

**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
17th June 2025.

Reference No: 2024/0610/TP

Ward: 2

Applicant:

Westpoint Homes Ltd
C/o Icen Projects Ltd
201 West George Street
Glasgow
G2 2LW

Agent:

Hannah Sally
201 West George Street
Glasgow
G2 2LW

Site: Site Of Former Mearns Primary School School Road Newton Mearns East Renfrewshire

Description: Erection of residential development (comprising 26 flats in 2 blocks) with car parking, landscaping and other associated works. (amended plans received)

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

REPORT OF HANDLING

Reference: 2024/0610/TP

Date Registered: 7th January 2025

Application Type: Full Planning Permission

This application is a Local Development

Ward: 2 -Newton Mearns North And Neilston

Co-ordinates: 253826/:655822

Applicant/Agent: Applicant:

Westpoint Homes Ltd

C/o Icen Projects Ltd

201 West George Street

Glasgow

G2 2LW

Agent:

Hannah Sally

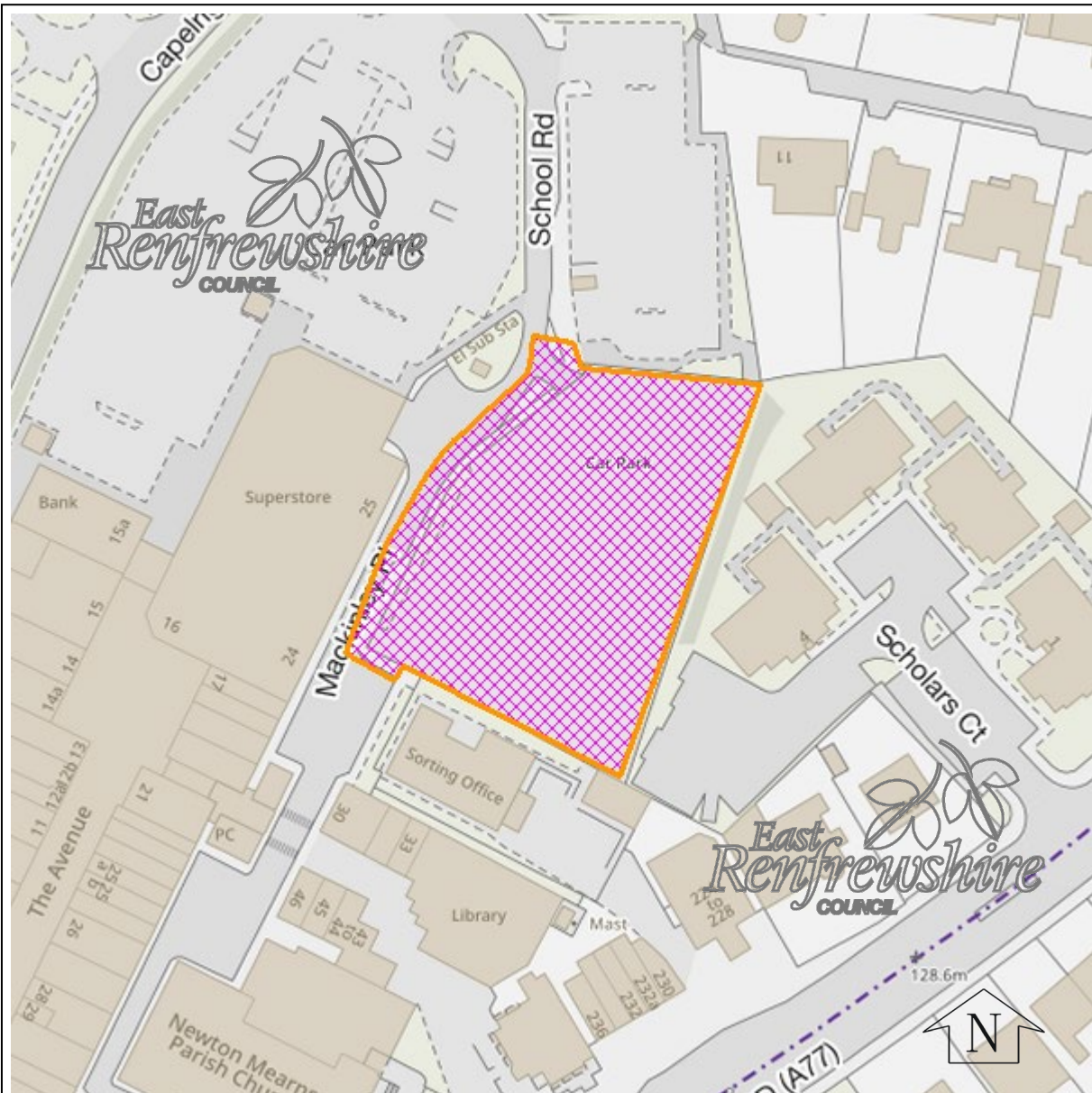
201 West George Street

Glasgow

G2 2LW

Proposal: Erection of residential development (comprising 26 flats in 2 blocks) with car parking, landscaping and other associated works. (amended plans received)

Location: Site Of Former Mearns Primary School
School Road
Newton Mearns
East Renfrewshire



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CONSULTATIONS/COMMENTS:

Glasgow Airport	No objections
NERL Safeguarding	No objections
Neighbourhood Services	Further details to be secured by condition.
East Renfrewshire Council Roads Service	No objections subject to conditions
Strategic Services; Principal Strategy Officer (Planning Obligations Lead)	No objections subject to the satisfactory conclusion of a S75 agreement to secure relevant planning obligations (both affordable housing and development contributions)
Scottish Water	No objections (see additional notes)
East Renfrewshire Council Environmental Health Service	No objections subject to conditions
Mearns East Community Council	Objects on the grounds of access for emergency vehicles, parking and public road safety.

PUBLICITY:

17.01.2025 Evening Times Expiry date 31.01.2025

SITE NOTICES: None.

SITE HISTORY:

2002/0646/TP	Construction of surface car park to serve adjacent shopping centre	Approved Subject to Conditions	12.08.2003
2004/0228/TP	Construction of car park to serve adjacent shopping centre	Refused	25.05.2004
