

**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  
13th February 2025.

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**Reference No:** 2024/0478/TP

**Ward:** 5

**Applicant:**

G Strang & Son  
Mains Farm  
Eaglesham  
Renfrewshire  
Scotland  
G76 0NX

**Agent:**

David Mair  
113 Mary Morrison Drive  
Mauchline  
KA5 6AR

**Site:** Land To The South Of East Kilbride Road (B764) Eaglesham East Renfrewshire G76 0NT

**Description:** Agricultural slurry tower with associated access road

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

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**Reference No:** 2024/0502/TP

**Ward:** 3

**Applicant:**

East Renfrewshire Council  
Eastwood Park HQ  
1 Rouken Glen Road  
Giffnock  
G46 6UG

**Agent:**

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

**Site:** Eastwood Park Rouken Glen Road Giffnock East Renfrewshire

**Description:** Demolition of existing building and erection of new building to house leisure centre, theatre, local event and learning space with landscaping, parking and associated works

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

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# REPORT OF HANDLING

Reference: 2024/0478/TP

Date Registered: 26th September 2024

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 258345/:652521

Applicant/Agent:

Applicant:

G Strang & Son

Mains Farm

Eaglesham

Renfrewshire

Scotland

G76 0NX

Agent:

Agri Design

113 Mary Morrison Drive

Mauchline

KA5 6AR

Proposal: Agricultural slurry tower with associated access road

Location: Land to the south of East Kilbride Road (B764)

Eaglesham

East Renfrewshire

G76 0NT



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## CONSULTATIONS/COMMENTS:

East Renfrewshire Council Environmental Health Service

No objections to the proposal. Advises there is potential for odour to impact neighbouring residential properties if storage of slurry is not controlled and recommends that an odour control and management plan be submitted.

East Renfrewshire Council Roads Service

No objection subject to conditions. Recommends conditions relating to: wheel washing during construction; visibility splays at the junction of the access road with the B764 East Kilbride Road; measures to intercept surface water run-off from discharging onto the B764 East Kilbride Road; and site traffic to/from the slurry tank installation must be able to enter the facility and turn and exit in forward gear.

**PUBLICITY:** None.

**SITE NOTICES:** None.

**SITE HISTORY:** None

**REPRESENTATIONS:** 12 objections have been received and can be summarised as follows:

- Odour and air quality
- Environmental concerns in terms of potential run-off and pollution
- Noise
- Impact on property value
- Proximity to residential areas
- Traffic and access issues during construction and maintenance of a slurry tower may involve increased heavy traffic through the local area, particularly involving large agricultural vehicles. This could create noise pollution, increase the wear and tear on local roads, and pose potential safety risks for pedestrians and cyclists, especially on what is already a busy road
- Increase in traffic
- Less intrusive and more environmentally friendly solutions should be explored
- Contrary to Policy D3
- Impact on wildlife

## 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 Statement - Outlines the proposal for a slurry storage tower, considering various site constraints and the benefits of the proposed development.

## **ASSESSMENT:**

This is a local development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The application has to be determined by the Planning Application Committee as more than 10 objections have been received.

### **Site location**

The application site is located in the Green Belt and towards the corner of a field on the south side of the B764 East Kilbride Road. There are residential properties at North Kirklands opposite the site on the north side of the B764. The steading at Mains Farm itself is located approximately 0.74km to the south of the application site.

There is a gentle slope across the field in a general west to east direction. The Polnoon Water and the White Cart Flood Prevention Scheme is to the east of the application site.

### **Proposed development**

Permission is sought for a circular slurry tower which is to be 6m at its closet point to the B764 East Kilbride Road. The tower is to have a diameter of approximately 33m. The walls of the tower are to be approximately 7m high and the tower is designed to have a roof to keep out rainwater which is shown on the submitted drawings as being 11.99m at its highest point above ground level.

The tower is to be constructed of glass fused to steel panels and the submitted drawings indicate the colour is to be either Cobalt Blue or Grey Olive.

The tower is to incorporate an operator's platform positioned on the east side of the tower towards the top of the wall.

Alterations to ground levels are to be carried out to form a level development platform involving digging down by approximately 0.5m.

An associated access road is to be formed off the existing track/road at the east side of the field leading up to the slurry tower. The proposed access road is to be approximately 22m long.

It is indicated by the applicant the proposed development is to comply with environmental regulations and improve the efficiency of the farm in managing slurry. The slurry tower is to reduce the need to spread slurry throughout the year and preventing the farm from wasting the nutrient potential of the slurry. By reducing the time and effort involved in slurry spreading, the applicant will decrease environmental disruption and comply more effectively with SEPA regulations as well as reducing the use of and dependence on chemical fertiliser.

It has also been indicated the proposed site has been chosen because of various constraints and technical requirements. In particular it is indicated by the applicant:

- The farm is located within a floodplain, which is part of the White Cart Water Flood Prevention Scheme. This significantly limits the available space for construction, as the floodplain restricts development opportunities. The site must be located at least 10m away from all watercourses and surface water.
- A flood wall has been built around the farm as part of the White Cart Water Flood Prevention Scheme, limiting expansion at the existing farm steading.
- Ideally slurry storage should be located 400m away from residential properties. However, due to the limited land and the constraints imposed by the floodplain, suitable land to meet this distance does not exist within the applicant's ownership.

- The slurry storage must be located at least 10m from a watercourse to comply with SEPA guidelines. The site must also avoid proximity to power lines for safety reasons.
- Existing slurry tanks are located at the farm steading, and a new tank should be located on the other side of the Polnoon Water to avoid pumping slurry across it when spreading to reduce the risk of environmental contamination.
- The slurry storage facility must be built on land owned by the applicant.
- The land is suitable for constructing the slurry tower, with relatively flat areas that meet the design and structural requirements for the tank.
- The site is located away from any overhead power lines or underground services.

It has been indicated that a slurry lagoon was initially considered, which would have been a cost-effective solution as well as minimising the visual impact by placing it lower in the landscape. However, after initial site investigations this option was discounted as potential locations were found to have shallow rock levels, making a lagoon unfeasible. The reason for this is that the banks of the lagoon would have to be constructed from imported fill, raised above the existing ground level, resulting in a large and imposing structure that would not be cost-effective nor blend with the landscape.

It has been indicated the remaining option is a slurry tower. While more costly, it has a smaller footprint which reduces the amount of rainfall collected and therefore the overall storage requirements on site. It is sited close to the existing farm track to avoid more land being given over to the construction of additional long tracks.

With regard to the proposed slurry tower it is indicated it will store the farm's slurry for a 22-week legal requirement, with the proposed tower capable of storing 26 weeks as required by Scottish Government grant approval. The additional storage capacity allows for more flexibility in the timing of slurry application, enabling it to be spread during the best times of year for nutrient uptake. The tower is to have a minimum design life of 20 years.

