

Corporate and Community Services Department

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Date: 5 February 2021

When calling please ask for: Eamonn Daly (Tel No. 07584 116619)

e-mail:- eamonn.daly@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 10 February 2021 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. **Planning Performance Framework 2020 – Report by Director of Environment (copy attached, pages 3 - 10).**
4. **Appeals - Report by Director of Environment (copy attached, pages 11 - 12).**
5. **Applications for planning permission for consideration by the committee - Reports by Director of Environment (copy attached, pages 13 - 88).**

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EAST RENFREWSHIRE COUNCILPLANNING APPLICATIONS COMMITTEE10 February 2021Report by Director of EnvironmentPLANNING PERFORMANCE FRAMEWORK 2020**INTRODUCTION**

1. The purpose of this report is to inform the Committee about the Council's Planning Performance Framework and the Scottish Government Feedback report.

RECOMMENDATION

2. It is recommended that the committee notes the Planning Performance Framework and the Scottish Government's feedback on it.

BACKGROUND

3. Every planning authority in Scotland is required to produce a '**Planning Performance Framework**' (PPF) annually for submission to the Scottish Government. Every Council uses a similar format including the reporting of comparable performance statistics. As well as statistics, the document summarises positive actions undertaken during the year and improvement actions planned for the following year. The Scottish Government then undertake an assessment of the Framework and provides feedback and 'ratings' on how it has performed against various markers.

REPORT

4. The whole PPF (dated July 2020 and covering the 2019/20 period) is available online at www.eastrenfrewshire.gov.uk/planning-performance. It is split into a number of sections, the structure of which is set by the Government. The main body of the PPF (chapter 1) discusses what the Council has done throughout the year to deliver a high-quality planning service, and is set out under four headings:

- 1.1 Quality Outcomes
- 1.2 Quality of service and engagement
- 1.3 Governance
- 1.4 Culture of continuous improvement

5. Sections 1.1 and 1.2 in particular shows the range of services that are provided, the procedures and guidance that are in place and the volume of customer contacts that the Service deals with. Chapter 1 includes case studies of developments that took place through the year, including Council House Building (page 11), Community Benefits (page 12), Greenlaw Business Centre (page 13), Forecasting the Future of Educational Infrastructure Needs (page 21) and ESRI Mapping Software (page 27).

6. Chapters 4 & 5 contain performance statistics. Performance in dealing with local developments (over 99% of all applications), improved from the previous year and was better than the national average (8.9 weeks as compared to the Scottish average of 9.1 weeks). However in a number of individual categories performance was poorer than the previous year. The Covid-19 restrictions at the end of the 2019/20 year (affecting most of March) had some impact in slowing performance figures as the team acquired the necessary equipment and procedures for working 'agile' out of the office e.g. there were a few weeks when correspondence (including neighbour notifications) couldn't be sent out and many weeks (including March) when site visits could not be undertaken).

7. The Scottish Government have given feedback on our PPF. They use 15 markers, and for each marker we are rated green, amber or red based on the evidence provided within the PPF. The feedback report is contained in Appendix 1. We received 8 green, 3 amber and 2 red ratings. Looking at each of the non-green markers:

- Marker 1 – decision making timescales – red rating – we feel that the red rating is rather harsh. We accept that timescales some categories have reduced, however our timescale for all local applications (over 99% of applications processed) improved on last year and was better than the national average; and our performance for 'householder applications' (85% of all applications) also improved on last year. We therefore think that an amber rating would have been more reasonable here.
- Marker 4 – legal agreements – red rating – we are aware that timescales have been quite slow for issuing planning applications where legal agreements are involved. However most if not all of these delays have been as a result of delays at the applicant's side and are not the fault of the Council. We have a policy in place which aims to conclude legal agreements as quickly as possible and we may need to look to implement that more strictly; and where appropriate reconsider applications (with possible refusal of permissions) when legal agreements cannot be concluded within a reasonable timescale.
- Marker 6 – continuous improvement – amber rating – this reflects the poorer performance in some categories discussed against Marker 1 and the Local Development Plan delays discussed in Marker 8.
- Marker 8 – development plan scheme – amber rating – this reflects some delays earlier in the process in publishing the proposed Local Development Plan 2. However, the plan is currently at 'examination' with the outcome expected this spring. It is anticipated that the Plan will be adopted this summer/autumn.
- Marker 14 – stalled sites/legacy cases – amber rating – similar to Marker 4 above this reflects a handful of sites where decisions have been delayed, largely due to legal agreement or consultation response delays.

8. The 8 green ratings illustrates that the Scottish Government recognise good work being done within the Planning Service.

FINANCE AND EFFICIENCY

9. None

CONSULTATION

10. None

PARTNERSHIP WORKING

11. This report has no partnership working implications.

IMPLICATIONS OF THE PROPOSALS

12. There are no direct implications relating to the content of this report

CONCLUSIONS

13. The Planning Performance Framework (PPF) is a significant document which shows the wide range of customer service that the Council is delivering. The Scottish Government continue to promote *continuous improvement* and *modernisation* and it is considered that the PPF clearly demonstrates the Council's commitment to, and achievement of these aims.

RECOMMENDATIONS

14. It is recommended that the Committee notes the Planning Performance Framework and the Scottish Government's feedback on it.

Director of Environment

Report Author: Graham Shankland, Planning and Building Standards Manager
0141 07741 701414 e.mail: graham.shankland@eastrenfrewshire.gov.uk

January 2021

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APPENDIX 1**PERFORMANCE MARKERS REPORT 2019-20**

Name of planning authority: East Renfrewshire Council

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Red	<p>Major Applications The one major development you determined took 34.7 weeks to determine which is a week slower than the national average of 33.5 weeks. RAG = Red</p> <p>Local (Non-Householder) Applications Your timescales of 14.3 weeks are slower than the previous year and are slower than the Scottish average of 10.9 weeks. RAG = Red</p> <p>Householder Applications Your timescales of 8.0 weeks are faster than the previous year but are slower than the Scottish average of 7.3 weeks. RAG = Amber</p> <p>Overall RAG = Red</p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>You offer processing agreements for all major developments with consideration given to significant local developments. RAG = Green</p> <p>Processing agreement information is available through your website. RAG = Green</p> <p>Overall RAG = Green</p>
3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Green	<p>You provide a range of approaches to providing pre-application advice from walk in customers, telephone calls or formal written enquiries. You encourage applicants to discuss their applications prior to submission and for formal approaches this can include an indication of acceptability of a proposal within council policies. RAG = Green</p> <p>You have a 10 day turnaround time for dealing with requests to ensure officers have sufficient time to provide clear and consistent advice on the principle of development and the detailed aspects of the proposal including the need for developer contributions. RAG = Green</p> <p>Overall RAG = Green</p>

4	Legal agreements: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	Red	Your average timescales of 40.9 weeks for determining applications with legal agreements are slower than last year and the Scottish average. The protocol mentioned in last year's report has not had the intended impact of reducing timescales for legal agreements.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was 1 month old at the end of the reporting year.
6	Continuous improvement: <ul style="list-style-type: none"> • progress/improvement in relation to PPF National Headline Indicators; and • progress ambitious and relevant service improvement commitments identified through PPF report 	Amber	Your LDP is up-to-date and your enforcement charter was renewed this year. Clear timescales exist for adopting the next LDP and you have made progress on your stalled sites. Decision making timescales with legal agreements are faster however there have been increases in timescales for both non-householder and householder applications. RAG = Amber You have fully completed 3 out of 4 of your improvement commitments. You identified 4 commitments for the coming year which should improve your service delivery. RAG = Green Overall RAG = Amber
7	Local development plan less than 5 years since adoption	Green	Your LDP was 4 years and 9 months old at the end of the reporting period.
8	Development plan scheme – next LDP: <ul style="list-style-type: none"> • on course for adoption within 5 years of current plan(s) adoption; and • project planned and expected to be delivered to planned timescale 	Amber	Your next LDP is not on track for adoption within the five year cycle. RAG = Red Your Plan was due to be submitted for examination over Summer 2020. RAG = Green Overall RAG = Amber
9	Elected members engaged early (pre-MIR) in development plan preparation – if plan has been at pre-MIR stage during reporting year	N/A	
10	Cross sector stakeholders* engaged early (pre-MIR) in development plan preparation – if plan has been at pre-MIR stage during reporting year <i>*including industry, agencies and Scottish Government</i>	N/A	
11	Regular and proportionate policy advice produced on information required to support applications.	Green	You have produced a number of supplementary guidance documents to support your LDP on a number of topics including masterplans for three sites in Maidenhill, Barrhead North and South. You also have SPG on Affordable Housing and Developer Contributions.
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice).	Green	You provide evidence of single contact arrangements, a customer service charter and of working across different disciplines to improve outputs for stakeholders. Other examples include your Major Developments team which brings together professionals from across the council. You have also demonstrated how you are contributing to your Councils Local Outcome Improvement plan.

13	Sharing good practice, skills and knowledge between authorities	Green	You benchmark with neighbouring councils through the West of Scotland Benchmarking Group. As well as meeting the email list acts as a forum for asking questions and sharing expertise. You also participate in various HOPS sub-committees and events.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Amber	You have cleared 4 cases during the reporting year, with 5 cases still awaiting conclusion. You have provided an explanation for why these cases have not yet been determined and that officers keep these under review.
15	Developer contributions: clear and proportionate expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	Your planning obligations protocol sets out expectations for developer contributions. RAG = Green Your pre-application discussions involve addressing client expectations for developer contributions. RAG = Green Overall RAG = Green

EAST RENFREWSHIRE COUNCIL

Performance against Key Markers R = Red Marker A = Amber Marker Blank = Green Marker

Marker	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20
1 Decision making timescales	A				A		R	R
2 Processing agreements	R							
3 Early collaboration	A							
4 Legal agreements	A					A		R
5 Enforcement charter								
6 Continuous improvement	A			A		A	A	A
7 Local development plan								
8 Development plan scheme							A	A
9 Elected members engaged early (pre-MIR)	N/A	N/A	N/A	N/A		N/A	N/A	N/A
10 Stakeholders engaged early (pre-MIR)	N/A	N/A	N/A	N/A		N/A	N/A	N/A
11 Regular and proportionate advice to support applications	R	A						
12 Corporate working across services								
13 Sharing good practice, skills and knowledge								
14 Stalled sites/legacy cases	A	A					A	A
15 Developer contributions	A	A	A					

Overall Markings (total numbers for red, amber and green)

	Red	Amber	Green
2012-13	2	6	5
2013-14	0	3	10
2014-15	0	1	11
2015-16	0	1	11
2016-17	0	1	14
2017-18	0	2	11
2018-19	1	3	9
2019-20	2	3	8

Decision Making Timescales (weeks)

	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	2019-20 Scottish Average
Major Development	39.9	16.7	19.6	17.5	45.0	32.6	-	34.7	33.5
Local (Non-Householder) Development	14.2	9.2	9.0	10.9	10.1	10.5	12.4	14.3	10.9
Householder Development	6.7	6.6	6.4	6.2	6.5	7.5	9.3	8.0	7.3

EAST RENFREWSHIRE COUNCIL
PLANNING APPLICATIONS COMMITTEE

10 February 2021

Report by Director of Environment

APPEALS

1.0 **INTRODUCTION**

1.1 This report is to inform Members about planning appeals lodged and planning appeal decisions that have been issued by the Scottish Government's Planning and Environmental Appeals Division (DPEA).

2.0 **APPEALS LODGED**

2.1 **ERC reference 2019/0858/TP; DPEA reference PPA-220-0263.** This appeal relates to the decision of the Council to refuse planning permission for the erection of 4 retail units following demolition of existing dwellinghouse at 37 Busby Road, Clarkston.

2.2 This appeal has been determined and further details can be found at paragraph 3.1 of this report.

2.3 **ERC reference 2020/0330/TP; DPEA reference PPA-220-0265.** This appeal relates to the decision of the Council to refuse planning permission for the erection of a one and half storey dwelling following demolition of existing dwellinghouse at 18 Gordon Road, Netherlee.

2.4 This appeal has been determined and further details can be found at paragraph 3.5 of this report.

2.5 **ERC reference 2020/0585/TP; DPEA reference PPA-220-2066.** This appeal relates to the decision of the Council to refuse planning permission for the formation of driveway, realign front boundary and adjacent footway, including lowering of ground levels at 29 East Kilbride Road, Busby.

2.6 The target determination date as noted on the DPEA website is 3rd March 2021.

2.7 Further details relating to the appeal can be found online at:
<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=121323>

3.0 **APPEAL DECISION**

3.1 **ERC reference 2019/0858/TP; DPEA reference PPA-220-0263.** This appeal relates to the decision of the Council to refuse planning permission for the erection of 4 retail units following demolition of existing dwellinghouse at 37 Busby Road, Clarkston.

3.2 The Reporter has dismissed this appeal and planning permission has been refused.

- 3.3 The Reporter concluded that the proposal would not accord with LDP Strategic Policy 2 and LDP Policies SG7, D1 and D11. The Reporter noted that the proposed development does not accord overall with the relevant provision of the development plan and that there are no material considerations which would justify granting planning permission.
- 3.4 Further details relating to the appeal can be found online at: <https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=121219>
- 3.5 **ERC reference 2020/0330/TP; DPEA reference PPA-220-0265.** This appeal relates to the decision of the Council to refuse planning permission for the erection of a one and half storey dwelling following demolition of existing dwellinghouse at 18 Gordon Road, Netherlee.
- 3.6 The Reporter has dismissed this appeal and planning permission has been refused.
- 3.7 The Reporter concluded that the proposal would not accord with the requirements of Policies D1, D2 and D15. The Reporter noted that the proposed development does not accord overall with the relevant provision of the development plan and that there are no material considerations which would justify granting planning permission.
- 3.8 Further details relating to the appeal can be found online at: <https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=121274>.
- 4.0 **RECOMMENDATION**
- 4.1 Members are asked to note the above.

Director of Environment
February 2021

**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 10th February 2021.

Reference No: 2020/0510/TP

Ward: 3

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Applicant:

c/o Westpoint Homes Ltd
3 Arthur Street
Clarkston
United Kingdom
G76 8BQ

Agent:

Sara Cockburn
177 West George Street
Glasgow
UK
G2 2LB

Site: Eastwoodhill Eventide Home 238 Fenwick Road Giffnock East Renfrewshire G46 6UU

Description: Demolition of existing unlisted buildings, conversion of former care home to flatted residential development, the erection of new flatted residential development comprising 56 units, landscaping, engineering and associated works.

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

Reference No: 2020/0511/LBC

Ward: 3

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Applicant:

Westpoint Homes Ltd, John Brawley & Brendan Brawley
3 Arthur Street
Clarkston
G76 8BQ

Agent:

Sara Cockburn
177 West George Street
Glasgow
G2 2LB

Site: Eastwoodhill Eventide Home 238 Fenwick Road Giffnock East Renfrewshire G46 6UU

Description: Demolition of outbuildings within grounds of listed building and demolition of extension to listed building. Internal and external alterations to listed building associated with conversion of building to four residential flats.

