

**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
5th December 2018

Reference No: 2018/0252/TP

Ward: 1

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Applicant:

Mr Gordon Pollock
Mossneuk Farm
Gleniffer Braes
By Neilston
Scotland
G78 3AL

Agent:

IKG Architects
21 Church Street
Kilbarchan
Scotland
PA10 2JQ

Site: Site 180 metres north of Foretrees Farm House, Fereneze Road, Neilston, East Renfrewshire

Description: Erection of agricultural worker's dwellinghouse

Reference No: 2018/0550/TP

Ward: 5

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Applicant:

Mr & Mrs McGraddie
c/o DTA Chartered Architect Ltd

Agent:

DTA Chartered Architects Ltd
9 Montgomery Street
The Village
East Kilbride
G74 4JS

Site: 2 Newtonlea Avenue, Newton Mearns, East Renfrewshire, G77 5QA

Description: Erection of two storey dwellinghouse following demolition of existing dwellinghouse

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REPORT OF HANDLING

Reference: 2018/0252/TP

Date Registered: 24th May 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 - Barrhead, Liboside and Uplawmoor

Co-ordinates: 246264/:658595

Applicant/Agent:

Applicant:

Mr Gordon Pollock

Mossneuk Farm

Gleniffer Braes

By Neilston

G78 3AL

Agent:

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21 Church Street

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PA10 2JQ

Proposal: Erection of agricultural worker's dwellinghouse

Location: Site 180 metres north of Foretrees Farm House

Fereneze Road

Neilston

East Renfrewshire

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service No objection

PUBLICITY:

08.06.2018 Barrhead News Expiry date 22.06.2018

SITE NOTICES: None.

SITE HISTORY:

2015/0416/TP	Erection of two storey detached dwellinghouse (amendment to previous planning permission 2012/0750/TP in relation to position of dwellinghouse and driveway) (in retrospect) (approximately 160m south of current application site)	Approved subject to conditions	07.08.2015
2017/0435/TP	Erection of dwellinghouse (same site as current application site)	Refused	13.10.2017
2018/0253/PN	Erection of agricultural shed (prior approval) (approximately 150m north of current application site)	Granted	01.08.2018

REPRESENTATIONS: Eleven objections against the application and a petition containing 73 signatures in support of the application have been received and can be summarised as follows:

Objections

No site-specific justification/ contrary to Local Development Plan policy
 Increase in traffic/road safety
 Detrimental to visual amenity
 Will lead to more houses if approved
 Noise disturbance from proposed house
 The existing farm worker's dwelling is not occupied by agricultural workers
 Impact on wildlife

In Support

It outlines the applicant's former military service and the current farmer's health issues.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Supporting Planning Statement – The Statement describes the site and its location. It describes the current agricultural operations at Mossneuk Farm and makes reference to the intention to increase the cattle herd by 50 and to introduce 150 pedigree sheep to the farm at a future date. The development is also described and assessed with regard to the relevant policies in the Local Development Plan. The Statement concludes that the development complies with the adopted East Renfrewshire Local Development Plan.

Labour Requirement Report – The Report has been prepared by the Scottish Agricultural College and details the current agricultural operations at Mossneuk Farm (beef cattle and land management) and calculates the current labour requirement as 5.56 units (5 full time workers). It outlines animal welfare issues specific to the business and states in section 4.3 that given the existing livestock numbers and operational requirements, there is a justification for three full-time workers to be resident on the farm. The report goes on to outline business expansion plans and notes that the current farmer is approaching retirement age.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009. However the application requires to be determined by the Planning Applications Committee as 10 objections have been received.

The application site comprises part of an agricultural field associated with Mossneuk Farm, Neilston. The site occupies a south-west facing slope adjacent to a tree shelter belt. It is accessed from the A736 via minor and unsurfaced private roads and lies to the north west of Neilston within the greenbelt. The private road accessing the site passes by the former steading associated with the former Capellie Farm, now known as West Capellie. West Capellie operates an equestrian business. The site is generally triangular in shape and measures approximately 110 metres by 45 metres across its greatest dimensions. It lies approximately 180 metres north of the closest dwelling known as Foretrees Farmhouse.