2004/1116/TP	Erection of 929 sq.m retail units (10,000 sq.ft) and ancillary car parking to serve adjacent shopping centre (in outline)	Withdrawn	17.01.2005
2007/0511/TP	Change of use of former school site (currently vacant land) to use as temporary car park for	Approved Subject to Conditions	07.11.2007

three years to serve
adjacent shopping centre

2008/0003/AD	Display of externally illuminated signboard for a temporary period	Approved Subject to Conditions	05.03.2008
2011/0482/TP	Change of use of former school site (currently vacant land) to use as temporary car park for five years to serve adjacent shopping centre.	Approved Subject to Conditions	05.10.2011

REPRESENTATIONS: Twenty three representations have been received: Twenty two indicating an objection and one indicating support.

Representations can be summarised as follows:

Overdevelopment of the site
Overshadowing/Loss of light
Overlooking
Density and height of buildings
Impact on visual amenity
Out of character with the surrounding area
Inadequate parking
Location of bin stores
Construction activity and noise
Traffic/pedestrian difficulties on School Rd/Mackinley Place
Potential noise pollution from air source heat pumps/pumping stations
Flooding issues
Access through Scholars Court
Loss of overflow car parking at Mearns Shopping Centre
Use of open space by non-residents
Postal address/post code of development
Emergency vehicles

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:

Design and Access Statement - Describes the site, its context and provides a detailed description of the proposed development.

Ecological Appraisal – Given the site lacks semi-natural habitats being a hard surfaced car park an Ecological Appraisal would not be appropriate in this instance.

Noise Impact Assessment – provides a noise impact assessment for the proposed development in terms of the effect of noise from the dominant noise sources in proximity to the proposed development. The assessment contains proposals to reduce noise levels where required within the development by including double glazing units with a higher acoustic performance and the use

of trickle vents with a minimum acoustic performance. The assessment includes details of the most exposed windows where enhanced glazing and acoustic trickle vents will be required in line with *Planning Advice Note 1/2022: Planning and Noise*.

