

**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 June 2018

**Reference No:** 2017/0585/TP

**Ward:** 5

Page 5

**Applicant:**

Taylor Wimpey Ltd  
Unit C, Cirrus Building  
Marchburn Drive  
Paisley  
PA3 2SJ

**Agent:**

**Site:** Land at Maidenhill (to the east of the Old Ayr Road) Newton Mearns, East Renfrewshire

**Description:** Erection of 48 dwellinghouses (amendment to planning permission 2016/0712/TP to alter house types, numbers and layout at part of the site)

**Reference No:** 2017/0586/TP

**Ward:** 5

Page 23

**Applicant:**

Taylor Wimpey Ltd  
Unit C, Cirrus Building  
Marchburn Drive  
Paisley  
PA3 2SJ

**Agent:**

**Site:** Land at Maidenhill (to the east of Highover and Marlin Lodge) Newton Mearns, East Renfrewshire

**Description:** Erection of 49 dwellinghouses (amendment to planning permission 2016/0712/TP to alter house types, numbers and layout at part of the site)

**Reference No:** 2017/0587/TP

**Ward:** 5

Page 41

**Applicant:**

Taylor Wimpey Ltd  
Unit C, Cirrus Building  
Marchburn Drive  
Paisley  
PA3 2SJ

**Agent:**

**Site:** Land at Maidenhill (to the east of Highover and Marlin Lodge) Newton Mearns, East Renfrewshire

**Description:** Erection of 9 dwellinghouses (amendment to planning permission 2016/0712/TP to alter house types, numbers and layout at part of the site)

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# REPORT OF HANDLING

Reference: 2017/0585/TP

Date Re-registered: 22nd March 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 - Newton Mearns South And Eaglesham

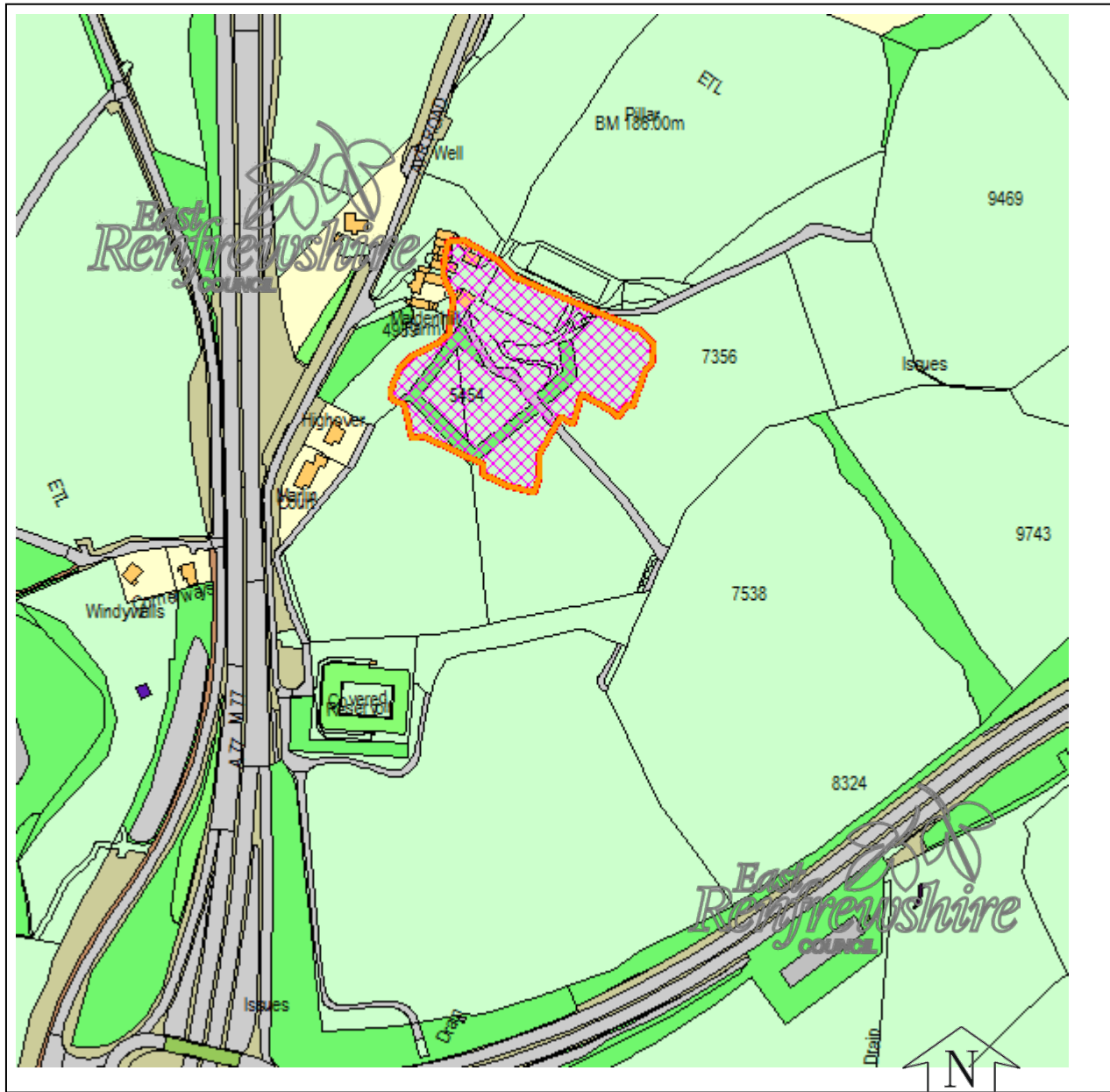
Co-ordinates: 252949/:654656

Applicant/Agent: Applicant: Agent:  
Taylor Wimpey Ltd  
Unit C, Cirrus Building  
Marchburn Drive  
Paisley  
PA3 2SJ

Proposal: Erection of 48 dwellinghouses (amendment to planning permission  
2016/0712/TP to alter house types, numbers and layout at part of the site)

Location: Land at Maidenhill (to the east of the Old Ayr Road)  
Newton Mearns  
East Renfrewshire

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**CONSULTATIONS/COMMENTS:**

East Renfrewshire Council Development Contributions Officer	No objection subject to the satisfactory conclusion of a modification to the existing Section 75 agreement.
Glasgow Airport	No objection.
East Renfrewshire Council Environmental Health Service	No comments to make provided that the conditions attached to planning permission 2016/0712/TP are applied.
West of Scotland Archaeology Service	Recommends an archaeological watching brief condition.
Transport Scotland Trunk Roads Network Management	Recommends the same conditions suggested by them to planning application 2016/0712/TP are still relevant and should be imposed on any consent given for this application.
East Renfrewshire Council Roads Network Manager	No objection subject to conditions.
Scottish Environment Protection Agency	No objection.
Broom, Kirkhill and Mearnskirik Community Council	Objects on the grounds of flooding and increased foul and surface water drainage; the developers have failed to adopt a precautionary approach to flood risk as required under Scottish Planning Policy; the developers have failed to provide information on the drainage routes beyond the individual application site; does not comply with other legislation relating to the water environment; does not comply with the Maidenhill Masterplan Supplementary Planning Guidance.