The main farm steading at Mossneuk Farm is located 1.2km to the west of the application site and is remote from its associated farm land. This is because the steading was a former piggery and the associated land was purchased from surrounding farms as the beef farming enterprise at Mossneuk expanded. The recently completed Foretrees Farmhouse is also associated with Mossneuk Farm and was granted planning permission on 7 August 2015 under 2015/0416/TP. This dwelling is subject to an agricultural occupancy condition limiting the occupancy of the dwelling to persons solely or mainly employed or last employed locally in agriculture. This earlier application was accompanied by a Labour Requirement Report that justified a dwelling for a full time worker to be resident in a more central location the farm to allow improved supervision of livestock.

As noted above permission 2017/0435/TP for the erection of a dwellinghouse on the current application site was refused on 10 October 2017. That proposal was contrary to the terms of Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan and to the terms of the adopted Supplementary Planning Guidance: Rural Development. The applicant had not demonstrated why an additional dwelling was required for the purposes of agriculture at this location and the proposed design was of a suburban nature, incorporated a higher ridge line and in the absence of any screen planting, would have been incongruous and highly visible in this location.

Planning permission is sought for the erection of a single storey dwellinghouse on the application site. The Labour Requirement Report and the Supporting Statement submitted with the application state that it is for an agricultural worker associated with Mossneuk Farm. The proposed dwelling measures 22 metres wide by 12 metres deep by 5.5 metres high. The dwelling is characterised by a pitched roof, gable ends and horizontal emphasis. It is proposed to be externally finished in render, with a tiled or slate roof. It generally has small window openings.

The application requires to be assessed against Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan and the adopted Supplementary Planning Guidance: Rural

Development (SPG). Policy D1 requires that any development should, inter-alia, not result in a significant loss of character or amenity to the surrounding area.

Policy D3 states that development in the greenbelt will be strictly controlled and limited to that which is required and appropriate to a rural location.

The SPG expands upon this and states that new dwellings will only be permitted in the greenbelt where it can be clearly demonstrated that:

- There is a specific and properly evidenced need for the dwelling to be sited at that location in the countryside and there is no other suitable property available;
- It is demonstrated that account has been taken of the possibility of conversion or rehabilitation of an existing building in the countryside, or locating a new building on a brownfield site;
- It is required for a person engaged locally in full-time employment in agriculture or other appropriate rural use and this is controlled through an occupancy restriction that may be subject to a section 75 agreement;
- It can be demonstrated that a viable business has been established at that location for a period of three years which can support a worker and the need for a new dwelling-house on that site. Applicants should demonstrate why it would be required in that location and not within the urban area;
- If a new dwelling is situated adjacent to any existing farmstead or other building grouping, it should not be larger than the original building and should be seen as subservient to it in design terms;
- New dwellings should be designed in a manner that is sympathetic in scale and design to their rural location and that fit into the landscape;
- It should be in accordance with the design guidance set out in section 3 of the Guidance.

In terms of Policy D3, it is noted that the Labour Requirement Report submitted with the application states that the current requirement labour requirement is for 5 full-time workers, three of which should be resident on the farm for animal welfare reasons. At present there are two dwellings associated with the farm, Mossneuk Farmhouse and Foretrees Farmhouse. The report states that at present the current farmer lives in Mossneuk Farmhouse and that one further full-time employee lives in the recently completed dwelling known as Foretrees Farmhouse. Correspondence from the agent indicates that whilst this third resident employee works 35 hours per week as a teacher over 39 weeks of the year, he nevertheless also works 35 to 50 hours per week on the farm. At present, the current overall labour requirement is met by another part time employee living at Foretrees Farmhouse and hired contractors.

