

Corporate and Community Services Department

Council Headquarters, Eastwood Park, Giffnock, East Renfrewshire, G46 6UG

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Date: 5 March 2021

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

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

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

PLANNING APPLICATIONS COMMITTEE

A meeting of the Planning Applications Committee will be held on **Wednesday, 10 March 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. **Applications for planning permission for consideration by the committee - Reports by Director of Environment (copies attached, pages 3 - 52).**

This document can be explained to you in other languages and can be provided in alternative formats such as large print and Braille. For further information, please contact Customer First on 0141 577 3001 or email customerservices@eastrenfrewshire.gov.uk

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

Index of applications under the above acts to be considered by the Planning Applications Committee on
10th March 2021.

Reference No: 2020/0500/TP

Ward: 5

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Applicant:

Mr Hugh Orr
1 Byrestone Avenue
215 Brenfield Road
Glasgow
United Kingdom
G77 5SH

Agent:

Michael Kavanagh
215 Brenfield Road
Glasgow
United Kingdom
G44 3PB

Site: 1 Byrestone Avenue Newton Mearns East Renfrewshire G77 5SH

Description: Erection of two storey side extension and single storey rear extension

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

Reference No: 2020/0550/TP

Ward: 5

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Applicant:

Dickie & Moore Homes Limited
9 Montgomery Street
The Village
East Kilbride
Scotland
G74 4JS

Agent:

DTA Chartered Architects
9 Montgomery Street
The Village
East Kilbride
Scotland
G74 4JS

Site: Hazelden Riding School Hazelden Road Newton Mearns East Renfrewshire G77 6RR

Description: Erection of 17 no. flatted units contained within 4 no. villas following demolition of existing equestrian centre and stables; formation of driveway to Hazelden House

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

Reference No: 2020/0597/TP

Ward: 4

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Applicant:

Clarkston After School Service
Tay House
300 c/o North P&D
Bath Street
Glasgow
UK
G2 4LH

Agent:

David Campbell
Tay House
300 Bath Street
Glasgow
Scotland
G2 4LH

Site: Adjacent East Of Williamwood High School Eaglesham Road Clarkston East Renfrewshire

Description: Change of Use of land for outdoor pre and after school/education classes, formation of parking spaces and siting of 2no. portacabins (amended parking layout)

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

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REPORT OF HANDLING

Reference: 2020/0500/TP

Date Registered: 3rd September 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 256014/:655949

Applicant/Agent:

Applicant:

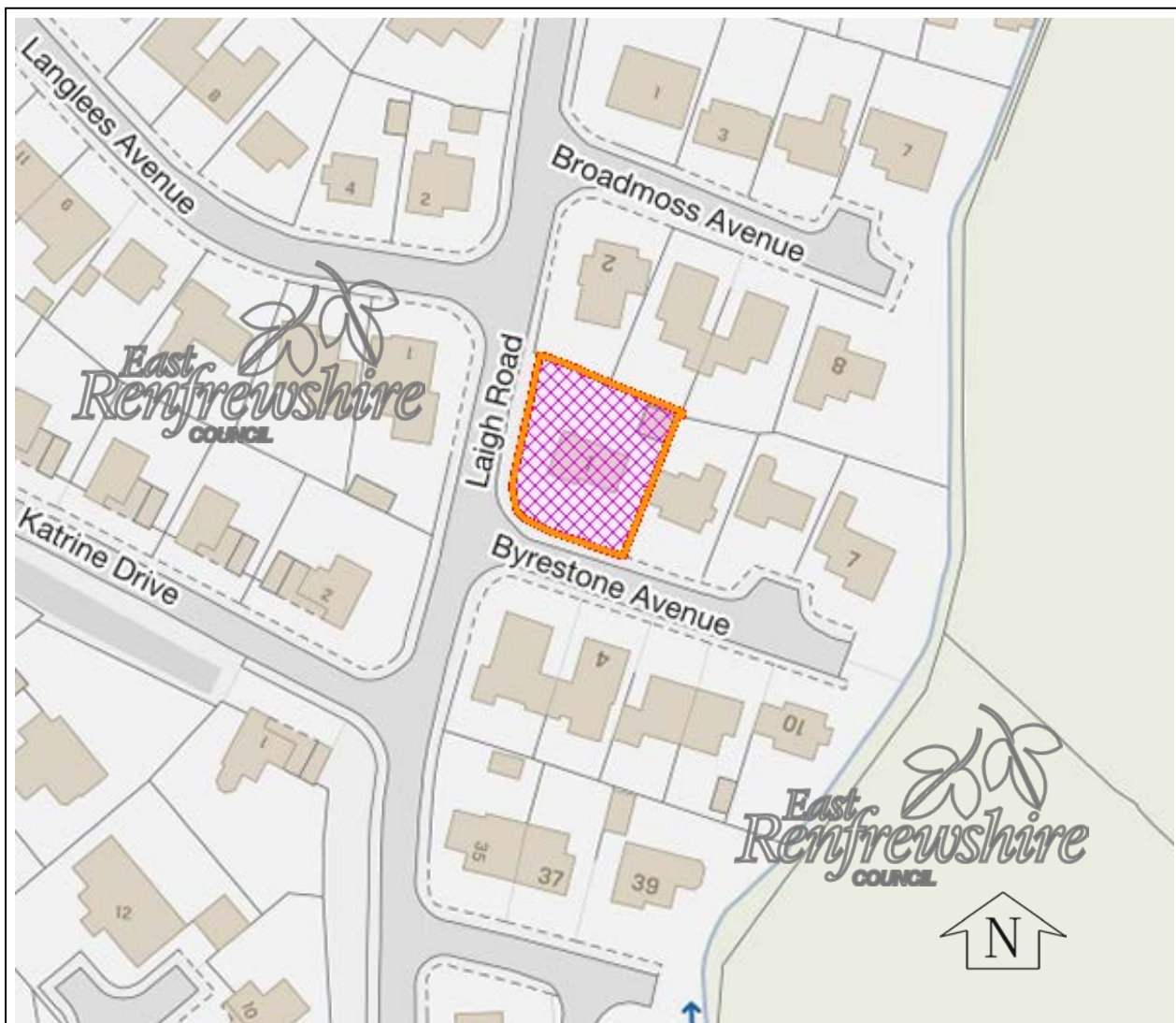
Mr Hugh Orr
1 Byrestone Avenue
215 Brenfield Road
Glasgow
United Kingdom
G77 5SH

Agent:

Michael Kavanagh
215 Brenfield Road
Glasgow
United Kingdom
G44 3PB

Proposal: Erection of two storey side extension and single storey rear extension

Location: 1 Byrestone Avenue
Newton Mearns
East Renfrewshire
G77 5SH



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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS: 10 representations have been received and can be summarised as follows:

- Overlooking/loss of privacy
- Visually dominate neighbouring visual amenity due to the extensions scale, mass and proximity to adjoining boundary
- Overshadow neighbouring properties and garden ground
- Double the size of the existing house
- Reduce natural drainage at the site
- Out of scale with other houses in the street
- Increase noise levels experience by neighbours
- Result in increased parking along the street
- Does not sit below the existing ridge line
- Covid-19 restrictions may result in unfinished building work
- Reduce view from neighbouring properties.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS: No reports have been submitted for consideration as part of this application.