The proposed tower is to streamline the slurry spreading process, reducing the time spent transporting and spreading slurry each year. The tower will be filled with an umbilical pipe from the slurry storage tanks at the existing farm and the pumping can be done in stages over the winter months. The slurry pipe will be connected to a low level inlet pipe on the tower reducing the disturbance of the surface crust and therefore reduces odours during the transfer of slurry. This pumping to fill the tank is to comply with the odour management plan. The spreading will also accord with the odour management plan. Pumping avoids the need to transport slurry via the roads and is the most efficient odour free way to transport slurry. No additional vehicle movement would be required onto the main road.

It has been indicated by the applicant an odour management plan will be implemented to mitigate the impact of odour on-site. It is indicated the tower itself will emit minimal odour, unless disturbed (eg during mixing, filling, or emptying). It is proposed the tower will be filled approximately every two months during the six-month cattle housing period. Mixing and emptying will take place during the grass-growing season. Slurry spreading is likely to occur in the spring and possibly after the first and second cuts of silage.

### **Policy context**

The application is required 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 5 (Soils); Policy 8 (Green belts); Policy 14 (Design, quality and place); Policy 22

(Flood risk and water management); Policy 23 (Health and safety); and Policy 29 (Rural development).

Policy 1 states that when considering all development proposals, significant weight will be given to the global climate and nature crises.

Policy 5 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 8 seeks to encourage, promote and facilitate compact urban growth and use the land around towns and cities sustainably. It provides categories of development that will be supported in the rural area, including development associated with agriculture.

Policy 14 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 22 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 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 29 indicates development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported. Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

#### 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: Policy D1: Placemaking and Design; Policy D3: Green Belt and Countryside around Towns; Policy D8: Sustainable Transport Networks; Policy D9: Access; Policy D10: Transport Impact; Policy E4: Protecting Soil Quality; 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 D8 indicates the Council will support the development of a sustainable and integrated network which strengthens connectivity to the wider region and beyond.

Policy D9 indicates 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.

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

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.

## **Determining Issues**

### **Need for and principle of the development**

The proposed slurry tank is associated with operations at this farm and the need for the development as explained by the applicant is noted.

The site lies within the green belt and must therefore be considered in the first instance with regard to Policy 8 of NPF4 and Policy D3 of LDP2.

Policy 8(a) of NPF4 indicates support for development proposals within a green belt if they are for development associated with agriculture, as does Policy D3 of LDP2. The principle of the proposed slurry tank can be also considered to accord with Policy 29(a) of NPF4 as being essential infrastructure associated with the existing farm.

Policy 8 of NPF4 goes on to indicate that the proposal is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible as well as there being no significant long-term impacts on the environmental quality of the green belt. Policy D3 of LDP2 similarly indicates that proposals are required to demonstrate they are appropriate in terms of scale, size, design, layout and materials and compatible with adjoining and neighbouring uses as well as there being no significant adverse impacts on the amenity of the surrounding rural area. These matters will be considered in more detail below under the "Visual impact" heading.

### **Locational requirements**

In terms of site-specific requirements, the applicant has set out the various constraints and technical requirements in the submitted Planning Statement. The extent of the ownership of the farm has been confirmed by the applicant and the proposed slurry tank is within the farm ownership. The location of the proposed tank is outwith the area at potential risk from flooding identified on the maps produced by SEPA. It should be noted the area at risk of flooding at the farm covers an extensive area adjacent to the Polnoon Water/White Cart Flood Prevention Scheme, parts of the field where the application site is and including where the farm steading itself is located.

The applicant's agent has indicated the proposed slurry tank is not being positioned closer to the farm steading itself in the fields to the south-east of the steading as this is the only area of land that would be suitable for future expansion of the farm steading. This is because any proposed sheds cannot be built on the flood plain and generally need to be next to the existing sheds for handling, feeding and animal welfare. It has been indicated slurry however can be pumped and stored further from the steading. It has also been indicated if the slurry storage was located to the south-east of the steading it would have to be pumped up to the applicant's land for spreading and as this is uphill the pumps would not be able to deliver the same flow rate so spreading would take longer.

### **Visual impact**

With regard to Policy 8 of NPF4 and Policy D3 the appearance of the proposed slurry tank is considered to be typical for this type of structure and normally expected in a countryside location. That being said the proposed slurry tank is away from the actual farm steading and it would not be readily evident of being associated with the steading.



The Scottish Government's Planning Advice Note 39 on Farm and Forestry Buildings (PAN 39) advises the operational requirements of farming are a major consideration and will often predetermine the general location, and in some cases the particular site and form, of a new building. In particular the advice is slurry tanks should be placed down-wind and away from housing but other functional considerations such as the need to be close to livestock buildings and the need to avoid pollution of water courses will influence the siting. PAN 39 advises on siting and design of new buildings and that there are some general principles of good practice governing siting that can help to ensure that a new building is integrated with its immediate surroundings and the general landscape setting. The advice indicates that subject to operational requirements, the impact of a new building can be reduced by locating it near existing development. The location of the proposed slurry tank is at variance with this part of the advice however as outlined above there are constraints and technical requirements that have influenced the proposed location.

On the approaches to the site along East Kilbride Road from Eaglesham the proposed slurry tank will be most evident in close proximity to it. This is not unusual for a development of this size and scale. When viewed from this direction there are electricity pylons traversing the landscape further to the north-east as well as an agricultural shed beyond Kirkland Bridge. Beyond this agricultural shed the land rises up and houses located in Jackton are positioned towards the top of the slope. These structures/buildings and the rising landform act as a backdrop to the proposed slurry tank when viewed from this direction.

When viewed on the approaches to the application site from the opposite direction the proposed slurry tank will become evident in the area around Kirkland Bridge. The proposed slurry tank will again be most evident in close proximity to it. The landform behind the proposal again rises up towards Eaglesham and acts as a general backdrop to the proposal.

When considering the above factors combined with the overall height and size of the proposal, it is not considered to have a significant visual impact on the overall landscape character. The colours indicated to be used on the tank will assist in lessening the visual impact. The final choice of colour can be addressed by a planning condition should planning permission be granted.

### Road safety

East Kilbride Road is identified as a Core Path and a Strategic Cycle Route under Policies D8.1 and D8.3 respectively of LDP2. The proposed development does not access directly from East Kilbride Road rather the existing access track off East Kilbride Road is to be used. The amount of traffic movements associated with the slurry tank is not considered to be significant. The proposal is therefore not considered to have significant implications for Policy D8 nor Policy D9 of LDP2.

The Council's Roads Service has no objection to the proposal subject to conditions relating to visibility and surface water run-off nor has not raised any concerns regarding the impact of the proposal on the roads network. These can be addressed by conditions in order to comply with the terms of Policy D10 of LDP2. The recommended condition in respect of wheel washing during the construction phase can also be included if this application is approved.

