

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

Index of applications under the above acts to be considered by Planning Applications Committee on
13th March 2019

Reference No: 2017/0756/TP

Ward: 1

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Applicant:

Cruden Homes/AGN Constructions Ltd
Cruden Campus
5 Clydemill Road
Cambuslang Investment Park
Glasgow
Scotland
G32 8RE

Agent:

McInally Associates Ltd
16 Robertson Street
Glasgow
Scotland
G2 8DS

Site: Land at Shanks Park, Blackbyres Road, Barrhead, East Renfrewshire

Description: Erection of residential development with associated open space, roads, landscaping and associated works (major) (planning permission in principle)

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REPORT OF HANDLING

Reference: 2017/0756/TP

Date Registered: 24th November 2017

Application Type: Planning Permission in Principle This application is a Major Development

Ward: 1 -Barrhead, Liboside And Uplawmoor

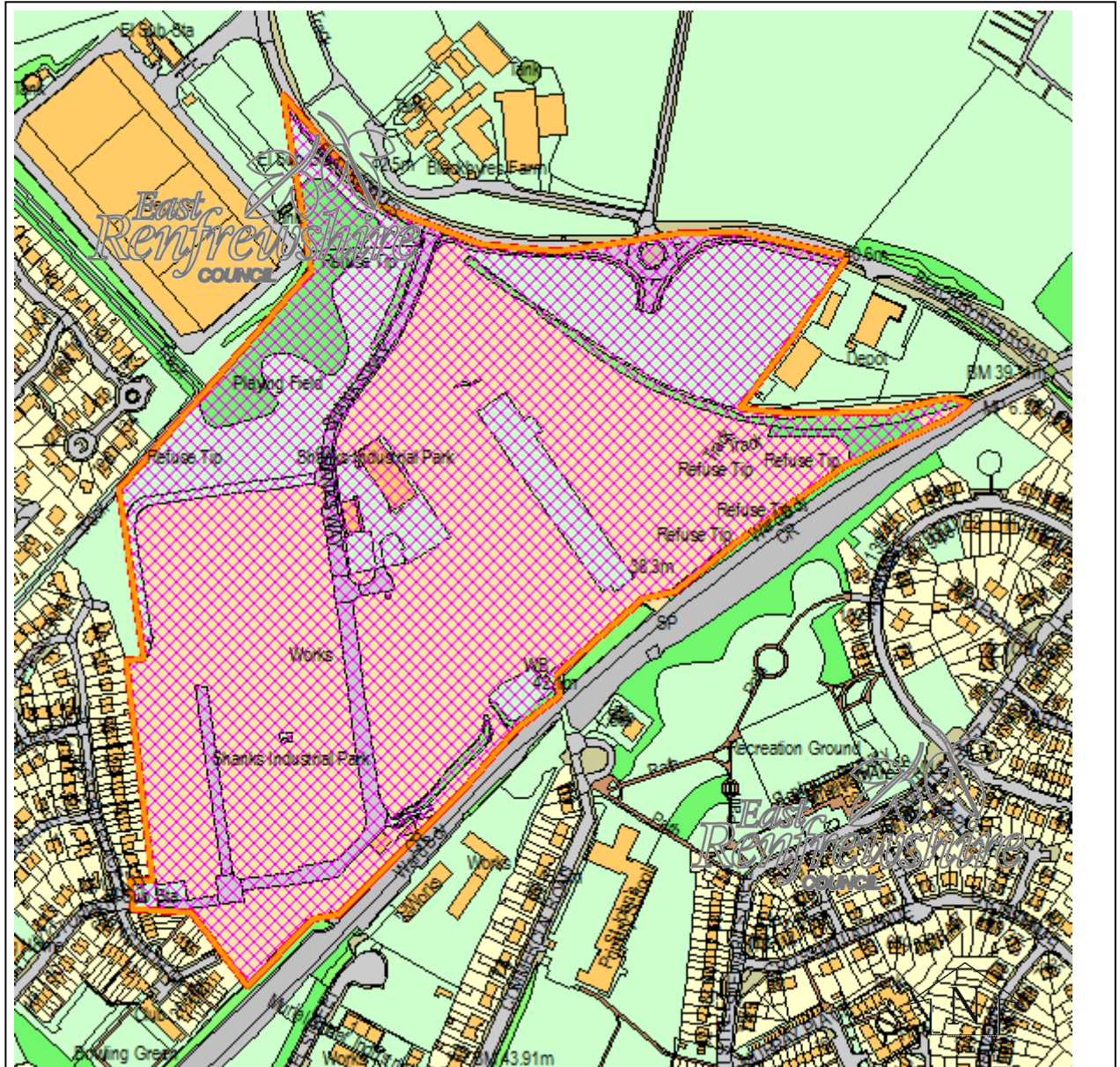
Co-ordinates: 250402/:660141

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|------------------|------------------------------------|-------------------------|
| Applicant/Agent: | Applicant: | Agent: |
| | Cruden Homes/AGN Constructions Ltd | McInally Associates Ltd |
| | Cruden Campus | 16 Robertson Street |
| | 5 Clydemill Road | Glasgow |
| | Cambuslang Investment Park | Scotland |
| | Glasgow | G2 8DS |
| | Scotland | |
| | G32 8RE | |

Proposal: Erection of residential development with associated open space, roads, landscaping and associated works (major) (planning permission in principle)

Location: Land at Shanks Park
Blackbyres Road
Barrhead
East Renfrewshire

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CONSULTATIONS/COMMENTS:

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|---|--|
| East Renfrewshire Council Roads Service | No objection subject to conditions |
| East Renfrewshire Council Environmental Health Service | No objection subject to conditions |
| East Renfrewshire Council Affordable Housing and Development Contribution Officer | No objection subject to conclusion of a legal agreement (Section 75) to secure affordable housing and development contributions |
| East Renfrewshire Council Property and Technical Services | Comments made on issues relating to site constraints, lack of site investigation and impact on development feasibility as well as developable area of the site. Also indicates that due to the lack of information that they are unable to fully consider and discharge corporate landlord responsibility. |
| East Renfrewshire Council Outdoor Access Officer | No objections |
| Scottish Environment Protection Agency | No objection subject to conditions |
| Scottish Water | No objections |
| Coal Authority | No objection subject to conditions |
| Glasgow Airport | No objection subject to conditions |
| Glasgow Prestwick Airport | No objections |
| National Air Traffic Service | No objections |
| Barrhead Community Council | No response at time of writing |

PUBLICITY:

| | | |
|------------|---------------|------------------------|
| 22.12.2017 | Barrhead News | Expiry date 05.01.2018 |
|------------|---------------|------------------------|

SITE NOTICES: None.