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 comprises a detached dwellinghouse with a detached garage, a driveway along the side (east) and gardens along the front, side (west) and rear. The dwelling is externally finished in concrete roof tiles, dry dash render and upvc window/door frames. In terms of boundary treatment, the rear garden is enclosed by approx. 1.8m high close boarded timber fencing and mature hedgerow.

Planning permission is sought for the erection of a two storey side extension, single storey rear extension, dormer window and the insertion of a rooflight window. The existing garage is to be removed to facilitate the proposed work. The two storey extension is to have an apex roof and extend from the existing front elevation to the rear elevation. The single storey extension is to extend from the proposed/existing rear elevation towards the rear boundary by approx. 9m. The extensions are to sit off the adjoining boundaries by approx. 1.2m.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and not adversely affect neighbouring amenity. Policy D14 requires that extensions should complement the character of the existing building in terms of its style, form and materials. The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) is also of relevance.

It is acknowledged that the two storey extension is contrary to the SPG in that it is not set down from the existing roof ridge and not set back from the front elevation. In this case however the extension would align with the existing proportions of the dwelling, would reflect the existing roof form and would not over dominate the dwelling in size and scale. As such this element of the

proposal is considered acceptable with the character and appearance of the property and surrounding area and therefore complies with Policy D1.

The proposed front dormer window is similar in style, scale and sitting as the existing and as such is also considered acceptable with the character and appearance of the dwellinghouse. The rooflight window also raises no concerns.

Notwithstanding the above, the rear extension would project more than 4m beyond the rear elevation and indeed extend virtually the entire depth of the rear garden along the common boundary with No. 3. As such it is considered to create a dominant effect on the visual amenity of the adjoining neighbour. While it is acknowledged that the existing garage extends along part of this boundary, the proposed extension would be much larger in height, length and mass than the existing flat-roofed garage and therefore have a much greater impact. Moreover the surrounding gardens are small and compact, consisting of various structures including sheds and extensions resulting in the boundaries of No.3 being visually enclosed and it is considered that the proposed rear extension would exacerbate this further. As such this element of the proposal is considered to create an adverse impact on neighbouring residential amenity. Also given its length (taking up nearly the whole depth of the garden) the rear extension does not respect the local built form (contrary to policy D1(2)) and adversely affects the character and amenity of the surrounding area (contrary to policy D1(2)). It is therefore considered to be contrary to the specific terms of the SPG in relation to rear extensions as well as Policy D1.

Due to its height, position and orientation in relation to No.3, it is also considered that the rear extension would result in an unacceptable degree of overshadowing and also some loss of daylight on this site. The upper floor side window in No.3 relates to a bathroom and while the two storey extension would sit relatively close to it, as it is not a habitable room it is not considered that there would be a significant adverse impact on this room. Part of the gardens at No.4 and No.6 Broadmoss Ave would be overshadowed by the rear extension in the late morning/early afternoon however as it would only involve a relatively small area of these gardens it is not considered detrimental to their amenity.

Overlooking from the ground floor windows would be screened by the existing boundary treatment around the site. The proposed dormer window would not result in any additional overlooking than that of the existing upper floor bedroom window it is to replace.

The comments received from representees concerning impact on visual amenity, overshadowing, overlooking, scale, design and compatibility with the character of the street have been addressed in the body of the report above.

The concerns raised regarding the impacts of coronavirus/Covid-19 restrictions is understandable. However planning applications have to be assessed against the relevant policies of the development plan and any material planning considerations. These grounds of objection are not material considerations in the determining of this application.

In relation to impact on natural drainage at the site, the area proposed for development is already predominantly hard surfaced and as such the proposal is unlikely to have any additional adverse impact in this regard.

While the proposal would provide additional living space it is not of such a size and scale to result in adverse noise levels within the area. Impact on a person's view is not a material planning consideration. There would still be parking spaces available along the front of the site for the parking of cars.

The Proposed Local Development Plan 2 is a material consideration. With regard to this planning application, the relevant policies are considered to be D1 and D1.1. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposed rear extension does not accord with the relevant policies in the Proposed Local Development Plan.

In conclusion, while the two storey extension is acceptable the rear extension is considered contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as well as the associated SPG and as such it is recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASONS FOR REFUSAL:

1. The proposal is contrary to the terms of Policy D1 and the adopted Supplementary Planning Guidance: Householder Design Guide as the rear extension would extend more than 4m beyond the rear elevation and create a dominant impact on the adjoining neighbour to the detriment of the amenity of the neighbour and the character and amenity of the surrounding area.
2. The rear extension is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as it would result in overshadowing and loss of daylight on the adjoining neighbour and adversely affect their residential amenity.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mrs Zara Foster on 0141 577 3861.

Ref. No.: 2020/0500/TP
(ZAFO)

DATE: 19th February 2021

DIRECTOR OF ENVIRONMENT

Reference: 2020/0500/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 D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

The size, scale and height of any development must be appropriate to the existing building.

In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

Side extensions should not create an unbroken or terraced appearance.

The development should avoid over-development of the site by major loss of existing garden space.

Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes.

The above are broad requirements and these are further defined in the Householder Design Guide 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.

Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes

Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;

4. Should not create an unbroken or terraced appearance;
5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

GOVERNMENT GUIDANCE:

None

REPORT OF HANDLING

Reference: 2020/0550/TP

Date Registered: 8th October 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 253857/:654042

Applicant/Agent:

Applicant:

Dickie & Moore Homes Limited

9 Montgomery Street

The Village

East Kilbride

Scotland

G74 4JS

Agent:

DTA Chartered Architects

9 Montgomery Street

The Village

East Kilbride

Scotland

G74 4JS

Proposal:

Erection of 17 no. flatted units contained within 4 no. villas following demolition of existing equestrian centre and stables; formation of driveway to Hazelden House

Location:

Hazelden Riding School

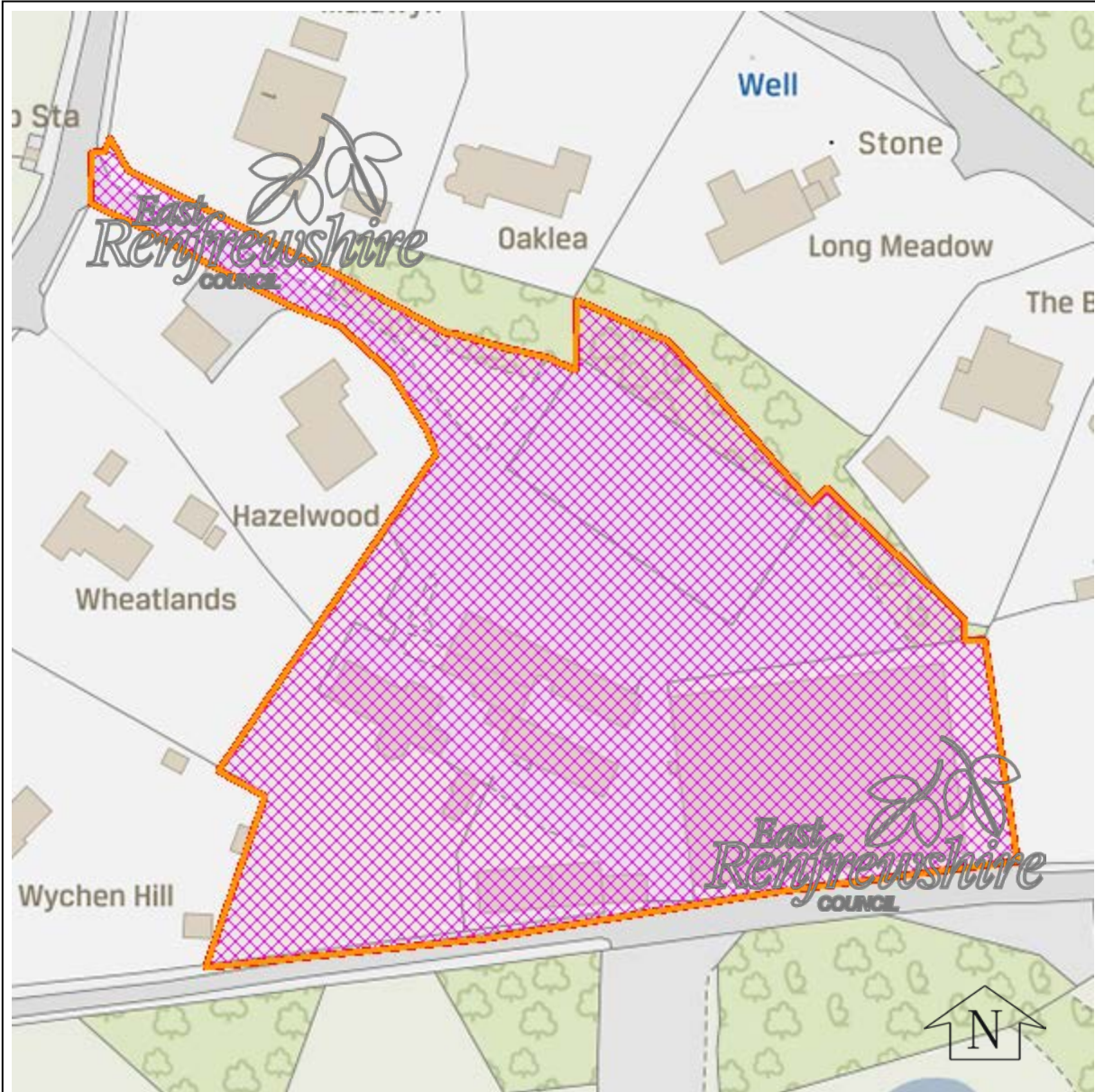
Hazelden Road

Newton Mearns

East Renfrewshire

G77 6RR

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CONSULTATIONS/COMMENTS:

Glasgow Airport	No objection.
NERL Safeguarding	No response at time of writing.
Ministry Of Defence	No response at time of writing.
Glasgow Prestwick Airport	No objection.
East Renfrewshire Council Roads Service	Further information required on the extent of the adoptable road network to ensure access by refuse collection vehicles; an adoptable 2 metre wide footpath link to each block of flats is required to provide safer routes for pedestrians; bin store collection areas require to be redesigned; and SUDS will require to be incorporated as part of the proposed development.
East Renfrewshire Council Affordable Housing and Developer Contributions	The developer has agreed to the principle of the payment of a commuted sum for the provision of off-site affordable housing and to the payment of developer contributions towards community facilities and parks and open space within the wider Newton Mearns area.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.
Scottish Water	No objection.
Waste Strategy Section	No response at time of writing.
West Of Scotland Archaeology Service	No response at time of writing.

PUBLICITY:

30.10.2020 Evening Times Expiry date 13.11.2020

SITE NOTICES: None.

SITE HISTORY:

2002/0414/TP	Erection of rear conservatory and alterations to existing roof	Approved Subject to Conditions	08.07.2002
1998/0445/TP	Siting of a residential caravan	Approved Subject to Conditions	04.12.1998
1999/0078/TP	Erection of dwellinghouse	Approved Subject to Conditions	28.06.1999

2004/0463/TP	Re roofing of existing indoor riding arena and extension to indoor riding arena	Approved Subject to Conditions	15.07.2004
2010/0694/TPO	Fell:2 Fir Trees Plant:One specimen tree	Approved Subject to Conditions	20.10.2010
2019/0751/TP	Erection of 24 flats and 4 dwellinghouses following demolition of existing equestrian centre and stables; formation of driveway to Hazelden House	Withdrawn	27.02.2020

REPRESENTATIONS: 45 representations have been received: 5 indicating support for the development and 40 indicating an objection. Representations can be summarised as follows:

Support

Development is in keeping with the surrounding area and will have a positive impact
 Safer for pedestrians than the existing use
 Shortage of housing for over 55s
 No objections from consultees
 No amenity issues

Objection

Contrary to Local Development Plan
 Out of character with the area
 Loss of riding school and outdoor access opportunities
 Overlooking
 Overshadowing
 Precedent for similar developments
 Traffic impact
 Loss of trees
 Visual impact
 Impact on existing services
 Flooding
 Impact on Right of Way
 Impact on wildlife
 Light, noise and air pollution
 Disruption during construction phase including mud slides and safety issues
 Access to private sewer
 Stability of the site
 Loss of historic building
 Impact on adjacent equestrian businesses
 Potential of sewage spills
 SUDS details not provided
 Lack of demand for housing
 Over 55s should not be encouraged to live in this area as it is treacherous in bad weather.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Flood Risk and Drainage Strategy – the strategy provides information on potential flooding on the site and information on the proposed drainage. It concludes that the site is not at risk from fluvial, pluvial or groundwater flooding and that it can be drained in a sustainable manner.

Design Statement – provides a description of the site and its context as well as a detailed description of the development. It indicates that the proposed flats will only be made available for sale to those over 55. It indicates that the trees around the site boundary will generally be retained and protected. It makes an assessment against planning policy and concludes that the proposal satisfies the requirements of the adopted East Renfrewshire Local Development Plan.

Transport Statement – provides an assessment of the surrounding transport infrastructure and describes the proposed vehicular and pedestrian access to the site. It concludes that the development would have no adverse impact on the local road network.

Tree Survey Report – provides a survey of the trees within the site.

ASSESSMENT:

This is a local development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, however under the Council's Scheme of Delegated Functions it has to be presented to the Planning Applications Committee for determination as more than 10 objections have been received.

Site Description and Context

The application site of is an irregular shaped area of land measuring 11774 square metres in area that lies within the greenbelt to the south of Newton Mearns. It lies within an enclave of mainly residential development that is bounded by the triangle formed by Hazelden Road and Titwood Road. The site is accessed from the north-west via Hazelden Road with a second access from the south via the southern spur of Hazelden Road. It is presently occupied by the Hazelden Riding School and equestrian livery business. Historically, the site formed part of the grounds of the now demolished Hazeleden House. The site lies within a tree preservation order area and a right of way runs adjacent to the southern boundary.

The site slopes upwards from the north-west access on Hazelden Road to a plateau towards its centre. From there slope breaks down towards the north-east and falls more gently towards the south.

A large agro-industrial style shed which houses an indoor riding arena and stables occupies the eastern part of the site. In the northern part of the site is a large flat area of ground that serves as an outdoor riding arena. There are a collection of sheds on the site's southern boundary that appear to serve as storage areas. Towards the centre of the site is a collection of sheds that serve as admin offices and storage and the historic, unlisted stable block formerly associated with Hazelden House. Adjacent to the south-west of those buildings is a single storey dwelling that is presently occupied by the current owners and operators of the riding school/equestrian business. A large open car-parking area also occupies the centre of the site. The site's eastern and north-eastern boundaries are characterised mainly by a variety of fast growing conifers with a variety of ornamental and deciduous trees growing on the western boundary. The southern boundary is defined by the southern spur of Hazelden Road and characterised principally by the side elevation of the large agro-industrial shed and the rear of the smaller sheds.