Site investigation Report – Reports on the Phase One Desk Study and indicates that the proposed development could potentially be impacted by localised ground deposits associated with the previous land use, particularly the presence of the previously demolished primary school. The risks are considered to be low to moderate. The report provides advice on potential site impacts and the scope of the phase two investigations necessary to provide clarity for design.

Flood Risk Assessment – provides an assessment of flood risk from nearby watercourses, surface water, ground water flooding and infrastructure.

ASSESSMENT:

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

SITE

The application site is a former overflow car park associated with the Avenue Shopping Centre and within the Newton Mearns Town Centre as defined in the adopted Local Development Plan 2. The site is not an allocated housing site within the adopted East Renfrewshire Local Development Plan 2.

The site is generally flat and sits west of the shopping centre and north of the Royal Mail sorting office and Mearns library. There are flatted dwellings located to the east of the site that extend over three and four storeys in height. The wider area is characterised by a mix of residential and commercial units.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of 26 flats across two blocks of four storeys, comprising 20 x 3 bedroom units and 6 x 2 bedroom units. Each flat has a private balcony or terrace. The external materials include stonework, white render and cladding panels to complement adjacent residential properties.

Vehicle access to the site is proposed by way of School Road/Mackinley Place. It is proposed to widen Mackinley Place along the development frontage. It is proposed to reinstate the 5.7m wide carriageway to support two-way traffic.

An internal access road and car parking for 26 vehicles will be provided within the site, 24 standard bays and 2 accessible bays. Each parking bay will be fitted with electrical charging points.

Pedestrian access to the buildings will be via two main door access points on the northern and southern elevations of both blocks. Access to the flats will be provided by stairs from each block entrance. Footpaths will be integrated within the development to provide access to the flats from the car park.

Cycle parking for the development will be provided in two sheltered cycle stores located on the ground floor of each building. Each building will accommodate 14 secure cycle parking spaces accessed by way of the main entrance to the buildings. Additional cycle parking for visitors will be provided externally within the garden space in the form of Sheffield stands, 4 for each block.

The development will be serviced by means of School Road to the north of the site with the bin store for the 26 flats located to the southeast of Block 1.

Landscaped open spaces are proposed throughout the development. This includes, thirteen heavy standard trees - two common birch, three whitebeam, three rowan, two upright maples, one variegated maple and two white birch trees. Beech hedging is proposed along the development frontage and the north boundary of the site and a planting bed containing various shrubs centrally positioned within the site.

A 1.8m high timber boundary fence is proposed to the north, east and south of the site.

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.

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 9 (Brownfield, vacant and derelict land and empty buildings); Policy 13 (Sustainable transport); Policy 14 (Design, quality and place); Policy 15 (Local living and 20 minute neighbourhoods); and Policy 16 (Quality homes).

The policies most relevant to the proposal in the adopted East Renfrewshire Local Development Plan 2 (LDP2) are: Strategic Policy 1: Development Strategy; Strategic Policy 2: Development Contributions; Policy D1: Placemaking and Design; Policy D2: General Urban Areas; D6 Open Space Requirements; Policy D7: (Natural Environment Features); Policy D8: Sustainable Transport Networks D11: Electric Charging Infrastructure; Policy SG1: Housing Supply, Delivery and Phasing; Policy SG4: Affordable Housing; Policy SG10: Town and Neighbourhood Centre Uses Policy E1: Sustainable Design; and Policy E5: Noise Impacts.

The texts of these policies can be read at the link above.

Strategic Policy 2 is supported by the adopted Supplementary Guidance: Development Contributions (June 2023).

Policy SG4 is supported by the adopted Supplementary Guidance: Affordable Housing (June 2023).

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 character and visual amenity of the area; the impact of the proposal on the residential amenity of the adjacent residences; the open space provision within the development; and public road safety.

PRINCIPLE OF DEVELOPMENT

As noted above, the proposed site lies within the general urban area and the Newton Mearns Town Centre as defined in the adopted Local Development Plan. The site is not an allocated housing site in LDP2 and as a result is not anticipated or planned for.

The site is currently used as an overflow car park. The owners of the site have monitored the demand for car parking and have confirmed the car park is surplus to requirements and that sufficient car parking within the remainder of the site can accommodate demand.

