

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY14 February 2024Report by Director of Business Operations and PartnershipsREVIEW OF CASE - REVIEW/2023/12ERECTION OF 2 DWELLINGS, TOGETHER WITH ACCESS, LANDSCAPING AND ASSOCIATED WORKS**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

**DETAILS OF APPLICATION**

2. Application type: Further application (Ref No:- 2023/0200/TP).
- Applicant: Ms Mackay and Mr Sauvin
- Proposal: Erection of 2 dwellings, together with access, landscaping and associated works
- Location: Site bounded by Salterland Road, Glasgow Road and railway track to the south, Barrhead
- Council Area/Ward: Barrhead, Liboside and Uplawmoor (Ward 1).

**REASON FOR REQUESTING REVIEW**

3. The applicant has requested a review on the grounds that the Council's Appointed Officer refused the application.

**RECOMMENDATIONS**

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
    - (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
    - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
  - (b) that in the event that further procedure is required to allow it to determine the review, consider:-

- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
- (ii) what procedure or combination of procedures are to be followed in determining the review.

## **BACKGROUND**

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

## **NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW**

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons including appeal statement is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has detailed in their opinion that this review can continue to conclusion based on the assessment of the review documents only, with no further procedure.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. At the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 29 November 2023 before the meeting of the Local Review Body which begins at 2.30pm.

## INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

**13.** Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

**14.** The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 133 - 142);
- (b) Objections and Consultations – Appendix 2 (Pages 143 – 162);
- (c) Reports of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 163 - 178);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 179 - 184); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement - Appendix 5 (Pages 185 - 194).

**15.** All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk).

## RECOMMENDATIONS

**16.** The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
  - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
- (b) In the event that further procedure is required to allow it to determine the review, consider:-
  - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
  - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: John Burke

Director – Louise Pringle, Director of Business Operations and Partnerships

John Burke, Committee Services Officer  
e-mail: [john.burke@eastrenfrewshire.gov.uk](mailto:john.burke@eastrenfrewshire.gov.uk)  
Tel: 0141 577 3026

Date:- 14 February 2024

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**APPLICATION FOR PLANNING PERMISSION**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100616512-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

The proposed development is for 2 new single storey dwellings on the site with vehicular access from Salterland Road. This proposal lies on vacant brownfield land, previously occupied by one dwelling along with a large glasshouse with adjacent boiler house, chimney and other sundry buildings scattered about the site, used as a Nursery.. The land has been vacant for many years and is designated as greenbelt in the East Renfrewshire Development Plan2 , adopted in March 2022.

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

PETER

Building Name:

Last Name: \*

FENTON

Building Number:

71

Telephone Number: \*

01419544378

Address 1  
(Street): \*

Munro Road

Extension Number:

Address 2:

Jordanhill

Mobile Number:

Town/City: \*

Glasgow

Fax Number:

Country: \*

UNITED KINGDOM

Postcode: \*

G13 1SL

Email Address: \*

peter.fenton21@hotmail.com

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:

Other

You must enter a Building Name or Number, or both: \*

Other Title:

Mr. & Ms.

Building Name:

First Name: \*

Lorna & Stephen

Building Number:

55

Last Name: \*

Mackay & Saurin

Address 1  
(Street): \*

Hawthorn Avenue

Company/Organisation

Lorna Mackay Stephen Saurin

Address 2:

Bearsden

Telephone Number: \*

Town/City: \*

Glasgow

Extension Number:

Country: \*

United Kingdom

Mobile Number:

+447887848588

Postcode: \*

G61 3NF

Fax Number:

Email Address: \*

lorna@pawsitivesolutions.com



## Site Address Details

Planning Authority:

East Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Triangular shaped Ground bounded by Glasgow road to the west, Salterland Road to the East and the Railway Line and Calder River to the south.

Northing

660282

Easting

251196

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

0.75

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Vacant Land

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

8

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*  Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  No  
(e.g. SUDS arrangements) \*

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*  Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*  Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*  Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*  Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Wheelie Bin storage housing for each house to accommodate 4 bins; one for food & garden waste; one for general waste; one for plastic, cans, glass; one for paper & cardboard all in purpose built shelters in locations shown on plans.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

How many units do you propose in total? \*

2

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: PETER FENTON

On behalf of: Lorna Mackay Stephen Saurin

Date: 03/04/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- |  |  |
|--|--|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

SEPARATE SUPPORTING DOCUMENT SUPPLIED

### Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr PETER FENTON  
 Declaration Date: 28/03/2023

### Payment Details

Online payment: ZZ0100003269  
 Payment date: 03/04/2023 14:15:00

Created: 03/04/2023 14:15

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**OBJECTIONS/REPRESENTATIONS**

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## **Comments for Planning Application 2023/0200/TP**

### **Application Summary**

Application Number: 2023/0200/TP

Address: West South 260FT Of Waterside Cottage Salterland Road Barrhead East Renfrewshire

Proposal: Erection of two dwellings, together with access, landscaping and associated works.

Case Officer: Mr Byron Sharp

### **Customer Details**

Name: Mr James Creighton

Address: Waterside Cottage, Salterland Road, Barrhead, East Renfrewshire G53 7TQ

### **Comment Details**

Commenter Type: Rec'd Neighbour Notification from Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Has a resident and business owner of Salterland Road. I strongly object to any building on the road. The road is very narrow unable to accommodate construction vehicles. My business is Transport with HGV. Any vehicle park on Salterland Road would prevent my Lorries access in and out of our yard. Which is the access gate direct facing, The proposed access road to this development.