As noted above the immediate area to the west, north and east is characterised by residential development within the triangle formed by Hazelden Road and Titwood Road. This residential character is defined by detached dwellings of varying sizes set within relatively generous, established and well defined plots. Beyond the triangle to the south, east and west the area is characterised by open farmland with the GSO and the urban edge of Newton Mearns to the north.

Proposed Development

Planning permission is sought for the erection of 17 flats contained within 4 separate blocks following the demolition of all but one the existing buildings associated with the riding school/equestrian business. The existing single storey dwelling is proposed to be retained and incorporated into the proposed development. The development is proposed to be accessed from the north-west via the existing access road that is proposed to be extended into the site and widened to provide a 1 metre wide footpath. The southern access is proposed to be closed off. The flatted blocks and the existing bungalow are proposed to be arranged around the extended portion of the access road with parking courts situated in front of each of the flatted blocks.

The blocks are two storeys high with one containing a basement storey taking advantage of the drop in levels in the north-eastern part of the site (thus being three storeys in height on that elevation). Two of the flatted blocks are of the same design whilst the other two differ. However, they all conform to a distinct design theme comprising shallow asymmetrical pitch roofs with pseudo-traditional design details such as traditional gable features, chimneys and strong vertical design elements. Due to the asymmetrical design of the roofs, each of the blocks has a higher eaves height to the rear (due to a very shallow roof pitch) and a deeper floor plan than could be achieved with a traditionally pitched roof. This gives the blocks the appearance virtually of being flat-roofed when viewed from the rear. They are proposed to be externally finished in render and stone cladding and will have tiled roofs. One of the blocks has rear facing terraces at ground and first floor levels.

The applicant has indicated that the sale of the properties will be restricted to the over 55s.

Policy

The application requires to be assessed with regard to Strategic Policies 1, 2 and 3 and Policies D1, D3, D7, D8, SG1 and SG5 of the adopted East Renfrewshire Local Development Plan.

Strategic Policy 1 supports proposals that promote sustainable development, contribute to the reduction of carbon emissions and are served by a choice of transport modes including public transport. It also supports regeneration and consolidation of urban areas with an emphasis on developing brownfield and vacant sites alongside the continued protection and enhancement of the greenbelt and countryside around towns and the green network.

Strategic Policy 2 states that the Council will adopt a sequential approach to development which gives priority to brownfield sites within the urban area, then to greenfield land within the urban area. Sites within the greenbelt will only be considered once it has been demonstrated that a suitable site does not exist within the urban area.

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 D1 relates to all development and seeks to protect the character and amenity of the area. It states that proposals 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, design and materials.

Policy D3 relates to development in the greenbelt. It states that development in the greenbelt will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area. Policy D3 goes on to state that development proposals in the greenbelt will be considered favourably where they relate to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the greenbelt. The adopted Supplementary Planning Guidance on Rural Development sets out the circumstances under which new dwellings will be permitted in the greenbelt.

Policy D7 states that minimum open space requirements should be achieved within new residential development.

Policy D8 seeks to protect the integrity of the tree preservation order.

Policy SG1 sets out that the Council will support housing development on the established housing sites as identified in the Local Development Plan.

Policy SG5 on Affordable Housing and the adopted Supplementary Planning Guidance on Affordable Housing 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.

2006 Appeal Decision

Planning permission was refused for the erection of a dwellinghouse on a nearby site at House O' Hill in 2006 under reference 2006/0177/TP. A subsequent appeal to the Scottish Ministers was allowed and the reporter noted that the greenbelt within the triangle formed by Hazelden Road and Titwood Road has the character of an established residential area and includes an equestrian centre (the current application site). In allowing the appeal, the reporter reasoned that the appeal proposal would neither extend development beyond the developed area nor result in the loss of previously undeveloped land. He continued that the proposal would not result in the loss of agricultural land and that development within this well-defined pocket would not harm the character or effectiveness of the greenbelt. This appeal decision has been a material consideration in assessing other proposals for individual dwellings in the triangle which have been granted planning permission, most recently at Long Meadow (2019/0495/TP). These subsequent decisions and the appeal decision are material to the consideration of this application.

Assessment

Strategic Policy 1 supports regeneration and consolidation of urban areas with an emphasis on developing brownfield and vacant sites alongside the continued protection and enhancement of the greenbelt and countryside around towns and the green network. This site is not in the urban area. Although it is a brownfield site, the proposed dense flatted development does not complement, enhance or protect the green belt or the character of the area. This policy also discusses the Council's support for sustainable development that contributes to the reduction of carbon emissions and are served by a choice of transport modes including public transport. This proposal which seeks to introduce 17 flats in a dense suburban style of development to this isolated countryside location, fails to meet these important policy aspirations by introducing unsustainable development in a location which is not within easy walking distance of transport, shops or local services. Access to services is perhaps even more important when it is exclusively for older people (as proposed here) who's mobility is often more limited than that of the general public. The proposal is therefore considered to be contrary to Strategic Policy 1.

Similarly Strategic Policy 2, point 1, talks about the application of a sequential approach which gives priority to the use of brownfield sites within the urban area; and that 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. Given the suburban nature of this proposal it is considered that the sequential approach is relevant, and that the applicant has not demonstrated that no suitable sites exist for a development of this size and character in the urban area. The proposal is therefore considered to be contrary to Strategic Policy 2.

The proposal represents the development of a site within the greenbelt without any justification in terms of agriculture, forestry, outdoor recreation or other rural enterprise. The proposal is therefore contrary to Policy D3 of the adopted East Renfrewshire Local Development Plan. The 2006 appeal decision and subsequent grants of planning permission for various residential developments within the triangle formed by Hazelden Road and Titwood Road are nevertheless material considerations and have established the principle of sensitive residential development within the triangle.

The site is not identified as a housing site under Policy SG1 and is therefore considered as a windfall site.

The Council's Principal Strategy Officer - Development Contributions and Affordable Housing has indicated that the applicant has agreed in principle to the payment of a commuted sum for the provision of affordable housing. This will be secured by the conclusion of a legal agreement. The proposal therefore raises no conflict with Policy SG5 of the Local Development Plan subject to the conclusion of the agreement.

In terms of Strategic Policy 3, the Principal Strategy Officer has previously advised that residential windfall applications within this school catchment area should be refused on the basis of their impact on the education estate. However, in this instance the applicant has indicated that the development will be restricted to the over 55s. The Principle Strategy Officer has therefore indicated no objection to the proposal subject to the conclusion of a legal agreement to restrict the occupancy of the flatted dwellings to the over 55s and for the provision of a development contribution towards the provision of community facilities and parks and open space within the wider Newton Mearns area. Subject to the conclusion of a legal agreement, the proposal raises no conflict in terms of Strategic Policy 3

Given the 2006 appeal decision and subsequent grants of planning permission within the triangle it is considered that the principle of appropriate residential development on the application site is acceptable. Should the proposal be acceptable in terms of its design and impact on the character and amenity of the area, planning permission could be granted as an exception to the terms of Strategic Policy 2 and Policy D3 of the Local Development Plan. Policy D3 also requires that development in the rural area is acceptable in terms of its impact on character and amenity and this is discussed in more detail below.

The proposal therefore falls to be assessed with regard to Policies D1, D7 and D8 of the adopted East Renfrewshire Local Development Plan.