**PUBLICITY:**

29.09.2017                      Glasgow and Southside      Expiry date 13.10.2017  
Extra

**SITE NOTICES:**              None.

**SITE HISTORY:**

2015/0360/TP                      Formation of road junction      Approved Subject      04.11.2015  
off A726 Glasgow                      to Conditions  
Southern Orbital with  
on/off access ramp and  
roundabout at end of  
access road

2016/0712/TP	Residential development to include sites for affordable housing, primary school and religious facility, access, landscaping, SUDS and associated ancillary development (major)	Approved Subject to Conditions	31.07.2017
2017/0568/TP	Erection of non-denominational primary school with nursery provision together with associated playgrounds, sports pitch with floodlighting, parking, pedestrian and vehicular accesses (major)	Approved Subject to Conditions	14.02.2018
2018/0288/MDO	<p>Modification of the planning obligation associated with planning permission 2016/0712/TP for residential development to include sites for affordable housing, primary school and religious facility, access, landscaping, SUDS and associated ancillary development (major) in respect of:</p> <p>a. amending the definition of Residential Unit in Clause 1.1</p> <p>b. introduce a new definition in Clause 1.1 to identify the applications bound by the terms of the Agreement</p> <p>c. amend Clause 6.1 in relation to the payment of a commuted sum to secure the delivery of additional affordable housing units.</p>	Pending consideration	

**REPRESENTATIONS:** A total of 17 representations have been received: Representations can be summarised as follows:

Position of landscaped bund to the east of the properties known as Highover and Marlin Lodge



The drainage proposals are non-compliant with Scottish Planning Policy, the LDP and the Planning Act as a precautionary approach to flooding has not been demonstrated

Flooding will occur downstream

The developers are not providing additional network capacity to prevent increase in sewer flood risk for the first 400 units

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

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

**ASSESSMENT:**

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

It should be noted at the outset that although this application has been submitted at the same time as applications 2017/0586/TP and 2017/0587/TP each of the separate applications, as applied for by the developer, is a Local Development.

It is important to note that every planning application that is submitted to the Council is categorised as National Development, Major Development or Local Development in accordance with The Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009. It is not possible for the Council to combine the three separate applications into one in order to become a Major Development. There is nothing in the planning legislation that allows this to be done.

The site of this particular application forms part of the Malletsheugh/Maidenhill Strategic Development Opportunity site as identified in the adopted East Renfrewshire Council Local Development Plan (LDP). Planning permission was approved on 31 July 2017 at the Maidenhill site itself for residential development to include sites for affordable housing, a site for a primary school and a site for a religious facility, access, landscaping, SUDS and associated ancillary development (major) (2016/0712/TP). Cala Homes Ltd and Taylor Wimpey are the two developers involved in planning permission 2016/0712/TP with Cala Homes developing the general north part of the overall site and Taylor Wimpey developing the general south part of the overall site.

This application is for the substitution of house types and changes to the roads layout at this part of the overall Maidenhill development. It should be noted that Paragraph 32 of Scottish Planning Policy 2014 indicates that proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. It should therefore be noted at the outset that the identification of the site as part of a Strategic Development Opportunity site in the adopted LDP and the approval of 2016/0712/TP means there is no requirement to re-examine the principle of whether this development is acceptable. It is therefore only the changes to the house types and the roads layout that are being considered in this application.

At this part of the overall Maidenhill development Cala Homes Ltd had intended to construct 78 houses and 24 flats in the area covered by the three current applications. More specifically in the area covered by this particular application Cala Homes had intended to construct 26 detached houses, 6 terrace houses and 12 flats whereas Taylor Wimpey are proposing to construct 48 detached houses.

The proposed houses are located at the north part of this part of the site adjacent to the main access road into the site off Ayr Road. The proposed houses are in the same general arrangement as in planning permission 2016/0712/TP. The house types are the same as house types to be constructed by Taylor Wimpey elsewhere in the overall Maidenhill development.

The main changes to the roads layout involve reducing the size of the entrance square/feature at the main entrance to the overall development and introducing a "dog leg" to an internal road

instead of a straight section of road. The Council's Roads Service has been consulted on this application and has not objected to the changes to the road at this part of the site.

It is therefore considered that although the number of residential units in this area is to increase by four the general layout, arrangement of the houses and roads layout is not dissimilar to what has been approved under 2016/0712/TP. These changes are therefore considered acceptable.

With regard to the objections that have been received the following comments are made.

Location of the bund to the east of the properties known as Highover and Marlin Lodge: this planning application is specifically to substitute house types with minor changes to the road layout. This application does not propose to amend the position of the landscaping bund at this part of the site. The position of the bund and how it is to be planted/landscaped is being handled separately under condition 5 of planning permission 2016/0712/TP. Plans for this condition have been submitted over a number of months and have recently been approved. This objector has viewed the plans and submitted comments on them.

The drainage proposals are non-compliant with Scottish Planning Policy, the LDP and the Planning Act as a precautionary approach has not been demonstrated: it should be noted at the outset that these objections were received to planning application 2016/0712/TP. These matters were considered in the assessment of planning application 2016/0712/TP as well as matter in the Judicial Review into the approval of 2016/0712/TP.

The surface water drainage for this part of the site is to be connected to the Sustainable Urban Drainage System for the overall development before discharging from the site at a controlled rate of 6.5 litres/second/hectare. This planning application does not alter the location of the SUDS areas or how the surface water drainage is to be dealt with. The foul drainage for this site is to connect into the foul drainage for the development approved under 2016/0712/TP before connecting to Scottish Water's Sewerage Infrastructure outwith the site. It should be emphasised that planning permission 2016/0712/TP does not specify where the foul drainage has to be connected to, how it is to be connected or require a specific connection route. In addition the planning permission does not require any augmentation of Scottish Water's infrastructure to be carried out. Approval of a planning application does not give approval for any connection to Scottish Water's infrastructure. Only Scottish Water can give approval for that.

It should be noted that since the approval of 2016/0712/TP the situation regarding foul drainage has been updated and the following is given for information purposes. A Development Impact Assessment (DIA) prepared by Scottish Water Horizons (August 2017), together with other information, had been submitted by the developers to comply with condition 28 of planning permission 2016/0712/TP. It is understood that the developer had discussions with Scottish Water and Scottish Water Horizons following the imposition of condition 28 and, in conjunction with them, it was decided that the 2015 DIA would be updated and re-run on the basis of the planning approval. The August 2017 DIA details three elements of upgrade/augmentation works that require to be completed by the developers. This requires upgrading of two sections of pipework and increase in the size Newton Mearns Storm Tank CSO off Capelrig Road.

The information submitted for condition 28 of the planning permission also included a letter from Scottish Water to the developer dated 1 November 2017 stating that Scottish Water accepts the findings of the DIA dated August 2017. A letter from the developers, received on 17 January 2018, confirmed that contract terms for the delivery of the upgrade/augmentation works has been agreed with Scottish Water and Scottish Water Horizons and the developers indicated they would carry out the augmentation work before the occupation of any residential unit on the site.

All the information submitted for condition 28 was considered and was approved on 13 March 2018 on the following condition:

*No residential unit approved under planning permission 2016/0712/TP shall be occupied, unless otherwise approved in writing by the planning authority, until the works described in Section 9 of the Scottish Water Horizons Development Impact Assessment Report No 500700\_DG\_34673*

*Rev 2 have been fully completed and written confirmation of the completion of these works have been submitted to the planning authority.*

The first houses in the Maidenhill development are anticipated to be completed/occupied in February/March 2019.

### Overall conclusion

This application relates to the substitution of house types and minor alterations to the road layout at this part of the overall Maidenhill site approved under 2016/0712/TP as well as being an urban expansion/masterplan area identified through the adopted Local Development plan. As a consequence the development is considered to accord with the relevant policies.

In addition the design and appearance of the development is considered to be acceptable at this location. The visual impact of the development is considered to be localised to the immediate vicinity of the site and will eventually be viewed in the context and part of the development within the wider Maidenhill site.