Also the site you are planning to disturb, has been covered in the Japanese Knotweed for years. As I also live on Salterland Road I am very concerned about the disturbance of this weed. Which may then spread on to my grounds.

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Tuesday, 09 May 2023



Local Planner  
 Planning Team  
 East Renfrewshire Council  
 Thornliebank  
 G46 8NG

Development Operations  
 The Bridge  
 Buchanan Gate Business Park  
 Cumbernauld Road  
 Stepps  
 Glasgow  
 G33 6FB

Development Operations  
 Freephone Number - 0800 3890379  
 E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**260FT Of Waterside Cottage, Salterland Road, Barrhead, G53 7TQ**  
**Planning Ref: 2023/0200/TP**  
**Our Ref: DSCAS-0086240-B3P**  
**Proposal: Erection of two dwellings, together with access, landscaping and associated works**

**Please quote our reference in all future correspondence**

### **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

### **Water Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Milngavie Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

### **Waste Water Capacity Assessment**

- ▶ There is currently sufficient capacity for a foul only connection in the Shieldhall Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

## Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

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## Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

- ▶ 1050mm combined sewer within the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus

## Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

## General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - ▶ Site Investigation Services (UK) Ltd
    - ▶ Tel: 0333 123 1223
    - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
    - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
  - ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
  - ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
  - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
  - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
  - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

## Next Steps:

### ▶ **All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### ▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider

to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

## ▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Angela Allison**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@scottishwater.co.uk)



**Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*

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**From:** EN Planning <Planning@eastrenfrewshire.gov.uk>

**Sent:** 15 May 2023 02:48:48

**155**

**To:** planningdms@eastrenfrewshire.gov.uk

**Cc:**

**Subject:** Fw: Planning Application 2023/0200/TP (OFFICIAL)

**Attachments:**

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**From:** O'Hare, Martin (NRS) <Martin.OHare@glasgow.gov.uk>

**Sent:** 15 May 2023 13:28

**To:** EN Planning <Planning@eastrenfrewshire.gov.uk>

**Subject:** Planning Application 2023/0200/TP (OFFICIAL)

## OFFICIAL

Dear Sir or Madam,

I refer to the above application for the erection of two houses with associated access and landscaping on land south-west of Waterside Cottage, Salterland Road, Barrhead, which appeared on a recent weekly list of applications registered with the Council. I have downloaded details of the proposal from the Council's online planning system, and having compared these against information contained in the Historic Environment Record and with available cartographic sources, I would like to make the following comments.

Two issues can be identified in terms of the potential impact of the proposed development on the historic environment, both of which derive from features that can be identified on historic map coverages. The first of these relates to a building forming part of a settlement named 'Waterside', which was shown as occupying the northern corner of the plot on the 1st edition Ordnance Survey map of 1864 (<https://maps.nls.uk/geo/explore/#zoom=16.7&lat=55.81307&lon=-4.37617&layers=5&b=1>). Although depicted as being roofed and therefore presumably occupied and in use on the 1st edition, the date at which this building was first constructed is not known; however, a settlement named 'Waterside' was shown on the western bank of the Levern Water on Roy's Military Survey of Scotland (<https://maps.nls.uk/geo/explore/#zoom=15.3&lat=55.81132&lon=-4.37893&layers=4&b=1>), conducted in the period 1747-55, suggesting that occupation was already present on the site by the mid 18th century. The building shown on the 1st edition in the angle of the intersection between Glasgow Road and Salterland Road did not appear on the 2nd edition OS map of 1897 (<https://maps.nls.uk/geo/explore/#zoom=17.1&lat=55.81263&lon=-4.37601&layers=168&b=1>), indicating that it had been removed by the end of the 19th century. However, it is possible that physical material relating to this structure may survive on the site, either as upstanding remains hidden by vegetation, or in the form of sub-surface features or deposits.

The second potential issue associated with the proposal also relates to a feature shown on the 1st and 2nd edition OS maps, this being the line of a mill lade shown cutting across the south-eastern corner of the plot, immediately adjacent to the Salterland Viaduct and the category C-listed 18th century bridge that carries Salterland Road over the Levern Water. This lade, which was described in a report by Dr Stuart Nisbet of the Renfrewshire Local History Forum, formed part of the water management system associated with a series of industrial operations present on the western bank of the Levern Water in the 19th century; these included the Crossmill Print Works, to the south, and the Chemical and Alum Works at Hurler, to the north. The line of the lade as it cuts through the plot of ground that is proposed for development under the current application no longer appears on current OS maps of the area, but it is possible that evidence for its existence may still survive as an infilled channel.

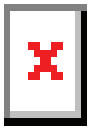
Comparison with later OS editions indicates that much of the central area of the plot is likely to have been disturbed by development during the 20th century – on the 1:2,500 map of 1952, for example, much of the site was shown as being occupied by a nursery and a house named 'Gramsdale'. Although the construction of these buildings and the operation of the nursery are likely to have had some impact on the potential for sub-surface material relating to earlier phases of occupation to have survived, it is unlikely to have removed this potential entirely, particularly as none of the structures shown on later maps appear to have directly overlain either the building or the lade that were shown on the 1st edition. Any material relating to these structures that does survive could be at risk of damage or removal as a result of ground disturbance associated with the proposed development. To address this, I would advise that the following condition should be attached to any consent that the Council may be minded to issue:

*"No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and*

To implement this condition, the developer would need to appoint a suitably-qualified professional archaeological contractor to prepare a Written Scheme of Investigation (WSI). This is basically a project design document that sets out the scope of work that will take place on the site. In this instance, two potential approaches would be possible; either the archaeological contractor could be present on site to monitor ground disturbance in the northern and south-eastern corners of the plot, to ensure that surviving elements of the building and lade shown on the 1st edition could be identified, excavated and recorded, or they could undertake a programme of trial trenching in these sections of the site in advance of the main construction phase, to investigate the survival of these features and to determine whether further fieldwork would be necessary.