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

Reference No: 2020/0540/TP

Ward: 5

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Applicant:

Mr Graham Mitchell
Office 4.6, The Studio
81 Broom Road East
Newton Mearns
Glasgow
G77 5LL

Agent:

Alistair Connell
30 Ellisland
East Kilbride
Glasgow
Scotland
G74 3SF

Site: Building 3 Kirkhill 81 Broom Road East Newton Mearns East Renfrewshire G77 5LL

Description: Change of use of existing open space and erection of meeting space building formed from shipping containers

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

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REPORT OF HANDLING

Reference: 2020/0510/TP

Date Registered: 8th September 2020

Application Type: Full Planning Permission

This application is a Major Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 255912/:658437

Applicant/Agent:

Applicant:

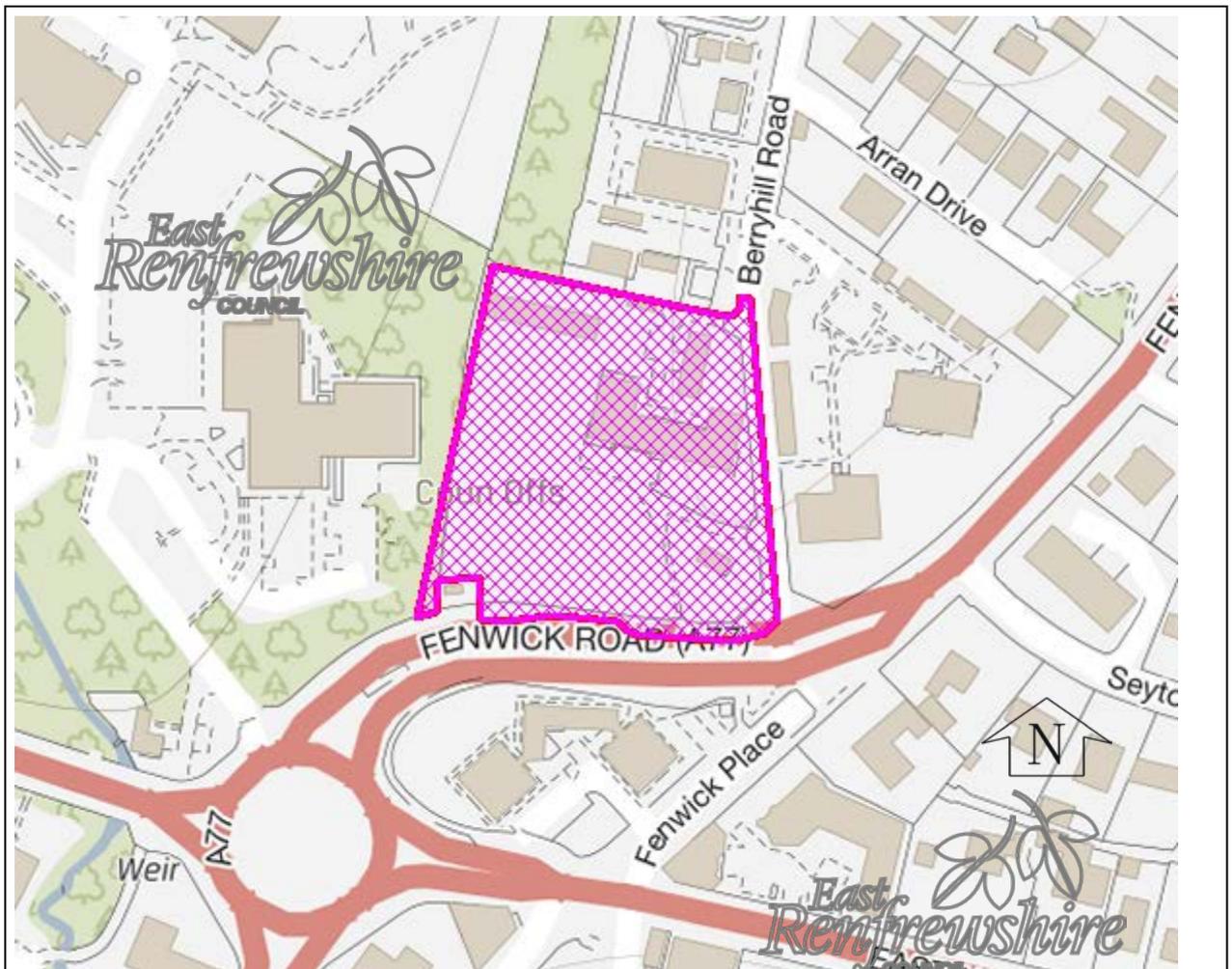
Agent:

c/o Westpoint Homes Ltd
3 Arthur Street
Clarkston
East Renfrewshire
G76 8BQ

Sara Cockburn
177 West George Street
Glasgow
G2 2LB

Proposal: Demolition of existing unlisted buildings, conversion of former care home to flatted residential development, the erection of new flatted residential development comprising 56 units, landscaping, engineering and associated works.

Location: Eastwoodhill Eventide Home
238 Fenwick Road
Giffnock
East Renfrewshire G46 6UU



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	No objection subject to conditions.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.
Scottish Water	No objection.
Scottish Environment Protection Agency (SEPA)	No objection.
East Renfrewshire Council Affordable Housing and Development Contributions Officer.	No objection subject to the conclusion of a Legal Agreement to secure contributions towards Affordable Housing, Education (Early Years, Primary, Secondary and additional support needs), Community Facilities (Community Halls & Libraries and Sports); and Parks and Open Space.
Giffnock Community Council	No response at time of writing.
Scottish Gas Networks (Lesley Phillips)	No response at time of writing.

PUBLICITY:

02.10.2020 Evening Times Expiry date 23.10.2020

SITE NOTICES:

Setting of Listed Building Date posted 02.10.2020 Expiry date 23.10.2020

SITE HISTORY:

2018/0664/PAN	Conversion of the former care home to flatted residential development; erection of new residential development, landscaping and associated works (major)	07.03.2019
2019/0143/LBC	Demolition of extension at side; internal and external alterations to building associated with conversion of building to residential flats (listed building consent)	Withdrawn 10.01.2020

2019/0144/TP	Conversion of former care home to flatted residential development; erection of new flatted residential development with associated parking and access roads (major)	Withdrawn	10.01.2020
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REPRESENTATIONS: Four objections have been received and can be summarised as follows:

- Pedestrian and public road safety
- Need for traffic signals at the junction Fenwick Road with Berryhill Road
- Pavement should be provided for whole length of Berryhill Road
- Height, scale and design of the proposal
- Noise disturbance during the construction phase
- Loss of trees
- Overlooking

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Tree Survey and Arborocultural Constraints - The report describes the extent and condition of tree cover within and immediately adjacent to the site and highlights the above and below ground constraints presented by existing tree cover. It identifies mitigation measures that are required to protect retained trees during construction period and details the proposed tree planting.

Air Quality Assessment - Concludes that the proposed residential use is predicted to have a negligible impact at the nearest residential receptors and that the site is considered to be suitable for the proposed use with no specific requirement to protect Air Quality.

Design and Access Statement - Outlines that the proposal is a major application and sets out the constraints and opportunities presented by the site. It explores the design in terms of historical context and analyses the architectural features of the Listed Building, as well as the landscape and the views in and out of the site as well as the accessibility of the proposal.

Drainage Strategy Report - Recognises the need for a 'Sustainable Urban Drainage Scheme' and states that it is incorporated within the design proposals for the surface water system. Outlines that the surface water will be attenuated before discharging into the surface water sewer at the agreed discharge rate. Full attenuation for the 1 in 200-year storm event plus 30% for climate change will be provided underground. It states that a traditional drainage system will collect foul drainage and direct it into the combined sewer. It concludes there will be no detrimental effect on the development or surrounding properties.

Ecological Assessment – Describes the habitats within the site and outlines national legislation and local planning policy relevant to natural heritage. It provides a description and outcome of an ecological assessment of the site. The assessment indicates that the only protected species that could have been anticipated as resident on the site were badgers and bats. However, the ecological assessment finds that there was in fact no evidence of

badgers using the site. Whilst there is potential for bats to forage in the tree lines on the east and west boundaries of the site, no indication was found of bats using the site to roost.

Heritage Assessment (Setting) - provides an independent assessment of the potential for the proposed development to affect the setting of the listed building, and details the historical development of the site. It describes the site's historic and architectural interest and describes the contribution of setting towards this special interest. It concludes that the original setting has undergone considerable change since the use and extension of the listed building as a care home and the redevelopment of Eastwood Toll and the realignment of Fenwick Road and that the proposed development will not have a substantial effect upon the current key elements of the setting of Eastwoodhill which contribute to the ability to understand, appreciate and experience the listed building and its special interest.

Noise Impact Assessment - Indicates that the assessment approach was agreed with East Renfrewshire Council to carry out a noise survey during the daytime and night-time periods; modelled the site to predict baseline noise levels and future noise levels arising from traffic noise; and specified appropriate mitigation to enable the proposed development to meet the criteria. Noise levels across the site are dominated by road traffic on the A77 Fenwick Road, with lesser contributions from the wider road network and the electric transformer to the north of the site.

Planning Statement - Considers the development against national and local planning policies as well as material planning considerations. It refers to the design approach undertaken and concludes that the development is high quality which would improve a Listed Building and accord with national policies and the Local Development Plan.

Site Investigation - States that made ground was encountered along the northern, eastern and southern site boundaries, most likely from offsite historic developments including Eastwood Toll, comprised of reworked sand and clay often containing cobbles, bricks, ash, red blaes and fragments of tarmac. It identifies some chemical contamination hot spots that will need cleaned up. It also states that that potential mining instability due to the presence of shallow abandoned coal mine workings does not present a constraint to the proposed development.

Transport Assessment - Indicates that the site is accessible via a range of transportation modes and that the junction of Berryhill Road/A77 Fenwick Road was tested and found to operate within capacity. Additional information was also submitted stating that signalling the A77/Berryhill Road junction was not necessary as the mean speeds were in keeping with the speed limit and when considering design guidance (Designing Streets), and that the junction is not an accident hotspot and there are no congestion issues. Concludes that the proposed development can be incorporated into the existing transport infrastructure with a negligible impact to existing conditions.

ASSESSMENT:

This is a major development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and as a consequence has to be presented to the Planning Applications Committee for determination.

Site Description

The application site is a vacant brownfield site within the urban area and was previously in use as a care home. It comprises an existing two storey category B listed building known as Eastwoodhill and its curtilage located on the north side of Fenwick Road at the junction with

Berryhill Road. The Council's HQ is located to the immediate west, with Eastwood Toll to the south. To the east is the flatted development of Hutchison Court, with McLaren Court to the south east, located on the south side of Fenwick Road. There is an electrical sub-station to the immediate north of the site, with St Ninian's High School further to the north-west. Further flatted developments lie to the south side of Eastwood Toll at Mains Avenue and The Hollows. The site is located adjacent to major thoroughfares and bus routes: Fenwick Road, Ayr Road and Eastwoodmains Road; and in proximity to Giffnock Town Centre and the civic amenities at Eastwood Park.

The listed building, which until recently was a care home, has been historically extended (circa 1960s) to the east elevation with a two/three storey modern extension. The site also contains three single storey buildings towards the rear part of the site and a two storey 1960's detached house (janitor/gatehouse) to the south east corner. Out with and to the south west there is a gas governor.

The site is covered by the Eastwoodhill Tree Preservation Order and contains several mature trees (chestnut, willow, lime, cypress, sycamore, beech, elm, birch, yew and redwood amongst others). Also immediately adjacent and adjoining on the west boundary is a Local Biodiversity Site (Eastwood Park). A Right of Way runs along Berryhill Road for the length of the site.

The site is relatively flat with a slight slope down towards Fenwick Road. A sandstone wall ranging from approximate 1.6m to 2m in height runs along the south and part of the east boundaries, with the remaining east boundary formed by a rendered wall approximately 1.8m high. A belt of trees which are part of Eastwood Park forms the west boundary and the electricity sub-station forms the boundary to the north. The site is accessed from two points on Berryhill Road, with the access nearest Fenwick Road having sandstone pillars and ornamental gates.

Proposed development

Planning permission is sought for the conversion of the former care home to form 4 flats; the erection of new flatted residential development comprising 52 units; and for the formation of associated parking and access roads. The proposal as a whole will provide a total of 56 flats consisting of 13 two bedroom flats and 43 three bedroom flats.

The conversion of the listed building (identified as Villa 1 by the applicant) involves the demolition of the existing two storey side (east) extension and a single storey rear extension. The proposed conversion will create 4 residential flats within the listed building. The conversion of the listed building will create 2 x 2 bedroom flat as well as 2 x 3 bedroom flats and involves various internal alterations to the existing rooms, including downtakings, creation of new internal doorways, the erection of partition walls to create entrance lobbies to the proposed flats and creating en-suite bathrooms. Also included is the re-roofing of the building using any usable slates that have been set aside and new slates. A new single storey extension is proposed to the rear of the listed building. The Council is also currently assessing an associated application for listed building consent (2020/0511/LBC) within which detailed design matters are considered, and which is also presented to the Planning Application Committee for determination.

The proposed extension to the rear is single storey with a flat roof, and measures approximately 8.5m by 8m and is approximately 4.5m in height.

The new build element of the proposal consists of 4 residential blocks of flats (called Villas by the applicant) providing a total of 52 flatted properties.

Villa 2 is located immediately adjacent to the east of the listed building, by a distance of some 6.5m to 10m. It is a flat roofed building with an irregular footprint which extends round to the rear of the listed building. It is four storeys in height, stepping down to three storeys to the front and rear and to the side (rear part) adjacent to the listed building and contains 14 flats, two of which are penthouse flats with terraces to the front, side and rear elevations. The building is 12m in height, stepping down to 9m, with a footprint of approximately 600 square metres. The listed building is approximately 11m to the ridge and 9m to the wall head.

Villa 3 is located to the south east corner of the site positioned approximately on the location of the existing modern two storey gatehouse and adjacent to the junction of Berryhill Road and Fenwick Road. It is flat roofed and three storeys in height, containing 6 flats. It has a footprint is approximately 280sqm and is approximately 10.5m in height, including 1m of underbuilding.

Villa 4 is located to the south west corner of the site, located adjacent to Fenwick Road and the boundary with Eastwood Park. It is flat roofed and four storeys in height, stepping down to three storeys. It contains 14 flats, two of which are penthouse flats with terraces to the front, side and rear elevations. It is approximately 13.5m in height, stepping down to approximately 10.5m.

Villa 5 is located to the north-west corner of the site and is five storeys in height, stepping down to 4 storeys to the front, rear and the side elevation nearest the listed building. It contains 18 flats, two of which are penthouse flats with terraces to the front, side and rear elevations. The building is 16m (max) in height, stepping down to 12.5m in height, with a footprint of approximately 600sqm.

The new build flats and the extension to the listed building are to be finished in facing brick and reconstituted stone with zinc cladding to the top floors of villas 2, 4 and 5. No details have been submitted regarding exact colour or texture of the bricks or other materials proposed to be used.

The proposal also includes 112 car parking spaces, as well as bins stores, cycle storage, landscaping and tree planting. It also involves landraising/re-profiling throughout the site, particularly towards the front half, and drainage including a below ground attenuation tank. It also involves moving the access roads, the relocation of the stone pillars and ornamental gates, and the removal of approximately 50% of the existing trees (although replacement planting and landscaping is proposed).

Assessment

The application has to be determined in accordance with the Development Plan and any material planning considerations. The Development Plan consists of the Strategic Development Plan (approved July 2017) and the East Renfrewshire Local Development Plan (adopted June 2015).

The proposed Local Development Plan 2 represents the Council's settled policy position and is a material consideration and this is discussed elsewhere in this report.

Scottish Planning Policy

Scottish Planning Policy (SPP) introduces a presumption in favour of development that contributes to sustainable development. It also indicates that the planning system should support economically, environmentally and socially sustainable places. SPP on Delivery of

New Homes indicates proposals should provide for all tenures, provide a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and have a sharp focus on the delivery of allocated sites embedded in action programmes. Additionally, the SPP supports the re-use of vacant and derelict land and buildings as part of the Government's objective to ensure that proposals are resource efficient.