It is recommended that this application is approved.

**RECOMMENDATION:** Disposed to grant subject to conditions following the extant legal agreement being amended to include this planning application (2017/0585/TP) in order to ensure that the affordable housing and development contributions required are delivered.

### **PLANNING OBLIGATIONS:**

Amendment required to the extant legal agreement to include this planning application (2017/0585/TP) relating to the delivery of affordable housing and development contributions.

### **CONDITIONS:**

1. 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.

2. 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.

3. 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.

4. For the avoidance of doubt the junctions of all residential roads with the core spine (loop) road shall have minimum visibility splays of 4.5m by 60m by 1.05m and shall have a forward sight stopping distance splay of 60m. No vegetation, landscaping, structures or fencing over 1.05m in height will be permitted within the splays.

Reason: In the interests of roads safety.

5. For the avoidance of doubt the residential road junctions within this site shall have minimum visibility splays of 2.5m by 25m by 1.05m and shall have a forward sight stopping distance splay of 25m. No vegetation, landscaping, structures or fencing over 1.05m in height will be permitted within the splays.

Reason: In the interests of roads safety.

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

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

7. There shall be no access and egress from the GSO during construction of the development hereby approved.

Reason: In the interests of roads safety and to reduce the risk to road users of vehicles using an incomplete junction.

8. Development shall not commence on the development until details of the lighting within the site shall be submitted for the approval of the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

9. Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.

Reason: To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.

10. Prior to commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.

Reason: To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents

11. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk road drainage network is not affected.

12. The developer shall undertake recording of archaeological resources within the development site. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and agreed by West of Scotland Archaeology Service and approved in writing by the planning authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the agreed programme.

Reason: In order to identify and protect any archaeological remains and to allow the planning authority to consider this matter in detail.

13. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence on each individual phase of the development until details of the surface water management and SUDS proposals, including specific details of each SUDS area, have been submitted to and approved in writing by the planning authority. For the avoidance of doubt the maximum discharge rate from the site shall be 8 litres per second per hectare. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

14. No residential unit approved under this planning permission shall be occupied, unless otherwise approved in writing by the planning authority, until the works described in Section 9 of the Scottish Water Horizons Development Impact Assessment Report No 500700\_DG\_34673 Rev 2 have been fully completed and written confirmation of the completion of these works have been submitted to the planning authority.

Reason: In order to ensure the works to be carried out are carried out before any residential unit is occupied.

15. 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.

**ADDITIONAL NOTES:**

The applicant/developer is reminded it is a requirement of The Water Environment (Controlled Activities)(Scotland) Regulations 2011 (as amended) (CAR) to provide a SUD system throughout the construction phase of the development to ensure adequate protection of the water environment. The system should comply with the Rules detailed in General Binding Rules 10 & 11. Suitable pollution control measures should be employed wherever there is an identifiable risk to the water environment. This should give particular consideration to contaminated surface water run off arising from earthworks, roads, drainage, compounds, concrete batching facilities and any other associated infrastructure.

Details of regulatory requirements and good practice advice for the applicants/developers can be found on the Regulations section of SEPA's website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in the local SEPA office at:

Angus Smith Building  
Maxim 6  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ  
Tel: 01698 839000

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 as well as a Road Opening Permit under Section 56 of the Roads (Scotland) Act 1984.

**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.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Sean McDaid on 0141 577 3339.

Ref. No.: 2017/0587/TP  
(SEMC)

DATE: 6th June 2018

**DIRECTOR OF ENVIRONMENT**

Reference: 2017/0587/TP - Appendix 1

## **DEVELOPMENT PLAN:**

### **Strategic Development Plan 2017**

The Strategic Development Plan (SDP) indicates housing plays a fundamental role in the overall economic, social and environmental success of the city region. Housebuilding makes an important contribution to the city region's economy and as well as creating new homes, delivers wider societal benefits through the generation of employment, and by sustaining and enhancing local community facilities such as schools, shops, recreation facilities and open spaces. The SDP is committed to supporting growth by creating high quality places which deliver the right type of homes in the right locations.

Policy 8 of the SDP on Housing Land Requirement indicates that in order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the housing land requirements for each housing sub-market area and for each local authority of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each housing sub-market area and for each local authority;
- undertake annual monitoring of completions and land supply through Housing Land Audits.

Policy 8 also indicates Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- The development will help to remedy the shortfall which has been identified;
- The development will contribute to sustainable development;
- The development will be in keeping with the character of the settlement and the local area;
- The development will not undermine green belt objectives; and
- Any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

Policy 9 indicates that in order to support the delivery of affordable housing, including social and specialist provision housing, and meet housing need, in support of the Vision and Spatial Development Strategy, local authorities should through appropriate mechanisms:

- Develop appropriate policy responses where required, including affordable housing, specialist housing and development contributions policies, to deliver housing products taking account of the HNDA as well as local evidence and circumstances; and
- Ensure that any affordable housing, specialist housing and development contributions policies, are applied in a manner that enables the delivery of housing developments.

### **Adopted East Renfrewshire Local Development Plan**

Policy M2.1

M77 Strategic Development Opportunity - Malletsheugh/Maidenhill Newton Mearns

Development within the area west of Newton Mearns as defined on the Proposals Map will be permitted in accordance with Policy M1 and M2, to be defined further through the preparation of a comprehensive 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 of the master plan (M2.1) to ensure a co-ordinated approach to delivery.

The whole area will be removed from the green belt and identified as a master planned area on the Proposals Map. The detailed phasing and delivery of sites will be determined through the preparation of the master plan.

In addition the master plan will have to address the following requirements:

Integration of Maidenhill/Malletsheugh as a sustainable urban expansion with Newton Mearns accommodating:

Mixed housing comprising a range of house types and tenures including affordable;

A high quality environment that will attract a variety of employment generating uses including high tech businesses and the potential for live/work units to assist with the creation of a dynamic and competitive local economy, boost local job and improve inward investment opportunities;

Neighbourhood scale retail;

Community/leisure facilities (including allotments and a potential site for a religious facility) and Education facilities - On site provision of a non-denominational primary school and associated pre-five provision required as an early priority. The requirement for a denominational primary school is provided under Proposal D13.22, South Waterfoot Road, Newton Mearns. Capacity can be managed within other schools subject to provision of appropriate development contributions.

Approximately 1060 homes to be phased 450 homes by 2025 and 610 homes post 2025;

Provision for a sustainable transport strategy comprising:

Public transport upgrades;

Upgrades to Aurs Road,; and

Investigate improvements to connectivity between Barrhead and Newton Mearns including, in the long term, the 'Balgray Link' route.

Enhancement of the Dams to Darnley Country Park by improving access, tourism activity and by encouraging appropriate commercial and leisure activity on key sites.

Policy SG2

Distribution of New Housing

The Council will support the additions to the established housing land supply as shown on the Proposals Map and as listed in Schedules 10 and 11 and the master plan areas under Policies M2 to M8. All proposals will require to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3.



### 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 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 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 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.

#### **GOVERNMENT GUIDANCE:**

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.