Regards,

Martin O’Hare



Martin O'Hare

Historic Environment Records Officer  
West of Scotland Archaeology Service  
231 George Street, Glasgow, G1 1RX  
Tel: 0141 287 8333  
email: [Martin.O'Hare@wosas.glasgow.gov.uk](mailto:Martin.O'Hare@wosas.glasgow.gov.uk)

**OFFICIAL**

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# Internal Memo

**Our Ref:** BS/RM  
**Your Ref:** 2023/0200/TP  
**Date:** 16<sup>th</sup> May 2023  
**From:** Richard Mowat, Environmental Health  
**To:** Development Management

## **PROPOSAL: ERECTION OF TWO DWELLINGS AND ASSOCIATED WORKS**

### **LOCATION: WEST SOUTH OF WATERSIDE COTTAGE, SALTERLAND ROAD, BARRHEAD**

I have reviewed the plans for the above development and would comment as follows:

1. No activities in connection with construction/demolition (including deliveries and offloading) which are liable to cause disturbance to occupiers of nearby existing properties shall be carried out:

Prior to 08.00 hours or after 19.00 hours Monday - Friday  
Prior to 08.00 hours or after 13.00 hours Saturday,  
with no such activities carried out on Sundays.

2. All waste arising from demolition, construction or groundwork activities must be removed by a licensed waste carrier. There must be no burning on site, other than that permitted by Scottish Environmental Protection Agency by prior agreement; any such burning must not cause nuisance. Adequate precautions must be taken to prevent nuisance from dust from the activity.

3. Due to the close location of the railway embankment, a site investigation should be completed to identify current and potential ground conditions (including potential contamination) and consider whether any remediation is necessary. This should be conducted in accordance with BS 10175:2011+A2:2017 'Code of Practice for the investigation of potentially contaminated sites'.

If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved in writing by the planning authority. This survey shall investigate all aspects of potential contamination of the site. The report of the investigation shall clearly document the methodology, findings and results. The risk posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations *made* for further investigations or remediation options to reduce *those* risks identified.

The developer's reports of 'Site Investigation', 'Risk Assessment' and 'Remediation Options and the final Remediation Plan' shall be submitted to the planning authority, for written approval, prior to commencement of development works on the site.

Changes to the approved Remediation Plan may only be made with the written agreement of the planning authority. Occupation of premises shall not be permitted until remediation/control measures are fully implemented.

On completion of all remediation works, a Completion Report shall be submitted to the planning authority confirming the works have been carried out to the agreed plan.

4. Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

5. I would advise that as the site may be affected by railway and road noise, a noise impact assessment is required to determine the suitability of the site for residential development, in accordance with the principles of Planning Advice Note 1/2011: Planning and Noise.

I trust that this information is of use. If you wish to discuss any of the matters raised in this memo, please do not hesitate to contact me.

**SENIOR ENVIRONMENTAL HEALTH OFFICER**



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## Roads Service OBSERVATIONS ON PLANNING APPLICATION

**Our Ref:** 2023/0200/TP  
**D.C Ref** Byron Sharp  
**Contact:** Allan Telfer

**Planning Application No:** 2023/0200/TP      **Dated:** 10-05-23      **Received:** 10-05-23  
**Applicant:** Mr. & Ms. Lorna & Stephen Mackay & Saurin  
**Proposed Development:** Erection of two dwellings together with access, landscaping and associated works  
**Location:** West south 260ft of Waterside Cottage, Salterland Road, Barrhead  
**Type of Consent:** Full Planning Permission

### RECOMMENDATION

### NO OBJECTIONS SUBJECT TO CONDITIONS

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

#### 1. General

(a) General principle of development	Y
(b) Safety Audit Required	N
(c) Traffic Impact Analysis Required	N

#### 2. Existing Roads

(a) Type of Connection (footway/verge crossover)	N
(b) Location(s) of Connection(s)	Y
(c) Pedestrian Provision	N/A
(d) Sightlines (.....)	N

#### 3. New Roads

(a) Widths	N/A
(b) Pedestrian Provision	N/A
(c) Layout (horizontal/vertical alignment)	N/A
(d) Turning Facilities (Circles / hammerhead)	N/A
(e) Junction Details (locations / radii / sightlines)	N/A
(f) Provision for P.U. services	N/A

#### 4. Servicing & Car Parking

(a) Drainage	N
(b) Car Parking Provision	Y
(c) Layout of parking bays / garages	N/A
(d) Driveways	Y

