

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

Draft index of applications under the above acts to be considered by Planning Applications Committee on
31st October 2024.

Reference No: 2024/0118/TP

Ward: 4

Applicant:

Mr Mark Young
34 Strathview Park
Netherlee
Glasgow
Scotland
G44 3EN

Agent:

Barry Coogan
10 William Ure Place
Bishopbriggs
Glasgow
Scotland
G64 3BH

Site: 34 Strathview Park Netherlee East Renfrewshire G44 3EN

Description: Single storey front, side and rear extension, including boundary wall and elevated decking.

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

Reference No: 2024/0168/TP

Ward: 5

Applicant:

GPC 1137 Ltd
3rd Floor
1 Ashley Road
Altrincham
Cheshire
WA14 2DT

Agent:

Paul Booth
1 Bar Lane
York
YO1 6JU

Site: Land At The East Side Of Glasgow Road Eaglesham G76 0DN

Description: Construction and operation of a 40 MW battery energy storage facility together with associated infrastructure, substation, security fencing, CCTV, security lighting and landscaping.

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

Reference No: 2024/0372/TP

Ward: 4

Applicant:

Mr Michael Cairns
644 Clarkston Road
Glasgow
G44 3YS

Agent:

Site: 644 Clarkston Road Netherlee East Renfrewshire G44 3YS

Description: Installation of treehouse in rear garden (retrospective with amendments)

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

REPORT OF HANDLING

Reference: 2024/0118/TP

Date Registered: 6th March 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 257411/:658727

Applicant/Agent:

Applicant:

Mr Mark Young
34 Strathview Park
Netherlee
Glasgow
Scotland
G44 3EN

Agent:

Barry Coogan
10 William Ure Place
Bishopbriggs
Glasgow
Scotland
G64 3BH

Proposal: Single storey front, side and rear extension, including boundary wall and elevated decking

Location: 34 Strathview Park
Netherlee
East Renfrewshire
G44 3EN



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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None.

REPRESENTATIONS: 14 representations have been received. These comprised of 12 objections and 2 in support of the proposal. Representations can be summarised as follows:

Objections:

- Pitched roof gable and sloping fascias not in-keeping
- Impact negatively on visual continuity
- Out of proportion to other properties
- Ownership Certificate incorrect
- Contravene the Deed of Conditions
- Demolition of common boundary wall
- Every owner within estate should have been advised
- Relocation of gas pipes dangerous
- Spoil view
- Result in other future ad-hoc development

Support:

- Removal of hedge which obscures pavement
- Enhances the property and desirability of the area
- Little impact on privacy, sunlight, overshadowing and overlooking
- The development area does not have listed buildings or is in a Conservation Area

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:

National Planning Policy Framework 4 –

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

Local Development Plan2 –

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

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

ASSESSMENT:

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

Site Description

The application site contains an end-terraced property within an established residential area and is located on the north side of Strathview Park which slopes down from east to west. The property has red/brown facing brick, grey concrete roof tiles and white framed windows and has an existing flat roofed front porch. The front garden slopes down from street level and is characterised by an established conifer hedge along its side boundary which leads to eleven garages and a bin storage area, with the garage associated with the application site situated immediately to the rear. The rear garden is bound on the east by a high dividing wall and a 1.8metre high timber fence. It contains slabbed and grassed areas and slopes downwards to the rear garage. The application site is not a

Listed Building, is not within a Conservation Area, Article 4 Area nor does it have Permitted Development Rights removed.

Proposed development

Planning Permission is sought for the erection of a single storey rear extension and single storey side/front extension. The rear extension will measure 2.7metres by 5.8metres wide and will have a mono-pitched roof. Materials of the walls and roof will match those of the existing house. Fenestration is contained to patio doors on the rear elevation with two grey rooflights and a window on the west facing elevation and will match the style of the existing house. The side/front extension will have a flat grey single ply membrane roof with two grey rooflights and a white cornice/fascia to match the existing porch. It will measure 2metres wide and extend the depth of the existing house including the front porch. Similarly, materials will match those of the existing house. Fenestration on this extension is contained to a small window on the front elevation and two rooflights and will match the style of the existing house.

It should be noted that the proposal also incorporates a raised decking area in the rear garden, however, this is considered to fall under Class 3 Permitted Development Rights and is therefore not included in this assessment.

It should also be noted that this application is an amended proposal following discussions that took place during the application process.

Development Plan

The application has to be determined in accordance with the Development Plan and any material planning considerations. The proposed development is not considered to be a strategic scale development and as a consequence the most relevant policy documents in determining the proposal in relation to this application consists of the National Planning Framework 4 (NPF4), the East Renfrewshire Council Local Development Plan 2 (LDP2) as well as the Adopted Supplementary Guidance – Householder Design Guide (2023) (SG). Policies 14 and 16 of NPF4, and Policies D1, D1.1 and D7 of LDP2 are considered to be the most relevant.

These policies require that all development should not result in a significant loss of character or amenity to the surrounding area and that extensions should complement the character of the existing building in terms of its style, form and materials. It should also not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking. The adopted Supplementary Guidance states that rear extensions should not generally extend more than 4metres down a common rear boundary. Side extensions should not sit forward of the main front building line of the house and should allow for a suitable access to be maintained to the rear of the house. No more than 50% of the rear garden should be occupied by development and extensions should not generally exceed 100% of the footprint of the original house.

With regards to the rear extension it is not considered that it is excessive in scale or that its design would result in a significant loss of character to the dwelling or surrounding area. The proposal accords with the specific SG requirements for rear extensions as it would not extend more than 4 metres down the common rear boundary and the materials will match that of the existing house. It is not considered that it would cause significant overshadowing or loss of light because of its size, orientation and position relative to the neighbouring property nor would it result in significant overlooking due to the position of the windows/patio doors.

In terms of the side/front extension it is not considered to be excessive in terms of scale at only one third the width of the original house with a maximum overall height of 3.2metres. The initially submitted design of this extension had a pitched roof which was similar to the design of the existing side extension at no.36 Strathview Park, which is set back from the main road and is located to the rear of the application site. However, it was considered that, although the property is not located within a Conservation Area or Article 4 Area, it would be more in-keeping if it had a flat-roofed design, aligning it more with the horizontal elements of the various garages and front door canopies which are characteristic of the properties throughout the estate. Indeed, the view of the proposed side extension when travelling east along Strathview Park is not too dissimilar to the view of no.25

and its associated side garage which lies diagonally opposite the application site. It is therefore considered that the design of the proposed side extension would not significantly alter the character of the property to the detriment of the surrounding area.

Due to its location on the plot the side extension is not considered to cause overshadowing or loss of light nor would it result in overlooking. Materials being proposed are in-keeping and the window style will match those of the original house. It is proposed to match the cornice/fascia along the edge of the flat roof to mirror that of the existing porch and neighbouring front door canopies.

It is accepted that the side/front extension is contrary to the SG in that it sits forward of the main front elevation of the house. However, it is considered that as the total footprint of the area that is forward of the front elevation is only 1.6sqm (where it is attached to the front porch) and that the west facing elevation will be the same length as it is currently, it is not considered to be of a scale that would justify refusal of the proposed design. There are various flat roofed garages within the estate that sit forward of the front elevation of their respective houses therefore it is not considered to be an incongruous design to the property in this respect. It is also contrary to the SG in that it does not provide access to the rear of the house directly from the front garden, however this is mitigated by an access which will be retained into the rear of the property via the garage at the end of the garden.

When taken together the footprint of the extensions are considered to comply with the SG in that they do not increase the footprint of the original house by 100% and there remains over 50% of useable rear garden ground. There is also no impact on the Tree Preservation Order that covers the estate.