Policy D7 requires that the minimum open space requirements for new residential development as set out in Appendix 1 of the adopted Supplementary Planning Guidance: Green Network and Environmental Management are met. For individual dwellings the minimum rear garden area should be 1.5 times the footprint of the dwelling and for flatted developments the developer must provide at least 30sqm of amenity open space per dwelling. The minimum amount of open space for both the existing dwelling as it is incorporated into the proposed development and for the flatted dwellings has been provided. The proposal therefore raises no conflict with regard to Policy D7.

There are no trees of any note within the area proposed for development. The trees along the site's boundaries will be predominantly retained and protected. The proposal therefore raises no significant issues in terms of Policy D8.

Policy D1 requires an assessment to be made in terms of the impact of the proposal on the character and amenity of the area including visual impact, overlooking, overshadowing, loss of daylight and public road safety.

The Supporting Statement indicates that the proposed flatted blocks have been designed to create modest sized blocks that have a scale and massing similar to the larger dwellings within the triangle. It goes on to state that the blocks have been designed to appear as villas set within their own garden ground. Indeed, it is noted that some of the design features of the flatted blocks mimic somewhat the design of the adjacent dwelling at Wychen Hill.

The surrounding properties within the triangle are generally single or one and a half storeys with only very few exceptions and are of varying designs having been built and altered individually throughout the years. Their massing is generally low and most have relatively low wall heads which provide a balance against the massing of traditionally pitched roofs. They are set within established plots which are clearly defined and delineated by established tree and shrub planting. In some cases, as a result of the boundary planting, the dwellings are only partly visible or hardly visible at all, from Hazelden Road or Titwood Road. This results in the area having an enclosed and secluded feel with no one dwelling or group of dwellings being a dominant feature and generally belies the area's developed nature.

Notwithstanding the design rationale set out within the Supporting Statement, the proposed development type would clearly be at odds with this established character. Each of the flatted blocks are two storeys in height (with one of the blocks dropping to three storeys at the rear) with high wall heads and shallow pitched roofs to allow maximum internal accommodation. This results in a lower roof massing relative to the higher massing of the wall area and is at odds with the massing and proportions of most of the surrounding development. The massing and proportions are accentuated by the frontage width of each block and the asymmetrical roof pitch to the rear.

Notwithstanding the use of certain design elements in an attempt to mimic the design of some of the adjacent dwellings, the continuation of the materials palette and design theme throughout each of the flatted blocks results in a degree of uniformity which is also at odds with the individual character of the dwellings on the surrounding plots. Whilst some tree planting is indicated, the development is generally open in character with the area in front of each of the blocks dominated by large open parking areas. Again, this is at odds with the established secluded character of the surrounding development.

Given the scale and massing of the blocks, the degree of uniformity in the design and materials, the open character of the development and the prominence of the parking courts in front of the blocks, the development would be considered clearly to read as a development of flats. This would give rise to the suburbanisation of the site which is clearly at odds with the character of the surrounding area and would be detrimental to the character and amenity of the area and the wider greenbelt. The rear and side of the Kennedy block (which stands three storeys to the rear taking into account the basement storey) and the Ruthven block would be highly visible from the southern spur of Hazelden Road and from the adjacent open countryside which would be detrimental to visual amenity and again, detract from the character and amenity of the greenbelt.

Given its design and layout and the existing boundary treatment, the proposal would not give rise to significant additional overlooking, loss of daylight or overshadowing.

The Roads Service has indicated that the following aspects of the development need to be addressed:

- The provision of a two metre wide pedestrian footway to the flats
- Identify the extent of the adoptable road network
- Redesign bin store areas
- Incorporate SUDS.

The applicant was advised of this in November 2020 and no response has yet been received. The proposal therefore fails to meet the Councils roads requirements.

Given the foregoing considerations in terms of the character and amenity of the area and visual impact, the proposal is considered to be contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan.

Whilst the principle of some smaller scale residential development of the site is accepted, as discussed above, Policy D3 also requires that any development within the greenbelt does not detract from the character or amenity of the rural area. For the above reasons, the proposal is also contrary to Policy D3.

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 Policy 1, Strategic Policy 2, D1, D3, D6, D7, SG1 and SG4. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposed works would be contrary to the terms of Policies D1 and D3 of the Proposed Local Development Plan.

The following comments are made in respect of the points of representation not specifically addressed above:

Any decision to close the riding school would be a decision for the owners of the business and cannot be regulated by local planning policy. Precedent is not a material planning consideration and any similar future applications would be assessed on their own merits. The applicant would require the separate consent of utility providers before connecting to their networks. This includes any access that may be required to any private infrastructure. It is responsibility of the developer to ensure they have the relevant permissions to build upon any existing infrastructure. The site is not identified as being at risk of flooding from either rivers or from surface water. If the application is approved, the developer would require to install a sustainable urban drainage scheme and full details can be submitted and approved prior to work commencing. Its provision could be secured by a condition. Drainage will also be considered at the building warrant stage. The proposal does not interfere with the right of way which passes to the south of the site. The site is not identified as having a nature designation. It is accepted that some of the buildings on the site could have potential for bat roosting given their age and condition. If the application were to be approved, a full habitat survey should be carried out. It is ultimately the responsibility of the developer to ensure that no works are carried out that would harm protected species. Given the scale and nature of the proposed development, it is not considered that it would give rise to significant additional pollution in terms of light, noise or air quality. If the application is approved a condition can be attached to the permission controlling the hours of work on site. It is the responsibility of the developer to ensure the work is carried out safely without damaging adjacent properties. This is controlled by separate health and safety legislation and it not therefore a material planning consideration. The stability of the site will be assessed at the building warrant stage. The Council has limited powers to prevent the demolition of an unlisted building. It is the responsibility of the developer and subsequent owners to ensure that any unadopted utilities infrastructure within the site is kept safe and in good condition. Impact on adjacent equestrian businesses is not a material planning consideration. Whilst the site is a windfall site and not included as a housing site in the Local Development Plan, the applicant's commercial decisions are not material planning considerations. It is not accepted that the site is particularly treacherous for the over 55s.

It should be noted that the applicant was advised verbally at a meeting on 17 February 2020 that a development of no more than five individual dwellinghouses may be an acceptable form of development on this site. The applicant was also advised in writing via the pre-application advice service on 27 May 2020 that the current proposed development type and layout would be unlikely to receive favourable consideration.

In conclusion, the application is contrary to Strategic Policies 1 and 2; and Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan, as the proposed flatted development would be in an unsustainable location, would be out of keeping with the established character of the surrounding area and would be visually dominant when viewed from the adjacent countryside, to the detriment of the character and amenity of the greenbelt. There are no material considerations that indicate that the application should not be refused. It is therefore recommended that the application is refused for the reason set out below.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON FOR REFUSAL:

1. The proposal is contrary to *Strategic Policy 1: Development Strategy* of the East Renfrewshire Local Development Plan as the proposed flatted development of this size and character would be in an unsustainable countryside location, would not contribute to the aim of reducing carbon emissions and is not well served by a choice of transport modes including public transport.
2. The proposal is contrary to *Strategic Policy 2: Assessment of Development Proposals* of the East Renfrewshire Local Development Plan as the applicant has not

demonstrated why, following a sequential approach, the proposed flattened development of this size and character could not have been located on a suitable site within the urban area.