#### 5. Signing

(a) Location	N/A
(b) Illumination	N/A

Ref.	COMMENTS
2(a)	<p><u>Type of Connection – (footway/verge crossover)</u></p> <p>Applicant to be advised that in terms of Section 56 of the Roads (Scotland) Act 1984, an application must be made to the Roads Service for the creation of the shared driveway access.</p> <p>Vehicular crossing alterations must be carried out in accordance with the Roads Services' specification and will be carried out at the applicant's expense.</p> <p>Gates, if provided, must open inwards.</p>
2(d)	<p><u>Sightlines</u></p> <p>At the proposed shared driveway, the required visibility is 2m x 43m x 1.05m as a minimum. i.e. At a point 2m back from the edge of the carriageway there should be an unrestricted view of the carriageway, above a minimum height of 1.05m, for a distance of 43m to both the left and the right.</p>
4(a)	<p><u>Drainage</u></p> <p>Surface water run-off from the shared driveway must be contained within the site by sloping the shared driveway away from the heel of the road or by means of a positive drainage system.</p>
4(b)	<p><u>Car Parking Provision</u></p> <p>The proposed dwellings are to contain three bedrooms, which results in a requirement for two curtilage spaces. Due to the remote nature on the location, it is recommended that additional space is provided for visitor parking. As per drawing 002A, there would be at least four spaces for each dwelling which is acceptable.</p>
4(d)	<p>As per drawing 002A, there is space within both plots to allow vehicles to turn which will allow vehicles to enter and exit in a forward gear.</p> <p>It should be noted that ERC Neighbourhood Services will not enter private property to uplift bins. An area to present bins for collection will be required adjacent to the public road.</p>

	<p><u>Miscellaneous</u></p> <p>Before construction takes place, the Applicants' contractor will be required to contact the Roads Service to discuss among other things, how disruption to public roads can be minimised, what temporary traffic management will be required and what remedial measures may be required on public roads adjacent to the application site.</p> <p>A Section 58 Road Occupation Permit will be required in order to deposit building materials on a road.</p> <p>A skip shall not be deposited on a road without the written permission of this Service.</p> <p>The adjacent public road must be kept clean at all times during construction.</p>
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Ref.	CONDITIONS
2(d)	The required visibility splay at the proposed driveway is 2m x 43m x 1.05m in both the primary and secondary directions.
4(a)	Surface water run-off from the proposed driveway must be contained and not permitted to issue onto the public road.

**Notes for Intimation to Applicant:**

(i) Construction Consent (S21)*	Not Required
(ii) Road Bond (S17)*	Not Required
(iii) Road Opening Permit (S56)*	Required

\* Relevant Section of the Roads (Scotland) Act 1984

Signed: John Marley  
Principle Traffic Officer

Date: 02/06/2023

**REPORT OF HANDLING**

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# REPORT OF HANDLING

Reference: 2023/0200/TP

Date Registered: 26th April 2023

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 -Barrhead, Liboside And Uplawmoor

Co-ordinates: 251200/:660289

Applicant/Agent:

Applicant:

Mr. & Ms. Lorna & Stephen Mackay &  
Saurin  
55 Hawthorn Avenue  
Bearsden  
Glasgow  
G61 3NF

Agent:

Peter Fenton  
71 Munro Road  
Jordanhill  
Glasgow  
G13 1SL

Proposal: Erection of two dwellings, together with access, landscaping and associated works.

Location: West South 260FT Of Waterside Cottage  
Salterland Road  
Barrhead  
East Renfrewshire

## CONSULTATIONS/COMMENTS:

Scottish Water:

No objections raised against the proposal however it is stated that the consultee response does not confirm that the proposal could be serviced by water infrastructure.

East Renfrewshire Council Environmental Health Service:

No objections raised against the proposal. A number of actions have been requested. These include a site investigation and a noise impact assessment.

East Renfrewshire Council Roads Service:

No objections subject to conditions to protect a visibility splay and to prevent surface water runoff leaving the site.

West Of Scotland Archaeology Service:

WOSAS have responded to recommend that a planning condition be added to require a programme of archaeological works.

## PUBLICITY:

19.05.2023

Evening Times

Expiry date 02.06.2023

**SITE NOTICES:** None.

**SITE HISTORY:** No recent site history.

**REPRESENTATIONS:** One objection has been received: The objection can be summarised as follows:

- Road too narrow for construction vehicles.
- Vehicles parking on Salterland Road could obstruct access to a neighbouring HGV transportation business.
- Japanese Knotweed.

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

**SUPPORTING REPORTS:** Supporting information was submitted with this application. The information contains a site description, a description of the locality, a site history and a description of the proposal. Makes a statement regarding land use designation.

## **ASSESSMENT:**

This application seeks permission for the erection of two new dwellinghouses within the greenbelt, with associated access, landscaping and works. The proposal would share its southern boundary with the Glasgow to Barrhead railway line and is bounded by Salterland Road and Glasgow Road. The application site has a caravan site and storage yards located to the north a cemetery to the west. The site is characterised as a naturalised brownfield site that is now greenspace and located within a green belt designation within the East Renfrewshire Local Development Plan 2, to the north of the settlement boundary for Barrhead. The site also lies within the Green Network.

The proposed houses are of an identical design. Each proposed house would have a "T" shaped footprint. The proposed houses would be single storey with each house measuring 28m in length by 23.5m in width. The proposed houses would have a pitched roof design and would measure 4.4m high. Each house would have an integrated double garage and would have a parking space provided. Surface water soakaway are proposed for each house.

The proposal is required to be assessed against the Development Plan which consists of the National Planning Framework (NPF4) and Local Development Plan (LDP2). Due to the scale and nature of the proposal, Policies 1, 3, 4, 6, 8 and 16 of the NPF4 and Policies D3, D3.3, D4, D6 and D7 of the LDP2 are the most relevant.

### NPF4 Policies

Policy 1 (Tackling the climate and nature crises) states that when considering all development proposals significant weight will be given to the global climate and nature crises. This policy is intended to promote nature positive places.