SPP on Affordable Housing indicates that local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. In terms of Placemaking the SPP indicates that planning's purpose is to create better places through a design-led approach, with planning supporting development that is designed to a high-quality and which demonstrates the six qualities of successful place: distinctive; safe and pleasant; welcoming; adaptive; resource efficient; and easy to move around. This policy position is reinforced by the Scottish Government in its planning policy document Designing Streets.

The developer has indicated that they are willing to comply with the Council's affordable housing policy. In general terms the proposed re-use of the site, which is regarded as a sustainable location given its proximity to local facilities and access to public transport, complies with the general aims and objectives of Scottish Planning Policy.

In addition SPP states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. It also requires that special regard is given to the importance of preserving and enhancing the building and its setting. It also states that the layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from work that would adversely affect it or its setting. The proposed re-use/conversion of the listed building would enable it to remain in active use and therefore acceptable in this regard.

The impact of the proposal on the listed building and its setting are assessed elsewhere in this report. The proposed works to the listed building itself are also assessed in the separate application for listed building consent (2020/0511/LBC).

SPP also states that the presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. This is discussed elsewhere in this report.

Strategic Development Plan (approved July 2017)

The Strategic Development Plan (SDP) seeks the redevelopment of vacant and derelict land and the provision of high quality and affordable housing in the right location in order to promote the creation of a successful, sustainable and growing city region. The proposed development is located within the existing urban area and in general terms is considered to support the Vision and Spatial Development Strategy of the SDP of a compact city region. The proposed development is not considered to be a strategic scale development under Schedule 14 of the SDP as the development area is less than 2 hectares and less than 500 vehicles per day would be generated. As a consequence the proposed development is not considered to be a strategic scale development, and therefore required to be assessed against the relevant policies of the adopted East Renfrewshire Local Development Plan.

East Renfrewshire Local Development Plan

The relevant policies of the adopted East Renfrewshire Local Development Plan are considered to be Strategic Policy 2, Strategic Policy 3, D1, D2, D4, D7, D8, D11, SG1, SG4, SG5, SG10 and E5.

Strategic Policy 2 sets out a range of environmental, community and infrastructure criteria that are required to be taken into account in assessing planning applications. This policy seeks to promote the re-use of brownfield sites (ie previously developed) within the urban area and ensure that there is no adverse impact on existing community facilities including education or adverse impact on the built and natural environment. It also seeks to ensure that the transport impact of the development is taken into account.

Strategic Policy 3 indicates the Council wishes to secure community infrastructure and environmental benefits arising from new development to mitigate their impacts. New developments that individually or cumulatively generate a requirement for new or enhanced infrastructure or services will be expected to deliver, or contribute towards the provision of, supporting services and facilities.

Policy SG1 sets out that the Council will support housing development on the established housing sites as identified in the Local Development Plan. This site is not identified as one of these sites.

Policy SG4 indicates that all new housing proposals should include a mix of house types, sizes and tenures to accord with the Council's Local Housing Strategy and the Strategic Housing Need and Demand Assessment. In particular there are requirements for smaller and family sized homes, bungalows and single storey own door properties. Given the size of the site and its location, it is considered that a flatted development is the most appropriate means of developing the site and is in keeping with the character of other developments in the immediate area. Whilst the proposal does not comply with the strict interpretation of Policy SG4, there are material considerations that justify granting planning permission as an exception to the terms of the policy.

Policy SG5 on Affordable Housing and the adopted Supplementary Planning Guidance on Affordable Housing (June 2015) are also relevant. The Council's policy requires a minimum 25% affordable housing contribution where planning permission is sought for residential developments of 4 or more dwellings.

The Council's Contributions Officer has stated that given the specific circumstances involved and the form of development being proposed, the payment of a commuted sum in lieu of on-site provision of affordable housing is acceptable and that this has been agreed with the applicant. The application of the minimum 25% affordable housing policy to this proposal would result in a contribution equivalent to 14 residential units. The Contributions Officer has also stated that contributions are required towards Education (Early Years, Primary, Secondary and additional support needs); Community Facilities (Community Halls & Libraries and Sports); and Parks and Open Space. The applicant has agreed to meet the relevant development contributions.

The re-use of this brownfield site is compatible with the general policy aims of the Strategic Policy 2 and Strategic Policy 3, as well as Policy SG5. However a detailed assessment is required in terms of the impact of the proposal on the listed building and its setting as well as on amenity and the built and natural environment of the area.

In terms of assessing the detail of the proposal Policies D1, D2, D4, D7, D8 and D11 are the most relevant and set out a number of criteria for assessing development to ensure that it is

well designed and compatible with the character and amenity of the locality and surrounding land uses and are of a size, scale and density in keeping with the locality and respect local building form, design, and materials. They also state that proposals should not adversely impact on the natural environment, landscape character, involve the loss of trees or other important landscape, greenspace or biodiversity features.

The adopted Supplementary Planning Guidance (SPG) on the Management & Protection of the Built Heritage states that development should protect a listed building and its setting and be the minimum necessary to enable its conservation and re-use. The new development should be designed to retain and enhance the special interest, character and setting of the listed building. The adopted SPG on Residential Street Design states that proposals should be designed around existing features rather than remove them. The adopted Green Network and Environmental Management SPG also seeks to protect and retain the natural features including trees, habitats and species, it also recognises that existing trees can play a part in creating a distinctive place.

Historic Environment Scotland's Non-Statutory Guidance: Managing Change in the Historic Environment - Setting is a material consideration and identifies that the setting, which can include a garden area and/or the current landscape context, is a key issue in appreciating and understanding of a listed building and that it must be taken into account in assessing an application. It states that proposals should seek to avoid or mitigate detrimental impacts on the settings of historic assets.

Setting of the listed building and the visual impact of the proposal

It should be noted at the outset, that the original setting and garden grounds of the listed building have been significantly compromised in the past. Most notably, during the 1970s when Fenwick Road was re-aligned towards the north during the re-development of Eastwood Toll. This resulted in the loss of approximately 50% of the front garden area of the house including the loss of parkland and formal gardens. Prior to that, the original villa had been converted to an eventide home including the erection of the extensions and other alterations referred to above. As a result, the listed building now sits within a truncated curtilage in a much more urban setting.

The site is characterised by the extended two storey listed building set in its truncated garden ground and is contained by what appears to be the original the boundary wall, relocated from its original position. From Fenwick Road the mature trees are particularly evident. The later two storey 'gatehouse' is also comparatively prominent within the site. From Eastwood Toll along Fenwick Road towards Giffnock town centre the area is strongly defined by buildings set back from the road, set well within their curtilage surrounded by extensive landscaping and mature trees.

The immediate area is urban in character, partly defined by the open aspect of Fenwick Road and the large scale buildings of Hutchinson Court and McLaren Court, both of which are 5 storeys in height. On the other side of the Eastwood Toll roundabout, further large scale flatted developments at The Hollows and on the site of the former MacDonald Hotel are also prominent features.

As indicated above, the proposal introduces a three storey building, 2 four storey buildings, and a five storey building all of which are substantial in size. Whilst, by their nature, they would change the character of the site, they are nevertheless considered to be in keeping with the general urban character of the wider area Fenwick Road/Eastwood Toll area. They are considered to be comparable in character and scale to the other large flatted

developments in the vicinity of the site which would be inter-visible with the development proposal and which define the character of the area.

The proposed 3 storey building (Villa 3) has a footprint of some 280sqm and will be set back approximately 8.5m from the site's front boundary with Fenwick Road and approximately 13 metres from the kerb line. The building is generally rectangular in floorplan and is positioned such that the narrowest elevation fronts Fenwick Road. Existing trees will be retained at the front and side of the proposed building where it fronts Fenwick Road and Berryhill Road with mitigation planting proposed at the south-east corner of the building. Whilst it will replace the smaller, existing two storey gatehouse, its separation from Eastwoodhill will ensure it will not have a detrimental impact on the setting of the listed building. Its location in the south-east corner of the site and its orientation relative to Eastwoodhill ensures that views of the listed building from Fenwick Road are generally protected.

The proposed building (Villa 4) to the south west part of the site is predominantly four storeys in height and sits approximately 16m from the boundary with Fenwick Road. This building is approximately 13.5m in height, stepping down to 10.5 metres and will present an elevation onto Fenwick Road approximately 17 metres in width. Like villa 3, the building has been positioned such that the narrowest elevation fronts Fenwick Road with a set back of the upper (fourth) floor. The building is staggered to reduce the scale and massing presented onto Fenwick Road and to ensure that the proposal relates more to the height of the listed building. The stepping back of the upper floor will emphasise the third floor level which is similar in height to the listed building and therefore will help the proposed building relate to the listed building. Whilst villa 4 will have a significant presence on the site, its separation from Eastwoodhill will ensure it would not have an adverse impact on the setting of the listed building. Whilst trees will be felled in the south-west of the site to accommodate villa 4, the applicant proposes replacement tree planting to the south and east of the proposed building.

As a result of the positioning of buildings 3 and 4, maximum separation between the two forward-most new build blocks is secured. This allows the maximum amount of open space to the front and sides of the listed building and ensures that the listed building is not unduly encroached upon by the forward-most new build blocks. Notwithstanding the existing and proposed tree planting, the positioning of buildings 3 and 4 ensure that views of the principal elevation of the listed building from Fenwick Road will not be obscured by the proposed new development.

The proposed building (Villa 5) to the north-west corner of the site comprises five storeys, sitting to the side (west) and rear of the listed building. It totals 16 metres in height, stepping down to 10.5 metres and lies 15 metres from the listed building. The building has been designed and positioned such that the massing of the west elevation facing the listed building and the south elevation facing towards Fenwick Road are reduced. This has been achieved by setting the fourth floors back from the south and west elevations. This ensures a good relationship between the proposed building and the listed building in terms of scale and massing when viewed in close proximity from within the site and from wider views from out with the site.

The proposed building (Villa 2) immediately adjacent (east) of the listed building generally occupies the area of the existing two storey extension. The proposed building is 12 metres high, stepping down to 9 metres at the front. It has an irregular footprint and wraps around the side and rear of the listed building, separated by 6 metres to the rear and 10 metres towards the front. The front elevation is articulated such that the front left corner sits behind the front elevation of the listed building. The proposed front elevation is narrower in width than the front elevation of the listed building and in this regard it appears subservient. Additionally, the proposed fourth floor is set back from the front elevation and as a result will

read from the immediate front as a three storey building, matching approximately the eaves line of the listed building. From further back within the site and from Fenwick Road the fourth floor will be visible but will be read in the context of the other building within the site. Given its design and positioning, the proposed building will not detract from the character or setting of the listed building.

The works to the listed building (Villa 1) include the demolition of the existing two storey side extension, demolition of a single storey rear extension and the erection of a single storey extension. Those works reinstate the listed building as a stand-alone building within an envelope comparable to the original sandstone villa. Also included is the re-roofing of the building. The proposal involves the sub-division of the building into four residential flats. The proposed extension to the rear is modest in size and will not dominate or detract from the original building. Consequently, in itself, the proposed extension, external works and sub-division raise no significant issues in terms of Policies D1, D11 and D14.

The proposed works to the listed building are part of the separate application for listed building consent (2020/0511/LBC) which is also presented to the Planning Application Committee for determination.

The proposal also includes the formation of an access loop road with two spurs to provide access to the flats and courtyard parking. The re-alignment of the accesses from Berryhill Road necessitates the removal of the stone pillars and semi-circular entrance wall feature adjacent to the existing gatehouse. The pillars are proposed to be relocated to the north access from Berryhill Road. A total of 112 car parking spaces are proposed. The car-parking is generally contained within parking courts and parking bays remote from the listed building with the exception of 9 spaces to the side of the listed building and 8 to the front. The spaces to the side are located to the rear of the principal corner bay and those to the front are positioned again to the side of the entrance bay and 3 metres in front of the building. The car-parking and access roads are therefore considered to be positioned to minimise their impact on the character and setting of the listed building and to minimise impact on future residents.

Application 2019/0144/TP for a similar development on the site was withdrawn on 10 January 2020. The design changes that seek to improve the setting of the listed building can be summarised as follows:

- The villa positions have been revised to enhance the space between the buildings and between the proposed new buildings and the listed building.
- The spacing between the front two villas (villas 3 and 4) is increased to 63m.
- The building footprints of the new build villas have reduced in size by narrowing the internal cores. This allows slightly more generous landscaping around each building and greater setbacks from roads, existing trees and boundaries.
- The relationship between the new buildings and the listed building has been enhanced by altering the elevations which face the listed building:
- The length of the west elevation on villa 3, facing the listed building, has been shortened. A step has been introduced at the penthouse level on Villa 3. The windows on villa 3 have been made more generous to create a lighter and better proportioned architecture.

- Villa 4 has been flipped which significantly reduces the length of the east elevation which faces the listed building. The alteration ensures the elevation length is complimentary to the listed building frontage width. This also benefits the composition of the main frontage to Fenwick Road.
- The position of villa 2, to the east of the listed building, has been refined so the set back of the top floor responds to the listed building.
- The ridge heights of the proposed buildings respond to the listed building through the introduction of set-back roof levels.
- Balustrade positions on the penthouse level have been set back to refine the scale.
- Key features on the villa elevations have been reviewed to ensure they respond sensitively to the features on the listed building. (For example, the second floor of villa 2 corresponds with the eaves level of the listed building).

The demolition of the existing outbuildings (i.e. all other buildings on the site other than the listed building) raises no significant issues in terms of the adopted Local Development Plan. The impact of the proposal on the natural environment, including the loss of trees and protected species is discussed elsewhere in this report.

The removal of the stone entrance pillars is required to realign the access and their proposed relocation to the northern access is noted.

It is therefore considered for the reasons outlined above that the proposed development of the site and the conversion of the listed building to flatted accommodation, including the external alterations, would not detract from the setting or character of the listed building to an extent that the refusal of the application would be justified. The proposal would bring a listed building back into use, the original setting of which has been much diminished by previous development within and outwith the site during the latter part of the 20th century.

Impact on Trees

Policy D8 seeks to protect the natural environment including Tree Preservation Order areas. In addition, the Supplementary Planning Guidance (SPG) on Residential Street Design states that existing trees which are in good health should be designed around rather than removed.

Tree cover is significant in the south and west of the site and along the eastern boundary with Berryhill Road. Mature species of beech, horse chestnut and sycamore are concentrated around the site perimeter. To the south-west of the listed building there is a group of Wellingtonia (redwoods). There are numerous examples of goat willow, sycamore and silver birch that have self-seeded over time, many of which are now fairly mature. Woodland extends beyond the site to the north and west, within the grounds of Eastwood Park. The Tree Survey reports on 68 trees within the site and records them with circular tags numbered 838 to 902.

The new access road will necessitate levels alterations to achieve acceptable gradients. Levels alterations are constrained by the listed building's foundation levels and will require an increase in levels where it passes to the west of the listed building. The group of three Wellingtonia (redwoods) (881-883) to the west of the listed building are proposed to be removed to allow of the alignment of the access road.

The single Wellingtonia (877) at the south end of group 877 to 880 is proposed to be removed to accommodate the erection of block 4 in the south-west of the site. The remaining two Wellingtonia and single deodar (Himalayan cedar) in the group are proposed to be retained. The Tree Survey indicates that those trees will be less affected by road construction and levels alterations to the north and east given their deep root structures.

The group of trees to the front of the listed building are proposed to be retained. Whilst car-parking and access roads are proposed to be formed at the front of the listed building, the area has been in use as a vehicular access. The Tree Survey indicates that that this will have suppressed root growth and that the works will have little impact on those trees.

Formation of the northern access road necessitates the removal of trees 890-892 and trees 893 and 894 are proposed to be felled to accommodate the north-east flatted block (villa 2). Tree 901 is proposed to be removed to allow the formation southern access.