The site is a previously developed site (car-park), located within the general urban area and within the Newton Mearns town centre in proximity to main bus routes. As such, the site is considered to be a highly sustainable location for residential development. It is also noted that the proposed

development would be within easy access of commercial properties, services, amenities and public transport serving the town centre and the wider area. The residential use would add to the mix of uses within the town centre and contribute towards its vitality and viability.

Given the foregoing, the principle of this development at this site is accepted and the proposal is considered to be compliant with Policies 1 (Tackling the climate and nature crises); Policy 2 (Climate change and mitigation); Policy 9 (Brownfield, vacant and derelict land and empty buildings); Policy 13 (Sustainable transport); Policy 15 (Local living and 20 minute neighbourhoods); and Policy 27 (City, town, local and commercial centres) of National Planning Framework 4; as well as Strategic Policy 1: Development Strategy; Policy D8: Sustainable Transport Networks; and Policy SG10: Town and Neighbourhood Centre Uses of the adopted Local Development Plan 2.

IMPACT ON CHARACTER AND VISUAL AMENITY

As noted, the site is surrounded by a variety of built forms and land uses including the Avenue Shopping Centre, a variety of house types including the Scholars Court flatted development which consists of similar flatted properties extending to three and four storeys in height. The area therefore is characterised by a number of buildings of varying sizes and designs, some quite large.

Given its design and external finish, the proposed development is considered to be acceptable in appearance. The design, massing and higher density of the proposed development is considered to be appropriate to the characteristics of the site and its town centre location, in particular the neighbouring flatted blocks at Scholars Court which extend to three and four storeys in height. In visual terms, the storey height of four storeys is considered to be acceptable at this location.

As such, the proposal is considered to be of a design, scale, height, massing and density that is in keeping with the buildings in the locality and would not detract from the character or visual amenity of the area.

IMPACT ON RESIDENTIAL AMENITY

Given the design and layout of the proposed development; its position to the west and north-west of the existing adjacent residential development; and its orientation in relation to the neighbouring flatted development, the proposal would not be considered to give rise to significant additional overshadowing to an extent that would justify a refusal of the application on those grounds.

Block 3 and 4 of Scholars Court are closest to the proposed development with bedrooms facing towards the site. Any living/dining and kitchen areas face away from the proposed development and as such are not affected. The Daylight and Sunlight Report submitted with the application states that a full assessment of the impact of the proposed development was carried out and the results confirm that the windows will continue to retain a good level of light. Light to one window on the lower floor will experience a slightly higher reduction of light than the 20% set out in the BRE guidelines, 20.10% which is 0.10% beyond the recommended reduction. Given that this is a bedroom window this reduction is not considered unacceptable. The proposal would not be considered to give rise to an unacceptable loss of daylight.

The part of the development with the greatest potential for overlooking would be the south-east-facing elevation of block 2 which is closest to the flatted development on Scholars Court. The windows on this elevation are bathroom windows and will be opaque-glazed. Whilst there are balconies on the part of the block, the applicant has proposed privacy screens to address any overlooking issue. The provision of those screens can be secured by condition. The proposal would not therefore be considered to give rise to significant additional overlooking.

The proposal would not therefore have a significant detrimental impact on the residential amenity of the existing dwellings to the east.

PUBLIC ROAD SAFETY

The East Renfrewshire Council Roads Service is the Planning Authority's consultee on matters of public road safety. The Roads Service has advised it has no objection to the proposal, subject to

conditions that can be attached to any planning permission granted. Those conditions relate to visibility at the access to the site at its junction with MacKinley Place.

NOISE IMPACT

The Noise Impact Assessment, submitted in support of the application, indicates that the development may be affected by noise from the adjacent commercial uses.

As agreed by the East Renfrewshire Council Environmental Health Service, suitable design of glazing and acoustic trickle vents is proposed in units that may be affected, details of which can be secured by condition.

Given the fore-going, the proposal is considered to comply with the terms of Policy 14 (Design, quality and place) of National Planning Framework 4 and Policy D1: Placemaking and Design and Policy E5: Noise Impacts the adopted East Renfrewshire Local Development Plan 2.