The new 1.9metre high boundary section of wall will be attached to the rear of the new side extension and will continue back for a distance of approximately 2.8metres until it joins with the existing side boundary wall. The materials will match the existing wall and will be located behind the existing mature boundary hedging. It is therefore considered to be acceptable.

It is therefore considered that the proposed development is generally compliant with Policy and is acceptable unless material considerations indicate otherwise.

Other Material Considerations:

Representations

In terms of the issues raised by representations that have not already been addressed in the assessment of the application above, the following comments are made.

- Every owner within the estate should have been advised of the proposal – All of the properties within the statutory neighbour notification area of the proposal were notified. The Planning Service are therefore satisfied that the correct procedures have been undertaken in this regard.
- Ownership Certificate A is incorrect because the proposal involves the demolition of a common boundary wall – The applicant advised the planning service that they have had their ownership of the land within the redline site confirmed with a Solicitor. The wall being referred to is not a common boundary wall as it is entirely within the site boundary and that the mature hedge, between this wall and the edge of the footway, is entirely their responsibility. The Planning Service are satisfied that the correct Ownership Certificate has been signed and that the wall is not a common boundary wall.
- Contravenes the Deed of Conditions – This is not a material planning consideration. Any issues regarding the Deed of Conditions or Title boundaries is a private legal matter between the parties involved and should be addressed via a Solicitor.
- Relocation of gas pipes is dangerous – This is not a material planning consideration. Any issues in relation to gas pipes would be dealt with by the relevant department under other appropriate legislation.

- Loss of view – this is not a material planning consideration.
- Will result in future ad-hoc developments within the estate - The planning authority can only assess the proposed development of the land through the determination of submitted planning applications and in line with planning legislation. Each application is required to be considered on its merits.

Overall Conclusion

The proposed development, given its design, scale and massing, is not considered to significantly alter the character of the property to the detriment of the surrounding area.

Taking the above matters into account, it is considered that the proposal generally complies with the terms of the development plan. There are no material considerations that indicate the application should not be approved. It is therefore recommended that the application is approved subject to the following condition.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Approve Subject to Conditions

CONDITION:

- 1 The development hereby approved must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted or, as the case may be, deemed to be granted.

Reason: To comply with the provisions of section 58 of The Town and Country Planning (Scotland) Act 1997, as amended.

ADDITIONAL NOTES:

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

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

ADDED VALUE:

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

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Margaret McGleish on 0141 577 3001.

Ref. No.: 2024/0118/TP

(MAMC)

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DATE: 2nd October 2024

DIRECTOR OF ENVIRONMENT

REPORT OF HANDLING

Reference: 2024/0168/TP

Date Registered: 1st May 2024

Application Type: Full Planning Permission

This application is a Major Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 257180/:653217

Applicant/Agent:

Applicant:
GPC 1137 Ltd
3rd Floor
1 Ashley Road
Altrincham
Cheshire
WA14 2DT

Agent:

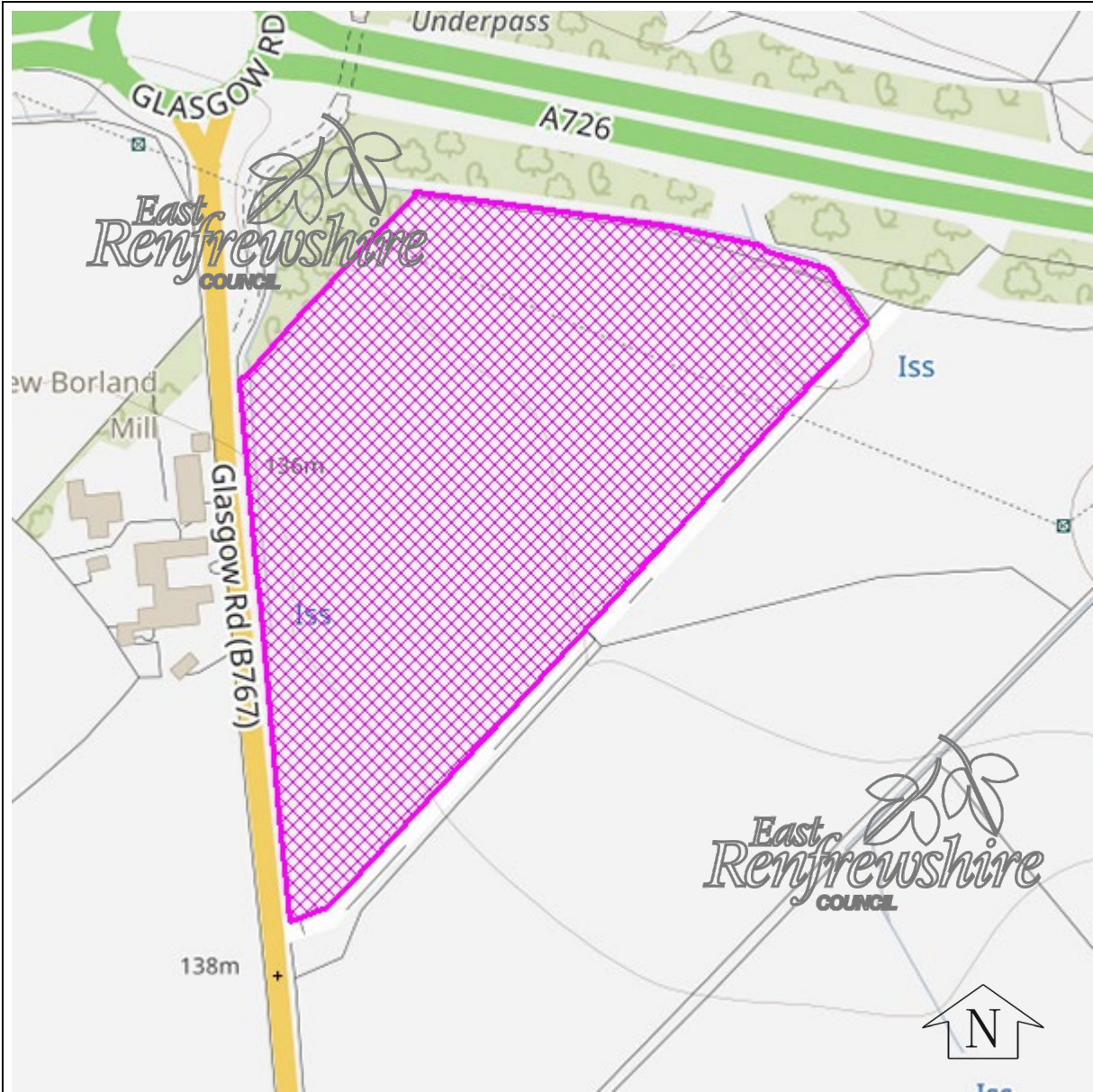
Paul Booth
1 Bar Lane
York
YO1 6JU

Proposal:

Construction and operation of a 40 MW battery energy storage facility together with associated infrastructure, substation, security fencing, CCTV, security lighting and landscaping.

Location:

Land At The East Side Of Glasgow Road
Eaglesham
G76 0DN



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CONSULTATIONS/COMMENTS:

West Of Scotland Archaeology Service	No objection subject to a condition requiring the implementation of a programme of archaeological works.
East Renfrewshire Council Roads Service	No objection subject to conditions relating to visibility splays and water run-off
East Renfrewshire Council Environmental Health Service	No objection subject to conditions
Scottish Environment Protection Agency (SEPA)	Indicates the application falls below the thresholds for which SEPA provides specific advice. Refers the developer to their standing advice.
Scottish Water	Indicates there is currently sufficient capacity at the Picketlaw Treatment Works to service the proposal. There is no waste water infrastructure in the area and private treatment options will need to be considered.
Scotland Gas Networks	No objection subject to a condition to safeguard Scotland Gas Network's infrastructure.
Nature Scot	No response at time of writing.
SP Energy Networks	No response at time of writing.