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# REPORT OF HANDLING

Reference: 2017/0586/TP

Date Re-registered: 22nd March 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 - Newton Mearns South And Eaglesham

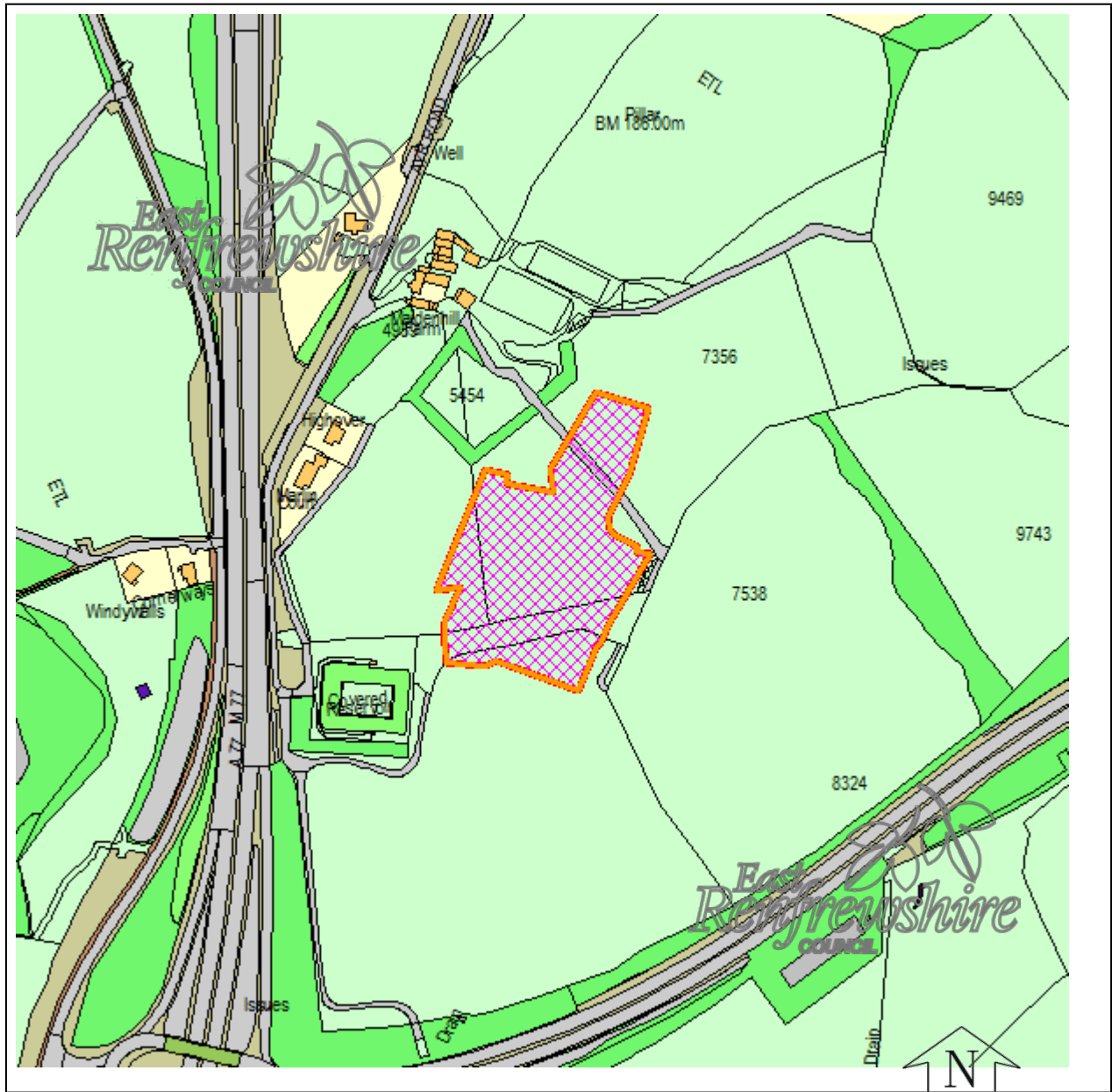
Co-ordinates: 252949/:654656

Applicant/Agent: Applicant: Agent:  
Taylor Wimpey Ltd  
Unit C, Cirrus Building  
Marchburn Drive  
Paisley  
PA3 2SJ

Proposal: Erection of 49 dwellinghouses (amendment to planning permission  
2016/0712/TP to alter house types, numbers and layout at part of the site)

Location: Land at Maidenhill (to the east of Highover and Marlin Lodge)  
Newton Mearns  
East Renfrewshire

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**CONSULTATIONS/COMMENTS:**

East Renfrewshire Council Development Contributions Officer	No objection subject to the satisfactory conclusion of a modification to the existing Section 75 agreement.
Glasgow Airport	No objection.
East Renfrewshire Council Environmental Health Service	No comments to make provided that the conditions attached to planning permission 2016/0712/TP are applied.
West of Scotland Archaeology Service	Recommends an archaeological watching brief condition.
Transport Scotland Trunk Roads Network Management	Recommends the same conditions suggested by them to planning application 2016/0712/TP are still relevant and be imposed on any consent given for this application.
East Renfrewshire Council Roads Network Manager	No objection subject to conditions.
Scottish Environment Protection Agency	No objection.
Broom, Kirkhill and Mearnskirk Community Council	Objects on the grounds of flooding and increased foul and surface water drainage; the developers have failed to adopt a precautionary approach to flood risk as required under Scottish Planning Policy; the developers have failed to provide information on the drainage routes beyond the individual application site; does not comply with other legislation relating to the water environment; does not comply with the Maidenhill Masterplan Supplementary Planning Guidance.

**PUBLICITY:**

29.09.2017	Glasgow and Southside Extra	Expiry date 13.10.2017
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**SITE NOTICES:** None.

**SITE HISTORY:**

2015/0360/TP	Formation of road junction off A726 Glasgow Southern Orbital with on/off access ramp and roundabout at end of access road	Approved Subject to Conditions	04.11.2015
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2016/0712/TP	Residential development to include sites for affordable housing, primary school and religious facility, access, landscaping, SUDS and associated ancillary development (major)	Approved Subject to Conditions	31.07.2017
2017/0568/TP	Erection of non-denominational primary school with nursery provision together with associated playgrounds, sports pitch with floodlighting, parking, pedestrian and vehicular accesses (major)	Approved Subject to Conditions	14.02.2018
2018/0288/MDO	<p>Modification of the planning obligation associated with planning permission 2016/0712/TP for residential development to include sites for affordable housing, primary school and religious facility, access, landscaping, SUDS and associated ancillary development (major) in respect of:</p> <p>a. amending the definition of Residential Unit in Clause 1.1</p> <p>b. introduce a new definition in Clause 1.1 to identify the applications bound by the terms of the Agreement</p> <p>c. amend Clause 6.1 in relation to the payment of a commuted sum to secure the delivery of additional affordable housing units.</p>	Pending consideration	

**REPRESENTATIONS:** A total of 17 representations have been received: Representations can be summarised as follows:

Position of landscaped bund to the east of the properties known as Highover and Marlin Lodge

The drainage proposals are non-compliant with Scottish Planning Policy, the LDP and the Planning Act as a precautionary approach to flooding has not been demonstrated

Flooding will occur downstream

The developers are not providing additional network capacity to prevent increase in sewer flood risk for the first 400 units

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

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

**ASSESSMENT:**

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

It should be noted at the outset that although this application has been submitted at the same time as applications 2017/0585/TP and 2017/0587/TP each of the separate applications, as applied for by the developer, is a Local Development.

It is important to note that every planning application that is submitted to the Council is categorised as National Development, Major Development or Local Development in accordance with The Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009. It is not possible for the Council to combine the three separate applications into one in order to become a Major Development. There is nothing in the planning legislation that allows this to be done.

The site of this particular application forms part of the Malletsheugh/Maidenhill Strategic Development Opportunity site as identified in the adopted East Renfrewshire Council Local Development Plan (LDP). Planning permission was approved on 31 July 2017 at the Maidenhill site itself for residential development to include sites for affordable housing, a site for a primary school and a site for a religious facility, access, landscaping, SUDS and associated ancillary development (major) (2016/0712/TP). Cala Homes Ltd and Taylor Wimpey are the two developers involved in planning permission 2016/0712/TP with Cala Homes developing the general north part of the overall site and Taylor Wimpey developing the general south part of the overall site.