Policy 3 (Biodiversity) generally states that development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Policy 3 (d) states that any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design.

Policy 4 (Natural places) generally states that development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence.

Policy 6 (Forestry, woodland and trees) generally states that development proposals that enhance, expand and improve woodland and tree cover will be supported. Furthermore, proposals will not be supported where they will result in: (ii) adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;

Policy 8 (Green belts) strictly controls residential development within the green belt and generally states that residential accommodation must be required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available or must be one-for-one replacements of existing permanent homes. Furthermore, reasons must be provided as to why a green belt location is essential and why housing cannot be located on an alternative site outwith the green belt. The purpose of the green belt at that location must not be undermined.

Policy 16 (Quality homes) generally states that proposals for new homes on land not allocated for housing in the LDP will only be supported where the proposal is otherwise consistent with the plan spatial strategy and other relevant policies.

#### LDP2 Policies

Policy D3 (Green Belt and Countryside around Towns) generally states that changes of use 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; subject to compliance with other relevant policies of the Proposed Plan. Where it is demonstrated that this is not achievable and where a new dwelling is proposed it should be commensurate with the functional requirement of the business. 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.

Policy D3.3 (New Build Housing): Proposals for new build housing within the countryside around towns will only be permitted where it can be demonstrated that there is no available existing house or no existing traditional building suitable for conversion to a house in accordance with Policy D3.1; and; for uses as supported under Policy D3, it has been demonstrated that there is a direct operational requirement for 24 hour on-site supervision and that this requires to be in the form of a new build dwelling. The need for a dwelling should be supported by additional supporting information where appropriate, such as a business case or an agricultural report, prepared by an appropriately qualified person. The new dwelling should be commensurate with the functional requirement of the business.

Policy D4 (Green Network and Infrastructure) states that proposals will be required to protect and enhance the green and blue network, its value and multiple functions including wildlife, biodiversity, recreational, landscape and access. Where a proposal impacts adversely on the character or function of the green network, proposals will be required to contribute to enhancing any remaining, or create new green infrastructure and green network, in accordance with Strategic Policy 2 and D6.

Policy D6 (Open Space Requirements in New Development) establishes open space requirements for new residential development. The Green Network Supplementary Guidance provides further detailed information regarding residential open space requirements for Policy D6 and is a material consideration.

Policy D7 (Natural Environment Features) (4) states that where there is likely to be an adverse impact on natural features or biodiversity an ecological appraisal will be required. This appraisal should identify measures adequate to mitigate any impacts that are identified.

## Detailed Consideration

The site is designated as greenbelt in the East Renfrewshire Council Local Development Plan 2. Policy D3 (Green Belt and Countryside around Towns) requires that development in the green belt be strictly controlled and limited to that which is required and is appropriate for a rural location. Furthermore, it outlines the Council's position in terms of development that may be supported in principle. These are generally rural uses, agriculture, forestry, outdoor recreation, tourism etc. This proposal is for new housing which is not associated an existing rural business. The proposal therefore does not align with any of the uses that are "supportable in principle" in the green belt. The proposal is contrary to Policy D3 of the LDP2. Furthermore, NPF4 Policy 8 (Green Belt) generally aligns with LDP2 Policy D3. The proposal is therefore also contrary to NPF4 Policy 8. It is considered that the proposal is not acceptable in principle and would undermine the function of the green belt.

Residential proposals in the green belt are explicitly addressed across three sub policies - D3.1 (Conversion of Rural Buildings), D3.2 (Replacement Dwellings) and D3.3. (New Build Housing). The proposal is for two new houses and therefore Policy D3.3 is relevant. Policy D3.3 confirms such proposals will only be permitted where it can be demonstrated that there is no available existing house or no existing traditional building suitable for conversion to a house and (for workers engaged in existing rural businesses and uses as supported under Policy D3), it has been demonstrated that there is a direct operational requirement for 24 hour on-site supervision and that this requires to be in the form of a new build dwelling. The proposal is not associated with an existing rural business and is not defined as acceptable in principle (as defined in Policy D3). The proposal is therefore contrary to Policy D3.3 of the LDP2.

In terms of design, the proposed single storey dwellings would each measure 27.8m in length by 23.5m in width. The proposed houses would have a pitched roof design and would measure 4.4m high. Each house would have an integrated double garage and would have a parking space and a disabled parking space provided. While the proposed dwellings would be no higher than a typical rural bungalow, they are significantly larger in footprint, length and width. The proposed dwellings are considered to be excessive in size. It is considered that the proposed dwellings are not appropriate to the green belt location, and are of a size, scale and massing that is not in keeping with other residential buildings in the locality. The proposal is therefore contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan 2.

The Development Plan generally requires consideration to be given to a proposal's impact on species, trees, habitats and biodiversity. Given the site's location and character, it is considered that an ecological survey and a tree survey is required. Given the conflict with the Development Plan policies set out above, an ecological survey and tree survey was not requested on this occasion. The proposal is contrary to Policy D4 and D7 of the LDP2 and Policies 1, 3, 4 and 6 of the NPF4.

The proposal is not located on land allocated for housing within the LDP2 and conflicts with relevant LDP2 policies. The proposal is therefore contrary to Policy 16 of the NPF4.



The proposal would provide sufficient private open space and garden provision, and generally complies with Policy D6 of the LDP2. Furthermore, it is considered that the proposed dwellings would not give rise to significant additional overlooking, overshadowing or loss of daylight.