PUBLICITY:

17.05.2024 Evening Times Expiry date 31.05.2024

SITE NOTICES: None.

SITE HISTORY:

REPRESENTATIONS: 251 representations have been received: Representations can be summarised as follows:

Contrary to development plan
 Public road safety
 Inconvenience during construction phase
 Odour and fumes
 No community benefit
 Overlooking
 Overshadowing
 Impact on conservation area
 Impact on listed buildings
 Visual impact
 Impact on foundations of buildings from HGV movements

Impact on green belt
 Impact on archaeology
 Impact on wildlife
 Health and safety
 Lack of public consultation
 Noise impact
 Impact on residential amenity
 Light pollution
 Risk of flooding
 Impact on the core path and Strategic Cycle Corridor
 Loss of view
 Loss of open space/farmland
 An application for a church nearby was recently refused
 No details on how the site will be reinstated have been provided
 Additional infrastructure requirements
 Impact on property values
 Alternative sites should be considered
 Comments on the credibility of the applicant
 Magnetic fields
 Proposal will encourage other similar developments

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:

National Planning Policy Framework 4 –

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

Local Development Plan2 –

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

SUPPORTING REPORTS:

Planning and Design & Access Statement – Provides a description of the site and the proposed development and makes an assessment against planning policy. Concludes that the proposal will result in a form of development that is compatible with the general character of the area and would comply with the provisions of the development plan.

Flood Risk Assessment and Surface Water Management Plan – Provides the results of a flood risk assessment carried out in respect of the development and details a Surface Water Management Plan. Indicates there are no areas of risk from river flooding within the site and that flooding from sewers is not considered to be a risk. There is an area within the site at risk from surface water flooding, however this area is out with the developed area and there is sufficient freeboard to mitigate risk to development.

Historic Environment Impact Assessment – Provides a detailed assessment of the impact of the proposed development on the historic environment. Indicates there are no designated historic sites within the application site. The study area takes in a 50 metre buffer around the site and includes the category C listed buildings at Low Borland Mill, a possible ancient structure to the south of Low Borland Mill and a quarry on the south-west edge of Belle Craig roundabout. Concludes that the proposal will not create any significant direct or indirect impacts on the historic environment.

Landscape and Visual Appraisal – Assesses the impact of the proposal on the wider landscape as a resource (Landscape Appraisal) and on views (Visual Appraisal). The Landscape Appraisal indicates that during the construction phase there will be a moderate adverse impact on the landscape mainly from construction machinery and cranes and the temporary loss of ground cover. During the operational phase the impact will be minor adverse as visibility from within the

study area is variable, meaning that there would be only a localised indirect impact from the wider study area. The Visual Impact Appraisal indicates that during the construction phase the site will undergo considerable visual disruption, including from partially constructed buildings, temporary fencing, machinery and bare ground. This will have greatest impact on those viewing the works from immediately adjacent to the site boundary. During construction, residents of Low Borland and Lynn Drive will be most visually impacted as well as motorists, walkers and cyclists using the core path and Strategic Cycle Corridor. The Appraisal indicates that those impacts will be short-term for the duration of the construction phase. The Visual Impact Appraisal further indicates that during the operational phase, the impact on the residents at Low Borland, Lynn Drive, Craigbank Crescent and Humble Road would be moderate adverse. The Landscape and Visual Appraisal concludes that those impacts will be mitigated by screen planting.

Noise Impact Assessment – Indicates that the rated level of noise generated by the development East Renfrewshire Council's noise criteria of +4 dB above the typical daytime and night time background sound levels. It concludes that the predicted level of noise impact from the development at all receptors is sufficiently low that there is no requirement to consider noise mitigation measures.

Preliminary Ecological Appraisal – Provides the results of a Preliminary Ecological Appraisal for the proposed development. Indicates the main habitat within the site is improved grassland with low ecological value. Concludes that the proposal will not have an adverse impact on protected species. Makes recommendations on how to achieve suitable biodiversity net gain.

Statement of Community Involvement – Provides a details statement of community pre-application consultation carried out by the applicant in accordance with the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

Transport Statement – Provides an assessment of the proposed development on the surrounding road and transport network. Concludes that there are no highways or transportation reasons why the development could not be supported.

Community Wealth Building Plan – Provides an outline of the applicant's community benefits strategy.

Outline Battery Safety Management Plan – Provides details of the safety management processes and procedures to be implemented on the site to satisfy the prevailing safety requirements for the industry.

Biodiversity Enhancement and Management Plan – provides an outline of the proposed biodiversity enhancement measures; the benefits they provide; the key requirements for successfully implementing the measures; and a description of the management measures required to maintain the enhancements.

Benefits Overview – Provides an overview of the benefits of BESS.

ASSESSMENT:

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

Site

The application site comprises an area of land to the south of the A726 Glasgow Southern Orbital Road and to the east of the B767 Glasgow Road, to the north of the village of Eaglesham. The site lies approximately 75 metres to the south of the intersection of both the A726 and the B767 at the Belle Craig Roundabout. The application site is presently in agricultural use, currently under pasture. The site is surrounded by agricultural land to the south and to the north and west on the

other sides of the GSO and Glasgow Road respectively. Watercourses issue from the site's boundaries at the north-east and west, flowing north and converging to flow under the GSO. The application site is approximately 4 ha in area, measuring approximately 300 metres by approximately 155 metres across its greatest dimensions. An area of existing established trees and bushes lies immediately to the north and north-west of the site, between the site and the A726 and the Belle Craig Roundabout.

A high pressure gas main runs across the southern part of the site in a south-west to north-east direction and a high voltage overhead power line traverses the northern part of the site in a north-west to south-east direction.

Residential properties at New Borland, New Borland Mill and Low Borland lie opposite the site on the other side of Glasgow Road. It is noted that the property at Low Borland is a category C listed building. Further residential properties lie approximately 390 metres to the north, beyond the GSO, at Low Boreland Way in Waterfoot; and 350 metres to the south, beyond Longcraigbank Plantation, at Alexander Avenue, Craigbank Grove and Craigbank Crescent in Eaglesham.

The site is located within the green belt as defined within the adopted East Renfrewshire Local Development Plan 2 with only the eastern-most tip of the site identified by SEPA as being at risk from surface water flooding. The Netherlee to Eaglesham and Whitelee Windfarm Strategic Cycle Corridor and the Eaglesham and Whitelee Core Path both run adjacent to the site along the B767 Glasgow Road.

Proposal

Planning permission is sought for the construction and operation of a 40 MW battery energy storage system (BESS) together with associated infrastructure, substation, security fencing, CCTV, security lighting and landscaping. The BESS is proposed to be located towards the centre of the site such that it lies out with the safety buffer zones associated with the overhead power lines; the high pressure gas main; and SEPA's flood risk hazard zones. The purpose of a BESS is to store surplus energy from the grid in batteries and to return it to the grid when required.

The proposed development comprises containerised units to house the battery energy storage systems and associated infrastructure. Each container will have the appearance of a standard ISO/shipping container and will be soundproof. The containers will be arranged in 4 banks, each bank containing 4 BESS units and 2 PCS units (Power Conversion System). The applicant has indicated the containers will be finished in dark grey or green, although the visual assessment shows them finished in green.