This application is for the substitution of house types and minor changes to the internal roads layout at this part of the overall Maidenhill development. It should be noted that Paragraph 32 of Scottish Planning Policy 2014 indicates that proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. It should therefore be noted at the outset that the identification of the site as part of a Strategic Development Opportunity site in the adopted LDP and the approval of 2016/0712/TP means there is no requirement to re-examine the principle of whether this development is acceptable. It is therefore only the changes to the house types and the internal roads layout that are being considered in this application.

At this part of the overall Maidenhill development Cala Homes Ltd had intended to construct 78 houses and 24 flats in the area covered by the three current applications. More specifically in the area covered by this particular application Cala Homes had intended to construct 27 detached houses, 12 semi-detached house, 4 terrace house and 12 flats whereas Taylor Wimpey are proposing to construct 49 detached houses.

The proposed houses are located at the south part of this part of the site. The proposed houses are in the same general arrangement as in planning permission 2016/0712/TP. The house types are the same as house types to be constructed by Taylor Wimpey elsewhere in the overall Maidenhill development.

The minor changes to the roads layout involve altering an internal junction so that it is elongated/staggered rather than creating a square. The Council's Roads Service has been

consulted on this application and has not objected to the minor changes to the road at this part of the site.

It is therefore considered that the arrangement of the houses and roads layout is not dissimilar to what has been approved under 2016/0712/TP. These changes are therefore considered acceptable.

With regard to the objections that have been received the following comments are made.

Location of the bund to the east of the properties known as Highover and Marlin Lodge: this planning application is specifically to substitute house types with minor changes to the road layout. This application does not propose to amend the position of the landscaping bund at this part of the site. The position of the bund and how it is to be planted/landscaped is being handled separately under condition 5 of planning permission 2016/0712/TP. Plans for this condition have been submitted over a number of months and have recently been approved. This objector has viewed the plans and submitted comments on them.

The drainage proposals are non-compliant with Scottish Planning Policy, the LDP and the Planning Act as a precautionary approach has not been demonstrated: it should be noted at the outset that these objections were received to planning application 2016/0712/TP. These matters were considered in the assessment of planning application 2016/0712/TP as well as matter in the Judicial Review into the approval of 2016/0712/TP.

The surface water drainage for this part of the site is to be connected to the Sustainable Urban Drainage System for the overall development before discharging from the site at a controlled rate of 6.5 litres/second/hectare. This planning application does not alter the location of the SUDS areas or how the surface water drainage is to be dealt with. The foul drainage for this site is to connect into the foul drainage for the development approved under 2016/0712/TP before connecting to Scottish Water's Sewerage Infrastructure outwith the site. It should be emphasised that planning permission 2016/0712/TP does not specify where the foul drainage has to be connected to, how it is to be connected or require a specific connection route. In addition the planning permission does not require any augmentation of Scottish Water's infrastructure to be carried out. Approval of a planning application does not give approval for any connection to Scottish Water's infrastructure. Only Scottish Water can give approval for that.

It should be noted that since the approval of 2016/0712/TP the situation regarding foul drainage has been updated and the following is given for information purposes. A Development Impact Assessment (DIA) prepared by Scottish Water Horizons (August 2017), together with other information, had been submitted by the developers to comply with condition 28 of planning permission 2016/0712/TP. It is understood that the developer had discussions with Scottish Water and Scottish Water Horizons following the imposition of condition 28 and, in conjunction with them, it was decided that the 2015 DIA would be updated and re-run on the basis of the planning approval. The August 2017 DIA details three elements of upgrade/augmentation works that require to be completed by the developers. This requires upgrading of two sections of pipework and increase in the size Newton Mearns Storm Tank CSO off Capelrig Road.

The information submitted for condition 28 of the planning permission also included a letter from Scottish Water to the developer dated 1 November 2017 stating that Scottish Water accepts the findings of the DIA dated August 2017. A letter from the developers, received on 17 January 2018, confirmed that contract terms for the delivery of the upgrade/augmentation works has been agreed with Scottish Water and Scottish Water Horizons and the developers indicated they would carry out the augmentation work before the occupation of any residential unit on the site.

All the information submitted for condition 28 was considered and was approved on 13 March 2018 on the following condition:

*No residential unit approved under planning permission 2016/0712/TP shall be occupied, unless otherwise approved in writing by the planning authority, until the works described in Section 9 of the Scottish Water Horizons Development Impact Assessment Report No 500700\_DG\_34673*

*Rev 2 have been fully completed and written confirmation of the completion of these works have been submitted to the planning authority.*

The first houses in the Maidenhill development are anticipated to be completed/occupied in February/March 2019.

### Overall conclusion

This application relates to the substitution of house types and minor alterations to the road layout at this part of the overall Maidenhill site approved under 2016/0712/TP as well as being an urban expansion/masterplan area identified through the adopted Local Development plan. As a consequence the development is considered to accord with the relevant policies.

In addition the design and appearance of the development is considered to be acceptable at this location. The visual impact of the development is considered to be localised to the immediate vicinity of the site and will eventually be viewed in the context and part of the development within the wider Maidenhill site.

It is recommended that this application is approved.

**RECOMMENDATION:** Disposed to grant subject to conditions following the extant legal agreement being amended to include this planning application (2017/0586/TP) in order to ensure that the affordable housing and development contributions required are delivered.

### **PLANNING OBLIGATIONS:**

Amendment required to the extant legal agreement to include this planning application (2017/0586/TP) relating to the delivery of affordable housing and development contributions.

### **CONDITIONS:**

1. 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.

2. 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.

3. 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.

4. For the avoidance of doubt the junctions of all residential roads with the core spine (loop) road shall have minimum visibility splays of 4.5m by 60m by 1.05m and shall have a forward sight stopping distance splay of 60m. No vegetation, landscaping, structures or fencing over 1.05m in height will be permitted within the splays.

Reason: In the interests of roads safety.

5. For the avoidance of doubt the residential road junctions within this site shall have minimum visibility splays of 2.5m by 25m by 1.05m and shall have a forward sight stopping distance splay of 25m. No vegetation, landscaping, structures or fencing over 1.05m in height will be permitted within the splays.

Reason: In the interests of roads safety.

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

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

7. There shall be no access and egress from the GSO during construction of the development hereby approved.

Reason: In the interests of roads safety and to reduce the risk to road users of vehicles using an incomplete junction.

8. Development shall not commence on the development until details of the lighting within the site shall be submitted for the approval of the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

9. Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.

Reason: To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.

10. Prior to commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.

Reason: To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents

11. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk road drainage network is not affected.

12. The developer shall undertake recording of archaeological resources within the development site. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and agreed by West of Scotland Archaeology Service and approved in writing by the planning authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the agreed programme.

Reason: In order to identify and protect any archaeological remains and to allow the planning authority to consider this matter in detail.

13. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence on each individual phase of the development until details of the surface water management and SUDS proposals, including specific details of each SUDS area, have been submitted to and approved in writing by the planning authority. For the avoidance of doubt the maximum discharge rate from the site shall be 8 litres per second per hectare. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

14. No residential unit approved under this planning permission shall be occupied, unless otherwise approved in writing by the planning authority, until the works described in Section 9 of the Scottish Water Horizons Development Impact Assessment Report No 500700\_DG\_34673 Rev 2 have been fully completed and written confirmation of the completion of these works have been submitted to the planning authority.