### Flooding

As indicated above the application site is out with the area identified on SEPA's Future Flood maps as being at risk from flooding. The proposal therefore does not have any significant implications for Policy 22 of NPF4 and Policy E7 of LDP2.

### Impact on soils

The application site is part of an existing farm and the proposal is directly associated with the farming operations.

The agricultural land classification of the application site is Class 4.1 which is "land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal". This is not considered to be prime agricultural land (defined as Classes 1, 2 and 3.1)

The proposal is therefore not considered to have a significant impact on soils at this part of the farm nor is located on peatland or carbon rich soils.

The proposal is not considered to have significant implications for Policy 5 of NPF4 nor for Policy E4 of LDP2.

### Health and safety

Policy 23 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 has no objections to the proposal subject to conditions regarding an odour control and management plan. This can be addressed by a planning condition should planning permission be granted with any agreed mitigation measures being fully implemented in order to ensure there is not a significant risk to public health.

In addition, the advice from SEPA for agricultural developments involving the storage and handling of slurry must be designed and operated in accordance with The Water Environment (Controlled Activities) (Scotland) Regulations 2011). The advice indicates SEPA will address all matters relating to regulation when the appropriate regulatory application is made to them.

### Representations

With regard to the representations that have not already been addressed above the following comments are made.

The proposal is not considered to result in increased noise bearing in mind the site is adjacent to an existing road.

The impact on property values is not a material planning consideration.

Construction traffic and operational traffic is not considered to be significant. The Council's Roads Service has not raised any objections to the proposal in terms of the impact on the roads network.

The site is located towards the corner of an existing agricultural field and is not covered by any natural heritage designations and has limited biodiversity value. The proposal is therefore not considered to impact on wildlife.

### Conclusion

It is acknowledged the proposed slurry tank will have an impact primarily because it is adjacent to a road rather than being at another part of the farm, for example adjacent the existing farm steading. It would be preferable for the proposed tank to be located elsewhere on the farm however there are constraints and technical requirements that have led to the proposed location of the tank. There are agricultural structures nearby which are also visible from the road. The proposed tank is not considered to have a significant visual impact on the land scape character/green belt and is acceptable when considered against the relevant policies of the Development Plan

**PLANNING OBLIGATIONS:** None.

**RECOMMENDATION:** Approve subject to conditions.

### **CONDITION(S):**

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. Development shall not commence until details of the colour to be used on the exterior of the slurry tank, including the colour on the roof, have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. Development shall not commence until an odour control and management plan has been submitted to and approved in writing by the Planning Authority. Following approval the odour control and management measures shall be fully implemented for the duration of the slurry tank and its operations at this location.

Reason: In the interests of public health.

4. 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 during construction of the tank. 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 B764 East Kilbride Road.

5. For the avoidance of doubt visibility splays of 2.5m x 215m x 1.05m shall be provided at the junction of the access road with the B764 East Kilbride Road.

Reason: In the interests of roads safety.

6. Development shall not commence until details/measures to intercept surface water run-off from the site discharging onto the B764 East Kilbride Road have been submitted to and approved in writing by the Planning Authority. Following approval the measures shall be fully implemented on site and maintained for the duration of the development.

Reason: In the interests of roads safety.

7. For the avoidance of doubt site traffic to/from the slurry tank installation must be able to enter the facility and turn and exit in forward gear. Development shall not commence until details/measures to demonstrate this have been submitted to and approved in writing by the Planning Authority.

Reason: In the interests of roads safety.

**ADDITIONAL NOTES:** None.

**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 Sean McDaid on 0141 577 3001.

Ref. No.: 2024/0478/TP  
(SEMC)

DATE: 30th January 2025  
**DIRECTOR OF ENVIRONMENT**



# REPORT OF HANDLING

Reference: 2024/0502/TP

Date Registered: 18th October 2024

Application Type: Full Planning Permission

This application is a Major Development

Ward: 3 -Giffnock And Thornliebank

Co-ordinates: 255603/:658598

Applicant/Agent:

Applicant:

East Renfrewshire Council

Eastwood Park HQ

1 Rouken Glen Road

Giffnock

G46 6UG

Agent:

David Campbell

Tay House

300 Bath Street

Glasgow

Scotland

G2 4LH

Proposal:

Demolition of existing building and erection of new building to house leisure centre, theatre, local event and learning space with landscaping, parking and associated works

Location:

Eastwood Park

Rouken Glen Road

Giffnock

East Renfrewshire



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**CONSULTATIONS/COMMENTS:**

West of Scotland Archaeology Service	No objection subject to conditions
Scottish Water	No objection. Scottish Water nevertheless state that their separate consent is required before the applicant can connect to the public water supply and drainage system.
East Renfrewshire Council Environmental Health Service	No objection subject to conditions.
East Renfrewshire Council Roads Service	No objections subject to conditions.
Theatres Trust	Supports the grant of planning permission.
MSP	Commented in support of the application - There is a need for a new leisure centre and theatre; capacity of existing building does not meet demand; complies with local and national policies; and safeguards greenspace.

**PUBLICITY**

22.01.2025                      Glasgow Times                      Expiry date 12.02.2025

**SITE NOTICES:**

Setting of Listed Building      Date posted 22.01.2025      Expiry date 12.02.2025

**SITE HISTORY:**

2001/0018/LB	Formation of 3 disabled access ramps	Approved Subject to Conditions	19.02.2002
2014/0319/TP	Siting of storage container	Approved Subject to Conditions	18.07.2014
2018/0709/TP	Erection of family centre with plant room, bin store and cycle/pram shelter and formation of car parking areas	Approved Subject to Conditions	18.03.2019
2021/0694/TP	Proposed leisure centre, theatre, library, cultural facilities and ancillary	Approved Subject to Conditions	19.01.2022

spaces with associated  
parking and landscaping  
works including  
demolition of existing  
leisure centre and  
theatre building

**REPRESENTATIONS:** Two representations have been received; one indicating an objection to the proposal and one indicating support. Representations can be summarised as follows:

Unsafe and inadequate access  
Disruption to school pupils during the construction phase  
Safety issues affecting pupils and other pedestrians during the construction phase  
Suggests a condition requiring the use of a temporary construction access during the construction phase  
Inadequate parking provision  
Impact on the amenity of Eastwood Park  
Contrary to the terms of the development plan  
Defective consultation process  
A memorandum of understanding is proposed to outline how the school and its pupils could benefit from the proposals

Development offers opportunities for young people at St Ninian's High School

#### **DEVELOPMENT PLAN:**

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:**

Arboricultural Impact Assessment – Assesses the characteristics of the tree cover within the site and determines the constraints posed by existing trees and provides the results of a tree survey undertaken on the site. Indicates that the majority of the trees within the application site are in adequate physical condition although some specimens exhibit signs of disease or decay, including ash die back and the presence other pathogenic fungi. Outlines tree protection measures to protect retained trees during and after the construction phase. Identifies 6 category U trees within the application site that require removal due to their health and condition. In terms of canopy loss, the Assessment identifies that 7 trees and a single group of trees are required to be removed to accommodate the demolition of the existing buildings and for the construction of the new car-park; 5 trees are required to be removed to accommodate the new building; 2 trees are required to be removed to accommodate the drainage swale; and 6 trees are removed to accommodate the service yard and the realignment of Eastwood Park Avenue.