The 16 BESS and 8 PCS units are proposed to be supported by ancillary infrastructure: transformers, high voltage switchgear, a storage container, auxiliary transformer, control cabinet, water tank and a substation control room, all proposed to be finished to match the colour of the containers. A car-park comprising three parking spaces is also proposed.

The above equipment is proposed to be located within a compound enclosed by a 2.4 metre high perimeter fence to ensure the facility remains secure at all times. Three infra-red, pole-mounted CCTV cameras, 4 metres in height, will be positioned within the site. Each pole will also support two motion-activated floodlights. An access road is proposed to be formed within the site to allow maintenance vehicles to enter the compound and the containers. This access is proposed to be formed from Glasgow Road at a point opposite Low Borland.

The applicant proposes that the compound, including the equipment described above, will be screened by native planting.

The site is proposed to be accessed from Glasgow Road via a new priority T junction 55 metres north of the existing field access. An existing streetlight and bus stop at this location as proposed to be located to a point further north opposite Low Borland Mill.

A SUDS pond is proposed to be located in the eastern-most part of the site as part of the proposed drainage strategy.

The applicant has further indicated that the proposed development will be temporary for a period of 40 years, after which time the facility will be decommissioned and the site returned to its former condition.

Policy context

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

National Planning Framework 4 (NPF4)

The policies most relevant to this proposal in NPF4 are Policy 1 (Tackling the climate and nature crises); Policy 3 (Biodiversity); Policy 5 (Soils); Policy 7 (Historic assets and places); Policy 8 (Green belts); Policy 11 (Energy); Policy 14 (Design, quality and place); Policy 18 (Infrastructure first); Policy 22 (Flood risk and water management); Policy 23 (Health and safety); and Policy 25 (Community wealth building).

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.

Policy 3 (Biodiversity) seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy 5 (Soils) seeks to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. It provides categories of development that will be supported on peatland or carbon rich soils, including renewable energy generation.

Policy 7 (Historic assets and places) seeks to protect and enhance historic environment assets and places.

Policy 8 (Green belts) seeks to encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably. It provides categories of development that will be supported in the rural area, including renewable energy generation.

Policy 11 (Energy) seeks to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. It states that all forms of renewable, low-carbon and zero emissions technologies will be supported, including battery storage. The policy states that where landscape and visual impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable. It provides a list of impacts that should be addressed including: impacts on communities and individual dwellings, including, residential amenity, visual impact, and noise; road traffic; hydrology and flood risk. The policy further states that significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

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

Policy 18 (Infrastructure first) promotes an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

Policy 22 (Flood risk and water management) seeks to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy 23 (Health and safety) seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

Policy 25 (Community Wealth Building) states that development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported.

Adopted East Renfrewshire Local Development Plan 2 (LPD2)

The following policies of the adopted East Renfrewshire Local Development Plan 2 are also relevant to this development: Strategic Policy 1: Development Strategy; Policy D1: Placemaking and Design; Policy D3: Green Belt and Countryside around Towns; Policy D9: Access; Policy D10 Transport Impact; Policy D14 Management and Protection of the Built Heritage; Policy D15 Listed Buildings; Policy E2: Renewable Energy; Policy E4: Protecting Soil Quality; Policy E5: Noise Impacts; Policy E6: Water Environment; Policy E7: Flooding; and Policy E8: Water Management.

Policy D1 relates to all development and states that development should not result in a significant loss of character or amenity to the surrounding area and that safe and functional vehicular access is provided.

Policy D3 relates to development in the green belt. It states that development in the green belt will be strictly controlled and limited to that which is required and appropriate to the 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 land uses. It goes on to state that development in the green belt will be supported in principle where it is for agriculture; forestry; equestrian; countryside recreation and active travel; outdoor leisure and tourism; economic and farm diversification; and renewable energy.

Policy D9 relates to access and states that the Council will continue to protect, enhance and extend existing and proposed active travel and outdoor access networks including core paths, rights of way, strategic cycle corridors and green networks.

Policy D10 states that proposals will be required to demonstrate that they will not have a significant adverse impact on road safety; the convenience, safety and attractiveness of walking and cycling in the area; public transport operations; the capacity of the surrounding road network; and residential amenity as a result of increased motorised traffic.

Policies D14 and D15 provide that the Council will safeguard the historic built environment, including listed buildings.

Policy E2 states that the Council supports low and zero carbon renewable energy projects in the form of infrastructure that contributes to reducing greenhouse gas emissions and overall energy use.

Policy E4 states that proposals will be required to minimise adverse impacts on soil.

Policy E5 states that the impact of noise will be taken into account when assessing relevant development proposals.

Policies E6 and E7 state that the Council will seek to protect the water environment and take a precautionary approach to flood risk from all sources.

Policy E8 states that development proposals are required to integrate well-designed and naturalised Sustainable Urban Drainage Systems (SUDS) to manage drainage and water quality.

Consideration

Supporting Statements and Determining Issues

Whilst this application does not require to be accompanied by an Environmental Impact Assessment, the applicant has submitted a comprehensive suite of Supporting Statements that include the matters that they consider are the most relevant to this development. Having regard to the proposed development, the development plan and the applicant's supporting statements, the main determining issues are considered to be as follows: the principle of the proposed development at this location; visual impact; impact on residential amenity, including noise output; public road safety; impact on biodiversity and biodiversity net gain; impact on the adjacent listed buildings; flooding; and impact on soils.

Principle of the development

As noted above, the site lies within the green belt and must therefore be considered in the first instance with regard to Policy 8 (Green belts) of NPF4 and Policy D3 of LDP2.

Policy 8 of NPF4 supports development for essential infrastructure and renewable energy developments in the green belt provided 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 out with 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.

Similarly, Policy D3 of LDP2 provides that development for renewable energy infrastructure that have a site-specific and operational need for a rural location will be supported where there are no significant landscape or visual impacts and the character and setting of the green belt is maintained. Strategic Policy 1 of LDP2, which sets out the Council's development strategy, supports development in the green belt that complies with Policy D3.

Need

In terms of the overall need for the development, the applicant has indicated that the UK is legally bound through the Climate Change Act (2008) to cut greenhouse gas emissions by 80% by 2050 compared to 1990 levels. As a signatory to the 2015 Paris Agreement, the UK is also committed to reach net-zero emissions during the second half of the 21st century. Battery Energy Storage Systems provide a means of allowing energy generated by renewable means to be stored at times of low demand and exported back to the grid at times of higher demand or when renewable sources are not available. The proposed development would contribute towards meeting those targets as it provides a means to balancing the network without the need to rely on non-renewable sources.

Locational requirements

In terms of site-specific requirements, the applicant has advised in their Planning, Design and Access Statement, that Battery Energy Storage Systems have very specific locational requirements which limit where they can be situated. They must be located within close proximity to a viable grid connection that has sufficient capacity to import and export power that will be stored by the development. Suitable points of connection include a sub-station or an overhead power line. When a suitable connection can be found other factors that impact on the feasibility of the BESS, particularly distance from a sub-station, need to be taken into consideration. The level of efficiency reduces the further away from the grid connection. The applicant has advised that

the application site was chosen due to its viable proximity to the Giffnock sub-station. Whilst the applicant accepts that urban sites can be possible locations for BESS, they tend to face significant constraints often due to their size, policy designations and higher preparation costs.

It is also noted that Policy E2 of LDP2 supports low and zero carbon renewable energy projects subject to a number of criteria. Where appropriate, those criteria are considered below and are found to raise no significant conflict with the proposal.