SITE HISTORY:

| | | | |
|---------------|--|--------------------------------|------------|
| 2012/0638/ADV | Display of non-illuminated free standing signboard | Approved Subject to Conditions | 07.12.2012 |
|---------------|--|--------------------------------|------------|

REPRESENTATIONS: 52 representations have been received and can be summarised as follows:

Impact on character and amenity of surrounding area
 Overlooking/loss of privacy
 Traffic impact and congestion
 Road safety
 Increase street parking
 Adverse increase in traffic (vehicles, pedestrians and cyclist)
 Increase noise and air pollution
 Litter
 Increase likelihood of anti-social behaviour and vandalism
 Lack of public pre-application consultation
 Supports improvements/routes for pedestrians and cyclist

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Planning Statement – The Statement considers the development against national and local planning policies as well as material planning considerations. It refers to the partnership approach undertaken to date in progressing the development of the entire Barrhead North Strategic Development Opportunity area and concludes that the development accords substantially with its aspirations as set out in the Local Development Plan.

Ground Conditions Appraisal Report – The Report identifies substantial areas of made up ground, widespread rubble and fly-tipped materials, and the potential presence of a wide range of contamination across the site associated with its industrial legacy, including previously unidentified contamination. The report also details previous investigations which have highlighted the presence of elevated concentrations of metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons, sulphate, and asbestos on site. It concludes that further intrusive investigation is required to provide updated information from both a geo-environmental and geotechnical/mineral stability perspective, remediation requirements and to provide geotechnical information to inform future design and layout.

Ecology Report - A field survey was undertaken which identified several suitable habitat including buildings within the site boundary, and habitat suitable for invertebrate which requires further surveys. One railway bridge along the southern site boundary was found to offer low potential for roosting bats and will require a further survey to determine the presence or absence of roosting bats if improvement or maintenance works are to be undertaken on the bridge. No evidence of badgers were recorded within the survey area and no suitable habitat for this species is present. No further survey is required for this species. It concludes that there are potential impacts of the development on biodiversity including loss of/damage to woodland, scrub, scattered trees and grassland; loss of potential habitat for hedgehogs, bats and birds; disturbance to protected species (birds and bats) and incidental injury or fatality of faunal species (birds, bats, and hedgehogs) and recommends the retention of woodland and scrub habitats, appropriate lighting and, measures which should be taken into account if a protected species is found on site.

Transport Assessment (November 2017) analysed existing junctions including analysis of Victoria Road/Paisley Road junction to reflect the proposed access arrangements. It found that six of the seven junctions analysed operated within capacity following the addition of Barrhead North residential development traffic. Analysis of the B774 Caplethill Road / B771 Grahamston Road / B771 Paisley Road junction demonstrates that it currently operates over capacity. It concludes that the addition of the proposal in isolation would have a minimal impact on the operation of this junction and no improvement is considered necessary as a consequence of this development.

Pre-application Consultation Report - this Report summarises the statutory pre-application consultation with the community carried out by the developer.

ASSESSMENT:

This is a Major development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and as a consequence has to be presented to the Planning Applications Committee for determination. In addition 52 representations have been received.

Site description

The former Shanks Industrial Park is bounded by Blackbyres Road to the north, the residential areas of Victoria Road and Grahamston Park to the south and west (respectively) and the Glasgow to Kilmarnock Railway line to the immediate east. The wider areas, to the south, west and east are predominantly residential. St John's Primary School is further to the east of the site on the opposite side of the railway line, with the Muriel Street business/industrial area further to the south. Farmland lies to the north on the opposite side of Blackbyres Road.

Immediately adjacent to the north west of the site residential development is being constructed. To the immediate adjacent north east is a group of workshops and warehouses accessed via Blackbyres Road.

The site is approximately 18 hectares in size and is relatively level, with the exceptions of the railway embankment to the east boundary of the site and the former railway embankment which traverses part of the northern section of the site. There is an embankment along the western boundary edge to a footpath that separates the site from Grahamston Park. The footpath forms part of a Right of Way linking Grahamston Road to Dealston Road.

The site in the main is vacant and derelict. The W.G. Renfrew factory recently ceased operations at the site. There are several areas of remnant concrete floor slabs and foundations of previous buildings, industrial waste, and historical and more recent waste dumping as well as demolition rubble mounds. Excavations and large stockpiles are present in the northeast area of the site. There is a small area of undeveloped grassland, used for the grazing of cattle, within the site immediately south of Blackbyres Road.

The application site falls within a Development High Risk Area identified by the Coal Authority. Both the application site and surrounding area have various coal mining features and hazards. In particular there are two mine entries identified within the site which are located towards the centre and towards the west boundary. Other mine entries are located outside the site, immediately to the north.

Proposed development

Planning permission in principle is sought for a residential development, including associated open space, roads, landscaping and drainage. A general masterplan layout drawing has been submitted however this is for indicative purposes only. This shows vehicle accesses being taken from the roundabout on Blackbyres Road, the existing Shanks Way (from Blackbyres Road) and from Victoria Road at the southern end of the site. The indicative road layout shows a primary loop road accessed from Blackbyres Road and Shanks Way, with a series of secondary and tertiary roads providing linked connections to the remaining part of the site. In addition the layout utilises three existing footpath links under the railway line with a new footpath connection to Grahamston Park and the adjacent Right of Way. A proposed

series of open spaces traverse the site, along the line of the Bridgebar Burn, with a further stand-alone open space to the southern part of the site. A Sustainable Urban Drainage System (SUDS) area is shown to the northwest part of the site.

No information has been submitted demonstrating the exact extent of the areas that are to be developed or details of the number and type of residential units proposed. In addition no information has been submitted showing the exact area that could be developed as a result of the constraints such as contamination and mine shafts that may be present on site. No information has been submitted showing the intended construction schedule/phasing of the development.

Assessment

The Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the Development Plan and any material planning considerations. The Development Plan consists of the Strategic Development Plan (approved July 2017) and the East Renfrewshire Local Development Plan (adopted June 2015).

Scottish Planning Policy

Scottish Planning Policy (SPP) introduces a presumption in favour of development that contributes to sustainable development. It also indicates that the planning system should support economically, environmentally and socially sustainable places. SPP on Delivery of New Homes indicates proposals should provide for all tenures, provide a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and have a sharp focus on the delivery of allocated sites embedded in action programmes. Additionally, SPP supports the re-use of vacant and derelict land as part of the Government's objective to ensure that proposals are resource efficient.

SPP on Affordable Housing indicates that local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. In terms of Placemaking the SPP indicates that planning's purpose is to create better places through a design-led approach, with planning supporting development that is designed to a high-quality, which demonstrates the six qualities of successful place: distinctive; safe and pleasant; welcoming; adaptive; resource efficient; and easy to move around. This policy position is reinforced by Scottish Government planning policy document Designing Streets.

The site contributes to the housing land supply for East Renfrewshire and the developer has indicated that they are willing to comply with the Council's affordable housing policy. In general terms the proposed re-use of a brownfield site for residential purposes complies with the general aims and objectives of SPP. The indicative masterplan layout shows a hierarchy of roads and road types as well as interconnections within the site and connections outwith the site. However a full assessment will be required to be undertaken when detailed proposals are submitted at the detailed application stage to ensure the development complies with Scottish Planning Policies, particularly regarding Placemaking and housing requirements.

Strategic Development Plan (approved July 2017)

The Strategic Development Plan (SDP) indicates that Local Development Plans should allocate sufficient housing land across all tenures both in the period to 2024, and from 2024

to 2029. The Vision and Spatial Development Strategy of the SDP seeks the redevelopment of vacant and derelict land and the provision of high quality and affordable housing in the right location in order to promote the creation of a successful, sustainable and growing city region.