Biodiversity Enhancement Strategy – Describes the proposed biodiversity enhancement measures, including: planting for pollinators; flowering lawn provision; native wildflower meadow provision; new tree planting (a total of 62 trees consisting of a mix of nine native species); shrub planting; provision of SUDS basins; and the provision of artificial homes for nature. Indicates that an overall positive effect on biodiversity will be delivered.

Design and Access Statement – Provides description and appraisal of the site, its context and the proposed development, including its accessibility and sustainability. Indicates the proposal will be a positive addition to the park, with improvements to amenity and accessibility.



Drainage Strategy Report – Outlines the surface and foul water drainage proposals for the proposed leisure centre and theatre. Indicates that surface water will be directed to the proposed SUDS to discharge into the Auldhouse Burn. The run-off rate will be limited to 18.4l/s. The foul drainage will connect to the existing Scottish Water combined sewer to the north of the site.

Energy and Sustainability Statement – Sets out the policies and guideline to which the proposal will adhere in order to meet Scotland's net zero target and sets out a strategy to achieve this. Concludes that the design of the development will help ensure that the development aligns with sustainable building practices and the necessary regulatory requirements.

Flood Risk Assessment – Refreshes the previous Flood Risk Assessment that was prepared to support the previous application on the site, 2021/0692/TP. Concludes that there is an existing access/egress issue at the existing development due to fluvial flooding from the Eastwood Burn out with the site. It also notes that there are surface water flow paths through the site but that those are not predicted to impede access or egress. The Flood Risk Assessment also states that the proposal will result in an increase in the functional flood plain with the site boundary and that it will have a minor flood benefit to the St Ninian's High School car-park. The results of the flood risk assessment show that the proposal is not at risk of flooding for the 0.5% AEP event plus climate change and that there are no significant wider flood risk impacts as a result of the development.

Ground Investigation Report – Reports on a ground investigation that was undertaken to determine the ground conditions and to obtain geotechnical information, together with a contamination risk assessment and a review of gas emissions. Indicates that no pollutant linkages have been identified with regard to human health or controlled waters. States that the proposed development is considered likely to require the installation of gas protection measures due to the presence of carbon dioxide in the east of the site.

Noise Impact Assessment – Assesses the impact of the proposal on surrounding buildings and to determine the acoustic design requirements of the building. Concludes that acoustic modelling has indicated that there will be no adverse impact at the nearest noise sensitive receptors.

Preliminary Ecological Appraisal – Provides a preliminary ecological appraisal of the proposal, including a Phase 1 habitat survey. Makes recommendations on pre-construction surveys, external lighting design, tree protection and biodiversity enhancement measures.

Transport Assessment – Provides a site-wide transport assessment for Eastwood Park. Indicates the proposal will generate a small uplift in both traffic and parking demand. States that the additional traffic demand can be accommodated by the existing light-controlled junction at Rouken Glen Road without modification and that the small increase in parking demand can be accommodated by the proposed increase in parking provision and the headroom in the adjacent parking.

Planning Statement – Provides a description of the application site and the proposal and an assessment against planning policy. Concludes that the proposal contributes towards the spatial principles of NPF4 and more specifically, the requirements of the relevant policies in NPF4. It also indicates that the proposal aligns with the vision, spatial strategy and policies of LDP2.

## **ASSESSMENT:**

This is a major development 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 the existing Eastwood Park Leisure Centre and Theatre; associated car-parks; and an area of parkland to the south, west and north-west of the existing leisure centre and theatre buildings. The parkland is characterised by open grass with mature trees standing individually and in established groups.

The site lies within the wider Eastwood Park which comprises areas of woodland as well a number of community uses including the leisure centre and theatre subject to this application; the East Renfrewshire Council Headquarters; St Ninian's High School and its playing fields; Eastwood House, which is a category C listed building; the Glenwood Family Centre; and the Eastwood Dementia Centre. The park also has a number of recreational walking routes and areas of open space. A core path passes through the park, out with the application site.

Vehicular access to Eastwood Park and to the application site is via a light-controlled junction on Rouken Glen Road to the south. There are further pedestrian and cycle accesses from Eastwood Toll, Berryhill Road and Woodfarm Road.

The site lies within the general urban area as defined within the adopted East Renfrewshire Local Development Plan 2 (LDP2) and is identified as part of the green network and as urban greenspace within that plan. The site is also covered by the Eastwood Park Tree Preservation Order. The Eastwood Park Local Biodiversity Sites lie to the north, south and west of the application site. Schedule 8 of LDP2 identifies the wider Eastwood Park for improved leisure centre and facilities and for the remodelling of wider park uses.

## PROPOSAL

Planning permission is sought for the erection of a building to house a replacement leisure centre and theatre with the demolition of the existing leisure centre and theatre buildings. The proposal includes the provision of 45 new car-parking spaces, including 6 accessible spaces, along with the retention of the existing 26 car-parking spaces to the front of the existing buildings; landscaping; and the provision of a service yard and ancillary buildings. A re-alignment is proposed to Eastwood Park Avenue to allow entry to the proposed service yard. This re-alignment will result in the loss of 35 existing car-parking spaces in the vicinity of Eastwood House.

The applicant has indicated that 31 trees will be removed to accommodate the proposed development, including significant parkland specimens and portions of ancient and native woodland. Of those trees, 25 are category A, B and C and 6 are category U. The six category U trees, whilst located within the application site, are generally located away from the immediate footprint of the development. They are poor quality and their felling would be required as part of the general management of the trees within the park. Five trees are proposed to be removed to accommodate the footprint of the building, with the remainder removed to accommodate the realignment of Eastwood Park Avenue; the provision of a footpath link and a drainage swale along the frontage of the building; and the provision of the service yard.

The applicant has indicated that the existing building will be removed following completion of the proposed building.

### Proposed building

The proposed leisure centre and theatre building stands to the north-west of the existing building, clear of the existing footprint, on open space currently laid out as parkland. It stands approximately 40 metres to the north and north-west of Eastwood House. It is proposed to be two storeys high plus a fly tower above the theatre stage. It stands 11.5 metres high at the front facade, dropping to approximately 9.6 metres high to the rear of the facade. The fly tower, the highest part of the building, stands 14.8 metres high in total. For context, the highest part of the proposed building is lower than the highest part of Eastwood House which stands approximately 19 metres high. The proposed building measures approximately 118.5 metres by 44 metres and has an approximate footprint of 5214 square metres.