Reason: In order to ensure the works to be carried out are carried out before any residential unit is occupied.

15. 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.

#### **ADDITIONAL NOTES:**

The applicant/developer is reminded it is a requirement of The Water Environment (Controlled Activities)(Scotland) Regulations 2011 (as amended) (CAR) to provide a SUD system throughout the construction phase of the development to ensure adequate protection of the water environment. The system should comply with the Rules detailed in General Binding Rules 10 & 11. Suitable pollution control measures should be employed wherever there is an identifiable risk to the water environment. This should give particular consideration to contaminated surface water run off arising from earthworks, roads, drainage, compounds, concrete batching facilities and any other associated infrastructure.

Details of regulatory requirements and good practice advice for the applicants/developers can be found on the Regulations section of SEPA's website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in the local SEPA office at:

Angus Smith Building  
Maxim 6  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ  
Tel: 01698 839000

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 as well as a Road Opening Permit under Section 56 of the Roads (Scotland) Act 1984.

**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.

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Sean McDaid on 0141 577 3339.

Ref. No.: 2017/0587/TP  
(SEMC)

DATE: 6th June 2018

**DIRECTOR OF ENVIRONMENT**



Reference: 2017/0587/TP - Appendix 1

## **DEVELOPMENT PLAN:**

### **Strategic Development Plan 2017**

The Strategic Development Plan (SDP) indicates housing plays a fundamental role in the overall economic, social and environmental success of the city region. Housebuilding makes an important contribution to the city region's economy and as well as creating new homes, delivers wider societal benefits through the generation of employment, and by sustaining and enhancing local community facilities such as schools, shops, recreation facilities and open spaces. The SDP is committed to supporting growth by creating high quality places which deliver the right type of homes in the right locations.

Policy 8 of the SDP on Housing Land Requirement indicates that in order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the housing land requirements for each housing sub-market area and for each local authority of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each housing sub-market area and for each local authority;
- undertake annual monitoring of completions and land supply through Housing Land Audits.

Policy 8 also indicates Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- The development will help to remedy the shortfall which has been identified;
- The development will contribute to sustainable development;
- The development will be in keeping with the character of the settlement and the local area;
- The development will not undermine green belt objectives; and
- Any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

Policy 9 indicates that in order to support the delivery of affordable housing, including social and specialist provision housing, and meet housing need, in support of the Vision and Spatial Development Strategy, local authorities should through appropriate mechanisms:

- Develop appropriate policy responses where required, including affordable housing, specialist housing and development contributions policies, to deliver housing products taking account of the HNDA as well as local evidence and circumstances; and
- Ensure that any affordable housing, specialist housing and development contributions policies, are applied in a manner that enables the delivery of housing developments.

### **Adopted East Renfrewshire Local Development Plan**

Policy M2.1

M77 Strategic Development Opportunity - Malletsheugh/Maidenhill Newton Mearns

Development within the area west of Newton Mearns as defined on the Proposals Map will be permitted in accordance with Policy M1 and M2, to be defined further through the preparation of a comprehensive 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 of the master plan (M2.1) to ensure a co-ordinated approach to delivery.

The whole area will be removed from the green belt and identified as a master planned area on the Proposals Map. The detailed phasing and delivery of sites will be determined through the preparation of the master plan.

In addition the master plan will have to address the following requirements:

Integration of Maidenhill/Malletsheugh as a sustainable urban expansion with Newton Mearns accommodating:

Mixed housing comprising a range of house types and tenures including affordable;

A high quality environment that will attract a variety of employment generating uses including high tech businesses and the potential for live/work units to assist with the creation of a dynamic and competitive local economy, boost local job and improve inward investment opportunities;

Neighbourhood scale retail;

Community/leisure facilities (including allotments and a potential site for a religious facility) and Education facilities - On site provision of a non-denominational primary school and associated pre-five provision required as an early priority. The requirement for a denominational primary school is provided under Proposal D13.22, South Waterfoot Road, Newton Mearns. Capacity can be managed within other schools subject to provision of appropriate development contributions.

Approximately 1060 homes to be phased 450 homes by 2025 and 610 homes post 2025;

Provision for a sustainable transport strategy comprising:

Public transport upgrades;

Upgrades to Aurs Road,; and

Investigate improvements to connectivity between Barrhead and Newton Mearns including, in the long term, the 'Balgray Link' route.

Enhancement of the Dams to Darnley Country Park by improving access, tourism activity and by encouraging appropriate commercial and leisure activity on key sites.

## Policy SG2

### Distribution of New Housing

The Council will support the additions to the established housing land supply as shown on the Proposals Map and as listed in Schedules 10 and 11 and the master plan areas under Policies M2 to M8. All proposals will require to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3.

### 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 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 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 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.

#### **GOVERNMENT GUIDANCE:**

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.

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# REPORT OF HANDLING

Reference: 2017/0587/TP

Date Re-registered: 22nd March 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 - Newton Mearns South And Eaglesham

Co-ordinates: 252949/654656

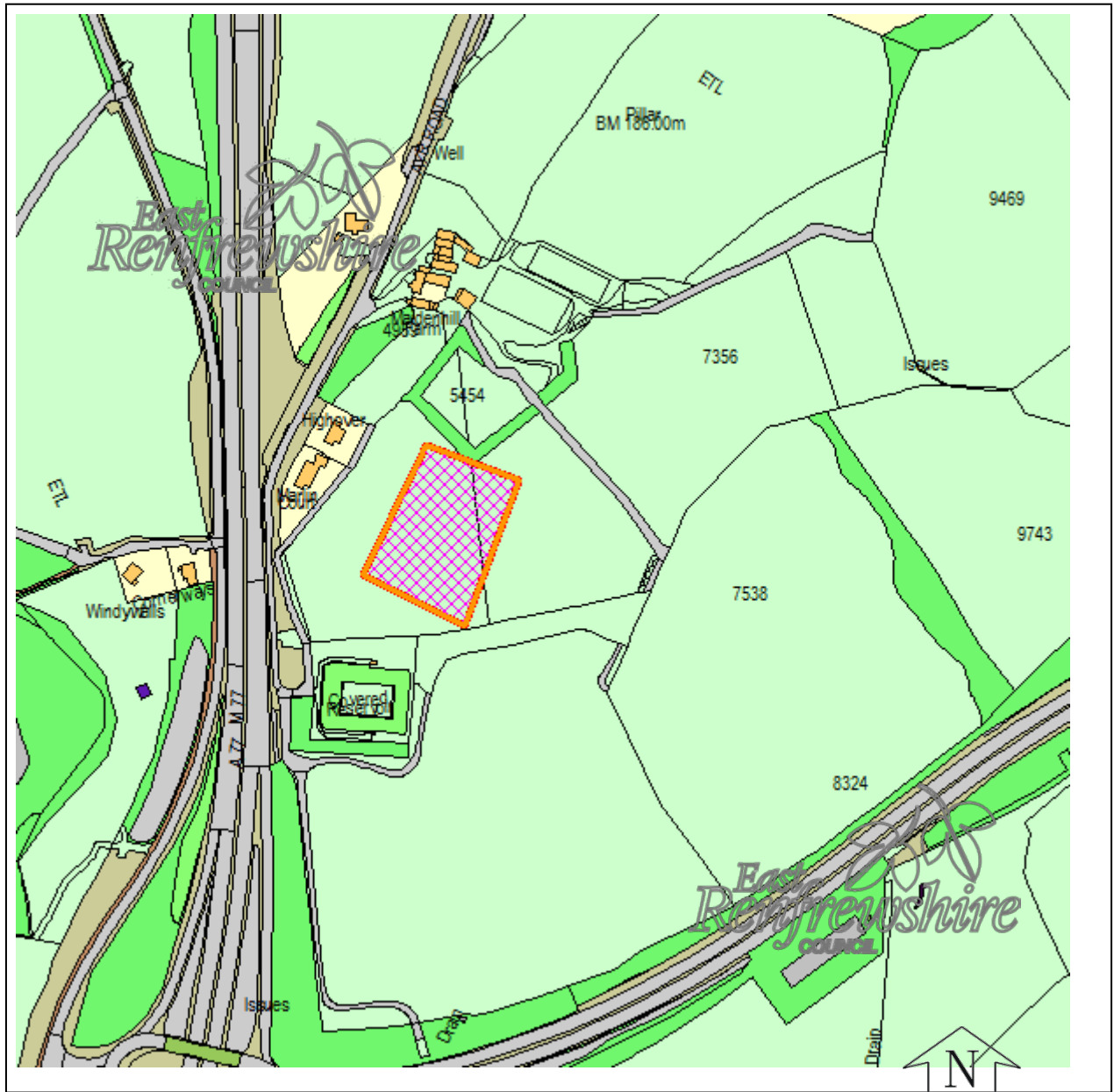
Applicant/Agent: Applicant: Agent:  
Taylor Wimpey Ltd  
Unit C, Cirrus Building  
Marchburn Drive  
Paisley  
PA3 2SJ

