and character of the surrounding residences and the established pattern of development in the area;
2. Should be of a size and shape capable of accommodating a residential property and compatible with the locality;
3. There should be sufficient land to provide garden ground that is of a scale and character compatible with the locality for the proposed and donor properties;
4. Provide safe vehicular access and parking for the proposed and donor properties;
5. Not adversely impact upon the setting of the donor property; and

6. Respect existing building lines.

Policy D2 - General Urban Areas

Development will be supported within the general urban areas, shown on the Proposals Map. Proposals will be required to demonstrate that the proposed development is appropriate in terms of its location and scale and will not result in a significant loss of character or amenity to the surrounding area. Proposals must also comply with appropriate policies of the Proposed Plan.

Policy D6 - Open Space Requirements

Proposals will be required to incorporate multi-functional, integrated and accessible on-site green networks and green infrastructure, including open space provision, wildlife habitats and landscaping.

Proposals will be required to meet the following criteria:

1. Demonstrate that the provision and distribution of open space and green infrastructure has been integrated into the design approach from the outset and has been informed by the context and characteristics of the site using key natural and physical features. Proposals should be designed to accommodate users of all age groups, and levels of agility and mobility;
2. Provide a network and hierarchy of open space to create a structured and legible framework for development, which clearly distinguishes public space, semi-public space and private space using appropriate boundary treatments. Design and layout of proposals should encourage species dispersal through improving connectivity and the availability of habitats. New planting must promote and enhance the biodiversity of the area;
3. Complement, extend and connect existing open spaces and provide links to the wider green network;
4. Make provision for the long-term management and maintenance of open space. Details of maintenance requirements and arrangements must be set out, including who is responsible for these requirements;
5. Integrate Sustainable Urban Drainage Systems (SUDs) features with open space and active travel networks as part of a multifunctional approach to landscape design. SUDs may form part of open spaces subject to their design, provided they are accessible and contribute to the amenity value of the wider open space; and
6. Meet the minimum open space requirements set out in Schedule 4.

**GOVERNMENT GUIDANCE:** None