The group of trees 870 to 875 are proposed to be removed to allow the construction of the south-west flatted block (villa 4) and trees 862-864 are proposed to be removed to accommodate car-parking.

Three trees graded category U on the southern boundary are proposed to be removed to prevent damage to the boundary wall. Further trees identified in the Tree Survey as being of poor quality are proposed to be removed.

32 trees are proposed to be planted to off-set the removal of the above-mentioned trees.

Of the above 21 trees proposed to be removed to accommodate the proposed development, 15 are noted in the Tree Survey as being of good or fair condition. It is accepted that this is a significant number of healthy trees. However, taken in the context of the wider site, the trees to be retained and the replanting proposals, the integrity of the Tree Preservation Order and the setting of the listed building are not considered to be so significantly impacted as would justify a refusal of the application on those grounds. It should also be noted that the original garden of the listed building would have been planted with domestic and exotic specimen trees. Whilst some of those examples survive, many of the trees present within the site have self-seeded within the intervening years. As noted above, the original garden area has been truncated by the development of Eastwood Toll and the realignment of Fenwick Road. For those reasons, the original parkland character of the site has been lost and could not be brought back by changes to the development layout. The proposed scheme is therefore considered to be reasonable in terms of its impact on the trees within the site and on the setting of the listed building and will be mitigated by replacement planting. If the application is approved, the replacement planting and the protection of the trees to be retained can be secured by conditions.

Potential impact on protected species

Policy D8 of the adopted Local Development Plan requires careful consideration of the impact a development will have on protected species.

The site is not protected by a nature designation. The Eastwood Park SINC lies adjacent to the site. The proposed development is set back from its boundary and according to the Ecological Assessment submitted in support of the application, the proposal will not adversely affect the SINC.

The land within the application site is mostly neutral grassland, bare ground, scattered trees and buildings. The Ecological Assessment indicates that there will be low grade habitat loss,

however this will be mitigated by the creation of amenity open space and gardens. The assessment indicates that this will be more biodiverse than the habitat they replace.

Badgers and small mammal - the Ecological Survey reports that there was no evidence of badgers using the site and does not recommend any further survey work.

Bats - the Ecological Assessment reports that negligible roost opportunity and limited forage opportunity will be affected by the development. The assessment recommends that one tree is inspected for evidence of current or recent use as a bat roost. The assessment advises that the tree should only be felled once it is declared free from roosting bats.

Birds - there is potential for bird nesting within the site. The Ecological Assessment recommends that felling of trees should only take place out with the bird nesting season.

It is therefore considered that the proposed development will not unduly compromise the ecology of the site or adversely impact on any protected species.

If the application is granted, an appropriate note can be attached to the permission to remind the applicant of their obligations under wildlife legislation.

Impact on Roads

Strategic Policy 2, Policy D1 and SG10 require proposals to be assessed against the Council's roads standards and requires that any transport impact of the development is taken into account. In particular SG10 seeks to direct new development to locations, which promote a choice between transport modes to reduce the overall need to travel and reliance on the private car.

The Transport Assessment submitted in support of the application concludes that the impact of the proposed development is negligible compared with the anticipated 2021 baseline and the scenario wherein the Eastwoodhill Care Home was still operational. The junction of Fenwick Road with Berryhill Road is indicated in the Transport Assessment as having a residual capacity of 62% and the Assessment recommends that no mitigation is required at the junction.

The Council's Roads Service is the Planning Authority's primary consultee on road safety matters. Its comments are given significant weight in determining planning applications. It recommends approval of the application subject to conditions including the provision of a signalised junction at Fenwick Road/Berryhill Road. This is at variance with the findings of the Transport Assessment which concludes that no mitigation of this type is necessary. The comments of the Roads Service are given such weight that they outweigh the findings of the Transport Assessment. It is therefore considered that a condition requiring the submission, approval and implementation of a signalised junction at Fenwick Road/Berryhill Road should be attached to any planning permission granted.

Other conditions recommended by the Roads Service relate to the provision of the 2 metres wide footway on Berryhill Road between the two site accesses; visibility splays; surface water run-off; and the provision and completion of the car-parking spaces. The Roads Service has also commented on the applicant's proposal to discharge surface water run-off to the public sewer. The applicant will require to negotiate separately with Scottish Water to ensure this is acceptable. An appropriate note, reminding the applicant of this obligation can be attached to any planning permission granted.

Other design considerations

Given its design and the separation between the proposed new-build blocks, the listed building and the site boundaries, the proposal would not give rise to significant additional overlooking, overshadowing or loss of daylight. The proposed development is considered to be acceptable in appearance and is in keeping with the character of the wider urban area.

Given the foregoing, the proposal is considered to comply with the terms of Policies D1, D2, D4, D7, D8 and D11 of the adopted East Renfrewshire Local Development Plan.

Drainage

Policy E5 requires a Sustainable Urban Drainage System (SUDS) to be incorporated into all new developments to moderate surface water drainage from the site and mitigate impacts on water quality. The applicant has submitted a drainage impact assessment which states that a 'Sustainable Urban Drainage Scheme' is incorporated within the proposals to deal with surface water. Full attenuation for the 1 in 200 year storm event plus 30% for climate change will be provided underground. It concludes there will be no detrimental effect on the development or surrounding properties. The indicative layout identifies an underground attenuation tank adjacent to Fenwick Road connecting to existing infrastructure.

SEPA has raised no objections. Scottish Water has raised no objection however state in their response that they are unable to reserve capacity at their water and/or waste water treatment works for the proposed development.

The Council's Roads Service have been consulted in relation to flooding and drainage and have stated that the proposal to restrict surface water run-off from the site to the 1 in 2 year greenfield run-off rate of 7.9l/s/ha. It is considered, if the application is approved that these matters can be addressed by conditions. Therefore the proposal raises no significant issues with regard to Policy E5.

Site investigation and Air Quality

The Council's Environmental Health Service reviewed the Site Investigation Report submitted by the applicant and has concluded that a remediation method statement to deal with the identified potential ground issues as well as remedial measures will be required for the site. This should also include validation and verification criteria and should be submitted to the Council for approval prior to any occupation of the site. They have also stated that they reviewed and accepted the submitted Air Quality Impact Assessment, which identifies that general mitigation measures will be required during the construction phase to minimise risks of adverse air quality effects. It also identifies that the proposed residential use is predicted to have a negligible impact at the nearest residential receptors and that the site is considered to be suitable for the proposed use with no specific requirement to protect Air Quality.

If the application is approved a remediation method statement and verification can be addressed by a planning condition.

Noise

The Environmental Health Service refer to comments dated 18 November 2019 in response to planning application 2019/0144/TP which they state remain relevant.

They state that predicted noise levels within properties, assuming open-window attenuation, results in the internal levels exceeding BS8233:2014 daytime and night-time criteria in all five buildings. When assessed against Planning Advice Note 1/2011: Noise, the significance of effects from road traffic noise are therefore slight to large/very large. Consequently the majority of properties will continue to rely on closed windows and trickle ventilation to meet internal noise levels. Furthermore properties on the east, south and west facades of Villa 3 and east and south facades of Villa 4 will require closed windows and enhanced acoustic glazing with ventilation to mitigate road traffic noise. They have also stated that some of the external balconies/roof terraces (in Villa 2 & Villa 4) exceed the criteria, with Villa 4 in particular likely to require further mitigation measures.

The Noise Assessment submitted in support of the current application states that the following committed mitigation measures have been specified to attenuate noise from road traffic and enable the proposed development to meet the target noise levels within the proposed residential units: acoustic glazing and ventilation providing a Rw of 41 dB will be installed in some habitable rooms (refer to Figure 2); and the existing wall following the southern and eastern boundary of the site will be kept in place to provide acoustic screening.

Scottish Government Guidance, Planning Advice Note 1/2011: Planning and Noise states that where satisfactory noise levels with open windows are not achievable, practicable mitigation solutions should be explored, taking into account their possible impact on the built environment. Design solutions may be possible, such as locating living rooms and bedrooms on the opposite side of the dwelling to the noise source or the use of windows designed to provide for ventilation while providing improved sound reduction. PAN 1/2011, however goes on to state that in some cases, closed windows with an alternative means of ventilation may be unavoidable.

In accordance with the advice contained within PAN 1/2011, the use of acoustic glazing and specialist ventilation, as outlined in the applicant's Noise Assessment, is considered to be an acceptable means of addressing a noise issue. Details to ensure the internal night time noise levels do not exceed 30dBA can be submitted and approved prior to work commencing. This can be addressed by a planning condition.

Representations

The points of objection relating to public road safety, the signal controlled junction at Fenwick Road/Berryhill Road, height scale and design of the proposals, loss of trees and overlooking have been addressed in the foregoing considerations. A condition can be attached to any planning permission granted to control the hours of work on site. Given the scale of development, it is considered that demolition mitigation measures and construction traffic and parking are not planning matters and best dealt with under other legislation. In addition, the Council's Environmental Health Service has raised no issues regarding these matters. As noted, the proposed plans indicate the provision of a 2 metres wide footpath on the west side of Berryhill Road between the two proposed accesses to the site. The Roads Service has not recommended that this be extended.

Proposed Local Development Plan2

The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be Strategic Policies 1 & 2, D1, D2, D4, D6, D7, D8, D9, D10, D11, D12, D14, D15, SG1, SG2, SG4, E1, E3, E5, E8, E9, E10 and E11. The aforementioned policies largely reflect the adopted Local Development

Plan policies. Consequently, for reasons stated above, it is considered that the proposal complies with the relevant policies in the Proposed Local Development Plan.

Overall Conclusion

It is considered that the conversion and re-use of the listed building would comply with the general aims the Local Development Plan and Scottish Planning Policy to reuse a brownfield site and safeguard the longer term future of a listed building. Similarly, the proposed new-build development on an existing urban brownfield site is acceptable in principle and is in keeping with the character of the wider area. It is considered that the proposed the proposed development, by virtue of its design and the location of the new build development, roads and car-parking is acceptable in terms of its impact on the setting and character of the listed building. Design changes following the withdrawal of the previous planning application 2020/0144/TP have mitigated the previous concerns over the development's impact.

The proposal has been assessed and complies with the terms of the adopted East Renfrewshire Local Development Plan and the relevant government guidance. 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.

RECOMMENDATION: Approve subject to the conditions specified below following the conclusion of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) to secure the relevant affordable housing and development contributions.

PLANNING OBLIGATIONS: Legal agreement relating to affordable housing and development contributions.

1. Development shall not commence until details of the phasing of the development have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

2. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

4. Development shall not commence until detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point have been submitted to and approved in

writing by the planning authority. Thereafter the development shall be constructed in accordance with the approved levels, diagrams and sections.

Reason: To ensure that the levels are acceptable at this location.

5. Development shall not commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-

- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
- ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
- iii) Other structures such as street furniture and play equipment;
- iv) Details of the phasing of the landscaping works;
- v) Proposed levels; and
- vi) Schedule of maintenance.

Thereafter the landscaping works shall be fully implemented as approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environment quality of the development.

6. The development shall be landscaped in accordance with the approved scheme as follows:-

- a) Completion of the scheme during the first planting season following the completion of the buildings or in compliance with the phasing programme agreed to comply with Condition 1 above.
- b) Maintenance of the landscaped area for a period of five years. Any trees, shrubs or areas of grass which die, are removed, damaged or diseased within 5 years of the completion of the landscaping shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environment quality of the development.

7. Development shall not commence until the trees marked for retention on approved drawing reference number TP-01 Rev A have been protected by suitable fencing. Fencing shall be erected on at least the fullest extent of the canopy on broadleaf trees and half the height of conifer trees as set out in BS3998/2010 and BS5837/2012. Development shall not commence until details of the location and type of fencing have been submitted to and approved in writing by the planning authority. Thereafter the approved tree protection measures shall be fully implemented on site and remain in position throughout the construction of the development.

Reason: To protect the existing trees and shrubs so that they continue to contribute to the environmental quality of the area and soften the impact of the development.

8. Prior to the commencement of any work on site, details showing the provision of traffic signals at the junction of Fenwick Road and Berryhill Road shall be submitted and approved in writing by the Planning Authority. Thereafter, the approved traffic signals, and any associated works shall be installed and operational prior to the occupation of any of the dwellings hereby approved.

Reason: In the interest of public road safety.

9. The 2 metre wide footway between the north and south accesses on Berryhill Road as shown on approved plan reference number 00002 Rev C shall be completed to the satisfaction of the Planning Authority prior to the occupation of any dwelling hereby approved.

Reason: In the interest of pedestrian and public road safety.

10. Visibility splays of 2.5 metres by 30 metres shall be provided in both directions at the junction of each of the accesses from the site onto Berryhill Road prior to the occupation of any dwelling hereby approved and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

11. Further to the terms of condition 1 above, no dwelling within any flatted block shall be occupied prior to the completion of the car-parking spaces allocated to that block.

Reason: To ensure that adequate car-parking is provided in the interest of public road safety.

12. All roads and footpaths within the site shall be completed to the satisfaction of the Planning Authority prior to the occupation of the last dwelling.

Reason: In the interest of public road safety.

13. The parking courts shall be formed and surfaced such that no surface water discharges or loose material is carried out onto the public road.

Reason: In the interest of public road safety.

14. Surface water run-off from the development shall not exceed 7.9l/s/ha.

Reason: In the interest of environmental amenity.

15. 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. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

16. Development shall not commence until details of vehicle wheel cleaning facilities and a road cleaning strategy have been submitted to and approved in writing by the planning authority. Thereafter the approved vehicle wheel cleaning facilities and road cleaning strategy shall be implemented as approved. All construction vehicles exiting the site shall have all tyres and wheels cleaned before entering the road.

Reason: To ensure mud and deleterious materials are not transferred to the road.

17. 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 out with these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

18. Prior to the commencement of any work on site, a remediation method statement to deal with and mitigate recorded ground contaminants and ground gas within the site shall be submitted and approved in writing by the Planning Authority. This should be prepared once the development layout and remedial measures have been finalised. The remediation method statement should include validation and verification criteria. Thereafter the developer shall provide written confirmation to the Planning Authority of the works having been completed in accordance with the approved plan prior to the occupation of any dwelling.

Reason: In the interest of environmental amenity.

19. Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages and details of how the contaminants shall be addressed, shall then require to be submitted to and approved in writing by the Council. The contamination shall be mitigated in accordance with the approved details prior to the occupation of any dwelling.

Reason: In the interest of environmental amenity.

20. Prior to the commencement of any work on site, details of the mitigation measures to ensure the night time internal noise levels do not exceed 30 dBA shall be submitted and approved in writing by the planning authority. Thereafter, the approved mitigation measures shall be implemented prior to the occupation of each dwelling.

Reason: In the interest of residential amenity.

ADDITIONAL NOTES:

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

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.

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.

The applicant is requested to comply with the requirements of Scottish Environment Protection Agency (SEPA).

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

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:

A legal agreement is required to secure essential aspects of the development and to ensure the proposal complies with the Council's Local Plan policies.

Improvements to the proposal were achieved at the pre-application stage.

Protection of natural features, trees, habitats and/or flora or fauna have been achieved during the processing of the application to ensure the proposal complies with the Council's Local Plan policies.

The provision for affordable housing has been achieved during the processing of the application in accordance with the Council's Local Plan policies.

The provision for community, environmental and/or economic benefit has been achieved during the processing of the application in accordance with the Council's Local Plan policies.