It is proposed to be of a flat-roofed design with a continuous facade and a single entrance point on the front elevation. The continuous facade is punctuated by recessed window openings and a double height recessed entrance feature in contrasting material.

The building is proposed to be externally clad in mineral composite rainscreen cladding to the front elevation. The east elevation, facing towards the location of the existing buildings is

proposed to be clad in standing seam metal cladding. The west and north (rear) elevations are proposed to be externally clad in metal rainscreen cladding. Brick base courses are also proposed on the side and rear elevations.

### Outdoor space

The proposal includes the provision of designed outdoor space through the provision of hard and soft landscaping. A landscaped area immediately to the east of the proposed building is proposed, generally on the footprint of the existing leisure centre and theatre. This comprises alternating areas of long and mown flowering meadows, 45 new trees, native shrub planting, SUDS ponds, a number of retained trees and footpaths. A small area of native wildflower meadow is proposed to the west of the proposed building, comprising eight new trees and native shrub planting. A paved area is proposed to the front of the building with a landscaped swale adjacent to the existing parkland. A total of 62 new trees are proposed to be planted within the application site.

### Leisure centre uses

The proposed leisure centre includes an eight-lane, 25 metre swimming pool; a smaller 17 metre training pool; a four-court games hall; changing facilities; fitness and spin studios; a cafe area; plant rooms; and management suites.

### Theatre

The theatre, occupying the eastern-most part of the building, includes a 364-seat auditorium and stage; a smaller studio theatre; bar and lounge areas; and equipment and technical spaces; dressing rooms; and office.

### Previous proposal

Planning permission 2021/0694/TP for the erection of a leisure centre, theatre, library, cultural facilities and ancillary spaces with associated parking and landscaping works including demolition of existing leisure centre and theatre building was granted on the site, subject to conditions on 19th January 2022. This permission was not implemented. The current scheme is smaller in footprint relative to the consented proposals and includes only the leisure centre and theatre. The current building is also located slightly further from Eastwood House.

## DEVELOPMENT PLAN POLICY

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, as well as any other material considerations.

The policies most relevant to this proposal in National Planning Framework 4 (NPF4) are Policy 1 (Tackling the climate and nature crises); Policy 2 (Climate mitigation and adaptation); Policy 3 (Biodiversity); Policy 4 (Natural places); Policy 6 (Forestry, woodland and trees); Policy 7 (Historic assets and places); Policy 13 (Sustainable transport); Policy 14 (Design, quality and place); Policy 15 (Local living and 20 minute neighbourhoods); Policy 20 (Blue and green infrastructure); Policy 21 (Play, recreation and sport); Policy 22 (Flood risk and water management); Policy 27 (City, town, local and commercial centres); and Policy 31 (Culture and creativity).

The policies most relevant to the proposal in the adopted East Renfrewshire Local Development Plan 2 (LDP2) are: Strategic Policy 1: Development Strategy; Policy D1: Placemaking and Design; Policy D2: General Urban Areas; Policy D4: Green Networks and Infrastructure; Policy D5: Protection of Urban Greenspace; D7: Natural Environmental Features; Policy D9: Access; Policy D12: Community and Education Facilities and Infrastructure; Policy D14: Protection of the Built Environment; Policy D15: Listed Buildings; Policy SG9: Tourism and the Visitor Economy; Policy SG10: Town and Neighbourhood Centre Uses; Policy E1: Sustainable Design; Policy E7: Flooding; and Policy E8: Water Management.

The texts of those policies can be read at the links above.

The East Renfrewshire Council Planning Guidance: Green Network, June 2023 is also relevant and provides further information and advice on the green network and urban greenspace.

## DETAILED CONSIDERATION

Having regard to the site and its surroundings; the proposed development; the applicant's supporting statements; and the development plan, it is considered that the determining issues in this case are: the principle of the development at this location; the impact of the proposal on the trees and landscape within Eastwood Park; the impact of the proposal on biodiversity; design, heritage and amenity; potential for flooding; and public road safety.

### Principle of the development

It is noted that the site lies within the general urban area as defined within the adopted LDP2; and within an area that is highly accessible via a variety of transport modes. It is located in close proximity to bus routes on Eastwoodmains Road and Fenwick Road and within walking distance of Whitecraigs and Giffnock railway stations. There is also direct access to the wider Eastwood Park via footpath links from the adjacent residential areas of Thornliebank, Giffnock and Whitecraigs. In this regard, the site is considered to be highly sustainable and the proposal raises no significant conflict with Policies 1 (Tackling the climate and nature crises); 2 (Climate mitigation and adaptation); 13 (Sustainable transport); and 15 (Local living and 20 minute neighbourhoods) of NPF4.

The proposal is considered to be a leisure and cultural/community use that would generate significant footfall given its scale. The site is not located within a town or neighbourhood centre.

Policy 27 (City, town, local and commercial centres) of NPF4 states that proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces:

- i. will be supported in existing city, town and local centres, and
- ii. will not be supported outwith those centres unless a town centre first assessment demonstrates that:

all centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable;  
the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre; and  
the impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres.

Policy SG10 of LDP2 provides that the network of town and neighbourhood centres as defined within LDP2 are the preferred locations for significant footfall generating uses, including leisure, community and cultural facilities. It goes on to state that a "town centre first" approach will be applied to proposals that will attract significant footfall and provides a list of criteria against which proposals will be assessed.

Notwithstanding that the adopted LDP2 provides explicit support for the development of improved leisure facilities, it remains necessary to consider the proposals against the requirements of Policy 27 (City, town, local and commercial centres) part b) ii. of NPF4 and the tests that are established for a town centre first assessment. In this regard, the applicant's agent has submitted a supplementary planning statement to address the tests set out in Policy 27:

- The most proximate centre to the application site is Giffnock Town Centre as defined within the adopted LDP2. There are no sites within the Giffnock town centre or within the edge of the town centre that could accommodate a development of the scale proposed.
- The proposal is for a new building to replace an existing leisure centre and theatre that is immediately adjacent, with the objective of providing an improved leisure and cultural offer. To achieve these objectives, the scale of the development cannot be further reduced.
- The principal element of the proposal is a leisure centre and theatre, which are already in place in Eastwood Park. As these uses are not in place in Giffnock Town Centre, there will be no impact on the viability or vitality of Giffnock or any other centre.
- As the proposed uses (leisure centre and theatre) are not present in the closest centre, it is not considered that there will be any impact on the network of centres.
- As noted, the proposal is for the re-provision of existing leisure and cultural facilities that are already in place in Eastwood Park and which are not available in Giffnock Town Centre. There will therefore be no displacement of jobs in the town centre.
- The applicant is East Renfrewshire Council and is committed to supporting local businesses.
- Again, the proposal is to replace an existing leisure centre and theatre within Eastwood Park. There would therefore be no significant net increase in goods and visitors travelling to the location.