3. The proposal is contrary to Strategic Policy 1, Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan as the proposed flattened development would be out of keeping with the established character of the surrounding area and would be visually dominant when viewed from the adjacent countryside to the detriment of the character and amenity of the greenbelt.
4. The proposal is contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan as the development does not demonstrate compliance with the Councils access requirements.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

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

Ref. No.: 2020/0550/TP
(DESC)

DATE: 23rd February 2021

DIRECTOR OF ENVIRONMENT

Reference: 2020/0550/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

Adopted East Renfrewshire Local Development Plan

Policy Strat2

Assessment of Development Proposals

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

1. A proven need for the development.
2. The consideration of alternative locations, forms and layout of development.
3. Resulting community and economic benefits.
4. The impact on communities, individual properties and existing land uses.
5. The impact on existing and planned infrastructure.
6. The transport impact of the development, taking into account the need for a Transport Assessment and the scope for Green Transport Plans.
7. The impact on the built and natural environment, including local greenspace, the wider greenspace network, and the Green Belt, taking into account the

need for Environmental Impact Assessment.

8. The impact on air, soil and water quality.
9. The potential for remedial or compensatory environmental measures.
10. The contribution to energy reduction and sustainable development.
11. The impact on health and well being.
12. The cumulative impact of the development.
13. The impact of proposals on other proposals set out in the Local Plan.
14. The suitability of proposals when assessed against any approved Supplementary Planning guidance.

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

Sequential Approach

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

Precautionary Principle

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

Developer Contributions

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

Affordable Housing

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

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

of achieving a mixed and balanced community.

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

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

Policy Strat3

Regeneration and Consolidation of Communities

The Council's broad strategy for the future planning of the area is based on the regeneration and consolidation of existing communities and the protection and enhancement of important urban greenspace, the Green Belt and Countryside Around Towns (CAT). There are a number of key components to this strategy as illustrated in Diagram 2 - Strategic Context.

These include:

- * Supporting sustainable local economic growth.
- * Regeneration and renewal of existing town and neighbourhood centres;
- * Completion of Established Urban Expansion Areas;
- * Provision of additional private housing in the Levern Valley area to meet the requirements of the Structure Plan;
- * Provision of Affordable Housing;
- * Seeking the most efficient use of Council assets;
- * Rationalisation of business and industrial land supply throughout the area;
- * Promotion of Barrhead as a Strategic Industrial and Business Location;
- * Improvement of Junction 4 on the M77 and new road link between Barrhead, M77 and Newton Mearns;
- * Motorway Service Area;
- * Protection and enhancement of important urban greenspace;
- * Protection and enhancement of the Green Belt and CAT area;
- * Dams to Darnley Country Park;
- * Whitelee Access Project;
- * Potential for Renewable Energy;
- * Improved community facilities; and
- * Improved access and transportation facilities.

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 D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green

belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

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

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 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 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.

Proposed Local Development Plan 2

Strategic Policy 1

Development Strategy

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

The Council's approach to development is as follows:

1. Regeneration, consolidation and environmental enhancement of the urban areas through the provision of an efficient and sustainable use of land, buildings and infrastructure that encourages the re-use of brownfield and vacant sites, in keeping with a sequential approach and in accordance with other relevant policies of the Proposed Plan;
2. Master planned approach to development at the following Strategic Development Opportunity locations:
 - a. Maidenhill/Malletsheugh, Newton Mearns (Policy M2.1);

- b. Barrhead South - Springhill, Springfield, Lyoncross (Policy M2.2);
- c. Barrhead North - Shanks/Glasgow Road, Barrhead (Policy M3);
- 3. Infill development within the rural settlements compatible with the character, amenity and settlement pattern;
- 4. Phased release of sites to make efficient use of existing infrastructure and ensure the coordinated delivery of new infrastructure and investment, including schools; green infrastructure; transport infrastructure; community and leisure facilities; and health and care facilities all in accordance with Strategic Policy 2. Proposals for windfall sites will be required to provide the required infrastructure resulting from development in accordance with Strategic Policy 2 and not prejudice the delivery of allocated sites. Where infrastructure constraints cannot be overcome, including any impacts of additional residential development upon education infrastructure, proposals will not be supported;
- 5. Implementation of City Deal strategic infrastructure projects set out in Strategic Policy 3 and Schedule 1 and other major infrastructure programmes;
- 6. Protection and enhancement of the green belt and landscape character and setting and the distinct identity of towns and villages in accordance with Policies D2 and D3;
- 7. Protection, creation and enhancement of an integrated multi-functional green network and connected green spaces within and around the urban areas which actively contribute to local amenity, recreation, active travel and biodiversity objectives in accordance with Policies D4 and D6;
- 8. Protection and enhancement of the built, historic and natural environment in accordance with Policies D7 and D14 to D20;
- 9. Provision of homes to meet the all tenure housing requirements of Clydeplan (Table 1) in accordance with Policies SG1, SG2 and SG4. The sites listed in Schedules 15 and 16 will provide a range and choice of housing sizes, types and tenures across the Council area to meet these requirements in accordance with the Strategic Housing Need and Demand Assessment and the Council's Local Housing Strategy;
- 10. Sustainable and inclusive economic growth and community benefits, including the creation of new employment opportunities through the provision of a range of sites and areas to provide a strong and diverse economy in both the urban and rural areas, in accordance with Policies SG5, SG6 and SG7;
- 11. Maintaining and enhancing the vitality and viability of the town and neighbourhood centres by adopting a town centre first approach that directs development and investment to town and neighbourhood centre locations in accordance with Policies SG10 and SG11; and
- 12. The contribution to energy reduction and sustainable development in accordance with Policies E1 and E2.

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 D3

Green Belt and Countryside around Towns (CAT)

Development in the green belt and Countryside around Towns (CAT), shown on the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location. Proposals will require to demonstrate that they are appropriate in terms of scale, size, design, layout and materials, to their rural location and compatible with adjoining and neighbouring uses.

Proposals should be designed to complement the surrounding landscape ensuring that there are no adverse landscape or visual impacts, seek to ensure that the integrity of the landscape character and setting is maintained or enhanced as informed by the Council's Green Belt Landscape Character Assessment (LCA). Proposals should not be suburban in character or scale and should have no adverse impacts upon the amenity of the surrounding rural area.

Development within the green belt or countryside around towns, including changes of use or conversions of existing buildings, will be supported in principle where it is for agriculture; forestry; equestrian; countryside recreation and active travel; outdoor leisure and tourism, including holiday accommodation; economic and farm diversification; and renewable energy and infrastructure such as minerals, digital communications infrastructure and electricity grid connections that have a site specific and operational need for a rural location, subject to compliance with other relevant policies of the Proposed Plan.

Proposals should make use of existing or replacement buildings whenever possible. Where it is demonstrated that this is not achievable and where a new building, structure or dwelling is proposed it should be commensurate with the functional requirement of the business, should be sited adjacent to other existing buildings and within the boundary of the established use. Any proposal that involves a business which requires a new building will also have to demonstrate that it is established and/or viable for a minimum period of 3 years at that location.

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

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 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 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.

GOVERNMENT GUIDANCE:

Scottish Planning Policy indicates that where a planning authority considers it appropriate, such as in the most pressured areas, the development plan may designate a green belt around a town to support the spatial strategy by: directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space. Local development plans

should show the detailed boundary of any green belt and describe the types and scales of development which would be appropriate within a green belt.