The supporting statement from the applicant is noted. It is apparent that attempts have been made through the LDP process to have the green belt designation of the site by expanding the urban area of Barrhead. The statement makes a point that the Directorate for Planning & Environmental Appeals (DPEA) acknowledge the site as brownfield and stated that *“the current condition and appearance of the site does not make a positive contribution to the green belt”*.

This is noted in the Reporter’s comments within the Report of Examination for the East Renfrewshire Local Development Plan 2. It is also however noted that the Reporter then goes on to confirm that this in itself would not justify residential development on the land and recommends other potential uses more compatible with LDP2 Policy D3 for redevelopment of the land. Furthermore, the Reporter states that development on the site would have an adverse impact upon the green belt as it would result in an extension of the urban area into the green belt corridor. The Reporter then concluded that the site is not suitable for housing purposes and found no reason to remove the site from the green belt designation within what was the proposed LDP2 at that time.

East Renfrewshire Council’s Roads Service was consulted on this planning application and raised no objections subject to planning conditions controlling visibility splays and preventing surface water runoff from leaving the site. The Environmental Health Team were consulted on this application and have also raised no objections however, a number of actions have been requested. These include a site investigation and a noise impact assessment. West Of Scotland Archaeology Service have responded to recommend that a planning condition be added to require a programme of archaeological works. Scottish Water were also consulted and have raised no objections raised against the proposal however, it is stated that the consultee response does not confirm that the proposal could be serviced by water infrastructure.

One objection was received for this application. The objector raises concerns that Salterland Road is not suitable for construction vehicles and that parked vehicles would obstruct HGV access to the neighbouring transport yard. East Renfrewshire Roads Service are the statutory consultee for matters regarding public roads, as set out above, the Roads Service was consulted on this application and raised no objections subject to conditions. Concerns have also been raised regarding Japanese Knotweed on-site. The control and disposal of Japanese Knotweed is a separate legal matter.

In summary of the above, the proposal is considered to be contrary to LDP2 Policies D3, D3.3, D4, D7 and NPF4 Policies 1, 3, 4, 6, 8 and 16. There are no material considerations that justify approval.

## **RECOMMENDATION: Refuse**

### **REASONS FOR REFUSAL:**

1. The proposal is contrary to Policies D3 and D3.3 of the adopted East Renfrewshire Local Development Plan 2 and Policy 8 of the NPF4. The proposal is not acceptable in principle and would undermine the function of the green belt.
2. The proposal is contrary to Policy D1 of the LDP2 the adopted East Renfrewshire Local Development Plan 2 as the proposed dwellings are not appropriate to the green belt location, and are of a size, scale and massing that is not in keeping with other residential buildings within the locality.
3. The proposal is contrary to Policies D4 and D7 of the adopted East Renfrewshire Local Development Plan 2 and Policies 1, 3, 4 and 6 of the National Planning Framework 4. As no

ecological survey was undertaken for the site, the impact upon local biodiversity and habitat has not been demonstrated. Furthermore, it has not been demonstrated that protected species would not be impacted by the proposal nor has the impact upon trees been demonstrated.

4. The proposal is contrary to Policy 16 of the NPF4 as the proposal is not located on land allocated for housing within the LDP2 and does not align with other policies within the LDP2.

**PLANNING OBLIGATIONS:** None.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Byron Sharp at [byron.sharp@eastrenfrewshire.gov.uk](mailto:byron.sharp@eastrenfrewshire.gov.uk).

Ref. No.: 2023/0200/TP  
(BYSH)

DATE: 10<sup>th</sup> August 2023

**DIRECTOR OF ENVIRONMENT**

**Reference: 2023/0200/TP - Appendix 1**

**DEVELOPMENT PLAN:**

**National Planning Framework 4**

**Policy 1: Sustainable Places**

When considering all development proposals significant weight will be given to the global climate and nature crises.

**Policy 3: Biodiversity**

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
  - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;

- ii. ii. wherever feasible, nature-based solutions have been integrated and made best use of;
  - iii. iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
  - iv. iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their longterm retention and monitoring should be included, wherever appropriate; and
  - v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

#### **Policy 4: Natural Places**

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an “appropriate assessment” of the implications for the conservation objectives.
- c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:
- i. The objectives of designation and the overall integrity of the areas will not be compromised; or
  - ii. 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. All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.
- d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:
- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
  - ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

- e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
- f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.
- g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:
  - i. will support meeting renewable energy targets; or,
  - ii. is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

#### **Policy 6: Forestry, Woodland and Trees**

- a) Development proposals that enhance, expand and improve woodland and tree cover will be supported.
- b) Development proposals will not be supported where they will result in:
  - i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
  - ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
  - iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;
  - iv. Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.
- c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.
- d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

#### **Policy 8: Green Belts**

- a) Development proposals within a green belt designated within the LDP will only be supported if:

i) they are for:

- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
- residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available;
- horticulture, including market gardening and directly connected retailing, as well as community growing;
- outdoor recreation, play and sport or leisure and tourism uses; and developments that provide opportunities for access to the open countryside (including routes for active travel and core paths);
- flood risk management (such as development of blue and green infrastructure within a “drainage catchment” to manage/mitigate flood risk and/or drainage issues);
- essential infrastructure or new cemetery provision;
- minerals operations and renewable energy developments;
- intensification of established uses, including extensions to an existing building where that is ancillary to the main use;
- the reuse, rehabilitation and conversion of historic environment assets; or
- one-for-one replacements of existing permanent homes and;

ii) the following requirements are met:

- reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;
- the purpose of the green belt at that location is not undermined;
- the proposal is compatible with the surrounding established countryside and landscape character;
- the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and
- there will be no significant long-term impacts on the environmental quality of the green belt.