Given the fore-going, the proposal is therefore considered to raise no significant conflict with Policy 27 (City, town, local and commercial centres) of NPF4; or Strategic Policy 1 and Policy SG10: Town and Neighbourhood Centre Uses of LDP2.

The principle of the proposed development is therefore considered to be acceptable at this location.

#### The impact of the proposal on the trees and landscape within Eastwood Park

With the exception of the footprint of the existing leisure centre and theatre building and the existing car-park, the application site forms part of the green network as defined within the adopted LDP2 and as protected urban greenspace.

Policy 20 (Blue and green infrastructure) of NPF4 states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained.

Policy D4: Green Networks and Infrastructure of LDP2 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.

Policy D5: Protection of Urban Greenspace of LDP2 states that the Council will protect and support a diverse and multi-functional network of urban greenspace. It goes on to state that:

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

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

The proposed building will be positioned generally on an area of open space consisting of amenity grass and interspersed with some trees. Whilst it is noted that this land can be used informally for recreational purposes, it is considered that the proposed development will result in an overall improvement of the recreational function of Eastwood Park, through the provision of enhanced leisure and cultural facilities. It is further noted that the site of the proposed building has a modified parkland character with maintained grass rather than a more biodiverse, woodland character found elsewhere within Eastwood Park. Further, as noted above, the footprint of the existing leisure centre/theatre building is proposed to be landscaped with flowering meadow planting, new trees and SUDS ponds, creating a more biodiverse area of open space with options for informal recreational use.

It is therefore considered that the high quality, recreation-led development, along with the proposed mitigation measures, ensures that the loss of part of the green network and urban greenspace is not significant. Whilst tree loss and biodiversity will be discussed further below, it is considered that the proposal raises no significant impact with Policy 20 (Blue and green infrastructure) of NPF4; or with Policy 4: Green Networks and Infrastructure and Policy 5: Protection of Urban Greenspace of LDP2.

As noted, 31 trees are proposed to be removed from the site, whilst a total of 62 new trees are proposed to be planted. Whilst this represents a net gain in tree cover, the trees proposed to be removed include a number of significant parkland specimens and portions of ancient and native woodland.

Policy 6 (Forestry, woodland and trees) of NPF4 states that development proposals that enhance, expand and improve woodland and tree cover will be supported, although it also states that development will not be supported where it will result in adverse impact on native woodlands or individual trees of high biodiversity value. Policy D7: Natural Environmental Features of LDP2 states that the loss of trees covered by a Tree Preservation Order will not be supported.

The applicant has submitted an Arboricultural Impact Assessment including tree protection proposals with the application. This demonstrates that although the proposals involve the loss of a number of trees, the extent and nature of those removals will not compromise the overall integrity of the Tree Preservation Order or the overall tree resource that is in place across the application site and the wider Eastwood Park. The landscaping proposals include new tree planting and tree protection measures that will be put in place to protect retained trees in proximity to the development. With those measures in place, there will be an overall net increase in trees across the application site and with appropriate ongoing management the overall quality and integrity of the tree resource will be enhanced.

As previously noted, the proposal is for enhanced leisure and cultural facilities in an enhanced parkland setting. As such, the proposal is considered to be compatible with the overall use of the park as a recreational space and that substantial benefits will accrue from this development. The proposal would not unduly compromise the character or amenity of the wider Eastwood Park

It is also noted that planning permission 2021/0694/TP, granted on 19th January 2022, for the erection of a larger leisure centre/theatre/community building, proposed the removal of 42 trees.

The current proposal is therefore considered to raise no significant conflict with Policy 6 (Forestry, woodland and trees) of NPF4.

## Biodiversity

The applicant has submitted a Preliminary Ecological Appraisal with the application. This indicates that there is one statutory designated site within 2 km of the applications site, this being the Rouken Glen SSSI, located approximately 700m to the south-west. Additionally, there are 41 non-statutory designated sites within 2 km of the site. The closest of those are the woodland local biodiversity sites that lie within Eastwood Park, but out with the application site. It further indicates that the site consists of semi-natural mixed woodland, parkland trees, amenity grassland with buildings and hardstanding also present. It states the baseline conditions of the habitats is poor to moderate, largely due to the current management of the grassland and scattered trees. It nevertheless notes that veteran trees are present that may provide an important habitat for biodiversity.

The Preliminary Ecological Appraisal recommends that pre-construction surveys are carried out no more than three months prior to the commencement of work. This includes a pre-construction bat survey and mammal survey and can be secured by condition should planning permission be granted.

It makes further recommendations on lighting to ensure that the artificial lighting within the development does not adversely affect foraging or commuting bats. A condition requiring the submission and approval of a lighting design to accord with the recommendations of the Preliminary Ecological Appraisal can be attached to any planning permission granted.

The applicant has also submitted a Biodiversity Enhancement Strategy in support of the application. This sets out the biodiversity enhancement measures for the site, viz: planting for pollinators; flowering lawns; native wildflower meadows; tree planting consisting of a mix of nine native species; native shrub planting; SUDS basins consisting of standing water and flowering lawn embankments; and the provision of five bird nest boxes, three bat boxes and six log piles, scattered across the site to support birds, bats, insects and amphibians.

Should the planning permission be granted, appropriate conditions can be attached to the permission to ensure the provision of these enhancement measures.

Given the above, the proposal is considered to be consistent with the aims of Policy 3 (Biodiversity) of NPF4 and Policy D7: Natural Environmental Features of LDP2.

Given the proposed enhancement measures and the separation of the application site from the Local Biodiversity Sites within Eastwood Park, it is not considered that the proposal will have a significant impact on those sites or raise significant conflict with Policy 4 (Natural places) of NPF4.

## Design, heritage and amenity

In terms of design, heritage and amenity, the principal matters to be considered are the impact on the character and setting of the category C listed Eastwood House.

The wider Eastwood Park, which provided the original parkland setting for Eastwood House, has been heavily modified through the latter part of the 20th century. In particular, the eastern portion of the park has been given over to a mixed use development of offices; a high school; and community buildings, including the existing leisure centre and theatre, with large areas of car-parking and access roads. The area to the west of the existing leisure centre and theatre, towards Eastwood House is characterised by a more open parkland setting. The proposed development will extend the developed area into this parkland setting in proximity to Eastwood House. Whilst this will result in the loss of open space, it has been noted above that the footprint of the existing leisure centre and theatre buildings will be replaced with a more biodiverse area of open space suitable for informal recreation. Further, a substantial landscaped area of open space will be retained to the south of the building providing a buffer between the proposed building and Eastwood House. It is also noted that the current proposal is located further from Eastwood House than the previous proposal approved under planning permission 2021/0694/TP. It is

considered that this area of landscaped open space will improve the overall setting of Eastwood House.