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.: 2020/0510/TP
(DESC)

DATE: 18th January 2021

DIRECTOR OF ENVIRONMENT

Reference: 2020/0510/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

Strategic Policy 2

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 relevant criteria below as well as Policy D1:

1. Application of a sequential approach which gives priority to the use of Brownfield sites within the urban area then to Greenfield land within the urban area and finally to land Adjacent to the urban area. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
3. Resulting positive community and economic benefits;
4. The impact on the landscape character as informed by the Glasgow and Clyde Valley and the East Renfrewshire Landscape Character Assessments, the character and amenity of communities, individual properties and existing land uses;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
7. The transport impact of the development on both the trunk and local road network and the rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;
8. The impact on the built and natural environment, including the green belt and green network taking into account the need for an Environmental Impact Assessment and the requirement for proposals to provide a defensible green belt boundary and links to the green network;
9. The impact on air, soil, including peat and water quality and avoiding areas where development could be at significant risk from flooding and/or could increase flood risk elsewhere;
10. The potential for remedial or compensatory environmental measures including temporary greening;
11. The contribution to energy reduction and sustainable development.
12. The impact on health and well being;
13. The cumulative impact of the development;

14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;
15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

Strategic Policy 3

Development Contributions

The Council wishes to secure community infrastructure and environmental benefits arising from new developments to mitigate their impacts.

New developments that individually or cumulatively generate a requirement for new or enhanced infrastructure or services will be expected to deliver, or contribute towards the provision of, supporting services and facilities. Developer contributions will be agreed in accordance with the five tests of Circular 3/2012 - Planning Obligations and Good Neighbour Agreements. Planning permission will only be granted for new development where the identified level and range of supporting infrastructure or services to meet the needs of the new development is already available or will be available in accordance with an agreed timescale.

The master plans for the areas for change are required to identify the infrastructure requirements and development contributions required to support development. The master plans should identify how the infrastructure or services will be delivered to support the proposed development.

For all proposals viability will be a key consideration when determining the suitable level of development contributions.

Further detailed information and guidance is provided in the Development Contributions Supplementary Planning Guidance.

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 D13

Community, Leisure and Educational Facilities

The Council will safeguard and, where appropriate, undertake improvements to existing facilities. New facilities should be located where they are accessible by a range of transport modes. The provision of community, leisure and educational facilities will be a core component of any master plan.

Proposals which would result in the loss of existing community/ leisure/educational facilities will only be supported where it can be clearly shown that:

Appropriate alternative local provision of at least equivalent suitability and accessibility will be provided; or

That the existing use is no longer required/viable; or

There is no demand and the facility is incapable of being made viable or adapted for other community, leisure or educational uses.

The Council will support the implementation of the projects listed in Schedule 7.

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 D11

Management and Protection of the Built Heritage

The Council will safeguard the special character of conservation areas and the Netherlee Article 4 Direction Area; sites included on the Inventory of Gardens and Designed Landscapes; scheduled monuments and archaeological sites; and listed buildings and their settings. Development likely to adversely affect these assets will be resisted.

Further detailed information and guidance is provided in the Management and Protection of the Built Heritage Supplementary Planning Guidance.

The Council will seek to secure the implementation of the environmental protection projects shown on the Proposals Map and listed in Schedule 5

Policy D8

Natural Features

There will be a strong presumption against development where it would compromise the overall integrity of Local Biodiversity Sites, Tree Preservation Orders and ancient and long established woodland sites.

Development that affects a site of special scientific interest will only be permitted where:

The objectives of designation and the overall integrity of the area will not be compromised;
or

Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

The location of Sites of Special Scientific Interest, Local Biodiversity Sites and Tree Preservation Orders are identified on the Proposals Map and referred to under Schedule 1.

Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Guidance, including criteria against which development proposals within or in close proximity to the natural features outlined above will be assessed.

Through Dams to Darnley Country Park the Council will promote the designation of a Local Nature Reserve at Waulkmill Glen as shown on the Proposals Map. This will be undertaken in partnership with Glasgow City Council and in conjunction with Scottish Natural Heritage.

Policy SG1

Housing Supply

The Council has identified sufficient land for a minimum of 4100 homes and associated infrastructure to be delivered in East Renfrewshire between 2009 and 2025 to comply with the Strategic Development Plan requirements. Sites listed under Schedules 8 to 11 (including past completions 2008/09-2012) will contribute towards meeting these targets.

The land supply will be monitored annually through the Housing Land Audit, Housing Trajectory and the Action Programme. At all times a 5 year continuous effective land supply will be maintained.

The Council will support housing development on the established housing sites as shown on the Proposals Map and listed under Schedule 8. All proposals will require to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3.

Sites listed under Schedule 9 and as shown on the Proposals Map are allocated exclusively for affordable housing, including housing for particular needs. Proposals for private housing on these sites will not be supported.

The council will prioritise the early delivery of sites within the established land supply. If the audit identifies a shortfall in the five year effective housing land supply, the council will support housing proposals which:

are capable of delivering completions in the next five years;

can address infrastructure constraints;
are in a sustainable location as guided by Diagram 4 of the Glasgow
and Clyde Valley Strategic Development Plan.

Policy SG3

Phasing of New Housing Development

The new allocations of land for housing development listed in Schedules 10 and 11 will be subject to phased release to ensure that a 5 year continuous effective land supply is maintained at all times.

The locations listed in Schedules 10 and 11 will be removed from the green belt. Sites contributing to Phase 1 will be shown as formal allocations in the Plan. Sites safeguarded in Phase 2 will be identified as meeting longer term development needs.

Phase 2 safeguarded locations will be released before 2025 where required to maintain a 5 year land supply or where levels of affordable housing significantly in advance of the 25% requirement are being promoted.

Policy SG4

Housing Mix in New Developments

All new housing proposals should include in their design a mix of house types, sizes and tenures to accord with the Council's Local Housing Strategy and the Strategic Housing Need and Demand Assessment. The design should include smaller house types and an element of accessible and adaptable properties to meet the needs of our ageing population and households with particular needs. This mix is in addition to affordable housing contributions.

Policy SG5

Affordable Housing

Throughout East Renfrewshire, where planning permission is sought for residential developments of 4 or more dwellings, including conversions, the Council will require provision to be made for a minimum 25% affordable housing contribution. This contribution may be made on site; or by means of a commuted sum payment; or off site. The affordable housing should be well integrated into the overall development. For all proposals viability will be a key consideration when determining the suitable level of contributions. All proposals will require to comply with Strategic Policy 2 and Policy D1.

Further detailed information and guidance is provided in the Affordable Housing Supplementary Planning Guidance.

Policy SG10

Sustainable Transport Network

The Council will support a sustainable and integrated transport system that supports the economy and meets the development needs of the area through to 2025 and beyond, by facilitating efficient movement of people and goods within the area. Opportunities for improving the walking and cycling network, public transport and the health benefits of proposals will be key components of the master plans.

The Council seeks to direct new developments to locations which promote a choice between transport modes to reduce the overall need to travel and reliance on the private car.

Proposals should:

Ensure the required upgrades to infrastructure resulting from development are provided (Strategic Policy 3);

Safeguard the existing and proposed transportation infrastructure from development that could prejudice its ability to function. In particular the Glasgow Southern Orbital and M77 will be reserved as transport corridors;

Ensure new development is designed to prioritise accessibility, safety and sustainable modes of travel through a choice of walking, cycling and public transport and are integrated as part of the green and core path networks (see Policy D4);

Ensure walking and cycling enhancements by improving community links and utilising and maximising the existing networks;

Ensure that opportunities to promote walking and cycling along linear routes are not lost, the solums of any former railway lines with such potential will be safeguarded for this purpose;

Ensure new transport infrastructure is compatible with local environment, amenity and public safety;

Ensure new development, where appropriate, identifies land capacity and road layouts to provide public transport infrastructure and services; and

Prioritise improvements to public transport including the need for enhancements to bus and rail infrastructure and services to maintain or increase patronage within the area.

Major proposals require to be accompanied by transport assessments and/or travel plans to assess impact upon the road and rail network and on public transport.

The Council will support the implementation of the key infrastructure projects listed in Schedule 17.

Policy E5

Surface Water Drainage and Water Quality

Sustainable urban drainage systems will require to be incorporated into all new development, with the exception of smaller scale proposals (such as applications for single houses, householder or shop frontage alterations). It should also form a major part of all master planning exercises. This will moderate surface water run-off from the site and mitigate any impacts on water quality.

There will be a general presumption against the culverting of watercourses as part of new development. Culverts may be acceptable as part of a grant aided flood prevention scheme or where they are necessary to carry water under a road or railway. Advice on culverts can be accessed on the Scottish Environment Protection Agency website www.sepa.org.uk

The Council will encourage the adoption of an ecological approach to surface water management through habitat creation or enhancement by, for example, forming wetlands or ponds and opening up culverted watercourses. Invasive non-native species should not be introduced and their removal is encouraged. New planting must be with native species. The physical area of any development covered by impermeable surfaces, should be kept to a minimum to assist with flood risk management.

Proposed Local Development Plan 2

Policy D9

Access

The Council will continue to protect, enhance and extend existing and proposed active travel and outdoor access networks including core paths, rights of way, strategic cycle corridors and green networks, shown on the Proposals Map and Schedule 6, and ensure that new development does not adversely impact upon them. The solums of any former railway lines will be safeguarded as future access routes.

The council will support proposals which enhance, extend and create new integrated walking and cycling routes. New and improved routes should be planned at the outset of the design process; should accommodate users for all age groups, and levels of agility and mobility; should link with existing and proposed active travel routes; and contribute to the wider active travel and green networks across the area.

Any future access proposals will be required to satisfy core active travel design principles of safety, coherence, directness, comfort and attractiveness.

There will be a strong presumption against proposals which have an adverse impact upon outdoor access unless a satisfactory alternative route is provided.

The Council will continue to support Dams to Darnley Country Park (D9.1) and Whitelee Access Project (D9.2), shown on the Proposals Map, and the implementation of the relevant management/ access plans for each project.

Policy D10

Transport Impact

Proposals will be required to comply with the principles of Designing Streets and demonstrate that they will have no significant adverse impact on the following, as evidenced through the submission of a Transport Assessment:

Road safety;

The convenience, safety and attractiveness of walking and cycling in the surrounding area;
Public transport operations in the surrounding area, both existing and planned, including convenience of access to these and their travel times;
The capacity of the surrounding road network; and
Residential amenity as a consequence of any resulting increase in motorised traffic.

Proposals should ensure that the required upgrades to infrastructure resulting from development are provided in accordance with Strategic Policy 2. Where appropriate, mitigation, through the provision or upgrades of walking and cycling infrastructure, public transport or road improvements, will be required to address any adverse transport impacts resulting from the proposal.

Policy D11

Electric Charging Infrastructure

Major residential proposals will be required to incorporate electric vehicle charging points within every dwelling with a garage or driveway and make provision within visitor or communal parking spaces. Where residential dwellings do not have parking within their curtilage, provision should be made for charging points on-street or within communal parking spaces.

All other non-residential major developments, including employment, community or retail proposals should incorporate electric vehicle charging points within parking areas.

Proposals below this threshold will be encouraged to incorporate charging points and infrastructure as a core component of their proposal.

All new car parks should be designed to incorporate electric charging points.

Policy D12

Community and Education Facilities and Infrastructure

The Council will support the protection and enhancement of existing community, leisure, health, sports and education facilities.

Proposals for the development of new or enhancements to existing facilities will be supported where:

1. The site is appropriate in terms of its location, scale and is compatible with adjoining and neighbouring uses; and
2. The site is accessible by public transport, walking or cycling routes.

Proposals for new schools must also provide a school travel plan and incorporate safe drop off and pick up provision. Proposals should link to existing footpath and cycle networks or create new links to create safe and healthy routes to schools, to encourage walking and cycling and provide appropriate cycle parking and facilities.

Proposals which would result in the loss of existing facilities will only be supported where it can be clearly shown that in consultation with the relevant organisation including Health Boards, HSCP, the Council's Education Service or the Culture and Leisure Trust, where appropriate, that:

1. Appropriate alternative local provision of at least equivalent quality, suitability and accessibility will be provided; or
2. That the existing use is no longer required/viable; or
3. There is no demand and the facility is incapable of being made viable or adapted for other community, leisure or educational uses.

Proposals involving the loss of outdoor sports facilities will be assessed against Policy D13.

The Council will encourage multi-use community facilities and the shared use of facilities to maximise the extended or multiple use of buildings or facilities for community, leisure and recreational use where appropriate.

The Council will support the implementation of the proposals listed in Schedules 8 and 9.

Policy D14

Management and Protection of the Built Heritage

The Council will seek to positively manage the historic built environment through engagement with landowners and other organisations to ensure that heritage assets are safeguarded, preserved and enhanced, have appropriate viable uses and have a sustainable future for the benefit of future generations. Development likely to adversely affect these assets will not be supported.

All proposals should foster innovation and creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.

Proposals involving the sensitive introduction of energy efficiency measures and/or micro-renewables installations to listed buildings and in conservation areas will be supported, where the proposals ensure that the character and appearance of the listed building, conservation area and their settings are preserved or enhanced.

Further guidance and information will be set out in the Placemaking and Design Supplementary Guidance.

Policy D15

Listed Buildings

The layout, design, materials, scale, siting and use of any development affecting a listed building shall be appropriate to the character and appearance of the listed building and its setting.

There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

No listed building should be demolished unless it can be clearly demonstrated that:

- the building is not of special interest; or
- the building is incapable of repair; or
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed, at a price reflecting its location and condition, to potential restoring purchasers.

To enable features to be recorded, Historic Environment Scotland shall be formally notified of all proposals where consent is granted to demolish listed buildings.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Proposals that conserve and enhance assets on the Buildings at Risk register will be encouraged.

Policy SG1

Housing Supply, Delivery and Phasing

To deliver housing needs across all tenures up-to 2029 the Proposed Plan provides a range and choice of housing sites and supports the delivery of sustainable mixed communities. Provision is made for a minimum of 4350 homes and associated infrastructure to be delivered between 2012 -2029 to comply with the Clydeplan Housing Land Requirements and in accordance with Strategic Policy 1.

The land supply will be monitored annually through the Housing Land Audit, Housing Trajectory and the Action Programme. Sites will be subject to phased release to ensure that a minimum of a 5 year continuous effective land supply is maintained at all times and to manage impact upon infrastructure and services.

Proposals for housing development on both allocated housing sites listed in Schedule 15 and shown on the Proposals Map, and on windfall sites not identified for housing development will require to comply with Strategic Policy 1, Strategic Policy 2, Policy D1 and any other relevant policies of the Proposed Plan.

Sites listed in Schedule 16 and shown on the Proposals Map, are allocated exclusively for affordable housing, including housing for particular needs. Proposals for private/ market housing on these sites will not be supported.

If the Housing Land Audit identifies a shortfall in the 5 year effective housing land supply, and this cannot be addressed through the early release of sites within the established housing land supply, the Council will then only consider housing proposals which:

1. Are consistent with Strategic Policy 1, Policy D1 and Policy 8 and Diagram 10 of Clydeplan with preference for brownfield sites within the urban areas. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area and where all other criteria can be met. Proposals will be required to provide a defensible green belt boundary;
2. Are appropriate to the scale and character of the specific settlement and local area;
3. Demonstrate positive social, economic and environmental benefits;
4. Would not prejudice delivery of allocated housing sites listed in Schedule 15;
5. Are effective and capable of delivering completions in the next 5 years as demonstrated through supporting evidence in accordance with PAN 2/2010. Details of the phasing of development is required to be submitted with any application; and

6. Can provide the required infrastructure resulting from development in accordance with Strategic Policy 2. Where infrastructure constraints cannot be overcome, including impacts upon education infrastructure, proposals will not be supported.