Given fore-going, the principle of the proposal at this particular site is therefore considered to accord with Policy 8 (Green belts) of National Planning Framework 4 and Strategic Policy 1, and Policies D1 and E2 of the adopted East Renfrewshire Local Development Plan 2. The development is also considered to meet the aims of Policies 11 (Energy) and 18 (Infrastructure first) of NPF4.

Visual Impact

The structures to be installed on the site, including the battery containers, the PCS units, the control room, transformer, and water tank, are low profile structures ranging from between 2.44 metre in height to 4.25 metres in height.

When approaching the site from the west, along the A726 Glasgow Southern Orbital, it is screened by the existing trees and bushes growing immediately to the north and north-west of the site. Similarly, this existing planting screens the site from the northern approach along the B767 Glasgow Road. When approaching the site from the east, along the GSO, existing planting to the south of the carriageway, along with the planting referred to above, provides a significant amount of screening, although it is possible to glimpse the site when looking to the south through gaps in the existing vegetation.

The site is nevertheless most visible when approaching from the south along the B767 Glasgow Road. From a significant distance looking north-east, it is possible to have long views of the site, looking over adjacent fields. The site becomes more prominent and open to view on the approach north beyond the field entry to the south of the site as the roadside hedge rows are reduced in height. As noted above, the Netherlee to Eaglesham and Whitelee Windfarm Strategic Cycle Corridor and the Eaglesham and Whitelee Core Path both run adjacent to the site along the B767 Glasgow Road.

In response to this, the applicant has proposed new screen planting around the north-west, south-west and south-east edges of the compound itself and infill planting and appropriate management of the hedgerow on the wider site boundary, along the B767 Glasgow Road. The proposed planting around the compound consists of a species rich native hedgerow planted at 60-80cm in height, to grow to provide screening. This is augmented by native scrub planting along the south-east and south-west sides of the compound, again planted at 60-80 cm in height. The provision of this planting can be secured by condition should the application be approved.

The Landscape and Visual Appraisal submitted in support of the application sets out in detail, the impact of the proposal on the various visual receptors, including residents, motorists, walkers and cyclists. The appraisal indicates that the site will undergo considerable visual disruption during the construction phase, with those viewing operations from locations immediately adjacent to the site boundaries being most affected. During the construction phase, residents at Low Borland and Lynne Drive would be most adversely affected, although these impacts will be temporary and short-term.

During the operational phase, the Landscape and Visual Appraisal indicates that the closest residential properties at Low Borland, Lynne Drive, Craigbank Crescent and Humble Road, considered as high sensitivity receptors, would experience a moderate negative magnitude of change and a moderate adverse impact. Other high sensitivity receptors further afield would experience a minor adverse or neutral impact, depending on their location.

The Landscape and Visual Appraisal concludes that there will be no significant effects on landscape character as a result of the operation of the development. In terms of landscape

character and visual amenity, the landscaping scheme will ensure that the development is fully integrated into the landscape by year 15. Indeed, the viewpoint diagrams submitted in support of the application show that by year 15 only the roofs and upper parts of the structures on the site will be visible and that the site, by then, will have an appearance generally akin to a modern farm compound.

Subject to the proposed planting regime, the proposal would not therefore have a significant impact on landscape character or visual amenity and would not adversely impact on the character of the green belt.

Impact on residential amenity and noise output

Policy 14 (Design, quality and place) of NPF4 and Policy D1 of LDP2, inter alia, seek to protect residential amenity. Impacts on residential amenity can arise as a result of noise, lighting, overshadowing, overlooking, loss of daylight, as well as matters arising from the construction phase. Loss of view is not a material planning consideration, however a significant adverse visual impact may make a development unacceptable. (As has been discussed above, the proposal is not considered to give rise to significant visual impacts).

Given its nature and location in relation to the closest residential properties, the proposal would not be considered to give rise to significant additional overlooking, overshadowing or loss of daylight. The proposed floodlighting within the site will be motion-activated. A light spill and luminosity diagram can be submitted for approval prior to the commencement of any work on site. Subject to approval of those details, the proposed lighting would not be considered to give rise to a significant detrimental impact on residential amenity or on the character of the wider area.

The East Renfrewshire Council Environmental Health Service has offered no objection to the proposal subject to conditions limiting the hours of construction on the site and the noise output during the operational phase. Such conditions can be attached to any planning permission granted.

The Noise Impact Assessment, submitted in support of the application, concludes that the predicted level of noise impact at all receptors is sufficiently low that noise need not be deemed a significant determining issue in assessing the proposal.

It is therefore considered that subject to appropriate conditions, the proposal would not have a significant impact on residential amenity and would not give rise to significant noise output.

Road safety

It is noted that the East Renfrewshire Council Roads Service has no objection to the proposal subject to conditions relating to visibility and surface water run-off. Further conditions can be included in respect of wheel washing and temporary parking arrangements during the construction phase.

The Transport Statement, submitted in support of the application, indicates that vehicle movements associated with the proposed development will be split into two elements: construction phase movements; and operational phase movements.

The construction phase is indicated to last 12 months with working hours between 08:00 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. (No work is proposed to take place on Sundays or bank holidays). At the beginning of the construction process, there will be site clearance and set-up. This will generate a small number of HGV movements during the first two months. The majority of HGV movements will take place between months three and seven aggregates and drainage materials. During the whole of the construction phase, 1724 two-way trips are envisaged (cars/vans and HGVs). At its peak, the Transport Statement indicates that the construction phase will generate a maximum of five two-way car/van trips per day and 11 two way HGV trips per day.

During the operational phase, the BESS will generally operate on an unmanned basis. However, it is envisaged that between 10 and 20 two-way car/van trips will occur per annum for general maintenance.

The Transport Statement concludes that the projected traffic flows will not result in severe impact on the public road network.

The core path and the Strategic Cycle Corridor lie out with the site and will not be adversely impacted by the proposed development.

Given the fore-going, the proposal is considered to raise no significant conflict with Policy 14 (Design, quality and place) of NPF4; or Policies D1, D9 or D10 of LDP2.

Biodiversity and biodiversity net gain

It is noted that the site is not protected by a nature designation, nor does it lie adjacent to any statutory designated environmental sites. The Preliminary Ecological Appraisal, submitted in support of the application, indicates that within 15km of the site there is one Natura 200 designated site; a SAC. Within 5km of the site there are two SSSIs. None of those sites have connectivity with the application site and therefore there are no pathways for impacts.

Notwithstanding, Policy 3 (Biodiversity) of NPF4 requires that all major planning applications demonstrate that proposals will conserve, restore and enhance biodiversity.

The Preliminary Ecological Appraisal states that an extended phase 1 habitat survey was carried out which identified the main habitats within the site as improved grassland, running water and broadleaved plantation woodland. The habitats were assessed for their potential to support protected species. The site was considered to be of low ecological value, although several areas have potential to support protected species. The Appraisal makes recommendations to achieve biodiversity net gain within the site, including the creation of species-rich grassland; the creation of herptile hibernaculum (underground chambers that allow reptiles to protect themselves from cold during the winter) and the enhancement of the proposed SUDS pond to include native wetland plants.

The applicant has submitted a Biodiversity Enhancement and Management Plan in support of the application. This indicates that habitat enhancements are proposed including the planting of hedgerows and scrub; the sowing of a native, species-rich grassland seed mix over an area of approximately 1.02 ha; and the provision of the herptile hibernaculum. A planting and management plan is also included.

The proposal is therefore considered to raise no conflict with Policy 3 (Biodiversity) of NPF4.