The current requirement for three resident full-time workers is therefore not met. According to the Labour Requirement Report, the third full-time resident worker is required for reasons relating to animal welfare and security. The report states that the cows at Mossneuk calf all year round and that calving is labour intensive. Calving cattle require intensive supervision and often require obstetric assistance. The report adds that immediately after birth, calves often require help to suckle and health issues can be critical at this point.

In terms of safety and security, it is noted that Mossneuk Farm is located on the urban fringe. The Labour Requirement Report states that this has led to a number of security issues such as the theft of livestock, diesel and other items. Other issues include animal welfare and security issues arising for public access to the area. These issues are exacerbated by the fact the main farm stabling and Mossneuk Farmhouse are remote from the main land holding areas and that Foretrees Farmhouse provides only partial supervision over the wider landholdings. The Labour Requirement Report states that the proposed dwelling will help mitigate those security risks.

In terms of siting and design, further assessment is required against the SPG. As noted above, the proposed dwelling would occupy a prominent elevated position, 180 metres from the closest dwelling. However, the proposed dwelling would have a relatively low ridge height and would not break the skyline. Furthermore, screening in the form of tree planting is proposed on the northern and eastern boundaries of the site. Further in-fill planting is also proposed between the site and the tree belt to the south. Notwithstanding its remote location, the tree planting and design details

would ensure that the proposed dwelling would fit within the landscape and would not detract from the character or visual amenity of the area. If the application is approved full details of the screen planting can be secured by a condition. Furthermore, given the scale of the development, the proposal would not compromise the function or integrity of the greenbelt.

It is accepted that the existing farming enterprise at Mossneuk Farm is an established and viable business and this is confirmed in the Labour Requirement Report.

The proposal is therefore considered to comply with the terms of Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan and the adopted Supplementary Planning Guidance: Rural Development as the need for a third resident full-time worker has been established in terms of labour requirement, animal welfare and security.

The future plans for the expansion of the business and the farmer's future retirement plans, both as set out in the Labour Requirement Report, are noted. However, the additional dwelling has been justified in terms of the current livestock numbers and management practices and the future plans/intentions have not been considered in this assessment.

The Council's Roads Service has not objected to the application as it does not impact on the public road network. Nevertheless the Roads Service recommends that the driveway and the junction of the driveway with the private unsurfaced access road are formed such that they do not compromise road safety. Given the location of the site and the anticipated use of the access and the use of the private road, it is not considered necessary or reasonable to impose conditions relating to the formation of the access on any planning permission granted.

The following comments are made in respect of the points of objection not specifically addressed above. The Council's Roads Service has been consulted and has no objection to the proposal. It is not considered that the erection of the dwelling would give rise to a significant increase in road traffic. Any future planning applications for further dwellings will be assessed against the relevant policies of the Local Development Plan as well as any material planning considerations. The proposed dwelling would not be considered to give rise to a significant degree of noise disturbance. The dwelling at Foretrees is occupied by two persons engaged in agricultural work. The agent has confirmed the hours those persons work at Mossneuk Farm. Whilst they have other employment elsewhere, given the hours worked at Mossneuk, it is considered the terms of condition 1 of 2015/0416/TP have not been breached at this time. The site is not identified as having importance to wildlife and it is not considered that the dwelling would have a significant impact on wildlife in the area.

The petition in support is noted. Whilst the personal circumstances of the current farmer and the applicant are noted, they are not material to the determination of this application.

Overall conclusion

The proposal is considered to comply with Policies D1 and D3 of the adopted East Renfrewshire Local Development Plan and with the terms of the adopted Rural Development Supplementary Planning Guidance as it has now been demonstrated that the current operations at Mossneuk Farm justify a further full-time resident worker. The proposed dwellinghouse has been designed such that it is appropriate to the rural area and its location would not compromise the function or character of the green belt. There are no material considerations that outweigh the above considerations. It is therefore recommended that the application is approved subject to the attached conditions.