The application site has been identified as a housing development site through the adopted Local Development Plan and therefore contributes to the effective housing land supply. Furthermore, it is within an existing urban area and would involve the re-use of previously developed land and the provision of affordable housing. Consequently the proposal accords with the general aims of the Strategic Development Plan and the proposed development also has to be assessed against the relevant policies from the adopted Local Development Plan.

East Renfrewshire Local Development Plan - June 2015

The East Renfrewshire Local Development Plan (LDP) sets out a visionary and ambitious development strategy comprising two key strands: regeneration and consolidation of urban areas; and controlled urban expansion as set out under Strategic Policy 1. The LDP aims to deliver controlled urban expansion within 3 Strategic Development Opportunities (SDOs) (Maidenhill, Barrhead North and Barrhead South) to provide long term effective land supply beyond 2025 alongside the infrastructure required to support these new communities.

The site is identified in the LDP as part of the Barrhead North Strategic Development Opportunity (SDO) and covered by Policy M3 which sets out a range of requirements to be delivered by the proposed development including:

- mixed housing comprising a range of house types and tenures including affordable phased to deliver approximately 400 housing units by 2025;
- implementation of an appropriate remediation strategy to address any contamination of the Shanks site;
- promotion of temporary and advanced greening of the Shanks site to improve the environmental quality of derelict and contaminated sites and bring them back into productive use; and
- community/leisure facilities.

The site has been established through the LDP and SDO plan area as a site for housing. The proposed residential development therefore accords in general terms with Strategic Policy 1 and Policy M3.

Strategic Policies 2 and 3 are also relevant. Strategic Policy 2 sets out a range of environmental, community and infrastructure criteria that are required to be taken into account in assessing planning applications. Strategic Policy 2 also requires that proposals include remedial environmental measures, including temporary greening. Strategic Policy 3 indicates the Council wishes to secure community infrastructure and environmental benefits arising from new development to mitigate their impacts. The LDP makes it clear that the Barrhead North Strategic Development area will have to ensure the delivery of key infrastructure that will be needed to support development and ensure the development delivers significant environmental, social and economic benefits. The Barrhead North Supplementary Planning Guidance (SPG) forms part of the LDP and expands on the expected development outcomes listed and infrastructure requirements for the site.

As stated previously, this application seeks planning permission in principle. Although an indicative masterplan layout has been submitted for information, there is no comprehensive

information regarding site constraints, such as contamination and coal mines, nor is there information on whether such constraints would impact on the future development and layout of the site.

Given the history of the site and consultation responses from the Coal Authority and the Council's Environmental Health Service there may be areas of the site that may be adversely affected due to potential constraints on the site. The Council's Development Management Service requested that the applicant submit a plan identifying the areas that were potentially non-developable in relation to the coal mining and contamination issues on site in order to assess the proposal against the policy requirements to remediate contamination. The applicant in response stated that the ground condition report submitted with the application identifies that there are issues on the site which will require further investigation and remediation which they state in their experience they would expect to be dealt with through planning conditions.

The Council's Affordable Housing and Development Contribution Officer has indicated that the further information requested would have allowed consideration in more detail of the planning obligation requirements for the proposal, and for the Council and the District Valuer Services (DVS) to consider development viability of the site. It should be noted that granting planning permission in principle at this stage (following the conclusion of a Section 75 legal agreement) would not preclude the applicants requesting a viability assessment in the future and an amendment to the terms of the Section 75. There is a possibility that a full viability assessment could result in the DVS recommending to the Council either a reduction in contribution levels or at worst that the proposed development could not support any planning obligations. In that case the Council would then need to consider the DVS report and whether it would be acceptable to vary the level of contributions required from the development. Consideration would need to be given to whether the benefits of the development were seen to outweigh the cost incurred by the Council in making up any shortfall in infrastructure provision, particularly should the shortfall turn out to be significant.

It should be noted the Council's Development Contributions policy states (in paragraph 3.12.17) that if the Council is unable to make up any shortfall in necessary infrastructure provision, the application may need to be recommended for refusal. Alternatively it may be appropriate for the scale of the development to be reduced in order for the development to be recommended for approval with a lower level of contribution. However this may lead to substantial areas of contaminated land not being remediated.

The Council's Property and Technical Services has stated that the Council has a part and fragmented ownership within the site. They state that as a landowner, the Council supports the regeneration of the site, and draws attention to the fact that the Council has an agreement in draft to dispose of its ownership interests to the applicant subject to an independent valuation and the obtaining of planning permission. Property and Technical Services point out that the report on ground conditions submitted with the application is limited as it lacks current intrusive ground investigations, relies on historical reports and lacks programme and cost information.

Property and Technical Services go on to indicate that in order to establish the remediation of abnormal ground conditions, a comprehensive whole site environmental assessment and site investigation report (SI report) by an appropriately qualified professional firm will be required. The SI report has to be in sufficient detail to enable abnormal costs of the entire site to be accurately quantified. It is anticipated that a comprehensive SI would consider the site constraints such as: contamination; culverts; bunds; coal mines; significant areas of made up ground with a mixture of bearing capacities; flood risk; existing underground culvert; and previous uses. All of these will potentially impact on the net developable acreage, layout of the site and value.

Property and Technical Services has also raised concerns that the applicant may be able to undertake sub sales of areas upon the grant of planning permission in principle. The onward sale/trade of developable parcels of land increases the prospects of financially marginal areas being left untreated. They have also reiterated the concern of the Council's Affordable Housing and Development Contribution Officer that a viability assessment in the future could lead to a reduction in planning contributions or at worst that the current and/or that the future development could not support any planning obligations. Alternatively the scale and/or density of the development may have to be reduced. This may give rise to issues regarding best consideration in terms of the land receipt. In terms of the Council's corporate landlord responsibility, Property and Technical Services has stated it is unable to fully consider and discharge the responsibility due to the lack of a comprehensive SI covering the whole site.

The Council's Environmental Health Service has stated that as well as the issues associated with the site's previous industrial use, there may be unidentified contamination as large areas of the site have not been investigated due to the existing buildings and extensive hardstanding. As a result a comprehensive site investigation is required to establish the condition of the ground and an appropriate remediation plan required for the proposed end use as residential development. Environmental Health also stated that as the proposed residential development is adjacent to noise sources (the Barrhead Rail line and Blackbyres Road), that a noise assessment is required to ensure that the site is suitable and/or designed for residential purposes. In addition, an air quality assessment is required to be submitted to assess the potential impact of the proposed development on local air quality. It is considered that these matters can be dealt with at the detailed application stage and fully assessed against the relevant policies at that time.

The issues of viability and net developable area of the site are material planning considerations, however as previously stated the application is for planning permission in principle, and these matters and the appropriate remediation of the site can be dealt with at the detail stage through the application(s) for Approval of Matters Specified in Conditions (AMSC). It should be noted however, that the Planning Act allows for AMSC(s) to be submitted for all or any part(s) of the site/development and for an individual condition or any number of conditions. The Local Development Plan does not require the entire site to be remediated at the outset of any development and therefore it is considered that it would be unreasonable to impose a condition requiring the site to be remediated or developed in its entirety. It is considered that the issue of sub sale referred to above is not a material planning consideration.