### **Policy 16: Quality Homes**

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
- i. meeting local housing requirements, including affordable homes;
  - ii. providing or enhancing local infrastructure, facilities and services; and
  - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- i. self-provided homes;
  - ii. accessible, adaptable and wheelchair accessible homes;
  - iii. build to rent;
  - iv. affordable homes;
  - v. a range of size of homes such as those for larger families;
  - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
  - vii. homes for people undertaking further and higher education; and
  - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
- i. a higher contribution is justified by evidence of need, or
  - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and
  - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
  - iii. and either:
    - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
    - the proposal is consistent with policy on rural homes; or
    - the proposal is for smaller scale opportunities within an existing settlement boundary; or
    - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- g) Householder development proposals will be supported where they:
- i. do not have a detrimental impact on the character or environmental quality of the

- home and the surrounding area in terms of size, design and materials; and
  - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

## **East Renfrewshire Local Development Plan 2**

### **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 D3.3: New Build Housing**

Proposals for new build housing within the green belt or countryside around towns will only be permitted where it can be demonstrated that the development is justified against the following criteria:

- There is no available existing house or no existing traditional building suitable for conversion to a house in accordance with Policy D3.1; and;
- For workers engaged in existing rural businesses and uses as supported under Policy D3, it has been demonstrated that there is a direct operational requirement for 24 hour on-site supervision and that this requires to be in the form of a new build dwelling. The need for a dwelling should be supported by additional supporting information where appropriate, such as a business case or an agricultural report, prepared by an appropriately qualified person.

The new dwelling 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.

## **Policy D4: Green Networks and Infrastructure**

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

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

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

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

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

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

## **Policy D6: Open Space Requirements in New Development**

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.

Finalised 10/08/2023 GMcC

## DECISION NOTICE

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**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2013**

**REFUSAL OF PLANNING PERMISSION**

Ref. No.           **2023/0200/TP**

**Applicant:**

Mr. & Ms. Lorna & Stephen Mackay & Saurin  
55 Hawthorn Avenue  
Bearsden  
Glasgow  
G61 3NF

**Agent:**

Peter Fenton  
71 Munro Road  
Jordanhill  
Glasgow  
G13 1SL

With reference to your application which was registered on 26th April 2023 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Erection of two dwellings, together with access, landscaping and associated works.**

**at: West South 260FT Of Waterside Cottage Salterland Road Barrhead East Renfrewshire**

the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

**The reason(s) for the Council's decision are:-**

1. The proposal is contrary to Policies D3 and D3.3 of the adopted East Renfrewshire Local Development Plan 2 and Policy 8 of the NPF4. The proposal is not acceptable in principle and would undermine the function of the green belt.
2. The proposal is contrary to Policy D1 of the LDP2 the adopted East Renfrewshire Local Development Plan 2 as the proposed dwellings are not appropriate to the green belt location, and are of a size, scale and massing that is not in keeping with other residential buildings within the locality.
3. The proposal is contrary to Policies D4 and D7 of the adopted East Renfrewshire Local Development Plan 2 and Policies 1, 3, 4 and 6 of the National Planning Framework 4. As no ecological survey was undertaken for the site, the impact upon local biodiversity and habitat has not been demonstrated. Furthermore, it has not been demonstrated that protected species would not be impacted by the proposal nor has the impact upon trees been demonstrated.
4. The proposal is contrary to Policy 16 of the NPF4 as the proposal is not located on land allocated for housing within the LDP2 and does not align with other policies within the LDP2.

Dated               10th August 2023

Head of Environment  
(Chief Planner)

East Renfrewshire Council  
 2 Spiersbridge Way,  
 Spiersbridge Business Park,  
 Thornliebank,  
 G46 8NG  
 Tel. No. 0141 577 3001

*Gillian McCamey*

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	001		
Block Plan Proposed	002B		
Roof Plan Proposed	004		
Block Plan Proposed	002A		
Proposed floor plans	003		
Elevations Proposed	006		
Elevations Proposed	007		

### **GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS**

#### **REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY**

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

#### **CONTACT DETAILS**

**East Renfrewshire Council  
 Development Management Service  
 2 Spiersbridge Way,  
 Spiersbridge Business Park,  
 Thornliebank,  
 G46 8NG**

**General Inquiry lines 0141 577 3001**



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**NOTICE OF REVIEW**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100644300-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="PETER"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="FENTON"/>	Building Number:	<input type="text" value="71"/>
Telephone Number: *	<input type="text" value="01419544378"/>	Address 1 (Street): *	<input type="text" value="Munro Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Jordanhill"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="UNITED KINGDOM"/>
		Postcode: *	<input type="text" value="G13 1SL"/>
Email Address: *	<input type="text" value="peter.fenton21@hotmail.com"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="ms. L. Mackay &amp; Mr. S. Saurin"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Lorna Steve"/>	Building Number:	<input type="text" value="55"/>
Last Name: *	<input type="text" value="Mackay Saurin"/>	Address 1 (Street): *	<input type="text" value="Hawthorn Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Milngavie"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="uk"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G61 3NF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="lornamackay55@gmail.com"/>		

## Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing  Easting

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

THE ERECTION OF TWO DWELLINGS, TOGETHER WITH ACCESS, LANDSCAPING AND ASSOCIATED WORKS.