RECOMMENDATION: Approve Subject to Conditions

PLANNING OBLIGATIONS: None.

CONDITIONS:

1. Occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality of Mossneuk Farm; in agriculture as defined in Section 277(1) of the Town & Country Planning (Scotland) Act 1997; or to a widow or widower, spouse, ascendants, descendants and those living in family with such persons.

Reason: The site is located in an area identified in the development plan as being inappropriate for new residential development unless related to the essential needs of agriculture.

2. Development shall not commence until samples 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.

3. 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.

4. 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.

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

Reason: In the interests of sustainable development.

6. Prior to the commencement of any work on site: i) details of the proposed screen planting and the infill planting in the southern part of the site, as indicated on the approved block plan reference BLOCK.01 C; and ii) a scheme for its on-going maintenance that shall include the replacement of any trees that die or are damaged with 5 years of planting, shall be submitted and approved in writing by the planning authority. Thereafter, the approved screen and infill planting shall be implemented prior to the occupation of the dwelling hereby approved.

Reason: To safeguard the amenity and character of the area.

ADDITIONAL NOTES: None.

ADDED VALUE:

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

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

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2018/0252/TP
(DESC)

DATE: 28 November 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0252/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

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 D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

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

GOVERNMENT GUIDANCE:

Scottish Planning Policy indicates that where a planning authority considers it appropriate, such as in the most pressured areas, the development plan may designate a green belt around a town to support the spatial strategy by: directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space. Local development plans should show the detailed boundary of any green belt and describe the types and scales of development which would be appropriate within a green belt.

REPORT OF HANDLING

Reference: 2018/0550/TP

Date Registered: 13th September 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South and Eaglesham

Co-ordinates: 254766/:656059

Applicant/Agent:

Applicant:

Mr and Mrs McGraddie

c/o DTA Chartered Architect Ltd

Agent:

DTA Chartered Architects Ltd

9 Montgomery Street

The Village

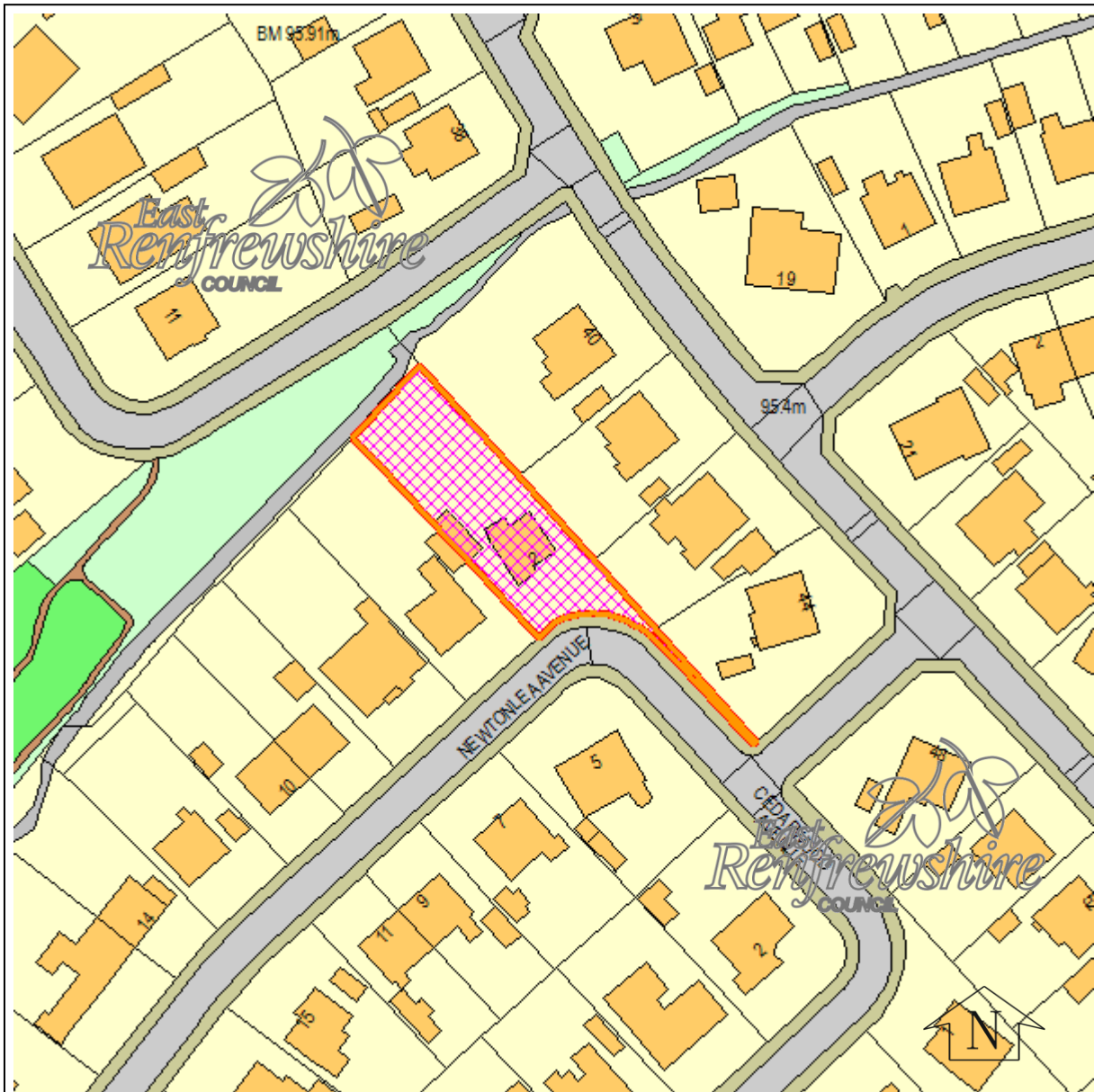
East Kilbride

G74 4JS

Proposal: Erection of two storey dwellinghouse following demolition of existing dwellinghouse

Location: 2 Newtonlea Avenue
Newton Mearns
East Renfrewshire
G77 5QA

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service No objection subject to conditions.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2018/0041/TP	Erection of two storey detached dwellinghouse following demolition of existing dwellinghouse	Withdrawn	05.04.2018
2018/0340/TP	Erection of two storey detached dwellinghouse following demolition of existing dwellinghouse	Withdrawn	07.08.2018

REPRESENTATIONS: 22 objections have been received to the application and can be summarised as follows:

Out of character with the surrounding development
 Overshadowing
 Loss of daylight
 Overlooking
 Impact on visual amenity
 Over-development of the plot
 Loss of trees
 Duplicate of an earlier application that was withdrawn
 Traffic and other health and safety issues
 A precedent will be set

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

A supporting statement has been submitted with the application which describes the site and the proposed development. It explains the design rationale and how it is considered to be in keeping with the character of the wider area. It provides examples of other two storey dwellings elsewhere in Newtonlea Avenue.

ASSESSMENT:

This is a Local Development under the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009. However the application requires to be determined by the Planning Applications Committee as more than 10 objections have been received.

The application site comprises a detached bungalow and its curtilage and lies within an established residential area. The dwelling is externally finished with brown render and a slate roof. It has a footprint of approximately 100sqm, measuring approximately 10 metres wide by 10 metres deep. The side and rear boundaries are generally characterised by garden planting. The rear garden slopes steeply downwards towards Knowes Avenue. The dwelling sits slightly below the level of the carriageway such that only parts of it are visible from Newtonlea Avenue when viewed from the south east. The dwelling sits adjacent to a bend in Newtonlea Avenue at the north-eastern-most end before it turns 90 degrees for a short run to the south east. The land to the north-east slopes steeply downwards where the adjacent dwellings on Broomvale Drive site at a much lower level.