The proposal therefore raises no significant issues in terms of Strategic Policies 2 and 3 of the Local Development Plan.

The following Local Development Plan (LDP) policies are also related to the assessment of this application.

Policy SG1 indicates the Council has identified sufficient land for a minimum of 4100 homes and associated infrastructure to be delivered in East Renfrewshire between 2009 and 2025 to comply with the Strategic Development Plan requirements. The sites listed under Schedule 11, of which the application site is one, contributes towards meeting these targets. Policies SG2 and SG3 also supports the requirement for housing land and seeks the phasing of new housing development to ensure that a 5 year continuous effective housing land supply is maintained at all times. The LDP identifies the application site (SG2.16) as having a notional capacity of 400 residential units to be delivered between the period 2012 to 2020 and 2020 to 2025.

The 2018 Housing Land Audit (HLA), as agreed with Homes for Scotland, sets out the current programming for the site. The HLA identifies completion for the site from 2022/23 onwards. This revised programming will be reflected in the Proposed Plan for LDP2.

No phasing details have been submitted with this application. However this can be addressed through the use of planning conditions. Consequently the proposal is considered to be in keeping with the aims of Policies SG1, SG2 and SG3.

Policy SG4 indicates that all new housing proposals should include a mix of house types, sizes and tenures to accord with the Council's Local Housing Strategy and the Strategic Housing Need and Demand Assessment. In particular there are requirements for smaller and family sized homes, bungalows and single storey own door properties suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user.

This application is for planning permission in principle and consequently no details have been submitted in terms of the proposed layout, house types and tenures. However these will be required to be submitted at the detailed application stage and will be fully assessed against the relevant policies at that time.

The site is also subject to Policy SG5 on Affordable Housing (and the adopted Supplementary Planning Guidance on Affordable Housing, June 2015) and Strategic Policy 3 Development Contributions (and the adopted SPG on Development Contributions, June 2015). Policy SG5 requires a minimum 25% affordable housing contribution where planning permission is sought for residential developments of 4 or more dwellings. This contribution may be made on site, or by means of a commuted sum or off site. The adopted Supplementary Planning Guidance (SPG) on Affordable Housing indicates that policies on affordable housing provision should be realistic and take account of considerations such as development viability and availability of funding. The SPG indicates each site will be examined on a case by case basis in order to determine the most appropriate affordable housing provision to meet local circumstances and housing needs.

The Council's Affordable Housing and Development Contributions Officer, having consulted the Council's Housing Services, have stated a minimum 25% Affordable Housing Contribution is appropriate at this site which should be split as follows:

- 8% Subsidised Affordable Housing on site, Social Rented units and other Intermediate subsidised units to be delivered in partnership with a Registered Social Landlord or the Council;
- 8.5% Entry level for sale units (unsubsidised and delivered by the developer) – restrictions on initial selling price and future sale to be agreed with the Council;
- 8.5% Affordable Housing Commuted Sums

All on site affordable housing units should be grouped together and well integrated into the overall development and should be, as far as reasonably practicable, indistinguishable from the general mix of other housing on the development site in terms of style and layout, use of materials, architectural quality and detail.

In terms of the Affordable Housing Commuted Sum, in line with PAN 2/2010, the commuted sum required would be of a value equivalent to the cost of providing the percentage of serviced land required by the policy, and at a reasonable density for the end use as affordable housing. In line with Council policy, the value of the appropriate Commuted Sum from the development (based on 8.5% of the total number of residential units proposed on the development site) is to be determined by the District Valuer unless the applicant requests otherwise. In which case it will be determined by a chartered valuation surveyor

and appointed by mutual agreement between the parties, failing which by the chairman of the Royal Institution of Chartered Surveyors in Scotland.

Strategic Policy 3 and the adopted SPG on Development Contributions indicate that the Council wishes to secure community, infrastructure and environmental benefits arising from new development to mitigate their impacts. The Council's Affordable Housing and Development Contributions Officer has indicated that the relevant development contributions from this site have been agreed with the applicant and include contributions for: Education (Pre-five, Primary and Secondary); Community Facilities (Community Halls & Libraries and Sports); Parks and Open Space; Roads and Transportation; and Green Network and Access. A legal agreement (Section 75) would be required to secure the agreed planning obligations.

The applicant has confirmed the acceptance of the abovementioned affordable housing and development contributions requirements, and has advised that they understand that these will form the basis for a Section 75 Agreement to be concluded prior to the issue of any planning permission.

The Barrhead North SPG is clear that the cumulative impact on the wider road network needs to be considered. In recent years a roundabout has been constructed at the junction of Blackbyres Road/Glasgow Road that has capacity to provide access for the site and accommodate traffic generated by proposed developments in the Barrhead North area. A traffic impact analysis was carried out to support the SPG on the cumulative impact on the wider road network of the Barrhead North SDO area including the proposed site. It found that the Blackbyres Road/Grahamston Road junction would be operating at capacity with possible improvement measures being required. It also highlighted that there are existing capacity issues at the Caplethill, Paisley Road, Grahamston Road junction which the SDO development will intensify. However there are options to implement improvement measures subject to detailed design.

The applicant has submitted a Transport Assessment (November 2017) as part of the current application which concludes that the proposal in isolation will have a minimal impact on the operation of the B774 Caplethill Road/ B771 Paisley Road/ B771 Grahamston Road junction and no improvement is considered necessary as a consequence of this development. It does however recognise that all the proposed Barrhead North developments would exacerbate the existing capacity issues at this junction and acknowledges improvements would offset the impact of the Barrhead North residential development.

The Council's Roads Service states that an addendum to the submitted Transport Assessment will be required at the detailed application stage to demonstrate that the proposal meets the Council's Roads and Parking Standards and to address the specific challenges associated with a detailed layout. They have also stated that a Stage 1/Stage 2 Road Safety Audit will be required to confirm any off-site road improvements and the internal road network are safe and functional.

Roads Services has also stated that careful consideration will need to be given to the proposed level of vehicle traffic that can use Victoria Road and what mitigation is required to deal with the proposed size of the residential use. The applicant's Traffic Assessment estimates that only 21% of vehicular trips are likely to use the Victoria Road access. Roads Services has stated this appears to be low given that this access would be the most attractive for anyone driving to the local schools or shops.

Policies D1 and D2 of the LDP set out a number of criteria for assessing development in order that it is well designed and compatible with the character and amenity of the locality and surrounding land uses. As stated previously, the application is in principle and no details

have been submitted for consideration at this point. However subject to the consideration of the details such as layout that will be required to be submitted as part of detailed applications the proposed use of the site for residential purposes is considered to be compatible to the surrounding residential areas and therefore complies with the general terms of Policies D1 and D2.