Impact on the historic environment

Given the distance of the proposed compound from the adjacent listed buildings and the proposed screening, the proposal would not be considered to give rise to any adverse impact on their character or setting. There would be no significant impact on the character or setting of the Eaglesham Conservation Area given the site lies approximately 815 metres distant to the north. The proposal therefore raises no conflict with Policy 7 (Historic assets and places) of NPF4 of Policies D14 or D15 of LDP2.

Flooding

As noted, the eastern-most tip of the site identified by SEPA as being at risk from surface water flooding.

The Flood Risk Assessment and Surface Water Management Plan submitted in support of the application states that there are no areas of land at risk from river flooding within the site. It confirms that the development will lie out with the area identified as being at risk from surface water flooding and that a suitable freeboard will exist. Flooding from sewers and artificial sources

is not considered to be a risk to the site or to the proposed development. It indicates that the site topography is not proposed to be materially altered and the proposed SUDS features will effectively mitigate surface water flood risk to the site. The proposed development is not predicted to increase surface water run-off to the surrounding catchment.

The East Renfrewshire Council Roads Service as Flooding Authority have indicated no objection to the proposal subject to a condition limiting run-off from the site.

The proposal is therefore considered to raise no significant conflict with Policy 22 (Flood Risk and Water Management) of NPF4 nor with Policies E6, E7 and E8 of LDP2.

Impact on soils

The Planning Supporting Statement, submitted in support of the application, indicates that the majority of the land within the site is classified as Class 3.2 soil and Class 4.2 soil. The development does not therefore fall within prime quality agricultural land. The site is not located on peat or other carbon-rich soils. The facility is proposed to be temporary in nature, to be removed following the expiry of the 40 year lifespan of the development. There will therefore be no permanent loss of agricultural land.

The proposal therefore raises no conflict with Policy 5 (Soils) of NPF4 or Policy E4 of LDP2.

Community wealth building

Community Wealth Building is now part of the planning process through the introduction of Policy 25 (Community wealth building) in NPF4. The applicant has submitted a community wealth building plan with the application. This includes a Construction Impact Fund set aside to alleviate immediate impacts associated with the construction phase; opportunities for local residents during the construction phase and; opportunities for local suppliers and contractors that are compliant with industry standard pre-requisites. During the operational phase it includes youth apprenticeships, work experience and training programmes.

Health and safety

Policy 23 (Health and safety) of NPF4 states that development proposals which are likely to have an adverse impact on health will not be supported. It is noted that the East Renfrewshire Council Environmental Health Service and Scottish Gas Networks, the operator of the gas pipeline that crosses the site, have offered no objections to the proposal subject to conditions that can be attached to any planning permission granted. The proposal is therefore not considered to give rise to a significant risk to public health.

Given the above and subject to appropriate conditions, the proposal is considered to comply with the terms of the Development Plan.

Fire risk

It is noted that a number of representations raise concerns over the safe operation of the site and the risk of fire from the lithium ion batteries. Matters relating to the safe and proper operation of the site lie out with the remit of the Planning Authority and are not therefore material planning considerations.

The Scottish Fire and Rescue Service, provides non-statutory advice to the industry in terms of the design and operation of such facilities.

The applicant has submitted an Outline Battery Safety Management Plan (OBSMP) in support of the application. The OBSMP provides details of the safety management processes and procedures to be implemented at the site to satisfy current industry safety requirements.

The applicant will require the consent of the energy regulator OFGEM before connecting the network.

Summary of benefits

The applicant has provided a benefits overview in support of the application:

Economic benefits - the proposal would result in economic benefits from direct employment in the construction phase; direct employment through operation and decommissioning phases; and job creation in the supply chain and related services.

Social benefits - stable energy prices leading to reduced bills and increased energy security.

Environmental benefits - fulfil a critical function in supporting the transition to net zero and combating climate change. Biodiversity net gain.

Micro-siting

The applicant has requested that a condition be attached to any planning permission granted to allow the micro-siting of the development in any direction up to 25 metres. Given the constraints associated with the overhead power lines and the gas pipeline, in practice this could only mean 25 metres in a generally west-ward direction. This would bring the development closer to the residential properties at Low Borland/New Borland Mill. Without prejudice, 25 metres would be a significant encroachment towards those properties and a condition to permit such is not therefore considered to be appropriate. It is considered that any such alterations to the development should be considered via a variation to any planning permission granted to allow the Council to fully control such matters.

Representations

The points of representation not specifically addressed above as considered as follows:

It is inevitable that there will be a degree of disruption during the construction phase, however this would be temporary and would not outweigh the wider benefits of the proposal. The concerns raised over road safety and traffic congestion during the construction phase have not been substantiated by the East Renfrewshire Council Roads Service.

The proposed site would not be considered to give rise to significant odour or fumes during the course of its normal operation.

Damage to private property during the construction phase, including building foundations, is not a material planning consideration.

The West of Scotland Archaeology Service has offered no objection to the proposal subject to a condition requiring the implementation of a programme of archaeological works.

Pre-application consultation and publicity was carried out by the applicant and the Council has carried out the neighbour notification process upon submission of the application, both in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

Loss of view is not a material planning consideration.

Whilst the proposal will involve development on a field within the green belt, the site is not identified as part of the green network. The life of the development is indicated as being 40 years and the loss of the farmland will therefore be temporary. Further, the land does not fall within the category of prime quality agricultural land.

Details relating to the reinstatement of the site can be secured by and agreed via a condition should the application be approved.

The applicant has indicated that underground cabling may be required to connect the facility to the Giffnock sub-station. Underground cabling carried out by electricity statutory undertakers is generally permitted development under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). Any works that fall out with the scope of permitted development rights would be considered on its own merits.

Impact on property values is not a material planning consideration.

The Council has to consider that proposal before it and cannot direct the proposal to alternative sites.

The applicant's business credentials are not a material planning consideration.

Any further similar developments will be assessed on their own merits.

Perceived health risks from the normal operation of the proposal are not a material planning consideration.

Conclusion

Drawing all matters together, it is considered that the proposal generally complies with the terms of the development plan. There are no material considerations that indicate the application should not be approved.

It is therefore recommended that the application is approved subject to the conditions set out below.

PLANNING OBLIGATIONS: None.

RECOMMENDATION: Approve Subject to Conditions

CONDITIONS:

- 1 The development hereby approved must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted or, as the case may be, deemed to be granted.

Reason: To comply with the provisions of section 58 of The Town and Country Planning (Scotland) Act 1997, as amended.

2. Written confirmation of the date of first commissioning shall be provided to the Planning Authority no later than one calendar month after the date of first commissioning. Thereafter, the planning permission shall inure for a period not exceeding 40 years unless a further period of permission is approved. At the end of the period of permission, the facility shall be removed and the land restored to its former condition within 6 months from the expiry of the permission.

Reason: The proposed development is of a temporary nature; to allow the Planning Authority to calculate the duration of the permission; and to ensure the timeous reinstatement of the land the interest of the amenity of the area.

3. Development shall not commence until details of the finish and colour of all external surfaces of the buildings and structures to be installed/erected on the site; and of all hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details. For the avoidance of doubt, the buildings and structures shall be finished in a shade of dark green.

Reason: To ensure the development is acceptable in appearance.

4. Development shall not commence until a detailed scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. This shall include the proposed planting around the compound area and along the frontage of the site with Glasgow Road. Details of the scheme shall include:

- i) Details of any earth mounding, hard landscaping, seeding and turfing;
- ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
- iii) Details of the phasing of the landscaping works;
- iv) Proposed levels; and
- v) Schedule of maintenance to include the replacement of failed landscaping throughout the lifetime of the development.

Thereafter the landscaping works shall be fully implemented as approved.