Newtonlea Avenue runs generally in a south-west to north-east direction. The dwellings in the south-west portion of Newtonlea Avenue are a mix of 1930s bungalows and villas. A few of the 1930s bungalows in the south west portion of the street have been converted in recent times to two storey dwellings. The north-eastern part of the street, where the application site is located, is characterised by a variety of bungalows and one and a half storey dwellings dating from the 1950s. Whilst of differing styles, the dwellings in this section of Newtonlea Avenue are characterised by their horizontal emphasis and steeply pitched hipped or gabled roofs. They generally display large roof planes relative to their wall areas with low eaves heights.

Planning permission is sought for the erection of a two storey dwelling following demolition of the existing bungalow. The proposed dwelling has the character of a double-fronted villa with a shallow pitch hipped roof and high eaves level. It has a vertical emphasis when viewed from the street. This is informed by upper floor windows aligned vertically above ground floor openings set within projecting bays either side of the central entrance door. It has a footprint of approximately 181 square metres and measures approximately 14 metres wide by 18 metres deep across its greatest dimensions. The ridge height is proposed to be approximately 1.8 metres higher than the existing bungalow. The dwelling is proposed to be externally finished in smooth white render, stone effect details and a grey concrete tiled roof.

It should be noted that this application has been made following withdrawal of earlier applications. Application 2018/0041/TP was withdrawn by the applicant's agent on 28 March 2018 following advice from the Council's Planning Service that the scale, design and massing of the proposal was unacceptable. Application 2018/0340/TP was to be determined by the Planning Applications Committee on 8 August 2018 and was recommended for refusal however was withdrawn on 7 August 2018. The current application has to be determined irrespective of whether it is the same as the previously withdrawn application 2018/0340/TP.

The proposal requires to be assessed with regard to Policies D1, D2, D7 and D15 of the adopted East Renfrewshire Local Development Plan (LDP) and any material planning considerations.

Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area; the proposal should be of a size, scale and massing in keeping with the buildings in the locality and should respect local architecture, building form, design and materials; the amenity of neighbouring properties should not be adversely affected; and the Council's access and parking requirements should be met.

Policy D2 supports development within the general urban area where compatible with the character and amenity of the area and where it complies with other appropriate local plan policies.

Policy D7 states that new development should incorporate open space provision as set out within the adopted Supplementary Planning guidance: Green Network and Environmental Management (Green Network SPG). The Green Network SPG sets out the minimum standards for private garden sizes. Among other things, the SPG states that there should be a minimum of 2 metres between any new two storey dwelling and the side plot boundaries.

Policy D15 states that replacement dwellings should reflect the scale and character of the surrounding residences and should be designed to contribute towards the visual character of the area

As noted above, this section of Newtonlea Avenue is characterised by a variety of detached and semi-detached one and a half storey dwellings and bungalows. The introduction of a two storey dwelling at this location would not be in keeping with that established character. It is noted that the proposed dwelling has been designed to ensure its ridge height exceeds the height of the adjacent dwelling by only 37cm. However, this has been achieved by the use of a shallow pitch hipped roof set on a full two storey wall head. Again, this is in contrast to the general form of the adjacent dwellings which are characterised by their horizontal emphasis, steeply sloping roof planes and low eaves. Whilst the height increase is not significant, the two storey wall head with the higher eaves, in conjunction with the increased width of the frontage from approximately 10 metres to 14 metres gives the proposed dwelling a massing that is considerably greater and in stark contrast to that of the adjacent dwellings. The proposed dwelling is therefore considered to be out of character with the surrounding area by virtue of its general form and design and by its

increased massing and would result in a visually dominant and incongruous addition to the streetscape. Whilst there are two storey dwellings in the south-western portion of Newtonlea Avenue, those are sufficiently far from the application site as would not mitigate the impact of the proposal on the character of the immediate area.

Given the increased massing of the proposed dwelling and that it lies only 1 to 1.2 metres from the north-east boundary, the proposal would cast a significant additional shadow over the nearest properties on Broomvale Drive.