REPORT OF HANDLING

Reference: 2020/0597/TP

Date Registered: 3rd November 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257497/:656008

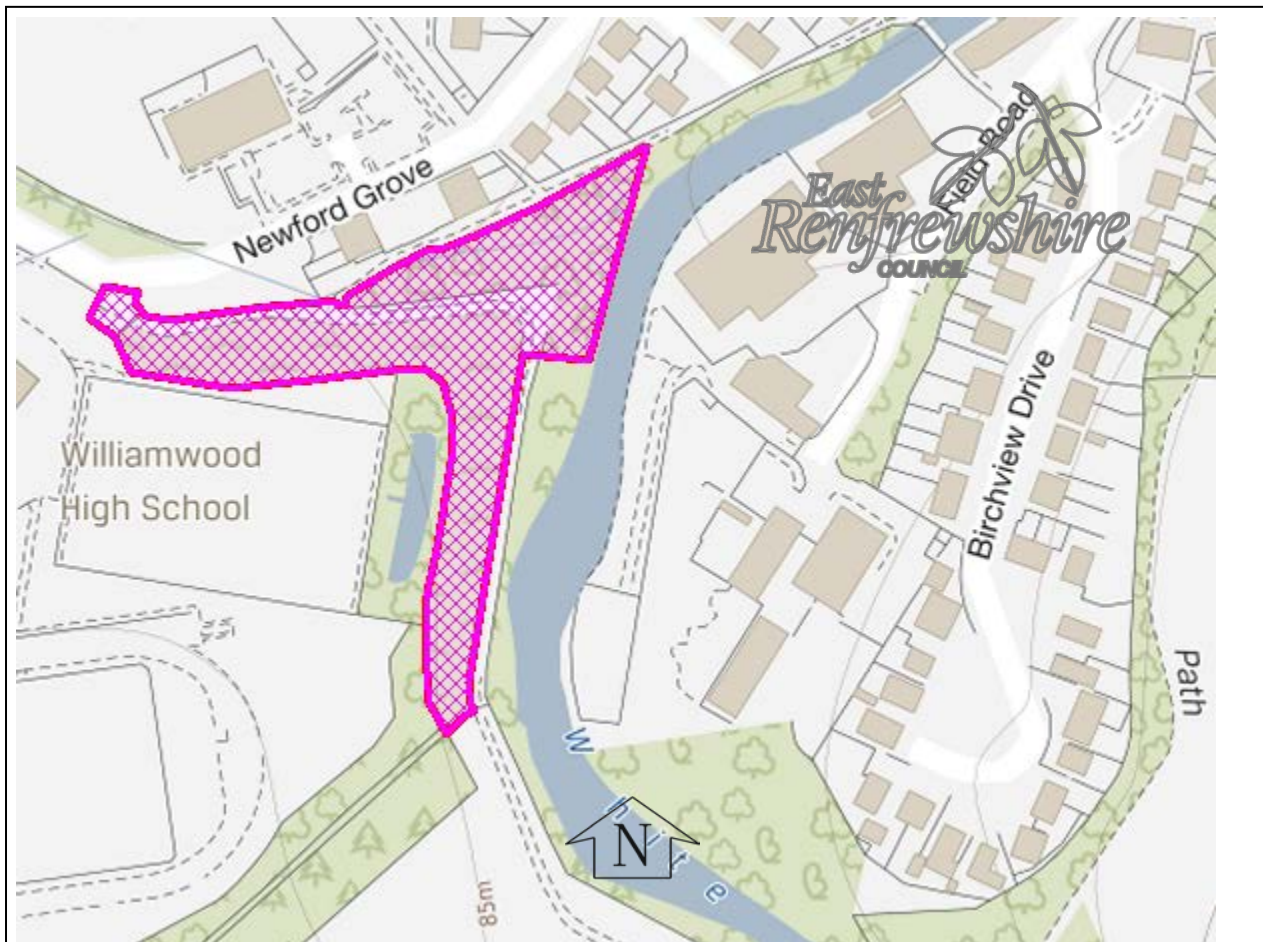
Applicant/Agent:

Applicant:
Clarkston After School Service
Tay House
300 c/o North P&D
Bath Street
Glasgow
UK
G2 4LH

Agent:
David Campbell
Tay House
300 Bath Street
Glasgow
Scotland
G2 4LH

Proposal: Change of Use of land for outdoor pre and after school/education classes, formation of parking spaces and siting of 2no. portacabins (amended parking layout)

Location: Adjacent East Of Williamwood High School
Eaglesham Road
Clarkston
East Renfrewshire

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CONSULTATIONS/COMMENTS:

Scottish Water – No objections

East Renfrewshire Council Roads Service –
No objections subject to conditions

Environmental Health – No objections

Access Officer – No objections subject to access
being maintained

PUBLICITY:

20.11.2020 Evening Times Expiry date 04.12.2020

SITE NOTICES: None.

SITE HISTORY: None.

REPRESENTATIONS: 23 objections have been received: Objections can be summarised as follows:

- Increase in traffic in an already congested area
- Poor visibility
- Site not fit for purpose
- Visible impact of shipping containers
- Noise pollution
- Anti-social behaviour
- Loss of greenspace
- Trees
- Utilities
- Fly tipping
- Access for large vehicles - waste/emergency services.

8 letters of support were received from local residents highlighting the benefits of the facility to the local community.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

- An Operational and Need Statement has been submitted. The statement outlines the service currently provided by Clarkston After School Care and the need for an alternative site following the termination of the current lease at Greenbank Church.
- A Planning Statement has also been submitted. The statement responds to the relevant policies within the adopted Local Development Plan.

ASSESSMENT:

This is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However as more than 10 objections have been received the application has to be presented to the Planning Applications Committee for determination.

The application relates to an area of land designated as Urban Greenspace located to the rear of Williamwood High School and south of residential properties on Newford Grove and the Cartmill

Family Centre. Accessed by way of an existing entrance point the site extends towards the White Cart Water and continues along the rear of the sports pitch at the back of the school building. The majority of the site is grass with mature trees and planting along the north and east boundaries of the site.

The proposal is for a child care facility that will provide out of school care and holiday club for local children. The service has been in operation since 2014 and currently operates across three venues in the area including Greenbank church. The lease at Greenbank church is due to end and as a result the applicant requires another site to provide out of school care for up to 40 children. Focussed around a forest school model which encourages children to benefit from outdoor activities the proposal will include a breakfast club and after school care during term-time between the hours of 7.45am - 9.00am and 3.00pm - 6.00pm. During school holidays care will be provided between the hours of 7.45am - 6.00pm. The facility will be closed on public holidays and for two weeks over the Christmas period. Six members of staff will be employed to care for the children.

Within the site there will be a modular building measuring approximately 9m x 8.5m and 3m in height. Externally the building will be clad using horizontal timber battens cladding and partially finished with fast growing jasmine which should provide cover of the building within one growing season. A small shipping container providing toilet facilities is also proposed measuring approximately 9.8m x 3m and a maximum of 2.6m in height. Both buildings are pre-fabricated and temporary in nature. There will also be two further toilet cubicles and a gazebo located within the site. Details of both the toilet cubicles and gazebo can be secured by condition should the application be approved.

The application requires to be assessed against the relevant policies within the adopted East Renfrewshire Local Development Plan which in this instance are Policy D5, D1, D8 and D9.