Policy SG2

Housing Mix

The Council will require residential proposals to provide a mix and choice of dwelling types, sizes and tenures to meet housing needs, including for people with a disability, older people, families and individuals, to widen housing choice and contribute towards the creation of sustainable mixed communities. The different types of housing are required to be well integrated throughout the development.

Proposals must provide a minimum 10% of all dwellings designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users to align with the target in the Council's Local Housing Strategy (LHS). These properties should be built to Lifetime and Housing for Varying Needs standards to support independent living, be accessible to as wide a range of people as possible, and allow the potential for future adaptation. This requirement is in addition to the requirements of Policy SG4.

Proposals should be informed by the most up-to-date SHNDA and the Council's LHS and demonstrate how proposals will meet standards for accessibility and adaptability and meet the needs of older and people with a disability.

Further detailed information and guidance will be set out in the Housing Mix Supplementary Guidance.

Policy SG4

Affordable Housing

The Council will require residential proposals of 4 or more dwellings, including conversions, to provide a minimum 25% affordable housing contribution. This contribution may be made on site; or by means of a commuted sum payment; or off site. The affordable housing must be well integrated into the overall development. All proposals will require to comply with Strategic Policy 2 and Policy D1.

Further detailed information and guidance is provided in the Affordable Housing Supplementary Guidance.

The Council will support the implementation of the affordable housing sites listed in Schedule 16.

Policy E1

Sustainable Design

To contribute to the aims of sustainable design and reducing greenhouse gas emissions, proposals will be required to demonstrate that the following criteria have been considered, and, where appropriate, met:

1. Make efficient and sustainable use of existing land, buildings and infrastructure within the urban areas, including the conversion and reuse of existing buildings and retrofitting appropriate adaptations to the current building stock and infrastructure;
2. Incorporate sustainable and energy efficient design and construction methods (through low and zero carbon generating technology in the development's construction and end use), as an integral part of the design process from the outset. Proposals should demonstrate compliance with Section 6 (energy) of the current Building Standards. All new buildings must be built to meet a minimum of silver sustainability standards and aim to achieve higher;
3. Seek to use locally sourced and energy efficient building materials; and
4. Prioritise active travel and demonstrate a clear sustainable movement hierarchy favouring walking, then cycling, public transport then the private car, in accordance with Designing Streets.

Major development will be required to provide an energy and carbon footprint assessment to demonstrate their contribution towards achieving sustainable development, reducing energy use and how the proposal will offset the overall carbon footprint of their development, during and post construction.

Further detailed guidance and information will be set out in the Supplementary Guidance on Low and Zero Carbon Delivery.

Policy E5

Noise

The impact of noise will be taken into account when assessing relevant development proposals, particularly those that are close to or could become a source of noise. A noise impact assessment may be required where the proposed development may cause or exacerbate existing noise levels or be sensitive to levels of existing noise in the area.

Where it is not possible to separate noise generating uses and noise sensitive land uses, developers will be required to incorporate good acoustic design.

Where areas already have an unacceptable noise level it may not be possible to mitigate the adverse effects of noise. In such circumstances noise sensitive development, such as new residential development, may not be appropriate.

Development proposals that would either result in or be subject to unacceptable levels of noise will not be supported unless appropriate measures can be put in place that reduce, control and mitigate the noise impact.

Policy E8

Water Management

Development proposals, with the exception of smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), are required to integrate well-designed and naturalised Sustainable Urban Drainage Systems (SUDs) features, to manage drainage and water quality, and in line with the current Sewers for Scotland. This will moderate surface water run-off from the site and mitigate any impacts on water quality.

Applicants should demonstrate how the design and layout of SUDs reflects and responds to the site circumstance and local landscape character. Proposed arrangements for SUDs should be adequate for the development and appropriate long-term maintenance arrangements should be put in place.

Applicants are expected to integrate SUDs proposals with green infrastructure and active travel proposals, as part of a multi-functional approach, which should be delivered and integrated as part of a green network in accordance with Policy D4. Where integration is not proposed, applicants must provide evidence as to why it is not possible.

Where SUDs are part of open space provision, they should be safe and accessible and enhance local character and amenity. Further detailed guidance and information will be set out in the Green Network Supplementary Guidance.

There will be a general presumption against the culverting of watercourses as part of new development. Culverts may be acceptable as part of a grant aided flood prevention scheme or where they are necessary to carry water under a road or railway. Culverts should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements in place. Further advice can be obtained from SEPA.

The Council will encourage the adoption of an ecological approach to surface water management through habitat creation or enhancement by, for example, forming wetlands or ponds and opening up culverted watercourses. New planting must be with native species. Invasive non-native species should not be introduced and their removal is encouraged.

Any proposed discharge of surface water to the water environment requires to be in accordance with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) and treated in accordance with the principles of the SUDs Manual (C753).

Policy E9

Waste Water Treatment

Connection to the public sewerage system is required for all new development proposals. The only exceptions are:

1. In rural areas where no public sewerage system exists and connection into a public sewerage system is not physically or economically viable;
2. If a development cannot connect to an available public drainage infrastructure directly (possibly through a lack of capacity or through the timing of completion of works) planning permission may be granted on the basis that the development will be served by a private treatment plant on a temporary basis, but will be required to connect to the public drainage infrastructure when capacity becomes available;
3. Proposed development should be effectively served by the foul sewerage network and where possible discharge to the public system. A private system will only be acceptable in exceptional circumstances and, in this instance, SEPA's guidelines and policies must be adhered to; and

4. In all circumstances the proposals should not pose or add to an environmental risk as a result of cumulative development.

Policy E11

Waste Management

All proposals will be required to minimise waste at source during construction. Where appropriate all waste material arising from construction of the development should be retained on-site and recycled for use as part of the new development.

All proposals will be required to incorporate provision for the recycling, storage, collection and composting of waste materials. Provision for the collection and storage of waste should be conveniently sited for both the user and the waste collection authority.

Existing waste management facilities, shown on the Proposals Map and listed in Schedule 22 shall be safeguarded for waste management use and any development on, or adjacent to, these sites, which would adversely affect the operation of the use concerned, will not be considered favourably.

Proposals for new and extended waste management facilities will be considered against the following criteria:

1. Accord with the objectives of SPP, the Scottish Government's current Zero Waste Plan including the waste hierarchy;
2. Can be accommodated within the business/employment areas identified under Schedule 17; or can be located beside an existing (or on the site of a previous) waste management facility; or are on contaminated or Brownfield land, and are consistent with other policies of the Proposed Plan;
3. Enable, where appropriate, energy from waste and/or reuse of waste heat (for example being designed to be capable of connection to a new or existing district heating network) through the preparation of a heat plan;
4. In the case of small scale waste management facilities: are located close to the source of the waste arising and such waste can be accommodated without detriment to residential or environmental amenity, including the green network; are not in proximity to a potentially conflicting use; and have potential to provide a local energy source.
5. Include amongst other elements, decommissioning, site restoration arrangements and environmental improvements to be implemented following cessation of the use. Where appropriate, planning permission will only be granted following the securing of a financial bond and/or conclusion of a Section 75 obligation.

Policy E10

Vacant, Derelict and Contaminated Land

Proposals will be required to optimise the remediation and redevelopment of vacant, derelict and contaminated land and buildings where appropriate.

Where contamination of a development site is identified, applicants will be required to submit a contaminated land survey alongside their application. Where there is known or potential contaminated land, gases or ground instability on a site, any development should take

account of this in both its design and the type of use proposed. Should the development be approved, conditions may require to be attached to the consent to ensure that the necessary remediation action will be undertaken to prevent unacceptable risks to human health or the environment before the development proceeds.

Any proposals to redevelop brownfield and vacant sites must be accompanied by protected species surveys. The design of the development should be informed by the results of these surveys in order to try to maximise the opportunity for these sites to retain their biodiversity assets.

Temporary greening of sites will be encouraged. Consideration will be given to whether the greening of a site could bring about positive environmental benefits and improvements to the overall amenity of the area, for example by assisting with the regeneration of the area; site decontamination; or improving existing green infrastructure and green network provision. The biodiversity value of these sites will be required to be assessed through protected species surveys. Proposals should not prejudice the long term development potential of the site.

Opportunities for redevelopment and take up of vacant and derelict land will be monitored through the annual Vacant and Derelict Land Audit.

Policy E3

Protecting Air Quality

Proposals will be required to ensure that local air quality is protected. An Air Quality Assessment may be required where the proposed development may cause or exacerbate a breach of National Air Quality Standards.

Development proposals that would result in a significant increase in concentrations of air pollution will not be supported unless appropriate mitigation measures can be put in place.

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.

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.

Strategic Policy 2

Development Contributions

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. Development contributions will fairly and reasonably relate in scale to the proposed development and will be required in order to make the proposed development acceptable in planning terms, all in accordance with the policy tests of Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

Planning permission will only be granted where the identified level and range of supporting infrastructure and services required to meet the needs of the new development, are already available or will be available in accordance with agreed timescales.

Where appropriate, contributions may be sought in relation to Education (including Early Years, Primary, Secondary and Additional Support Needs); Community Facilities (including Community Halls and Libraries and Sports); Parks and Open Space; Roads and Transportation; Active travel; and Green Infrastructure.

Future analysis will be carried out with our community planning partners to consider the capacity required to support future demand for healthcare infrastructure.

Further detailed information and guidance is provided in the Development Contributions Supplementary Guidance. The guidance contains details of how impacts will be assessed and how contributions will be calculated. This policy should be read in conjunction with Policy SG4: Affordable Housing.

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 D4

Green Networks and Infrastructure

The Council will protect, promote and enhance a multifunctional and accessible green network across the Council area, as shown on the Proposals Map, which contributes to healthy lifestyles and wellbeing and links to the wider green network across the Clydeplan region.

Proposals will be required to protect and enhance the green and blue network, its value and multiple functions including wildlife, biodiversity, recreational, landscape and access. Proposals should also meet the requirement of Policy D7.

The provision of a green network will be required to form a core component of any master plan or development brief.

Where a proposal impacts adversely on the character or function of the green network, proposals may be required to contribute to enhancing any remaining, or create new green infrastructure and green network, in accordance with Strategic Policy 2 and D6.

The Council will support the implementation of the proposals listed in Schedule 3.

Further detailed guidance and information will be set out in the Green Network Supplementary.

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.

Policy D7

Natural Environment Features

The Council will protect and enhance the natural environment features set out in Schedule 5, and shown on the Proposals Map, and seek to increase the quantity and quality of the areas biodiversity.

1. There will be a strong presumption against development on or adjacent to Natural Features where it would compromise their overall integrity, including Local Biodiversity Sites, Local Nature Reserves, Tree Preservation Orders and ancient and long established woodland sites. Adverse effects on species and habitats should be avoided with mitigation measures provided.
2. Development that affects a Site of Special Scientific Interest (SSSIs) will only be permitted where:
 - a. The objectives of designation and the overall integrity of the area will not be compromised; and
 - b. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental, community or economic benefits of national importance to the satisfaction of Scottish Ministers and measures are provided to mitigate harmful impacts.
3. Development affecting trees, groups of trees or areas of woodland will only be permitted where:
 - a. Any tree, group of trees or woodland that makes a significant positive contribution to the setting, amenity and character of the area has been incorporated into the development through design and layout; or
 - b. In the case of woodland:
 - i. its loss is essential to facilitate development that would achieve significant and clearly defined additional public benefits, in line with the Scottish Government's Policy on Control of Woodland Removal; or

- ii. in the case of individual trees or groups of trees, their loss is essential to facilitate development and is clearly outweighed by social, environmental, community or economic benefits. Where woodland is removed in association with development, developers will be required to provide compensatory planting which enhances the biodiversity of the area and demonstrates a net gain. The loss of Ancient Woodland will not be supported.
4. Where there is likely to be an adverse impact on natural features or biodiversity an ecological appraisal will be required.

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

Policy D8

Sustainable Transport Networks

The Council will support the development of a sustainable and integrated transport network which strengthens East Renfrewshire's connectivity to the wider Clydeside Region and beyond; delivers a modal shift to active travel and public transport; and reduces carbon emissions. Development should be directed to sustainable locations where the need to travel is reduced and active travel and public transport infrastructure already exists.

Proposals will be required to align with relevant National, Regional and Local Transport Strategies including the development of local strategic active travel network plans.

Proposals will be required to prioritise active travel and to demonstrate a clear sustainable movement hierarchy favouring walking, then cycling, public transport then the private car in accordance with Designing Streets. Proposals will be required to be accessible and permeable by foot and cycle and connect to existing walking, cycling and green networks, as well as to public transport networks.

Proposals will be required to prioritise improvements to public transport networks and infrastructure, including the need for enhancements to bus and rail infrastructure and services to maintain or increase patronage within the area. Where public transport services are not currently available the Council will encourage applicants to work with transport providers to provide subsidised bus services until a sustainable service is achievable.

The Council will support the implementation of the proposals listed in Schedules 6 and 7.

The Council will support investment in the strategic transport network and delivery of the City Deal strategic transport infrastructure proposals set out in Schedule 1.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Listed Buildings indicates that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Special regard should be given to development to, or affecting, a listed building. Special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be

appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Scottish Planning Policy on Affordable Housing indicates that local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Where affordable housing is required, this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. Consideration should also be given to the nature of the affordable housing required and the extent to which this can be met by proposals capable of development with little or no public subsidy. In rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing, for example because they lie outwith the adjacent built-up area and are subject to policies of restraint.

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REPORT OF HANDLING

Reference: 2020/0511/LBC

Date Registered: 4th September 2020

Application Type: Listed Building Consent

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 255912/658437

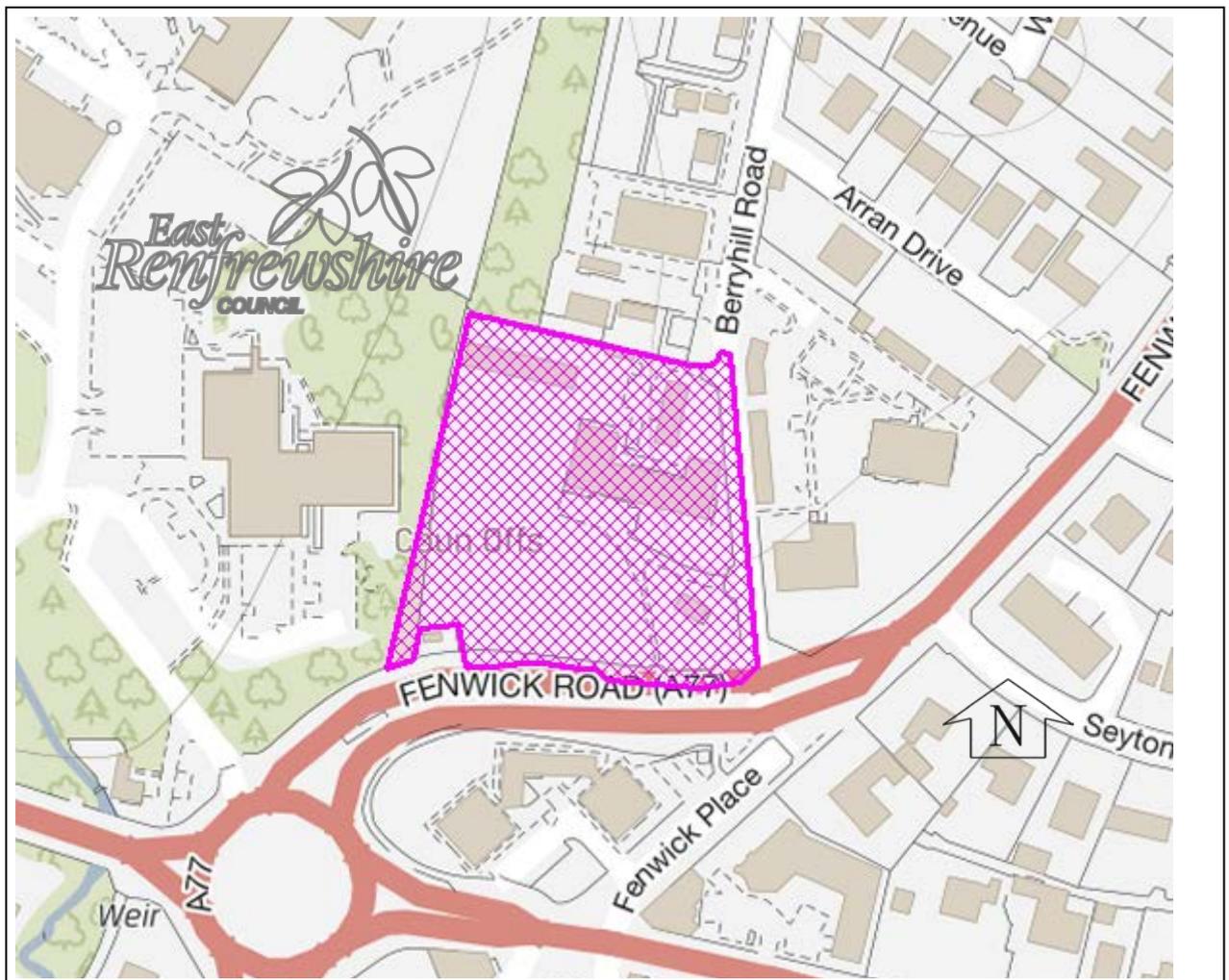
Applicant/Agent:

Applicant:
Westpoint Homes Ltd, John
Brawley & Brendan Brawley
3 Arthur Street
Clarkston
G76 8BQ

Agent:
Sara Cockburn
177 West George Street
Glasgow
G2 2LB

Proposal: Demolition of outbuildings within grounds of listed building and demolition of extension to listed building. Internal and external alterations to listed building associated with conversion of building to four residential flats.