Policy D1 also requires proposals to take into account the legacy of former mining activity. The consultation response from the Coal Authority indicates that there are two mines within the application site and a further mine entry shaft located adjacent to the site boundary with its associated zone of influence extending into the site. They also state that the site is underlain by shallow coal mine workings and that probable unrecorded underground shallow coal mine workings are likely to be present. Given the above, the applicant was required to undertake a Coal Mining Risk Assessment which identifies the presence of mine entries and workings, and the possibility of those unrecorded, and identifies that these pose a high risk to the proposed development. The Report makes recommendations for the carrying out of intrusive site investigations, including the drilling of boreholes and trial trenching, in order to establish ground conditions, the extent of workings, the location of the mine entries, and to inform an appropriate remediation strategy to address the risks posed by coal and limestone mining legacy across the site. It is considered that this matter can be addressed as part of the detailed application stage and if this application is approved a condition can be attached that requires this information/assessment to be submitted.

Policy D7 indicates that new development proposals should integrate a range of green infrastructure including open space provision, multi-use access, SUDS, wildlife habitat and landscaping. Policy D7 also indicates that proposals should seek to deliver a multi-functional and accessible green network of connected green infrastructure and open space throughout the site and integrate this with the wider Green Network and green spaces throughout the wider area. Policy D8 indicates there will be a strong presumption against development where it would compromise the overall integrity of natural features.

There are no natural heritage designations in the site such as Local Biodiversity Sites or Sites of Special Scientific Interest, however, the applicant's preliminary Ecological Report identifies that further assessment/survey is required for invertebrates' habitats and bats. It also recommends the retention of woodland and scrub habitats, appropriate lighting and, other measures which should be taken into account if a protected species is found on site. These are noted and an updated survey will require to be submitted along with appropriate landscaping plans with any subsequent detailed application.

Policy D9 indicates there will be strong presumption against proposals which have an adverse impact on outdoor access including Rights of Way. There is a Right of Way that runs along the north west boundary of the site and at the rear of Grahamston Park. The indicative layout shows connections to the Right of Way however no details have been submitted. The proposed development presents the opportunity to integrate the Right of Way and to encourage greater and safer use through careful design to ensure passive overlooking.

Policy E2 seeks to ensure that all new proposals deliver low and zero carbon development. This site, combined with surrounding future development sites, also provides an opportunity for providing combined heat and power and district heating to meet energy needs. A low carbon area is a key objective of the adopted LDP and will underpin the approach in proposed LDP. SEPA have also stated that this matter should be considered fully by the applicant.

Policy E3 states that there will be a strong presumption against development that is likely to have an adverse effect on the water environment. Policy E4 states that there will be a strong presumption against development within the functional flood plain.

The Bridgebar Burn traverses the site in the form of a culvert. The Barrhead North SPG recognises the opportunities associated with opening the culverted watercourse as this can potentially reduce flood risk from culvert blockage, or undersized culverts, as well as having green space and other environmental benefits. SEPA's consultation response to the application supports this position. SEPA states that a Flood Risk Assessment is likely to be required to support any future detailed planning application. In addition SEPA requires the submission of detailed proposals for the enhancement of the culverted burn.

Policy E5 requires a Sustainable Urban Drainage System (SUDS) to be incorporated into all new developments to moderate surface water drainage from the site and mitigate impacts on water quality. The indicative layout identifies a SUDS area to the north adjacent to the site entrance which is to be in the form of an attenuation area/pond. SEPA have stated that SUDS which use infiltration are not suitable where infiltration is through land containing contaminants which are likely to be mobilised into surface water or groundwater.

The Council's Roads Service have been consulted on the application and have raised no objection subject to a satisfactory Flood Risk Assessment and Drainage Strategy being submitted.

This application for planning permission in principle raises no significant issues regarding Policies D1, D7, D8, D9, E2, E3, E4 and E5. A full assessment against these policies will be made at the detailed application stage.

The proposal complies with Policy SG1 which identifies the site for housing development. Policies SG3 (phasing of new housing), SG4 (housing mix) and SG5 (affordable housing) are applicable and can be fully assessed at the detailed application stage should this application be approved.

Representations

In terms of the representations received, the issue relating to character has been considered above. The issues regarding amenity, overlooking/privacy, traffic impact and road safety, and parking are all matters which will be required to be fully assessed at the detailed application stage. In terms of the lack of public pre-application consultation, the applicant undertook statutory pre-application consultation with the community following the submission of a Proposal of Application Notice. The submitted Pre-application Consultation Report outlines the outcomes of what was carried out. The Council's Development Management Service is satisfied that the applicant has demonstrated that they have undertaken the appropriate consultation as required by legislation.

The issues regarding litter, vandalism and anti-social behaviour are not material planning considerations and are better addressed under other separate legislation.

Overall conclusion

The Local Development Plan identifies the site for housing development. It is considered that the proposed re-use of an urban brownfield site for residential purposes complies with the general aims of National and Regional Planning Policy and the Local Development Plan and accompanying Barrhead North SPG. It is considered that there are no material considerations, including consultation responses and representations, that outweigh the

provisions of the Development Plan and consequently, given the above it is recommended that the application is approved subject to conditions.

RECOMMENDATION: Grant subject to conditions following the conclusion of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the delivery of affordable housing and the payment of development contributions.

PLANNING OBLIGATIONS: A legal agreement relating to the delivery of affordable housing and development contributions that includes payments for the following: Education (Pre-five, Primary and Secondary); Community Facilities (Community Halls & Libraries and Sports); Parks and Open Space; Roads and Transportation; and Green Network and Access.

CONDITIONS:

1. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to a comprehensive site investigation. The scheme shall identify the nature, extent and type(s) of contamination throughout the site and shall contain details of:
 - i) investigation methodology including its phasing and to take account of any demolition operations;
 - ii) management/treatment/disposal of material resulting from the site investigation, site clearance and demolition;
 - iii) methodology for dust suppression of material resulting from the site investigation, site clearance and demolition;
 - iv) phasing of decontamination/remediation works.

The site investigation shall be completed in accordance with the advice given in the following:

- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
- (ii) Contaminated Land Report 11 – ‘Model Procedures for the Management of Land Contamination (CLR 11) – issued by DEFRA and the Environment Agency
- (iii) BS 10175:2001 – British Standards institution ‘The Investigation of Potentially Contaminated Sites – Code of Practice’.

The site investigation shall fully characterise the ground conditions and a site-specific risk assessment must be undertaken to identify any potential pollution linkages, sensitive receptors and include recommendations for further investigations or remediation options to reduce the risks identified to an acceptable level suitable for the proposed end use.

Before any work relating to the development hereby approved, including any works to the Bridgebar Burn/culvert commences, the approved measures to decontaminate/remediate the scheme shall be fully implemented unless a phased completion is agreed as part of the approved scheme in which case the phased completion is undertaken in accordance with the approved scheme. Remediation of the site shall be carried out in accordance with the approved remediation plan and a verification report confirming the works have been completed in accordance with the remediation plan shall be submitted to the Planning Authority.