AFFORDABLE HOUSING AND DEVELOPMENT CONTRIBUTIONS

The proposed development is for more than 4 residential dwellings and as such is subject to affordable housing contributions and development contributions. SG4 of LDP2 requires a minimum 25% affordable housing contribution which in this instance would result in a 6.5 unit contribution. Following consultation with Housing Services it has been determined in this particular case, given the specific circumstances and the form of development proposed, the payment of a commuted sum is considered acceptable in this case. Should the application be approved, the commuted sum secured would be utilised towards the delivery of a preferred tenure of affordable housing, elsewhere in the same Housing Market Area. The applicants have agreed to the principle of the payment of an affordable housing commuted sum.

Due to pressures on education places within East Renfrewshire a proposal for general needs housing at this site would have required a restriction on occupations not being permitted to 2031. The applicants have confirmed that they do not want to restrict occupations to post 2031, and instead will be agreeable to the principle of entering into a section 75 agreement which will restrict the occupation of all residential units on the development site to persons of age 55 and over only at initial sale and on an ongoing basis thereafter, so as to restrict any children from residing in the units and thus avoid any negative impact on education infrastructure.

To secure this position, should the Council be minded to grant the application, a section 75 legal agreement would be required.

If minded to grant, Development Contributions would also be required towards community facilities and parks and open space.

Subject to the satisfactory conclusion of such a legal agreement, the proposal would raise no conflict with Policy 16 (Quality homes) of NPF4 or Strategic Policy 2 and Policies SG1 and SG4 of the adopted LDP2.

OTHER MATTERS

The proposal is considered to include adequate open space and landscaping, the provision of which can be secured by condition. The proposal therefore raises no conflict with Policy D6 of LDP2.

The site is presently a car-park and is not covered by a nature designation. The site has limited biodiversity value and the proposal therefore raises no conflict with Policy 3 (Biodiversity) of NPF4 or Policy D7 of LDP2. A condition can be attached to any planning permission granted to ensure compliance with Policy E1 of the adopted LDP2.

REPRESENTATIONS

The owners of the site have monitored the demand for car parking and have confirmed the long stay car park is surplus to requirements and that sufficient car parking within the remainder of the site can accommodate demand.

In terms of the grounds of objection not specifically addressed in the paragraphs above. Hours of construction, construction activity, noise and access can be addressed by a planning condition.

The proposed post code for the development and the use of the open space areas by non-residents is not a material planning condition.

Concerns relating to the height, visual impact and character of the proposed development have been addressed by the applicant during the assessment. The height of the buildings has been reduced to 4 storeys which is more in keeping with surrounding area and the neighbouring development at Scholars Court.

Any potential adverse overlooking has been addressed by means of privacy screens, these can be secured by condition.

More specific details relating to the location of the bin stores and servicing of the development can be secured by condition.

Details of access for fire appliances indicated on Drg: 24-147-240 (Rev A).

Given its nature and scale, the proposed development would not be considered to result in a significant increase in vermin.

Given the fore-going, the proposal is considered to comply with the terms of Policy 14 (Design, quality and place) of NPF4; and Policies D2: General Urban Areas of LDP2.

The proposal generally complies with the terms of Policy D1: Placemaking and Design, Policy D6: Open Space Requirements, D8: Sustainable Transport Networks, D11: Electric Charging Infrastructure and E5: Noise Impacts of LDP2. Where it does not, there are material considerations that justify granting planning permission as an exception to the specific terms of those policies as discussed above.

A condition can be attached to any planning permission granted to ensure compliance with Policies D11: Electric Charging Infrastructure and E1: Sustainable Design of LDP2.

CONCLUSION

Whilst it is acknowledged that this site is not specifically identified for housing with the adopted development, the redevelopment of this site within the urban area and town centre will contribute to the housing land supply, bringing the site back in to active use in a sustainable location.

It is considered that the proposal generally complies with the terms of the development plan. Where it does not, there are material considerations that justify granting planning permission as an exception to specific policies. 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: A Section 75 legal agreement to secure relevant planning obligations including affordable housing, development contributions and restriction on occupancy.