Given this impact on character and amenity, the proposal is contrary to Policies D1 and D15 of the adopted East Renfrewshire Local Development Plan.

It is accepted that the proposed dwelling has full height windows at both ground and first floor levels. Whilst it would be possible to have oblique views over the adjacent gardens from those windows, they nevertheless directly overlook only the applicant's proposed rear garden. The side-facing windows serve bathrooms and WCs and will be opaque glazed. The proposal would not be considered to give rise to a significant degree of additional overlooking that would justify a refusal of the application on those grounds.

Policy D7 requires compliance with the open space standards set out in the Green Network SPG. The SPG states that there should be a minimum of two metres from any new dwelling to the side plot boundary. In this instance the dwelling lies between 1 and 1.8 metres from the side boundaries. The proposal is therefore contrary to Policy D7 of the adopted East Renfrewshire Local Development Plan.

Whilst Policy D2 supports development within the general urban area, this is subject to proposals complying with all other relevant policies of the Local Development Plan. As noted above, the proposal is contrary to Policy D1 and D7. It therefore does not meet the terms of Policy D2.

In terms of the objections that have been received and have not been addressed above the following comments are made.

The proposal would not be considered to give rise to a significant loss of light to adjacent properties. Had the development been acceptable in terms of its design and massing, minor changes could have been made to the footprint to comply with the Council's open space standards. The proposal is not considered to represent the over-development of the site. The site is not covered by a Tree Preservation Order. The proposal would not result in a loss of trees as would justify refusal of the application on those grounds. The Council's Roads Service has not objected to the proposal in terms of public road safety. The proposal would not be considered to give rise to any other health and safety issues. It is not considered that if this application was approved that a precedent would be set. Any similar application will also be assessed against the relevant development plan policies and any material planning considerations.

In conclusion, the proposal is contrary to Policies D1, D2 and D7 of the adopted East Renfrewshire Local Development Plan. There are no material considerations that are considered to outweigh these policies.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASONS FOR REFUSAL:

1. The proposal is contrary to Policies D1 and D15 of the adopted East Renfrewshire Local Development Plan as i) the proposed two storey dwelling would be a dominant and incongruous addition to the streetscape by virtue of its massing and design, to the detriment of the character and amenity of the area; and ii) the proposed dwelling would give rise to significant additional overshadowing to the detriment of the amenity of the occupiers of the adjacent properties.
2. The proposal is contrary to Policy D2 of the adopted East Renfrewshire Local Development Plan as the proposed dwelling would be a dominant and incongruous

addition to the streetscape by virtue of its increased massing and contrasting design, to the detriment of the character and amenity of the area.

3. The proposal is contrary to Policy D7 of the adopted East Renfrewshire Local Development Plan and to the terms of the adopted Supplementary Planning Guidance: Green Network and Environmental Management, as the proposed dwelling would lie within 2 metres of each side plot boundary, which would be detrimental to the character and amenity of the area.

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3034.

Ref. No.: 2018/0550/TP
(DESC)

DATE: 28 November 2018

DIRECTOR OF ENVIRONMENT

Reference: 2018/0550/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

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 D2

General Urban Areas

Development will be supported within the general urban areas, as defined on the Proposals Map, where compatible with the character and amenity of the locality and surrounding land uses and where it complies with other appropriate policies of the Plan.

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 D15

Sub-division of the Curtilage of a Dwellinghouse for a New Dwellinghouse and Replacement of an Existing House with a New House

The proposed plot should reflect the established pattern of development and should be of a size and shape capable of accommodating a dwellinghouse. There should also be sufficient land to provide garden ground that is of a scale and character compatible with the locality.

Any new house must reflect the scale and character of the surrounding residences and the established pattern of development in the area. It should be designed to contribute to the visual character of the area.

Existing building lines should be respected.

Development should provide safe vehicular access and parking in accordance with the Council's roads and parking standards.

GOVERNMENT GUIDANCE: None