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

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

2. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to a comprehensive intrusive site investigation for mine entries and shallow mining is undertaken in order to establish the exact situation regarding coal mining legacy issues on the site and adjacent to the site that may affect the proposed use of the site. The application shall include:
 - i) A report of findings arising from the scheme(s) of intrusive site investigation(s), including the results of any gas monitoring;
 - ii) Detailed scheme for any remedial works to treat the mine entries, areas of shallow mine workings and any gas that is identified to ensure the safety and stability of the proposed development and proposed phasing of the remedial works;
 - iii) The submission of a layout plan which identifies the locations of the mine entries and appropriate 'no-build' zones around these features;
 - iv) Before any work relating to the development hereby approved commences, the approved measures to remediate the site shall be fully implemented unless a phased completion is agreed as part of the approved scheme in which case the phased completion is undertaken in accordance with the approved scheme.
 - v) Remediation of the site shall be carried out in accordance with the approved remediation plan and a verification report confirming the works have been completed in accordance with the remediation plan shall be submitted.

3. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of all buildings, roads, means of access, footpaths, parking areas (distinguishing, where appropriate, between private and public spaces), and vehicular turning areas. The layout shall also make provision for the opening of the Bridgebar Burn and its integration into the Green Network, open space and SUDs requirements of the site as outlined in the SPG - Barrhead North. The layout shall be informed by the results of a noise assessment that shall be carried out in accordance with the principles of Planning Advice Note 1/2011; Planning and Noise, and the contamination and coal findings as outlined in conditions 1 and 2 respectively.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

4. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the proposed floor plans and elevations of all buildings and shall show dimensions as well as the type and colour of all external materials.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

5. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the type and colour of all external surfaces of the building and hard surfacing materials.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

6. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the phasing of the development.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

7. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the proposed ground levels throughout the site and proposed finished floor levels, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: Development exceeding 90m AGL would penetrate the Obstacle Limitation Surface (OLS) surrounding Glasgow Airport and could endanger aircraft movements and the safe operation of the aerodrome. To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

8. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to an ecological report. The ecological report shall include further survey(s) and proposals to mitigate the impacts of the development on biodiversity including loss of/damage to woodland, scrub, scattered trees and grassland; loss of

potential habitat for hedgehog, bats and birds; disturbance to protected species (birds and bats) and incidental injury or fatality of faunal species (birds, bats, and hedgehog) and habitats suitable for invertebrates. The report shall also identify the ecological baseline and areas of habitats, including trees and shrubs to be retained, appropriate lighting and, measures which should be taken into account if a protected species is found on site. The report shall also include details on how the trees and shrubs to be retained are to be protected.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

9. Details are to be submitted in pursuance of condition 3 of full details of soft and water landscaping works that have been submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. Details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design'.

These details shall include:

1. the species, number and spacing of trees and shrubs
2. details of any water features
3. drainage details including SUDS - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)

Reason: To avoid endangering the safe movement of aircraft and the operation of Glasgow Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

10. Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the planning authority relating to the proposed landscaping at the site. Details of the scheme shall include:

- 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, play equipment;
- iv) Details of the phasing of these works;
- v) Proposed levels;
- vi) Schedule of maintenance.

For the avoidance of doubt, the scheme shall demonstrate and include how the recommendations identified in the ecological report required under condition 8 above have been taken into account.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

11. Development shall not commence until an application for approval of the following matters has been submitted to and approved in writing by the planning authority

relating to a scheme for the provision of equipped play area(s). The scheme shall include:-

- a. details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
- b) details of the surface treatment of the play area, including the location and type of safety surfaces to be installed;
- c) details of fences to be erected around the play area(s);
- d) details of the phasing of these works; and
- e) details of the future maintenance of the play area(s).

Thereafter measures that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

12. Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the details of surface water management and Sustainable Urban Drainage Systems proposals. For clarification, after attenuation/ treatment, the recommended maximum outflow from the development site into any relevant outfall shall not exceed 8 litres/second/hectare.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

13. Development shall not commence until details have been submitted of a management scheme to ensure that the landscaped areas and other areas of common ownership are maintained to an approved standard. The management scheme requires to be approved in writing by the Planning Authority and shall include details of when it will be implemented on site.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: In the interests of the amenity of the site and the surrounding area.

14. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the proposed bin stores to be erected on site and the location for residual waste/recycling container collection points.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

15. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to all walls (including retaining walls) and fences to be erected on site.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

16. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the trees that have been surveyed on site. This survey shall be displayed on a site layout plan and include an identification of existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which overhangs into the site shall also be included). Those trees which are proposed to be felled or removed shall be separately identified.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

17. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to the visibility splays to be provided in both directions at the junction of the new access with the existing road.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

18. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to a Stage 1 / Stage 2 Road Safety Audit. The Road Safety Audit shall demonstrate that the internal road network is safe and functional. Furthermore it shall identify any off-site road improvements required and include details and phasing of the proposed improvements for the written approval of the planning authority. The Road Safety Audit will also include a construction and site preparation traffic management plan.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure road safety and that the matters are acceptable at this location.

19. Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to a Flood Risk Assessment (FRA). The FRA shall identify the route and condition of the culverted (Bridgebar Burn) watercourse and take into account the opening of the culvert, and thereafter inform the site layout. For clarity, where the culvert is to remain in place, no buildings shall be constructed over the culvert.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

20. The details to be submitted and approved in writing by the planning authority in pursuance of Condition 19 above shall extend to a CCTV survey of the culverted watercourse downstream of the site.

Reason: In the interest of sustainable development

21. Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to an Air Quality Assessment. The assessment shall assess the potential impact of the proposed development on local air quality and identify mitigation measures. Where mitigation measures are identified, the assessment shall be accompanied by a proposed scheme of implementation and phasing of the measures.

Thereafter the matters that are approved shall be implemented in their approved form.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.

22. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the planning authority relating to an onsite district heating network (subject to the outcomes of feasibility statement prepared in line with the Scottish Government's Planning Advice on Heat). The submitted information shall consider how the development will be designed to accommodate district heating pipe networks to enable connection to any local district heating networks that become available in the future.

Reason: To ensure the planning authority has the necessary information to determine the application and to ensure the matters are acceptable at this location and in the interests of a low carbon economy.

23. 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.

Reason: To prevent noise nuisance to the surrounding area.

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

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

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.

This development may affect a public right of way and this planning permission does not carry with it any right to close or divert a public right of way. Where a public right of way exists on or adjacent to your development site you should contact East Renfrewshire Council's Access Officer no less than four months prior to working in and around a public right of way.

The applicant is required to comply with the European Council's Directive 92/43/EEC on the Conservation of Natural Habitats, the Wildlife and Countryside Act 1981 (as amended) and the Nature Conservation (Scotland) Act 2004 which provide full protection for certain plant and animal special and European Protected Species. It is illegal to capture, kill, disturb any such animal, damage or destroy breeding or nesting sites or eggs or deliberately or recklessly pick, collect, cut, uproot or destroy European Protected Species of wild plant. In addition, where it is proposed to carry out works which will affect European Protected Species or their shelter/breeding places, a licence is required from the Scottish Executive. Further information on these matters can be sought at Scottish Executive Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh or from Scottish Natural Heritage.

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

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

A Road Construction Consent is required under Section 21 of the Roads (Scotland) Act 1984. In addition a Road Bond is required under Section 17 of the Roads (Scotland) Act 1984.