Whilst the proposed building has a large footprint, the overall height of the building does not exceed that of Eastwood House. Particularly, the highest part of the facade of the building, which will be the part of the building mostly read in conjunction with Eastwood House, is significantly lower than Eastwood House, being level with a point between the upper and lower eaves of the listed building. The proposed building also occupies lower ground which further reduces its impact on Eastwood House.

The proposed building is characterised by its simple facade with horizontal emphasis, which contrasts with the vertical emphasis and steep gables and turret features of Eastwood House.

Taken together, these ensure that, despite its smaller footprint, Eastwood House remains the dominant feature in this part of Eastwood Park and that the proposed building does not dominate or detract from its character or setting.

Further the proposed building is considered to be acceptable in appearance and is in keeping with the generally mixed designs of the other, more modern buildings with the park.

The proposal is therefore considered to be compliant with Policy 7 (Historic assets and places) of NPF4 and Policies D14: Management and Protection of the Built Heritage and D15: Listed Buildings of LDP2.

#### Potential for flooding

The applicant has submitted a flood risk assessment in support of the application. This notes that there is an existing access/egress issue at the existing development due to fluvial flooding from the Eastwood Burn out with the site. It also notes that there are surface water flow paths through the site but that those are not predicted to impede access or egress.

The Flood Risk Assessment also states that the proposal will result in an increase in the functional flood plain with the site boundary and that it will have a minor flood benefit to the St Ninian's High School car-park. The results of the flood risk assessment show that the proposal is not at risk of flooding for the 0.5% AEP event plus climate change and that there are no significant wider flood risk impacts as a result of the development.

The proposal therefore raises no issues with regard to Policy 22 (Flood risk and water management) of NPF4 or Policies E7: Flooding and E8 Water Management of LDP2.

#### Public road safety

A Transport Assessment has been submitted in support of the application. This concludes that the proposed development will generate a small uplift in both traffic and parking demand. The assessment states that the additional traffic demand can be accommodated by the existing signalised junction at the entrance to Eastwood Park from Rouken Glen Road without the need for upgrades. It further states that the increase in parking demand can be accommodated by the proposed increased parking provision and headroom available in the existing adjacent car-parks.

The Council's Roads Service has indicated no objection to the proposal subject to conditions relating to the completion of the new vehicular link from Eastwood House to Glenwood Family Centre (realignment of Eastwood Park Avenue) including the provision of a separate pedestrian facility; the discharge rate from the site; and the provision of a swept path analysis. Such conditions can be attached to any planning permission granted.

#### Other relevant matters



Given all of the above, the proposal is considered to comply with Policy 14 (Design, quality and place) of NPF4 and Policies D1: Placemaking and Design) and D2: General Urban Areas of LDP2.

Given the nature of the proposal, it is considered to comply with the terms of Policy 21 (Play, recreation and sport) and Policy 31 (Culture and creativity) of NPF4; and with Policy D12: Community Facilities and Policy SG9: Tourism and the Visitor Economy of LDP2.

It is also noted that a core path runs to the south of the application site, connecting the Eastwood Toll entrance point to Woodfarm Road. The proposals will not materially affect this connection, therefore there is considered to be no conflict with the terms of Policy D9: Access of LDP2, which seeks to protect these routes.

An appropriate condition can be attached to any planning permission granted to ensure compliance with Policy E1: Sustainable Design of LDP2.

## REPRESENTATIONS

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

Disruption to school pupils during the construction phase - a construction traffic management plan can be submitted and approved prior to work commencing on site. This will set out methods for the proper management of construction traffic to ensure minimal conflict between construction traffic and pedestrians, particularly around the beginning and end of the school day. Proper management in this regard can also alleviate congestion around the beginning and end of the school day. This can be secured by condition.

Safety of school pupils and other pedestrians during the construction phase - as above. It is also noted that the Roads Service has indicated no objection to the proposal on the grounds of pedestrian safety.

Suggested condition requiring the provision of a temporary construction access during the construction phase - this suggestion has not been substantiated by the Council's Roads Service.

Defective consultation process - The application was publicised in accordance with the terms of the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013. The Planning Authority has no remit to go beyond the publicity procedures as set out in legislation. Further, in advance of submitting the application, the applicant undertook the required pre-application consultation process in accordance with the 2013 Regulations. The Planning Authority is therefore satisfied that the consultation process has been undertaken in accordance with the relevant legislation.

A Memorandum of Understanding is proposed to outline how the pupils of St Ninian's High School can benefit from the proposed development - the operation of the proposed facility and the management of its relationship with the adjacent High School is not a material planning consideration.

## PREVIOUS PLANNING PERMISSION (2021/0694/TP)

Planning permission 2021/0694/TP for the erection of a leisure centre, theatre, library, cultural facilities and ancillary spaces with associated parking and landscaping works including demolition of existing leisure centre and theatre building was granted on the site, subject to conditions on 19th January 2022. This permission was not implemented and will have lapsed by the time the Planning Applications Committee considers the current proposal. It was nevertheless a relatively recent decision of the Council, albeit pre-dating NPF4 and the current adopted Local Development Plan 2 and is none the less a material consideration. The current scheme is smaller in footprint relative to the consented proposals and includes only the leisure centre and theatre. The current building is also located slightly further from Eastwood House. As such, the current proposal is

considered to have less impact on the character and setting of both Eastwood House and the wider Eastwood Park.

## OVERALL CONCLUSION

In conclusion, the proposal is considered to generally comply 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 granted 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. Prior to the erection of the leisure centre and theatre building hereby approved, details of materials to be used on all external surfaces of the building and hard surfaces shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

3. Prior to the erection of the leisure centre and theatre building hereby approved, details and location of all walls (including retaining walls) and fences to be erected on the site shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

4. Prior to the erection of the leisure centre and theatre building hereby approved, detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be constructed in accordance with the approved levels, diagrams and sections.

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

5. Prior to the commencement of the erection of the leisure centre and theatre building hereby approved, or prior to the demolition of the existing buildings, whichever is the sooner, a construction management plan shall be submitted to and agreed in writing with the Planning Authority. This submission shall include the following:

- details of construction vehicle access/egress from the site

- traffic management details (including any associated time restrictions given the close proximity of schools and other public uses. For the avoidance of doubt, no construction traffic or delivery traffic associated with the development shall operate to or from the site, or to or from Eastwood Park, 30 minutes before or after the start and finish times of the adjacent St Ninian's High School).
- the phasing of development
- details of wheel cleaning facilities and procedures
- location of site office(s), compounds, storage and parking areas for construction related vehicles
- any temporary measures to restrict or protect pedestrian and cycle routes and any associated diversions.

Thereafter, the construction works shall be implemented in accordance with the approved management plan and associated details.

Reason: In the interests of safety and to ensure that the construction proposals take into account the surrounding uses.