Policy D5 relates to the protection of urban greenspace and states that proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

- There is no significant adverse impact on the landscape character and amenity of the site and the surrounding area;
- There will be no loss of public access;
- The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.

It is acknowledged that the proposed development will result in the loss of part of the greenspace however the overall function of the land will not be compromised and public access will be maintained at all times. There will be a resultant visual impact as a result of the development however it is considered that this impact will be localised. The site encroaches on what is designated as a (LBS) Local Biodiversity Site; however it is not considered that the development will have a significant impact on nature conservation and the educational nature of the use should aid people's understanding of the site's biodiversity value. It also has to be considered whether there is a community benefit that would justify the loss of the greenspace and based on the information submitted in support of this application there is a locational requirement for the proposed development in this area.

Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and that the Council's access and car-parking requirements are met.

In terms of impact on character and amenity, it is noted that the development is proposed to take place on an area of urban greenspace adjacent to an existing school and a family centre. It is therefore considered that the proposal will have limited impact on the area's character as it is compatible with the surrounding uses. In addition, given the location of the development in relation to residential properties it is not considered that the proposal will have a detrimental impact on neighbouring amenity.

In terms of impact on road safety and car-parking, the Council's Roads Service has not objected to the proposal subject to conditions. It should be noted that an amended parking layout was

submitted during the assessment process increasing the number of car parking spaces to eleven in addition to a further two for drop off/pick up and a turning facility. The Roads Service have commented regarding the absence of a continuous surfaced pedestrian route directly into the site. A link to the adjacent footpath on the south side of Newford Grove was suggested, but this land is not within the application site and the applicant does not control it, so it has not been possible to require this provision or add it as a condition. However there is a footpath on the north side of Newford Grove passing the site. It is recommended below that consent is granted for the proposal for a temporary period, therefore there will be the opportunity again in the future to review the provision of a footpath link if the temporary consent is granted.

Policy D8 relates to natural features and states that there will be a strong presumption against development that where it would compromise the overall integrity of Local Biodiversity Sites. The application site includes an area designated as a Local Biodiversity Site. This is non statutory designation just noting the sites nature, but the buildings are proposed outside the LBS and the intended play/educational use within it is such that is not considered that the development will have significant impacts on nature conservation. In addition, the site borders the White Cart Water which is indicated as an area at risk of surface water flooding however the area of land to the west of the site where the temporary buildings and car parking will be located has been confirmed as low risk with no history of flooding.

Policy D9 refers to the protection of outdoor access including core paths and rights of way. A right of way skirts the site along its northern edge and a core path goes through the site from Newford Grove towards the farmland at the rear of Williamwood High School. The agent has confirmed that this core path will not be obstructed and that public access will maintained at all times.

The proposed Local Development Plan 2 (LDP2) maintains a similar policy position in Policies D5, D1, D7 and D9 to Policies D5, D1, D8 and D9 respectively of the adopted LDP.

Representations

In terms of the objections comments it is considered that the points below have been addressed above.

- Increase in traffic in an already congested area
- Poor visibility
- Site not fit for purpose
- Visible impact of shipping containers
- Loss of greenspace
- Noise pollution
- Access for large vehicles - waste/emergency services.

In response to points not addressed in the paragraphs above the following comments are made:

The applicant has submitted details of correspondence from Scottish Power and Scottish Water confirming an agreement in principle to the necessary connections for water, drainage and power connections.

In terms of tree loss the proposed plans confirm that the temporary buildings and car-parking are located to the west of the site within the grassed area and not in proximity of the mature trees and planting along the north and east boundaries of the site.

Fly-tipping and potential anti-social behaviour are not a material consideration in the determination of this application.

8 letters of support were received from local residents highlighting the benefits of the facility to the local community.

Neighbours were re-notified of the amended layout on the 10th February. No further comments were received.

Overall conclusion

It is acknowledged that the proposed development results in the loss of part of this greenspace. However in the assessment of the development above it is considered that the loss of part of this greenspace is acceptable for the development that is being applied for. The community and social benefits of providing out of school child care is considered to outweigh the loss of this part of this greenspace.

The buildings are container units rather than purpose built buildings and it is therefore considered appropriate to issue a temporary 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. The development hereby approved shall be limited to a period of three years from the date of consent and at the end of which period the use shall cease unless a further application is submitted and approved by the planning authority.

Reason: The buildings are of a temporary nature and to enable the use of the site to be monitored.
2. The use hereby approved shall only be open to the public between the hours of 07.45am – 6.00pm unless otherwise agreed in writing by the planning authority.

Reason: To protect adjacent dwellinghouses from noise/disturbance.
3. The parking spaces shown on the submitted layout plan Drg no 20012-20-002C shall be constructed, surfaced and delineated on the site in all respects before the development hereby approved is brought into use/occupied.

Reason: To ensure the provision of adequate parking facilities to reduce the incidence of roadside parking.
4. 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.
5. Development shall not commence until details of all external lighting (including details of lighting units, the angle and intensity of illumination and hours of operation) have been submitted to and approved in writing by the planning authority. Thereafter the lighting shall be fully implemented as approved.

Reason: In order to ensure that the lighting is acceptable at this location and to protect the amenity of the surrounding area.
6. Development shall not commence until details and location of the proposed toilet cubicles and gazebo 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 siting and location is acceptable.

ADDITIONAL NOTES:

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

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 Ms Fiona Morrison on 0141 577 3861.

Ref. No.: 2020/0597/TP
(FIMO)

DATE: 23rd February 2021

DIRECTOR OF ENVIRONMENT

Reference: 2020/0597/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 D5

Protection of Urban Greenspace

Urban greenspace, including outdoor sports facilities, identified on the Proposals Map, will be safeguarded. Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

- There is no significant adverse impact on the landscape character and amenity of the site and surrounding area;
- There will be no loss of public access;

- There will be no or limited impact on nature conservation and any loss would be mitigated through enhanced provision elsewhere in the vicinity;
- The proposed loss would result in a community use, the benefit of which would outweigh the loss of urban greenspace.
- Additionally, for outdoor sports facilities, the following will have to be demonstrated:
 - The proposal is ancillary to the principal use of the site as an outdoor sports facility;
 - The proposal involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
 - The outdoor sports facility would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
 - The relevant strategy, prepared in consultation with Sportscotland, shows that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

Further detailed information and guidance is set out in the Green Network and Environmental Management 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 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 D9

Protection of Outdoor Access

There will be a strong presumption against proposals which have an adverse impact upon outdoor access including core paths, rights of way as shown on the Proposals Map and referred to under Schedule 1 and other important access provision unless a satisfactory alternative route is provided.

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

Proposed Local Development Plan 2

Policy D5

Protection of Urban Greenspace

The Council will protect and support a diverse and multi-functional network of urban greenspace, including outdoor sports facilities, shown on the Proposals Map.

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

Proposals which would result in the loss of urban greenspace will be resisted unless it can be demonstrated that:

- There is no significant adverse impact on nature conservation/ biodiversity or the function of the wider green network, landscape character and amenity of the site and surrounding area;
- The loss of a part of the land would not affect its recreational, amenity or landscape function; and
- Appropriate mitigation is provided as part of the development for alternative provision of at least equal biodiversity, community benefit and accessibility.

Proposals for development on other areas of greenspace not shown on the Proposals Map under Policy D5, will be considered against its biodiversity and recreational value and its contribution to the character and amenity of the area in accordance with Policy D1.

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

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 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 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.

GOVERNMENT GUIDANCE:

None.

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