The development is located in an area where Radon Gas may be present and protective measures may be required. More details of the protective measures are available in BR376 (1999) Radon: Guidance on protective measures for new dwellings in Scotland. Additional information and guidance is available from the Building Research Establishment website (<http://www.bre.co.uk/radon/>).

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

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

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

The developer should contact Network Rail Asset Protection Engineer, 151 St Vincent Street, Glasgow, G2 5NW. Tel: 0141 555 4087 Email:
AssetProtectionScotland@networkrail.co.uk

ADDED VALUE:

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

A legal agreement is required to secure essential aspects of the development and to ensure the proposal complies with the Council's Local Plan policies.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr John Drugan on 0141 577 3175.

Ref. No.: 2017/0756/TP
(JODR)

DATE: 6th March 2019

DIRECTOR OF ENVIRONMENT

Reference: 2017/0756/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan

Policy M1 - Master Plans - The Council will support appropriate development within master planned areas and will prepare Supplementary Planning Guidance to set the planning context for the development of these major sites and to bring forward their implementation.

Development within the master planned areas as defined on the Proposals Map will be acceptable where it conforms with the master plan and is in accordance with Strategic Policies 1, 2 and 3 and Policy D1. A phasing and delivery strategy will be required for all proposals. Any application should relate to the master planned area as a whole or if less should not in any way prejudice the implementation of the whole development.

Policy M3 - Strategic Development Opportunity -Shanks/Glasgow Road Barrhead
Development within Shanks/Glasgow Road area of Barrhead as defined on the Proposals Map will be permitted in accordance with Policy M1, to be defined further through the preparation of a master plan.

The master plan will be prepared by the Council in partnership with landowners, developers and key agencies and will be adopted by the Council as Supplementary Planning Guidance. The Council will not consider any applications favourably prior to the adoption the master plan to ensure a co-ordinated approach to delivery.

Former Shanks industrial site:

Mixed housing comprising a range of house types and tenures including affordable phased to deliver approximately 400 housing units by 2025;

Implementation of an appropriate remediation strategy to address any contamination of the Shanks site;

Promotion of temporary and advanced greening of Shanks to improve the environmental quality of derelict and contaminated sites and bring them back into productive use; and
Community/leisure facilities.

Glasgow Road:

Concentration of employment generating uses to the east of Glasgow Road, centred around the former Nestle factory site and the Bowerwalls business area to assist with the creation of a dynamic and competitive local economy, boost local jobs and improve inward investment opportunities;

Community/leisure facilities;

Release of smaller scale sites along Glasgow Road for housing development opportunities:
Blackbyres Court - 15 housing units phased by 2025; and North Darnley Road - 60 housing units phased beyond 2025.

Grahamston Road/Blackbyres Road:

Redevelopment for employment use with limited enabling residential development of approximately 35 units. The residential development offers potential for "live-work" units. Exceptionally, development in this area will be permitted to progress prior to the adoption of

the master plan subject to there being no prejudice to providing improved connections to the surrounding road network.

Provision for a sustainable linked transport strategy comprising:

Public transport upgrades; and Improved connections to surrounding road network.

Strategic Policy 1 - Development Strategy

The Council supports proposals that promote sustainable development, contribute to the reduction of carbon emissions and are served by a choice of transport modes including public transport. Proposals will be supported where they provide positive economic, environmental and social benefits to the area and meet the needs of the community up to 2025 and beyond. All proposals are required to comply with the key aim and objectives of the Plan.

The Council supports a complementary two strand approach to development as follows:

1. Regeneration and consolidation of urban areas with an emphasis on developing Brownfield and vacant sites alongside the continued protection and enhancement of the green belt and countryside around towns and the green network;
2. Controlled Growth to be master planned and directed to the following locations:
 - a. Urban Expansion:
 - i. Malletsheugh/Maidenhill Newton Mearns Strategic Development Opportunity (Policy M2.1);
 - ii. Barrhead South - Springhill, Springfield, Lyoncross Strategic Development Opportunity (Policy M2.2); and
 - b. A major regeneration proposal Strategic Development Opportunity at Glasgow Road/Shanks Park, Barrhead (Policy M3).

Strategic Policy 2 - Assessment of Development Proposals

Proposals for new development, other than smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), will be assessed against relevant criteria below as well as Policy D1:

1. Application of a sequential approach which gives priority to the use of Brownfield sites within the urban area then to Greenfield land within the urban area and finally to land adjacent to the urban area. Sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
3. Resulting positive community and economic benefits;
4. The impact on the landscape character as informed by the Glasgow and Clyde Valley and the East Renfrewshire Landscape Character Assessments, the character and amenity of communities, individual properties and existing land uses;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
7. The transport impact of the development on both the trunk and local road network and the rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;
8. The impact on the built and natural environment, including the green belt and green network taking into account the need for an Environmental Impact Assessment and

- the requirement for proposals to provide a defensible green belt boundary and links to the green network;
9. The impact on air, soil, including peat and water quality and avoiding areas where development could be at significant risk from flooding and/or could increase flood risk elsewhere;
 10. The potential for remedial or compensatory environmental measures including temporary greening;
 11. The contribution to energy reduction and sustainable development.
 12. The impact on health and well being;
 13. The cumulative impact of the development;
 14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;
 15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

Strategic Policy 3 - Development Contributions

The Council wishes to secure community infrastructure and environmental benefits arising from new developments to mitigate their impacts.

New developments that individually or cumulatively generate a requirement for new or enhanced infrastructure or services will be expected to deliver, or contribute towards the provision of, supporting services and facilities. Developer contributions will be agreed in accordance with the five tests of Circular 3/2012 - Planning Obligations and Good Neighbour Agreements. Planning permission will only be granted for new development where the identified level and range of supporting infrastructure or services to meet the needs of the new development is already available or will be available in accordance with an agreed timescale.

The master plans for the areas for change are required to identify the infrastructure requirements and development contributions required to support development. The master plans should identify how the infrastructure or services will be delivered to support the proposed development.

For all proposals viability will be a key consideration when determining the suitable level of development contributions.

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

Policy D1 - Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;

2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital

infrastructure to new homes and business premises as an integral part of development.

Policy D7 - Green Infrastructure and Open Space Provision within New Development
New development proposals should incorporate a range of green infrastructure including open space provision, multi use access, sustainable urban drainage, wildlife habitat and landscaping. This infrastructure should not only form an integral part of the proposed scheme but should complement its surrounding environment.

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

Policy D8 - Natural Features

There will be a strong presumption against development where it would compromise the overall integrity of Local Biodiversity Sites, Tree Preservation Orders and ancient and long established woodland sites.

Development that affects a site of special scientific interest will only be permitted where:

The objectives of designation and the overall integrity of the area will not be compromised;
or

Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

The location of Sites of Special Scientific Interest, Local Biodiversity Sites and Tree Preservation Orders are identified on the Proposals Map and referred to under Schedule 1.

Planning permission will not be granted for development that is likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation.

Further detailed information and guidance is set out in the Green Network and Environmental Management Supplementary Guidance, including criteria against which development proposals within or in close proximity to the natural features outlined above will be assessed.