RECOMMENDATION: Minded to Approve Subject to the Conditions below following the conclusion of a section 75 legal agreement

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 phasing of the development have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved phasing scheme.

Reason: In order to ensure a properly programmed development.

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

Reason: To ensure the development is acceptable in appearance.

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

Reason: To ensure the development is acceptable in appearance.

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

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

Thereafter the landscaping works shall be fully implemented as approved.

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

6. Development shall not commence until detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point have been submitted to and approved in writing by the planning authority. Thereafter the development shall be constructed in accordance with the approved levels, diagrams and sections.

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

7. The required visibility splay where the proposed access meets School Road is 2.5m x 25m in both the primary and secondary directions with no interference permitted within the splay above a height of 1.05m and this splay must be maintained in perpetuity.

A forward sight stopping distance splay of 25m must be obtained and maintained in perpetuity on School Road/Mackinley Place

Reason: In the interests of road safety.

8. Development shall not commence until details of the proposed pumping station have been submitted to and approved in writing by the planning authority. Thereafter the surface water management details shall be fully implemented as approved.

Reason: In the interests of sustainable development.

9. The parking spaces shown on the approved site plan (2024-136 (PL) 01 Rev C) shall be constructed, surfaced and delineated on site before any of the flats in the development hereby approved are occupied.

Reason: To ensure the provision of adequate parking facilities and prevent the incidence of roadside parking.

10. Development shall not commence until a Construction Traffic Management Plan has been submitted and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the Construction Traffic Management Plan.

Reason: In the interests of road safety.

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

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

12. 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 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 outwith these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

13. Development shall not commence until details of all external lighting (including details of the lighting units, the angle and intensity of illumination and hours of operation) have been submitted to and approved in writing by the Planning Authority. Thereafter the lighting shall be implemented as approved.

Reason: In order to ensure that the lighting is acceptable at this location and to protect the amenity of the surrounding area.

14. Development shall not commence until details of how the proposed development will be serviced have been submitted to and approved in writing by the planning authority. These details shall include plans and elevations of the proposed bin stores. Thereafter the bin stores shall be implemented as approved and retained in perpetuity.

Reason: To ensure that the development can be serviced sufficiently and bin stores are acceptable in appearance and of a size able to accommodate East Renfrewshire's recycling facilities.

15. Prior to the commencement of any work on site, details of the windows to be installed on the proposed development, including the acoustic performance of their glazing and ventilators, shall be submitted and approved in writing by the Planning Authority. Thereafter, the windows shall be installed in accordance with the approved details prior to the occupation of each dwelling.

Reason: To safeguard the future occupants of the development from excessive noise nuisance.

16. The privacy screens proposed on the balconies located on the southeast elevation of Block (Drg No: (PL) 13 REV C) shall be in place prior to the development hereby permitted being brought into use/occupied. Development shall not commence until details of the type of screen has been submitted to and approved in writing of the planning authority. The privacy screens shall be erected in accordance with the approved details and shall be retained in this position and shall not be removed unless approved in writing by the planning authority.

Reason: To protect the privacy of the adjacent properties and to prevent overlooking.

17. The bathroom windows on the southeast elevation of Block 2 (Drg No: (PL) 13 REV C) shall be glazed with obscure glass prior to the development being brought into use/occupied. The obscure glass shall be retained in position and shall not be removed unless approved in writing by the planning authority. Development shall not commence until a sample of the obscure glass has been submitted to and approved in writing by the planning authority.

Reason: To protect the privacy of the adjacent properties and to prevent overlooking.

18. Prior to the commencement of any work on site, a scheme shall be submitted to and approved by the Planning Authority 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.

ADDITIONAL NOTES: The applicant is required to submit a Pre-Development Enquiry (PDE) to Scottish Water prior to any formal technical application being submitted, to allow a full appraisal of the proposal.

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

Design changes have been made during the processing of the application.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Ms Fiona Morrison on 0141 577 3001.

Ref. No.: 2024/0610/TP
(FIMO)

DATE: 17th June 2025

DIRECTOR OF ENVIRONMENT