Location: Eastwoodhill Eventide Home
238 Fenwick Road
Giffnock
East Renfrewshire
G46 6UU





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CONSULTATIONS/COMMENTS:

Scottish Civic Trust	Advised they have no comments to make.
Historic Environment Scotland	No objection.
Architectural Heritage Society	No reply at time of writing.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2018/0664/PAN	Conversion of the former care home to flatted residential development; erection of new residential development, landscaping and associated works (major)		07.03.2019
2019/0143/LBC	Demolition of extension at side; internal and external alterations to building associated with conversion of building to residential flats (listed building consent)	Withdrawn	10.01.2020
2019/0144/TP	Conversion of former care home to flatted residential development; erection of new flatted residential development with associated parking and access roads (major)	Withdrawn	10.01.2020

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Heritage Assessment (Setting) - provides an independent assessment of the potential for the proposed development to affect the setting of the listed building, and details the historical development of the site. It describes the site's historic and architectural interest and describes the contribution of setting towards this special interest. It concludes that the original setting has undergone considerable change since the use and extension of the listed building as a care home and the redevelopment of Eastwood Toll and the realignment of Fenwick Road and that the proposed development will not have a substantial effect upon the

current key elements of the setting of Eastwoodhill which contribute to the ability to understand, appreciate and experience the listed building and its special interest.

ASSESSMENT:

This application is associated with planning application (2020/0510/TP) which is being presented to the Planning Applications Committee for determination. As a consequence this application also has to be determined by the Planning Applications Committee.

Site Description

The site is an existing two storey category B listed building known as Eastwoodhill and its curtilage located on the north side of Fenwick Road at the junction with Berryhill Road. The building is an example of a mid-19th century sandstone villa. The Council's HQ is located to the immediate west, with Eastwood Toll to the south. To the east are flats at Hutchison Court, with McLaren Court to the south east located on the south side of Fenwick Road. There is an electrical sub-station to the immediate north of the site, with St Ninian's High School further to the north-west. Out with and to the south west there is a gas governor.

The listed building, which until recently was a care home, had been extended on its east elevation in the mid-20th century with a two/three storey modern extension. The site also contains three single storey buildings towards the rear part of the site and a two storey 1960s detached house (janitor/gatehouse) to the south east corner adjacent to one of the site's entrances.

The site is covered by the Eastwoodhill Tree Preservation Order and contains several mature trees (chestnut, willow, lime, cypress, sycamore, beech, elm, birch, yew and redwood amongst others). It is also immediately adjacent and adjoining on the west boundary is a Local Biodiversity Site (Eastwood Park). A Right of Way runs along Berryhill Road for the length of the site.

The site is relatively flat with a slight slope down towards Fenwick Road. A sandstone wall ranging from approximate 1.6m to 2m in height runs along the south and part of the east boundaries, with the remaining east boundary formed by a rendered wall approximately 1.8m high. A belt of trees which are part of Eastwood Park forms the west boundary and the electricity sub-station forms the boundary to the north. The site is accessed from two points on Berryhill Road, with the access nearest Fenwick Road having sandstone pillars and ornamental gates.

Proposed Development

Listed Building Consent is sought for the conversion of the former care home to four residential flats. The proposal also involves the demolition of the existing two/three storey extension located on the east side of the building as well as demolishing a single storey rear extension. A new single storey extension is proposed at the rear which is to have a flat roof and measures approximately 8.5m by 8m and is to be approximately 4.5m in height.

The proposal will create two 2 bedroom flats and two 3 bedroom flats, accessed from the existing hallway. The proposal also involves various internal alterations to create the four flats, including internal alterations to the existing rooms, down takings, creation of new internal doorways, and erection of partition walls to create entrance lobbies to the proposed flats and en-suite bathrooms.

Also included is the removal and setting aside of the existing slates and re-roofing of the building using usable salvaged slates as well as new slates to match.

Assessment

Eastwoodhill was designated as a listed building in 1978 however the other freestanding buildings on the site, pillars, walls and gates do not form part of the listing. As a consequence their removal or alterations are not considered in this application.

This application is for listed building consent and as a consequence the proposal is only being assessed in relation to its impact on the internal and external fabric of the building.

The proposal is required to be assessed against the adopted Local Development Plan (LDP), in particular Policy D1 and Policy D11, which seek to safeguard listed buildings from development likely to adversely affect it, and require proposals to be of a size, scale and massing that are in keeping with the listed building and that respect local architecture, building form, design, and materials. Also relevant is the Council's Supplementary Planning Guidance (SPG) on Management & Protection of the Built Heritage, which states that development should protect a listed building and be the minimum necessary to enable its conservation and re-use. The new development should be designed to retain and enhance the special interest and character of a listed building.

Scottish Planning Policy (SPP) states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. It also requires that special regard is given to the importance of preserving and enhancing the building. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from work that would adversely affect it. Any development should be designed carefully to preserve or enhance the character of the historic asset. The Interim Guidance on the Principles of Listed Building Consent (April 2019) published by Historic Environment Scotland is a material consideration and reiterates the advice in the SPP.

Historic Environment Scotland (HES) Non-Statutory Guidance - Managing Change in the Historic Environment is also a material consideration and identifies that repair of components on a like-for-like basis is preferable to replacement, as this will best maintain the character and historic fabric of the building. Where works are proposed documentary research and analysis should inform the proposal. In particular and with specific relevance to this proposal, the Guidance states that the character of a listed building is usually best maintained by retaining redundant doors in-situ, fixed closed rather than blocking them up.

The internal partitioning of rooms is considered acceptable as it minimises additional internal structural work and/or creating new doorways as well as allowing the building to be brought back into use. The retention of the doors and architraves are welcomed, as is the retention of the existing windows. The applicant has indicated that the original slates will be used on the principal elevations, with new slates on the subsidiary elevations, therefore the re-roofing of the building is also considered acceptable. The details of these can be addressed by conditions if the application is approved. In terms of these matters the proposal is considered to be in keeping with the aims of the Local Development Plan and Government Policy and Guidance.

The existing buffet recess in what will become flat 1 is proposed to be retained. Contemporary timber doors are proposed to be installed the recess to separate what will become the living and dining areas in flat 1. This is considered to be acceptable and will not adversely affect the character of the listed building.

The proposal also involves several down-takings. However no details have been submitted regarding this. It is also considered, given the importance of the architectural merits of the internal fittings and windows, that the drawings submitted, whilst adequate to understand what is being proposed, do not present sufficient detail to fully understand the full details of the internal finish. In addition, no details have been submitted regarding features such as fireplaces, presses, built-in cupboards, plasterwork and panelling, which it is considered should be retained where possible. Should this application be approved further details will be required and this can be addressed by conditions.

Proposed Local Development Plan 2

The Proposed Local Development Plan 2 is a material consideration and with regard to this application the relevant policies are considered to be Policies D1, D14 and D15. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposal generally complies with the relevant policies in the Proposed Local Development Plan.

Overall conclusion

The proposal is considered to comply with Policies D1 and D11 of the Local Development Plan and the SPG on Management & Protection of the Built Heritage. There are no significant material considerations that outweigh the Development Plan. The proposed works will result in the removal of a side extension that is not sympathetic in appearance to the listed building and will result in a listed building remaining in use.

It is therefore recommended that the application for listed building consent be approved subject to the conditions set out below.

RECOMMENDATION: Approve subject to conditions

PLANNING OBLIGATIONS: None.

1. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

2. Stone repairs shall be carried out using natural stone to match the original stonework in every respect including colour, geological character, texture and coursing pattern. Development shall not commence until a petrographic analysis of the original stonework and the proposed replacement stone together with samples have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

3. For the avoidance of doubt all repointing of the exterior stonework shall match the original pointing in every respect including mix of materials, colour and thickness.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

4. Development shall not commence until details of the existing slappings that are to be made good on the rear and side (east) elevation have been submitted on drawings (including sections) at a scale of 1:20 and approved in writing by the Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

5. Development shall not commence until drawings detailing all the proposed down takings, the extent of removal (internal and external) and the proposed finishes have been submitted to and approved in writing by the planning Authority. For the avoidance of doubt, this shall include drawings at a scale of 1:20 showing the proposed finish to the inside of the entrance doors, picture and dado rails, skirting, fireplaces, built-in cupboards and presses, panelling, plasterwork gutters and downpipes. The drawing shall identify all architectural features to be removed. All architectural features that are to be re-located and re-used shall also be identified. Any proposed pipes, ducts, vents or other services shall also be shown, identifying where removal, cutting through or down taking of walls and/or ceilings and roofs is proposed. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

6. For the avoidance of doubt all existing and original windows shall be retained, overhauled and repaired in their original positions. Development shall not commence until details of the overhauling/repairs of each window has been submitted to and approved in writing by the Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

7. Development shall not commence until details of the proposed windows to be installed on the north and east elevations and the rear elevation of the extension to the rear have been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the windows shall match the originals in all aspects of their design (i.e. proportions, profile, framing thickness, detailing, method of opening and materials). Details of all proposed windows, including depth of recess, shall be submitted in the form of drawings at a scale of 1:20 and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

8. Development shall not commence until a sample of the proposed new slates to be used in re-roofing Eastwoodhill House and a roof plan showing the areas where slates are to be re-used and new slates are to be installed have been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the development is acceptable in appearance and respects the character of the listed building.

ADDITIONAL NOTES:

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.

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.

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.: 2020/0511/LBC
(DESC)

DATE: 20th January 2021

DIRECTOR OF ENVIRONMENT

Reference: 2020/0511/LBC - 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 D11

Management and Protection of the Built Heritage

The Council will safeguard the special character of conservation areas and the Netherlee Article 4 Direction Area; sites included on the Inventory of Gardens and Designed Landscapes; scheduled monuments and archaeological sites; and listed buildings and their settings. Development likely to adversely affect these assets will be resisted.

Further detailed information and guidance is provided in the Management and Protection of the Built Heritage Supplementary Planning Guidance.

The Council will seek to secure the implementation of the environmental protection projects shown on the Proposals Map and listed in Schedule 5

Strategic Policy 2

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 relevant criteria below as well as Policy D1:

1. Application of a sequential approach which gives priority to the use of Brownfield sites within the urban area then to Greenfield land within the urban area and finally to land adjacent to the urban area. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
3. Resulting positive community and economic benefits;
4. The impact on the landscape character as informed by the Glasgow and Clyde Valley and the East Renfrewshire Landscape Character Assessments, the character and amenity of communities, individual properties and existing land uses;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
7. The transport impact of the development on both the trunk and local road network and the rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;
8. The impact on the built and natural environment, including the green belt and green network taking into account the need for an Environmental Impact Assessment and

- the requirement for proposals to provide a defensible green belt boundary and links to the green network;
9. The impact on air, soil, including peat and water quality and avoiding areas where development could be at significant risk from flooding and/or could increase flood risk elsewhere;
 10. The potential for remedial or compensatory environmental measures including temporary greening;
 11. The contribution to energy reduction and sustainable development.
 12. The impact on health and well being;
 13. The cumulative impact of the development;
 14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;
 15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

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.

Strategic Policy 2

Development Contributions

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. Development contributions will fairly and reasonably relate in scale to the proposed development and will be required in order to make the proposed development acceptable in planning terms, all in accordance with the policy tests of Circular 3/2012: Planning Obligations and Good Neighbour Agreements.

Planning permission will only be granted where the identified level and range of supporting infrastructure and services required to meet the needs of the new development, are already available or will be available in accordance with agreed timescales.

Where appropriate, contributions may be sought in relation to Education (including Early Years, Primary, Secondary and Additional Support Needs); Community Facilities (including Community Halls and Libraries and Sports); Parks and Open Space; Roads and Transportation; Active travel; and Green Infrastructure.

Future analysis will be carried out with our community planning partners to consider the capacity required to support future demand for healthcare infrastructure.

Further detailed information and guidance is provided in the Development Contributions Supplementary Guidance. The guidance contains details of how impacts will be assessed and how contributions will be calculated. This policy should be read in conjunction with Policy SG4: Affordable Housing.

Policy D15

Listed Buildings

The layout, design, materials, scale, siting and use of any development affecting a listed building shall be appropriate to the character and appearance of the listed building and its setting.

There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

No listed building should be demolished unless it can be clearly demonstrated that:

- the building is not of special interest; or
- the building is incapable of repair; or
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed, at a price reflecting its location and condition, to potential restoring purchasers.