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

5. Visibility splays of 120 metres by 2.5 metres shall be provided in both directions at the junction of the new access with the existing road prior to the commissioning of the facility; and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

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

6. Prior to the commencement of any work on site, details of the proposed access to the site from Glasgow Road, shall be submitted and approved in writing by the Planning Authority. The proposed access shall be formed and surfaced in accordance with the approved details, such that no surface water or loose material shall discharge out onto the public road, prior to the commissioning of the development hereby approved.

Reason: In the interest of public road safety.

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

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

8. Prior to the commencement of any work on site, details of temporary car-parking and laydown areas to be provided within the site during the construction phase; and a phasing schedule for their provision/removal, shall be submitted and approved in writing by the Planning Authority. The temporary car-parking and laydown areas shall be provided and removed in accordance with the approved details and phasing schedule.

Reason: In the interest of public road safety.

9. The three car-parking spaces, indicated on approved plan PL-005 Rev P08, shall be formed and delineated prior to the commissioning of the development hereby approved.

Reason: In the interest of public road safety.

10. 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 recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to protect any archaeological remains and to allow the Planning Authority to consider this matter in detail.

11. No works shall commence on site until the applicant has undertaken an assessment and modelling as required to determine the interference levels on the Scotland Gas Network's adjacent pipeline E06, E17 and G03 from steady state and fault conditions of the electrical infrastructure associated with the proposed development, taking into consideration the nearby SGN pipeline and associated equipment. This includes:

Any steady state AC or DC interference

Fault Condition Interference in accordance with the limits in BS EN50122-1:2022

If required, the applicant shall also design appropriate mitigation to ensure that levels of AC and DC interference are within acceptable limits (as described by SGN/PM/ECP/2, BS EN ISO 18086:2020 and BS EN 50162:2004). The results of this modelling (and mitigation, if required) will be submitted for the prior written approval of Scotland Gas Networks and the Planning Authority before any work commences on site.

Reason: In order to ensure a mechanism is in place to assess and mitigate the effects of inducing unacceptable levels of electrical alternating currents and voltage upon other utilities in the event they arise.

12. The Sustainable Urban Drainage Systems (SUDS) for the surface water regime, as set out on approved plan reference 1137-DR-IN-1001 Rev P01 shall be incorporated into the development prior to the commissioning of the development hereby approved.

Reason: In the interests of sustainable development.

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

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

14. The development of the site shall be undertaken in accordance with the Biodiversity Enhancement and Management Plan (the Plan) dated 3 March 2024 and submitted in support of the application. Details of the biodiversity enhancements outlined in the Plan shall be submitted and approved in writing prior to the commencement of any work on site. For the avoidance of doubt those details shall be submitted on a plan at a scale of 1:500 and shall show the location and extent of the hedgerow and scrub; and native species rich grassland; and the location of the herptile hibernaculum, all as referred to in the Plan. The biodiversity enhancement measures shall be completed within the first planting season following the commissioning of the development hereby approved.

Reason: To ensure the provision of biodiversity enhancement measures.

15. Prior to the commencement of any work on site, a light spill diagram, showing light levels emitted from the proposed lighting, shall be submitted and approved in writing by the Planning Authority. The lighting fixtures shall be angled to face into the site and the maximum levels of luminosity at neighbouring properties must not exceed 10 lux.

Reason: To safeguard the residential amenity of the occupants of the adjacent dwellings.

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

Reason: To prevent noise nuisance to the surrounding area.

17. Between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1hour)) shall not exceed the pre-existing background noise level (LA90 (1/2hour)) by more than 4dB (A) when measured in accordance with BS4142:2014+A1:2019 at buildings where people are likely to be affected. Between the hours of 2000 and 0800 the noise emitted from the premises (LAeq (5mins)) shall not exceed the pre-existing background noise level (L A90 (1/2hour)) by more than 4dB(A) when measured in accordance with BS4142:2014+A1:2019 at buildings where people are likely to be affected.

Reason: To ensure the occupants of adjacent premises are not subject to excessive noise nuisance.

18. 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.

Reason: To protect the environment from the effects of contamination.

ADDITIONAL NOTES:

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of Wildlife and, in particular, the needs to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise interfere with any wild bird nest which is in use or being built or, which, at any other time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/ breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

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

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

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

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit for service connections and footway crossover.

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

Before construction takes place, the Applicants' contractor will be required to contact the Operational 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.

East Renfrewshire Council Operational Roads Service (Street Lighting) should be contact at the earliest opportunity regarding the possible re-siting (if possible) of any affected lighting columns. Similarly SPT should be contacted regarding the repositioning of any bus stop.

The premises require to comply with:

The Health and Safety at Work Etc Act 1974 and any subordinate legislation made thereunder;
and

The business operations and any activities in relation to alterations require to comply with The Health and Safety at Work Etc Act 1974 and any subordinate legislation made thereunder.

ADDED VALUE:

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

BACKGROUND PAPERS:

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

Ref. No.: 2024/0168/TP
(DESC)

DATE: 15th October 2024

DIRECTOR OF ENVIRONMENT

REPORT OF HANDLING

Reference: 2024/0372/TP

Date Registered: 13th August 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