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

A separate document has been prepared and this describes in full why a review is being requested. This document is incorporated in "The Supporting Documents" section of the portal.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

1) Request for Review of Decision to Refuse and justification for review. Written Report. Ref. 2023/0200/TP

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

2023/0200/TP

What date was the application submitted to the planning authority? \*

03/04/2023

What date was the decision issued by the planning authority? \*

11/08/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

**Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr PETER FENTON

Declaration Date: 10/10/2023

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## REQUEST FOR A REVIEW OF DECISION TO REFUSE AND JUSTIFICATION FOR REVIEW. WRITTEN REPORT

REF. NO. 2023/0200/TP

DATE 26/09/23

Notice of refusal of planning permission for the erection of 2 dwellings together with access, landscaping and associated works at west south 260FT of Waterside Cottage, Salterland Road, Barrhead, East Renfrewshire.

### REVIEW OF DECISION TO REFUSE

Under section 43A of the Town and Country Planning (Scotland) Act 1997, the applicants, Ms. Lorna Mackay and Mr. Steve Saurin seek a review of the decision of the 11/08/23 on the grounds that the refusal is unreasonable and unrealistic given the location and characteristics of this brownfield site. The general tenor of the "Report on Handling" gives the impression that the locale is of high landscape/ecological value worthy of inclusion in green belt. The reality of the situation is quite different. It has also been acknowledged elsewhere that the site does not make a positive contribution to the green belt. Conversely, others have also stated that development of the site would have an adverse impact upon the green belt and that the site is unsuitable for housing purposes. However the impact of a large area of caravan parking and hard standing on the neighbouring plot is visible for anyone to see. The applicants' site is big enough to contain two dwellings quite comfortably with plenty of judicious planting and landscaping to give a semi - rural appeal.

This ground was previously occupied by a single house and various outbuildings, glasshouses, hardstanding and a nursery. For a period of time the site was subject to fly tipping before a protective fence was erected along Salterland Road. There is an overall impression of a rather run down locale. The land on the other side of Salterland Road is occupied by a single dwelling, extensive hard standing for heavy goods vehicles and otherwise now full of showmans' caravans. The Council allowed an intensification of use of this caravan park back in 2005 from 16 to 25 units. This ground is rather barren and almost devoid of trees and landscaping and certainly cannot be described as being *RURAL* or in the *COUNTRYSIDE*.

It is, therefore, the view of the applicants that their site should not be in the greenbelt and that therefore the cited policies should not apply.

Policy D1 "Place Making & Design appears to apply design rules which are meant to cover both urban and rural situations. The applicants do not accept that the proposed dwellings are not appropriate to the location and are a size, scale and massing that is not in keeping with other residential buildings in the locality. The proposed dwellings are single storey incorporating all the latest ecological features to minimize their environmental impact, on very large plots of just under an acre each which are more than ample to accommodate the size of footprint shown with lots of scope for landscape work and boundary hedging to screen the houses from their surroundings. The only building that can be described as out of scale within the local area is the large warehouse building which has been squeezed in behind Waterside Cottage. The building must be about 20x12x 5m high, so bulky that no amount of landscaping could screen it. However, should the Council still be

offended by the scale of each of the proposed dwellings, perhaps a compromise can be reached between the parties.

The applicants do not accept that the impact on existing trees has not been demonstrated. The layout as proposed avoids the disturbance of the few important trees on the site and these are shown on the layout. Over time, however, numerous other shrubs and saplings including bramble, hawthorn, willow, rowan and multi stemmed sycamore have flourished throughout, with a ground cover of various grasses under which is plenty of evidence of the past fly tipping. This has become a hazard to anyone walking through the brush. It will be necessary to remove all evidence of this tipping prior to *any* development taking place. Such ground work is likely to affect some of the existing growth on the site.

The applicants expect that a condition of approval will require submission of a detailed landscape plan. It is also accepted that an ecological survey will be a requirement of any approval as is now normal in such situations. There has also been an acceptance of the strategic goal of forming a green network and in this connection the applicants have already ceded a little ground beside the White Cart to the Council to facilitate the route along its banks as a “quid pro quo” for the benefits of having a fence around the site that the Council provided. The development does not jeopardise the green network proposals.

Scottish Water was consulted regarding development on the site back in June 2016 and it confirmed that there was sufficient capacity in the Milngavie Water Treatment Works and the Shieldhall Waste Water Treatments works to service the demands of a larger development although the present proposal is to handle waste on site by providing “Klargester” or similar waste treatment plants which would require additional approvals from Scottish Water.

It is noted that none of the Statutory Consultees has any objections to the development but that one objector raised concerns that Salterland Road is not suitable for construction vehicles and that parked vehicles would obstruct HGV access to the neighbouring transport yard. The proposed layout demonstrates that all parking is on site and there is no intention to encourage parking on the road.

The “Report of Handling” also makes brief reference to the presence of Japanese Knotweed on the site. This was covered in the application. The Applicants undertook a rigorous treatment programme on the site and the work is still under warranty. There is evidence of the presence of the plant on other land in the area and all responsible owners should be treating their land in similar fashion.

The proposal may well be contrary to Policy 16 of the National Planning Framework but it does represent an opportunity to develop a derelict brownfield site already occupied by one dwelling in the past and would help transform and enhance a run-down area of Barrhead without upending the Council’s housing statistics. There always appears to be a constant demand for housing sites generally throughout the Country.

The applicants look forward to a positive outcome of the review of the case by the Council.

Peter W. Fenton ARIAS