6. Prior to the erection of the leisure centre and theatre building hereby approved, details of the realignment of Eastwood Park Avenue, including the provision of vehicular access and pedestrian facilities to the Glenwood Family Centre, shall be submitted and approved in writing by the planning authority. The realignment of Eastwood Park Avenue and the provision of the pedestrian facility shall be completed in their approved form prior to the removal of the existing link between Eastwood House and the Glenwood Family Centre.

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

7. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. The erection of the leisure centre and theatre building hereby approved shall not commence until details of the surface water management and SUDS proposals have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

8. The maximum permitted discharge rate from the site shall be 8l/s/ha.

Reason: To ensure that appropriate sustainable drainage systems are provided.

9. Prior to the erection of the leisure centre and theatre building hereby approved, the road design should be the subject of a swept path analysis, to demonstrate that the largest vehicles to regularly visit the site can do so in a safe manner without overhanging adjacent footways and soft landscaped areas, shall be submitted to and approved in writing by the planning authority.

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

10. The existing leisure centre and theatre car-parking spaces shall be retained on site, free from obstruction, and shall be available for use when the development hereby approved is brought into use. Prior to the erection of the leisure centre and theatre building hereby approved, a phasing scheme detailing the provision of the proposed parking spaces shown on the approved layout plan shall be submitted and approved in writing by the planning authority. Thereafter, the car-parking spaces shall be provided in

accordance with the approved phasing details. For the avoidance of doubt, the proposed car-parking spaces shall be constructed, surfaced and delineated on the site in all respects and shall be available for use as soon as is reasonably possible after the demolition of the existing leisure centre/theatre building.

Reason: To ensure the provision of adequate parking facilities.

11. 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. (For the avoidance of doubt, the tree works hereby approved can be undertaken prior to the implementation of the agreed programme of archaeological works).

Reason: In order to protect any archaeological remains and to allow the planning authority to consider matters arising from any archaeological finds in detail and approve an appropriate course of action.

12. The development shall be landscaped (including replacement tree planting and the proposed biodiversity enhancement measures, including inter-alia: bat boxes, bird boxes and log piles) in accordance with the approved scheme as follows:- a) Completion of the scheme during the first planting season following the removal of the existing buildings, b) Maintenance of the landscaped area for a period of five years. Any trees, shrubs or areas of grass which die, are removed, damaged or diseased within 5 years of the completion of the landscaping shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environmental quality of the development and to secure a biodiversity net gain.

13. Prior to the erection of the leisure centre and theatre building hereby approved, details of the phasing of the development shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

14. Prior to the removal of any trees within the site, a pre-construction bat survey shall be carried out as per the recommendations of the Preliminary Ecological Assessment dated 28 June 2024, submitted in support of this application.

Reason: To safeguard the interests of protected species.

15. Within 8 weeks prior to the erection of the leisure centre and theatre building hereby approved, a pre-construction badger survey shall be carried out as per the recommendations of the Preliminary Ecological Assessment dated 28 June 2024, submitted in support of this application.

Reason: To safeguard the interests of protected species.

16. Prior to the erection of the leisure centre and theatre building hereby approved, a detailed external lighting scheme shall be submitted and approved in writing by the planning authority. The lighting scheme shall be designed to accord with the recommendations set out at paragraph 6.2.11 of the Preliminary Ecological Assessment dated 28 June 2024 and shall include a light spill diagram to demonstrate that no light nuisance will arise at neighbouring residential properties. The lighting proposals shall be completed in accordance with the approved details.

Reason: To safeguard residential amenity, the interest of protected species and to ensure the development is acceptable in appearance.

17. Prior to the erection of the leisure centre and theatre building hereby approved, a scheme shall be submitted to and approved by the Planning Authority in writing setting out the measurements that will be put in place within the site as required by the Local Development Plan 2 Policy E1. The said scheme shall include any phasing details as necessary. Thereafter the scheme shall be implemented as approved.

Reason: In order for the Planning Authority to consider these matters further and to ensure the development complies with the Local Development Plan2.

18. Prior to the erection of the leisure centre and theatre building hereby approved, an arboricultural method statement shall be submitted to and approved in writing by the Planning Authority. The method statement shall include details of tree protection and ground protection measures in accordance with BS5837:2012, including details of restrictions on construction techniques where required. The works shall thereafter be carried out in accordance with the approved details.

Reason: To protect the remaining trees and shrubs so that they continue to contribute to the environmental quality of the area.

19. Further to the terms of condition 5 above, there shall be no construction work or offloading of delivered materials at the development site outwith 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 temporary amendments have been otherwise agreed in advance in writing by the planning authority. The starting up/warming up and shutting down of any construction machinery outwith these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

20. Noise from the proposed development and any associated equipment shall not exceed residential noise rating curve 25 (as described in BS8233 2014) between the hours of 2300 and 0700 and noise rating curve 35 between 0700 and 2300, as measured from any neighbouring residential property.

Between the hours of 0800 and 2000 the measured noise level emitted from the premises (LAeq (1 hour)) 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 (5 mins)) shall not exceed the pre-existing background noise levels of (LA90 (1/2 hour)) 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 protect residential amenity and other users of Eastwood Park from noise nuisance.

21. A Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors.

If this investigation gives any indication of the potential for contaminants to be present, the construction phase of the proposed 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.

Analytical and investigatory work used to support the conclusions of the survey shall include all results, logs etc. and information regarding the methodology and Quality Assurance Systems used. Greater credence will be given to analytical work undertaken by organisations, which are UKAS accredited in relevant areas.

The investigation, remediation options and scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. As the site is adjacent to a watercourse, this is a potential sensitive receptor and therefore SEPA Position Statement (WAT-PS-10-01) "Assigning Groundwater Assessment Criteria for Pollutant Inputs" should also be adhered to.

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 the erection of the leisure centre and theatre building hereby approved.

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.

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 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 planning authority.

The Remedial strategy, (including verification and validation procedures) produced to deal with the above should be approved by East Renfrewshire council. In particular verification of gas protection measures and the clean capping layer within landscaping should be submitted prior to use of the premises.

Reason: In the interests of public health and to protect users of the development and the wider environment from the effects of contamination.

22. Prior to the erection of the leisure centre and theatre herby approved, details of the proposed ventilation and extraction system shall be submitted to and approved in writing by the planning authority. Thereafter, the development shall be completed in accordance with the approved details.

Reason: To protect local residents and other users of Eastwood Park from noise and odour nuisance.

#### **ADDITIONAL NOTES:**

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

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

In addition to planning legislation, the planning authority 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.

The applicant is required to consult East Renfrewshire Council Protective Services regarding compliance with the provisions of the Health & Safety at Work Etc Act 1974 and the Food Safety Act 1990.

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 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>

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

#### **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.: 2024/0502/TP  
(DESC)

DATE: 10th January 2025

**DIRECTOR OF ENVIRONMENT**