Proposal: Erection of 9 dwellinghouses (amendment to planning permission  
2016/0712/TP to alter house types, numbers and layout at part of the site)

Location: Land at Maidenhill (to the east of Highover and Marlin Lodge)  
Newton Mearns  
East Renfrewshire

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**CONSULTATIONS/COMMENTS:**

East Renfrewshire Council Development Contributions Officer	No objection subject to the satisfactory conclusion of a modification to the existing Section 75 agreement.
Glasgow Airport	No objection.
East Renfrewshire Council Environmental Health Service	No comments to make provided that the conditions attached to planning permission 2016/0712/TP are applied.
West of Scotland Archaeology Service	Recommends an archaeological watching brief condition.
Transport Scotland Trunk Roads Network Management	Recommends the same conditions suggested by them to planning application 2016/0712/TP are still relevant and be imposed on any consent given for this application.
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**PUBLICITY:**

29.09.2017                      Glasgow and Southside      Expiry date 13.10.2017  
Extra

**SITE NOTICES:**              None.

**SITE HISTORY:**

2015/0360/TP                      Formation of road junction      Approved Subject      04.11.2015  
off A726 Glasgow                      to Conditions  
Southern Orbital with  
on/off access ramp and  
roundabout at end of  
access road

2016/0712/TP	Residential development to include sites for affordable housing, primary school and religious facility, access, landscaping, SUDS and associated ancillary development (major)	Approved Subject to Conditions	31.07.2017
2017/0568/TP	Erection of non-denominational primary school with nursery provision together with associated playgrounds, sports pitch with floodlighting, parking, pedestrian and vehicular accesses (major)	Approved Subject to Conditions	14.02.2018
2018/0288/MDO	<p>Modification of the planning obligation associated with planning permission 2016/0712/TP for residential development to include sites for affordable housing, primary school and religious facility, access, landscaping, SUDS and associated ancillary development (major) in respect of:</p> <p>a. amending the definition of Residential Unit in Clause 1.1</p> <p>b. introduce a new definition in Clause 1.1 to identify the applications bound by the terms of the Agreement</p> <p>c. amend Clause 6.1 in relation to the payment of a commuted sum to secure the delivery of additional affordable housing units.</p>	Pending consideration	

**REPRESENTATIONS:** A total of 17 representations have been received: Representations can be summarised as follows:

Position of landscaped bund to the east of the properties known as Highover and Marlin Lodge

The drainage proposals are non-compliant with Scottish Planning Policy, the LDP and the Planning Act as a precautionary approach to flooding has not been demonstrated  
Flooding will occur downstream

The developers are not providing additional network capacity to prevent increase in sewer flood risk for the first 400 units

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

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

**ASSESSMENT:**

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

It should be noted at the outset that although this application has been submitted at the same time as applications 2017/0585/TP and 2017/0586/TP each of the separate applications, as applied for by the developer, is a Local Development.

It is important to note that every planning application that is submitted to the Council is categorised as National Development, Major Development or Local Development in accordance with The Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009. It is not possible for the Council to combine the three separate applications into one in order to become a Major Development. There is nothing in the planning legislation that allows this to be done.

The site of this particular application forms part of the Malletsheugh/Maidenhill Strategic Development Opportunity site as identified in the adopted East Renfrewshire Council Local Development Plan (LDP). Planning permission was approved on 31 July 2017 at the Maidenhill site itself for residential development to include sites for affordable housing, a site for a primary school and a site for a religious facility, access, landscaping, SUDS and associated ancillary development (major) (2016/0712/TP). Cala Homes Ltd and Taylor Wimpey are the two developers involved in planning permission 2016/0712/TP with Cala Homes developing the general north part of the overall site and Taylor Wimpey developing the general south part of the overall site.

This application is for the substitution of house types and minor changes to the internal roads layout at this part of the overall Maidenhill development. It should be noted that Paragraph 32 of Scottish Planning Policy 2014 indicates that proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. It should therefore be noted at the outset that the identification of the site as part of a Strategic Development Opportunity site in the adopted LDP and the approval of 2016/0712/TP means there is no requirement to re-examine the principle of whether this development is acceptable. It is therefore only the changes to the house types and the internal roads layout that are being considered in this application.

At this part of the overall Maidenhill development Cala Homes Ltd had intended to construct 78 houses and 24 flats in the area covered by the three current applications. More specifically in the area covered by this particular application Cala Homes had intended to construct 8 detached houses whereas Taylor Wimpey are proposing to construct 9 detached houses.

The proposed nine houses are located at the south west part of this part of the site are at a bend in the road adjacent to an area of open space with four of the houses facing north and the other five houses facing generally west. The proposed houses are in the same general arrangement as in planning permission 2016/0712/TP. The house types are the same as house types to be constructed by Taylor Wimpey elsewhere in the overall Maidenhill development.

The minor changes to the roads layout involve installing a footpath adjacent to the area of open space and where driveways are positioned. The Council's Roads Service has been consulted on this application and has not objected to the minor changes to the road at this part of the site.

It is therefore considered that although the number of houses in this area is to increase by one the general layout, arrangement of the houses and roads layout is not dissimilar to what has been approved under 2016/0712/TP. These changes are therefore considered acceptable.

With regard to the objections that have been received the following comments are made.

Location of the bund to the east of the properties known as Highover and Marlin Lodge: this planning application is specifically to substitute house types with minor changes to the road layout. This application does not propose to amend the position of the landscaping bund at this part of the site. The position of the bund and how it is to be planted/landscaped is being handled separately under condition 5 of planning permission 2016/0712/TP. Plans for this condition have been submitted over a number of months and have recently been approved. This objector has viewed the plans and submitted comments on them.

The drainage proposals are non-compliant with Scottish Planning Policy, the LDP and the Planning Act as a precautionary approach has not been demonstrated: it should be noted at the outset that these objections were received to planning application 2016/0712/TP. These matters were considered in the assessment of planning application 2016/0712/TP as well as matter in the Judicial Review into the approval of 2016/0712/TP.