Through Dams to Darnley Country Park the Council will promote the designation of a Local Nature Reserve at Waulkmill Glen as shown on the Proposals Map. This will be undertaken in partnership with Glasgow City Council and in conjunction with Scottish Natural Heritage.

Policy D4 - Green Network

The Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the green networks shown on the Proposals Map.

Proposals for development that are likely to destroy or impact adversely on the character or function of the green network will be discouraged.

Where proposals are likely to adversely impact upon the green network, appropriate mitigation will be required.

The provision of the green network will be a core component of any master plan.

Further detailed information and guidance, which all proposals require to reflect, is set out in the Green Network and Environmental Management Supplementary Guidance.

Policy E3 - Water Environment

There will be a strong presumption against development that is likely to have an adverse effect on the water environment. Development should not compromise the objectives of the Water Framework Directive. In assessing proposals, the Council will take into account the River Basin Management Plan for the Scotland River Basin District.

Policy E4 - Flooding

At all times, avoidance will be the first principle of flood risk management. Development which could be at significant risk from flooding, and/or could increase flood risk elsewhere will be resisted. A flood risk assessment taking account of climate change will be required for any development within the Scottish Environment Protection Agency functional flood plain.

Development that will reduce the likely incidences of flooding or vulnerability to flooding will be supported subject to compliance with other policies of the Plan.

There will be a presumption against development within functional flood plains. The functional flood plain equates to the 'medium to high risk' category. Water attenuation areas are designed to reduce the incidence of flooding in other locations and there will be a presumption against development within these areas. The Council will resist development within areas that are at risk of flooding, in accordance with the risk framework contained in Scottish Planning Policy.

Infrastructure developments may be permitted in areas of flood risk in the circumstances, and subject to the requirements, set out in the flood risk framework in Scottish Planning Policy.

Policy E5 - Surface Water Drainage and Water Quality

Sustainable urban drainage systems will require to be incorporated into all new development, with the exception of smaller scale proposals (such as applications for single houses, householder or shop frontage alterations). It should also form a major part of all master planning exercises. This will moderate surface water run-off from the site and mitigate any impacts on water quality.

There will be a general presumption against the culverting of watercourses as part of new development. Culverts may be acceptable as part of a grant aided flood prevention scheme or where they are necessary to carry water under a road or railway. Advice on culverts can be accessed on the Scottish Environment Protection Agency website www.sepa.org.uk

The Council will encourage the adoption of an ecological approach to surface water management through habitat creation or enhancement by, for example, forming wetlands or

ponds and opening up culverted watercourses. Invasive non-native species should not be introduced and their removal is encouraged. New planting must be with native species. The physical area of any development covered by impermeable surfaces, should be kept to a minimum to assist with flood risk management.

Policy SG1 - Housing Supply

The Council has identified sufficient land for a minimum of 4100 homes and associated infrastructure to be delivered in East Renfrewshire between 2009 and 2025 to comply with the Strategic Development Plan requirements. Sites listed under Schedules 8 to 11 (including past completions 2008/09-2012) will contribute towards meeting these targets.

The land supply will be monitored annually through the Housing Land Audit, Housing Trajectory and the Action Programme. At all times a 5 year continuous effective land supply will be maintained.

The Council will support housing development on the established housing sites as shown on the Proposals Map and listed under Schedule 8. All proposals will require to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3.

Sites listed under Schedule 9 and as shown on the Proposals Map are allocated exclusively for affordable housing, including housing for particular needs. Proposals for private housing on these sites will not be supported.

The council will prioritise the early delivery of sites within the established land supply. If the audit identifies a shortfall in the five year effective housing land supply, the council will support housing proposals which:

- are capable of delivering completions in the next five years;
- can address infrastructure constraints;
- are in a sustainable location as guided by Diagram 4 of the Glasgow and Clyde Valley Strategic Development Plan.

Policy SG3 - Phasing of New Housing Development

The new allocations of land for housing development listed in Schedules 10 and 11 will be subject to phased release to ensure that a 5 year continuous effective land supply is maintained at all times.

The locations listed in Schedules 10 and 11 will be removed from the green belt. Sites contributing to Phase 1 will be shown as formal allocations in the Plan. Sites safeguarded in Phase 2 will be identified as meeting longer term development needs.

Phase 2 safeguarded locations will be released before 2025 where required to maintain a 5 year land supply or where levels of affordable housing significantly in advance of the 25% requirement are being promoted.

Policy SG4 - Housing Mix in New Developments

All new housing proposals should include in their design a mix of house types, sizes and tenures to accord with the Council's Local Housing Strategy and the Strategic Housing Need

and Demand Assessment. The design should include smaller house types and an element of accessible and adaptable properties to meet the needs of our ageing population and households with particular needs. This mix is in addition to affordable housing contributions.

Policy SG5 - Affordable Housing

Throughout East Renfrewshire, where planning permission is sought for residential developments of 4 or more dwellings, including conversions, the Council will require provision to be made for a minimum 25% affordable housing contribution. This contribution may be made on site; or by means of a commuted sum payment; or off site. The affordable housing should be well integrated into the overall development. For all proposals viability will be a key consideration when determining the suitable level of contributions. All proposals will require to comply with Strategic Policy 2 and Policy D1.

Further detailed information and guidance is provided in the Affordable Housing Supplementary Planning Guidance.

Policy D9 - Protection of Outdoor Access

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

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

Policy E6 - Waste Water Treatment

Connection to the public sewerage system is required for all new development proposals. The only exceptions are:

In rural areas where no public sewerage system exists and connection into a public sewerage system is not physically or economically viable;

If a development cannot connect to an available public drainage infrastructure directly, possibly through a lack of capacity or through the timing of completion of works, planning permission may be granted on the basis that the development will be served by a private treatment plant on a temporary basis but will be required to connect to the public drainage infrastructure when capacity becomes available;

Proposed development should be effectively served by the foul sewerage network and where possible discharge to the public system. A private system will only be acceptable in exceptional circumstances and, in this instance, Scottish Environment Protection Agency's guidelines and policies must be adhered to.

In all circumstances the proposals should not pose or add to an environmental risk as a result of cumulative development

GOVERNMENT GUIDANCE:

Scottish Planning Policy on Managing Flood Risk and Drainage indicates the planning system should promote a precautionary approach to flood risk from all sources; flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas; flood reduction by assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems and minimising the area of impermeable surface. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

Scottish Planning Policy on Affordable Housing indicates that local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Where affordable housing is required, this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. Consideration should also be given to the nature of the affordable housing required and the extent to which this can be met by proposals capable of development with little or no public subsidy. In rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing, for example because they lie outwith the adjacent built-up area and are subject to policies of restraint.

Scottish Planning Policy on the Delivery of New Homes indicates the planning system should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times; enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Scottish Planning Policy on a Low Carbon Place requires the planning service to support the transformational change to a low carbon economy consistent with national objectives and targets. It supports the development of a diverse range of electricity generation from renewable energy

technologies, including the expansion of renewable energy generation capacity and the development of heat networks and promotion of electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

Planning Advice Note 76 - New residential streets provides advice on the design of better quality residential streets and to ensure that they are well designed and make a positive contribution to the overall quality of the development.