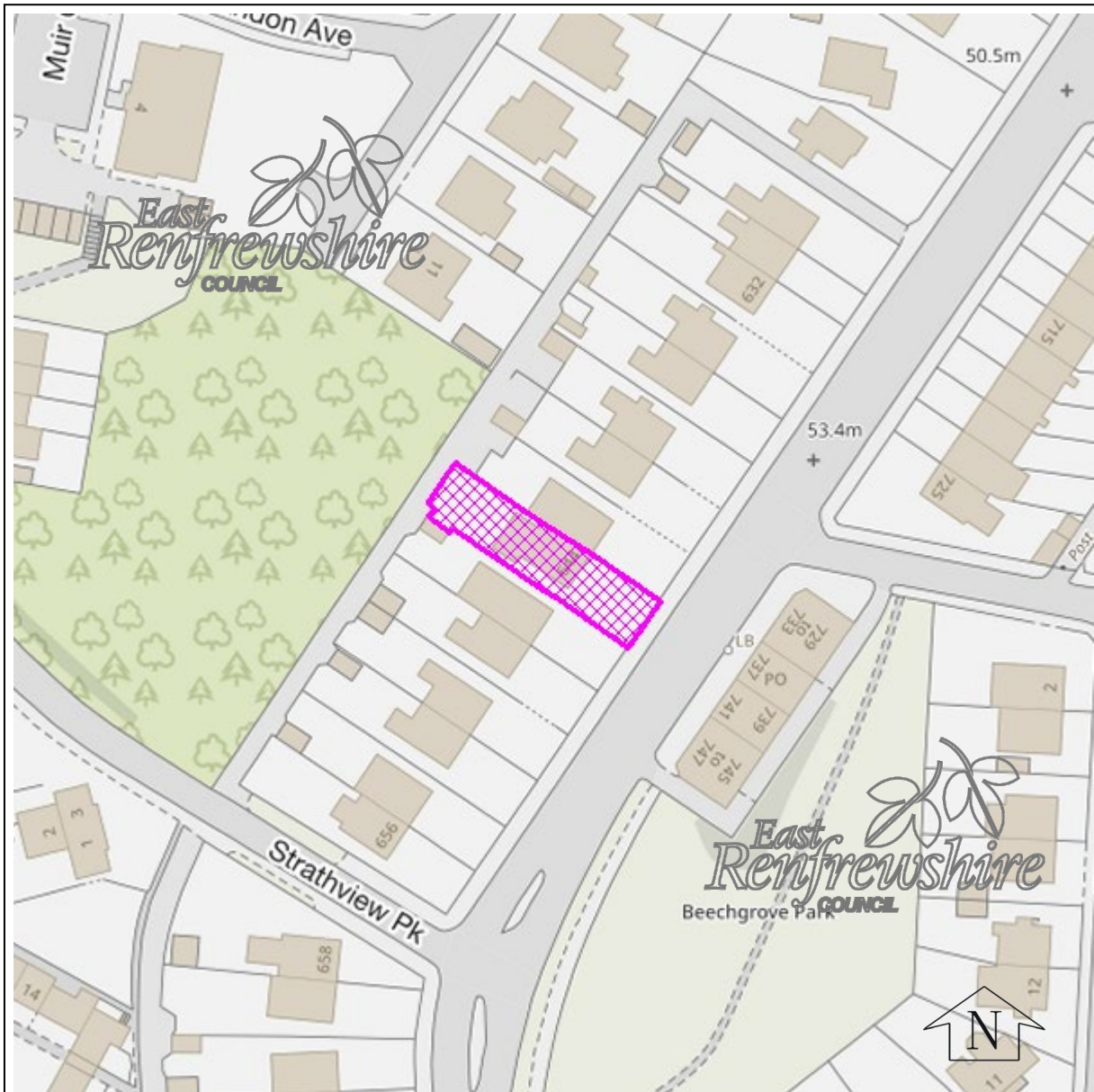
Co-ordinates: 257624/:658657

Applicant/Agent: Applicant: Agent: n/a

Mr Michael Cairns
644 Clarkston Road
Glasgow
G44 3YS

Proposal: Installation of treehouse in rear garden (retrospective with amendments)

Location: 644 Clarkston Road
Netherlee
East Renfrewshire
G44 3YS



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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2004/0614/TP	Installation of side dormer window	Approved Subject to Conditions	21.10.2004
2012/0188/TP	Erection of single storey rear extension	Granted	06.06.2012
2024/0228/TP	Installation of treehouse in rear garden (retrospective).	Withdrawn	15.08.2024

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

- Loss of privacy
- Overlooking
- Unauthorised works/Enforcement
- Withdrawn application documents
- Safety
- Scottish Public Services Ombudsman (SPSO) Case

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:

National Planning Policy Framework 4 –
<https://www.gov.scot/publications/national-planning-framework-4/>

Local Development Plan2 –
<https://www.eastrenfrewshire.gov.uk/ldp2>

SUPPORTING REPORTS: No supporting reports were submitted with this application.

ASSESSMENT:

The application site contains a semi-detached house and its curtilage located at 644 Clarkston Road, Clarkston.

Retrospective planning consent is sought for the erection of a treehouse in the rear garden of the property. The application also proposes alterations to the treehouse. The proposed alterations would permanently close an existing opening and would form a new opening on the southwest elevation, positioned towards the rear of the treehouse. Furthermore, consent is sought for screening to be fixed to the southwest elevation of the treehouse, positioned immediately adjacent to the new opening.

The floor of the treehouse is of an irregular shape and measures a maximum of 3m in length by 2m in width. The floor level measures 1.85m above ground level and the roof measures 3.75m above ground level.

The proposal is required to be assessed against the Development Plan, which consists of the National Planning Framework 4 (NPF4) and East Renfrewshire Council's Local Development Plan 2 (LDP2). In terms of the NPF4, of most relevance are Policies 14 (Design, Quality and Place) and 16 (Quality Homes). In terms of the LDP2, the policies of most relevance are D1, D1.1 and D2. These policies generally require that the proposal should not have a detrimental impact on the character or environmental quality of the home and the surrounding area. The proposal should be appropriate to its location, be of high quality and of a size, scale, height, massing, density and layout that is in keeping with the existing building or other buildings within the locality and should respect local architecture, building form and design. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight, privacy or by virtue of physical impact. The proposal should not result in a significant loss of character or amenity to the surrounding area. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

The proposal is located in the rear garden of the property, near the rear boundary. The proposal does not form part of the dwelling and is subservient in scale. It is considered that the proposal is generally acceptable in size, scale, height, massing, density and layout, and would not adversely impact or dominate the character of the dwelling.

The proposal is positioned in trees within the rear curtilage of the residential property. The trees are deciduous and their foliage provides screening for several months of the year. The trees also soften the appearance of the treehouse. In terms of visibility, the proposal is not visible from Clarkston Road and is heavily screened from Strathview Park by surrounding property. It is visible from the private lane at the rear, near the property. Given the location at the rear of the property and noting the degree of screening offered by surrounding vegetation and property, it is considered that the proposal does not have a significant detrimental impact upon the character of the surrounding area.

A previous retrospective planning application for the treehouse (2024/0228/TP) was withdrawn to allow the proposal to be revised and resubmitted. The proposed alterations would permanently close the existing opening on the east elevation and would form a new opening on the southwest elevation, positioned towards the rear of the treehouse. Furthermore, screening would be fixed perpendicular to the southwest elevation of the treehouse, immediately adjacent to the new opening. It can be conditioned that this screen remains in situ in perpetuity. The new opening would only allow a view towards the southwest boundary. Assessment has confirmed that the neighbouring garage at No.646 and the proposed screening would sufficiently mitigate against overlooking and loss of privacy of No.646. There are no other openings on the treehouse. Given the above, it is considered that the proposal would not result in a significant detrimental impact in terms of overlooking or loss of privacy. Furthermore, it is considered that the proposal would not result in a significant detrimental impact in terms of physical impact, loss of daylight or overshadowing.

It is therefore considered that the proposed development is generally compliant with Policy and is acceptable unless material considerations indicate otherwise.

Other Material Considerations:

Representations

In terms of the issues raised by representations that have not already been addressed in the assessment of the application above, the following comments are made.

- Unauthorised works/enforcement - The Council advises against unlawful works and an enforcement investigation was carried out. This resulted in a retrospective planning application being submitted for consideration with proposed amendments to the existing structure. The planning application process requires proposals to be assessed in advance of construction and drawings which show the proposed development are available to view on the Planning Portal.
- Withdrawn application documents – An applicant is entitled to withdraw an application and as such all related documents/representations are no longer available for public viewing.

This procedure was followed in relation to the previously submitted application for this property.

- Safety - The developer is responsible for safety on-site.
- Scottish Public Services Ombudsman (SPSO) Case – this is not a material planning consideration. However it should be noted that the planning officers involved in the original applications are no longer in the employ of East Renfrewshire Council.

Overall Conclusion

Taking the above matters into account, it is considered that the proposal generally complies with the terms of the development plan. There are no material considerations that indicate the application should not be approved. It is therefore recommended that the application is approved subject to the following conditions.

PLANNING OBLIGATIONS: None.

RECOMMENDATION:

1. The existing opening on the southeast elevation shall be closed over and the approved opening shall be formed (as shown in drawings E2, E3 and LOC1) within 6 weeks of the date of the decision notice.

Reason: To safeguard the privacy of the occupants of the adjacent dwelling.

2. The approved privacy screen (shown in purple on drawings E2, E3 and LOC1) shall be constructed within 6 weeks of the date of the decision notice. The privacy screen shall then be retained in position at all times thereafter unless otherwise agreed in writing by the Planning Authority.

Reason: To safeguard the privacy of the occupants of the adjacent dwelling.

ADDITIONAL NOTES:

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

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

ADDED VALUE:

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

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

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Margaret McGleish on 0141 577 3001.

Ref. No.: 2024/0118/TP
(MAMC)

DATE: 15th October 2024

DIRECTOR OF ENVIRONMENT