To enable features to be recorded, Historic Environment Scotland shall be formally notified of all proposals where consent is granted to demolish listed buildings.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Proposals that conserve and enhance assets on the Buildings at Risk register will be encouraged.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Listed Buildings indicates that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Special regard should be given to development to, or affecting, a listed building. Special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

REPORT OF HANDLING

Reference: 2020/0540/TP

Date Registered: 19th October 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 255599/:655909

Applicant/Agent:

Applicant:

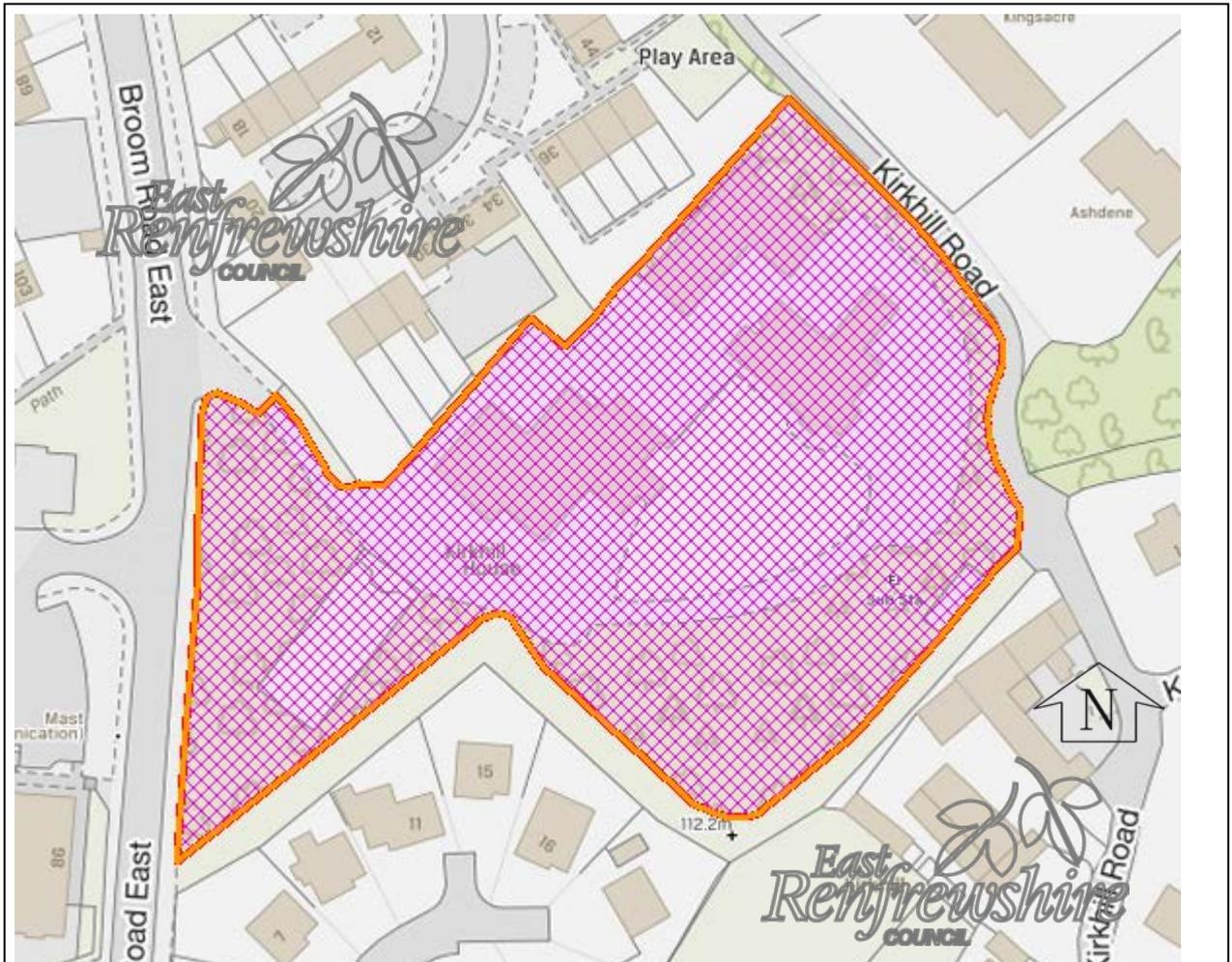
Mr Graham Mitchell
Office 4.6, The Studio
81 Broom Road East
Newton Mearns
Glasgow
G77 5LL

Agent:

Alistair Connell
30 Ellisland
East Kilbride
Glasgow
Scotland
G74 3SF

Proposal: Change of use of existing open space and erection of meeting space building formed from shipping containers

Location: Building 3 Kirkhill
81 Broom Road East
Newton Mearns
East Renfrewshire
G77 5LL



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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service : No objections

PUBLICITY:

30.10.2020 Evening Times Expiry date 13.11.2020

SITE NOTICES: None.

SITE HISTORY:

2020/0192/TP	Change of use of store to office (class 4) with installation of windows in place of garage doors	Granted	26.05.2020
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REPRESENTATIONS:

4 representations were received in support of the application. 2 general representations were received. 10 representations were received in objection to the application. The objections can be summarised as follows:

- Noise pollution
- Light pollution
- Loss of privacy
- Removal of trees and loss of habitat
- Visual impact
- Lack of need/existing capacity sufficient
- Increase in crime/anti-social behaviour
- Loss of open space
- Impact on soil quality
- Parking and access
- Connection to services

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: A supporting statement was submitted outlining the proposed use of the building and why it is required. It explains who would use the building and provides information on car parking.

ASSESSMENT:

This application is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. In accordance with East Renfrewshire Council's Planning Scheme of Delegated Functions, it is being reported to the Planning Applications Committee because it has received 10 objections.

The application site covers Kirkhill House Office Park. It comprises Kirkhill House, a former stable block, two modular buildings and associated car parking. The buildings sit within landscaped gardens which are covered by the Kirkhill Tree Preservation Order. The use of the buildings primarily fall within Class 4 (Business) of the Town and Country Planning (Use Classes) (Scotland) Order 1997, although consent has been given for some units to operate as Class 2 (Financial, professional and other services). Kirkhill House is a Category B listed building. The site is designated as a Safeguarded Business and Employment Area by the adopted Local Development Plan.

Planning permission is sought to change the use of part of the site from open space to allow the siting of a building formed from shipping containers. The building would be used as a meeting room for the tenants of the office park as well as external businesses and organisations. The building would be positioned in the south-west corner of the site on a flat, grassy area surrounded by mature trees. It would have decking and an open canopy at the front. It would be approximately 6 metres wide, 7.3 metres deep (including decking/canopy) and 2.6 metres high. The front and east side would be clad in cedar.

The application is required to be assessed against Policies D1, D2, D11 and SG6 of the adopted Local Development Plan. Policy D1 requires that development should not result in a significant loss of character or amenity to the surrounding area. Policy D2 indicates 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. Policy D11 states that the Council will safeguard the special character of listed buildings and their settings. Policy SG6 states that the Council will seek to enhance the quality of the Safeguarded Business and Employment Areas.

The building would serve an ancillary function to the site's existing use as an office park. The information submitted by the applicant with the application states that the offices are fully occupied and that there is no dedicated meeting room/space on the site. At the time of writing, the website for the office park indicates that the Rear Office, Steading and Studio buildings are fully let. There is space for rent on the top floor of Kirkhill House, however, it is a whole suite and not an individual room. It is therefore considered that the building would provide a useful facility for the tenants of the office park given the lack of available meeting rooms/space.

The applicant has confirmed that they wish to allow other local businesses, which are not tenants of the office park, to use the building for meetings. It is considered that this flexibility would benefit small and start-up businesses in the surrounding area, which in turn would support the local economy. For these reasons, it is considered that the building would enhance the quality and offer of the office park in accordance with Policies SG6 and D2.

It is not considered that the building would be excessive in size or that it would dominate this part of the site. The plans indicate that the most visible elevations of the building (front and east side) would be clad in cedar. The building would be surrounded by mature trees and it is considered that, in principle, the proposed cladding would be an appropriate finish in this context. It is considered that more detail is required about the cladding and that materials could be subject to condition should the application be approved. Visibility of the rear and west side elevations would be very limited and it is not considered that timber cladding is necessary on these parts of the building.

The building would result in the loss of part of the open space within the site. It is considered that the building would be modest in size and that it would not result in overdevelopment of the site. It is considered that there would be sufficient open space retained within the site. The proposal would not necessitate the felling of any trees or work being carried out to any trees. There is a small ornamental stone wall and two steps leading from the roadway to the grassed area, but the plans do not show any path across the grassed area to reach the building. It is considered that the layout and design of the access and the design of the access point can be controlled by condition.

The building would be positioned a reasonable distance from Kirkhill House and would not be significantly out of keeping with the existing office buildings which were built in the 1990s. It is not considered that the proposal would significantly detract from the visual amenity of the area or the setting of the listed Kirkhill House. It is therefore not considered that the

proposal raises any significant issues with regard to the relevant terms of Policy D1 or Policy D11.

It is not considered that the building would result in significant overlooking or overshadowing of nearby residential properties due to its size and position within the site. It is not considered that it would result in noise or light pollution given its size, position and intended use as a meeting space for businesses. It is not considered that the proposal raises any significant issues with regard to the terms of Policies D1 and D2 relating to amenity. The proposal does include an open pergola/terrace area, where people could gather before or after meetings. Given the distance of the building and the pergola area to the neighbouring houses (approximately 9 meters to the boundary, plus a strip of woodland) it is considered appropriate to limit the use of the buildings in the evenings.

The Council's Roads Service raised no objections to the proposal on the grounds that there is sufficient capacity in the existing car park provision to cater for any parking associated with the proposed development. Consequently, it is not considered that there would be any significant issues regarding access or manoeuvrability given that the building would be served by the existing car park. The plans indicate that more parking could be provided if it is required at a future date. It is not considered that the proposal raises any significant issues with regard to the terms of Policy D1 relating to parking and access. For the avoidance of doubt, no consent is given herein for the 'area of possible future car parking' indicated on drawing 001A.

For the reasons set out above, it is considered that the proposal accords with Policies D1, D2, D11 and SG6 of the adopted Local Development Plan. 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, D2, D14, D15 and SG5. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, it is considered that the proposal accords with the relevant policies in the Proposed Local Development Plan.

With regard to the objections, it is considered that the issues of lack of need; noise pollution; light pollution; loss of privacy; visual impact; parking and access; loss of trees and habitat; and loss of open space have been addressed above. It is not considered that the building would adversely affect soil quality due to its size and construction method. Access to services such as plumbing and electricity is not a material planning consideration. The potential for crime and anti-social behaviour is not a material planning consideration.

The building however is a container unit rather than a purpose built building and it is therefore considered appropriate to issue a temporary consent so that there is the opportunity to re-assess the design and condition of the structure before considering whether to agree a permanent consent.

For the reasons set out above, it is considered that the proposal is acceptable in policy terms and that there are no material considerations that justify setting aside the adopted Local Development Plan. It is recommended that the application is approved subject to conditions.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None.

CONDITION(S):

1. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in

writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

2. Development shall not commence until details of pedestrian access to the building across the grass, and the design of the access point (including the ornamental wall and steps) have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. The building hereby approved shall only be used between the hours of 9am and 6pm unless minor and temporary amendments are otherwise agreed in advance in writing by the planning authority.

Reason: To protect adjacent residential properties from noise/disturbance.

4. The development hereby approved shall cease on 10th February 2023. At the end of the period of permission, the building(s) shall be removed, the use discontinued and the land restored to its former condition.

Reason: The proposed development is of a temporary nature and to ensure the timeous reinstatement of the land in the interests of the amenity of the area.

ADDITIONAL NOTES: None.

ADDED VALUE:

Design, layout and/or external material improvements have been achieved during the processing of the application to ensure the proposal complies with the Council's Local Plan policies.

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 David Haney on 0141 577 3861.

Ref. No.: 2020/0540/TP
(DAHA)

DATE: 25th January 2021

DIRECTOR OF ENVIRONMENT

Reference: 2020/0540/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 D11

Management and Protection of the Built Heritage

The Council will safeguard the special character of conservation areas and the Netherlee Article 4 Direction Area; sites included on the Inventory of Gardens and Designed Landscapes; scheduled monuments and archaeological sites; and listed buildings and their settings. Development likely to adversely affect these assets will be resisted.

Further detailed information and guidance is provided in the Management and Protection of the Built Heritage Supplementary Planning Guidance.

The Council will seek to secure the implementation of the environmental protection projects shown on the Proposals Map and listed in Schedule 5

Policy SG6

Economic Development

The Council will support a flexible approach to sustainable economic growth to meet the development needs of established and emerging employment sectors.

1. The Council seeks to safeguard business and employment areas listed in Schedule 12. In association with the local business community and other relevant agencies the Council will seek to enhance the quality of existing employment areas. Proposals for non-employment generating development including housing on the safeguarded business and employment areas will not be supported, except where:
there is no current or likely future demand for employment uses on the land;
it can be demonstrated that the site or premises are not reasonably capable of being used or redeveloped for employment purposes; or
here development would bring wider economic, environmental, community or amenity benefits.
2. The Council will support the development of employment generating uses at the locations listed in Schedule 13. New employment areas will be a core component of the master plans.

3. The Council will encourage the relocation of inappropriately sited industrial and business uses to the safeguarded Business / Employment Areas listed in Schedule 12.
4. New tourism related developments will be supported provided they can satisfy the requirements of Strategic Policy 2 and other policies of the Plan.

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 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 D14

Management and Protection of the Built Heritage

The Council will seek to positively manage the historic built environment through engagement with landowners and other organisations to ensure that heritage assets are safeguarded, preserved and enhanced, have appropriate viable uses and have a sustainable future for the benefit of future generations. Development likely to adversely affect these assets will not be supported.

All proposals should foster innovation and creativity that is sensitive and enhances the significance of heritage assets in terms of architectural design, detailing, scale, massing and use of materials.

Proposals involving the sensitive introduction of energy efficiency measures and/or micro-renewables installations to listed buildings and in conservation areas will be supported, where the proposals ensure that the character and appearance of the listed building, conservation area and their settings are preserved or enhanced.

Further guidance and information will be set out in the Placemaking and Design Supplementary Guidance.

Policy D15

Listed Buildings

The layout, design, materials, scale, siting and use of any development affecting a listed building shall be appropriate to the character and appearance of the listed building and its setting.

There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

No listed building should be demolished unless it can be clearly demonstrated that:

- the building is not of special interest; or
- the building is incapable of repair; or
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed, at a price reflecting its location and condition, to potential restoring purchasers.

To enable features to be recorded, Historic Environment Scotland shall be formally notified of all proposals where consent is granted to demolish listed buildings.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Proposals that conserve and enhance assets on the Buildings at Risk register will be encouraged.

Policy SG5

Economic Development

The Council will support the development of a strong and competitive local economy and the creation of a skilled workforce. Proposals will be required to demonstrate the net economic benefits for the area.

This will be achieved by:

1. Safeguarding and enhancing the quality of business and employment areas, shown on the Proposals Map and listed in Schedule 17, in order to maintain the supply of employment land to meet the current and future needs of existing and new businesses. The Council will monitor changes to this land supply through the annual Business and Employment Land Audit;
2. Supporting employment generating uses at the locations listed in Schedules 17 and 18;
3. Supporting the relocation of industrial and business uses to the safeguarded business and employment areas listed in Schedule 17;
4. Supporting the implementation of major infrastructure programmes and City Deal projects in accordance with Strategic Policy 3;
5. Supporting new retail, office, commercial and leisure proposals in the town centres to support their continued vitality and viability in accordance with Policy SG10;
6. Promoting the established Business Improvement Districts (BIDs) and supporting initiatives to establish BIDs for the other town centres as shown in Schedule 21;
7. Supporting the appropriate development of tourism facilities in accordance with Policy SG10;
8. Supporting the diversification of the rural economy in accordance with Policy D3;
9. Supporting waste management proposals where they accord with the Scottish Government's current Zero Waste Plan as well as demonstrating that it will not have an adverse impact upon amenity or operation of other uses; and
10. Supporting the provision of digital infrastructure, where appropriate, to new homes, businesses and public sector properties as an integral part of development in accordance with Policy SG8.

Proposals for non-employment generating development including housing on the safeguarded business and employment areas will not be supported, except where:

1. It can be proven that there is no current or likely future demand for employment uses on the land; and
2. It can be demonstrated that the site or premises are not reasonably capable of being used or redeveloped for employment purposes and continued use of the site or premises has been shown to be unviable, having been actively marketed for a minimum period of 24 months; and
3. Where development would bring wider economic, environmental, community or amenity benefits.

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Listed Buildings indicates that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Special regard should be given to development to, or affecting, a listed building. Special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Scottish Planning Policy on Promoting Business and Employment indicates the planning system should promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets; allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and give due weight to net economic benefit of proposed development.

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