The surface water drainage for this part of the site is to be connected to the Sustainable Urban Drainage System for the overall development before discharging from the site at a controlled rate of 6.5 litres/second/hectare. This planning application does not alter the location of the SUDS areas or how the surface water drainage is to be dealt with. The foul drainage for this site is to connect into the foul drainage for the development approved under 2016/0712/TP before connecting to Scottish Water's Sewerage Infrastructure outwith the site. It should be emphasised that planning permission 2016/0712/TP does not specify where the foul drainage has to be connected to, how it is to be connected or require a specific connection route. In addition the planning permission does not require any augmentation of Scottish Water's infrastructure to be carried out. Approval of a planning application does not give approval for any connection to Scottish Water's infrastructure. Only Scottish Water can give approval for that.

It should be noted that since the approval of 2016/0712/TP the situation regarding foul drainage has been updated and the following is given for information purposes. A Development Impact Assessment (DIA) prepared by Scottish Water Horizons (August 2017), together with other information, had been submitted by the developers to comply with condition 28 of planning permission 2016/0712/TP. It is understood that the developer had discussions with Scottish Water and Scottish Water Horizons following the imposition of condition 28 and, in conjunction with them, it was decided that the 2015 DIA would be updated and re-run on the basis of the planning approval. The August 2017 DIA details three elements of upgrade/augmentation works that require to be completed by the developers. This requires upgrading of two sections of pipework and increase in the size Newton Mearns Storm Tank CSO off Capelrig Road.

The information submitted for condition 28 of the planning permission also included a letter from Scottish Water to the developer dated 1 November 2017 stating that Scottish Water accepts the findings of the DIA dated August 2017. A letter from the developers, received on 17 January 2018, confirmed that contract terms for the delivery of the upgrade/augmentation works has been agreed with Scottish Water and Scottish Water Horizons and the developers indicated they would carry out the augmentation work before the occupation of any residential unit on the site.

All the information submitted for condition 28 was considered and was approved on 13 March 2018 on the following condition:

No residential unit approved under planning permission 2016/0712/TP shall be occupied, unless otherwise approved in writing by the planning authority, until the works described in Section 9 of the Scottish Water Horizons Development Impact Assessment Report No 500700\_DG\_34673 Rev 2 have been fully completed and written confirmation of the completion of these works have been submitted to the planning authority.

The first houses in the Maidenhill development are anticipated to be completed/occupied in February/March 2019.

### Overall conclusion

This application relates to the substitution of house types and minor alterations to the road layout at this part of the overall Maidenhill site approved under 2016/0712/TP as well as being an urban expansion/masterplan area identified through the adopted Local Development plan. As a consequence the development is considered to accord with the relevant policies.

In addition the design and appearance of the development is considered to be acceptable at this location. The visual impact of the development is considered to be localised to the immediate vicinity of the site and will eventually be viewed in the context and part of the development within the wider Maidenhill site.

It is recommended that this application is approved.

**RECOMMENDATION:** Disposed to grant subject to conditions following the extant legal agreement being amended to include this planning application (2017/0587/TP) in order to ensure that the affordable housing and development contributions required are delivered.

### **PLANNING OBLIGATIONS:**

Amendment required to the extant legal agreement to include this planning application (2017/0587/TP) relating to the delivery of affordable housing and development contributions.

### **CONDITIONS:**

1. 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.

2. 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.

3. 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.

4. For the avoidance of doubt the residential road junctions within this site shall have minimum visibility splays of 2.5m by 25m by 1.05m and shall have a forward sight stopping distance splay of 25m. No vegetation, landscaping, structures or fencing over 1.05m in height will be permitted within the splays.

Reason: In the interests of roads safety.

5. Development shall not commence until details of vehicle wheel cleaning facilities and a road cleaning strategy have been submitted to and approved in writing by the planning authority. Thereafter the approved vehicle wheel cleaning facilities and road cleaning

strategy shall be implemented as approved. All construction vehicles exiting the site shall have all tyres and wheels cleaned before entering the road.

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

6. There shall be no access and egress from the GSO during construction of the development hereby approved.

Reason: In the interests of roads safety and to reduce the risk to road users of vehicles using an incomplete junction.

7. Development shall not commence on the development until details of the lighting within the site shall be submitted for the approval of the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

8. Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.

Reason: To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.

9. Prior to commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.

Reason: To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents

10. There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk road drainage network is not affected.

11. The developer shall undertake recording of archaeological resources within the development site. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and agreed by West of Scotland Archaeology Service and approved in writing by the planning authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the agreed programme.

Reason: In order to identify and protect any archaeological remains and to allow the planning authority to consider this matter in detail.

12. The principles of Sustainable Urban Drainage Systems (SUDS) for the surface water regime shall be incorporated into the development. Development shall not commence on each individual phase of the development until details of the surface water management and SUDS proposals, including specific details of each SUDS area, have been submitted to and approved in writing by the planning authority. For the avoidance of doubt the maximum discharge rate from the site shall be 8 litres per second per



hectare. Thereafter the surface water management details shall fully be implemented as approved.

Reason: In the interests of sustainable development.

13. No residential unit approved under this planning permission shall be occupied, unless otherwise approved in writing by the planning authority, until the works described in Section 9 of the Scottish Water Horizons Development Impact Assessment Report No 500700\_DG\_34673 Rev 2 have been fully completed and written confirmation of the completion of these works have been submitted to the planning authority.

Reason: In order to ensure the works to be carried out are carried out before any residential unit is occupied.

14. 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.

#### **ADDITIONAL NOTES:**

The applicant/developer is reminded it is a requirement of The Water Environment (Controlled Activities)(Scotland) Regulations 2011 (as amended) (CAR) to provide a SUD system throughout the construction phase of the development to ensure adequate protection of the water environment. The system should comply with the Rules detailed in General Binding Rules 10 & 11. Suitable pollution control measures should be employed wherever there is an identifiable risk to the water environment. This should give particular consideration to contaminated surface water run off arising from earthworks, roads, drainage, compounds, concrete batching facilities and any other associated infrastructure.

Details of regulatory requirements and good practice advice for the applicants/developers can be found on the Regulations section of SEPA's website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in the local SEPA office at:

Angus Smith Building  
Maxim 6  
6 Parklands Avenue  
Eurocentral  
Holytown  
North Lanarkshire  
ML1 4WQ  
Tel: 01698 839000

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 as well as a Road Opening Permit under Section 56 of the Roads (Scotland) Act 1984.

#### **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.

#### **BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Sean McDaid on 0141 577 3339.

Ref. No.: 2017/0587/TP  
(SEMC)

DATE: 6th June 2018

**DIRECTOR OF ENVIRONMENT**

Reference: 2017/0587/TP - Appendix 1

## **DEVELOPMENT PLAN:**

### **Strategic Development Plan 2017**

The Strategic Development Plan (SDP) indicates housing plays a fundamental role in the overall economic, social and environmental success of the city region. Housebuilding makes an important contribution to the city region's economy and as well as creating new homes, delivers wider societal benefits through the generation of employment, and by sustaining and enhancing local community facilities such as schools, shops, recreation facilities and open spaces. The SDP is committed to supporting growth by creating high quality places which deliver the right type of homes in the right locations.

Policy 8 of the SDP on Housing Land Requirement indicates that in order to provide a generous supply of land for housing and assist in the delivery of the Housing Supply Targets in support of the Vision and Spatial Development Strategy, Local Authorities should:

- make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10;
- allocate a range of sites which are effective or expected to become effective in the plan periods to meet the housing land requirements for each housing sub-market area and for each local authority of the SDP up to year 10 from the expected year of adoption;
- provide for a minimum of 5 years effective land supply at all times for each housing sub-market area and for each local authority;
- undertake annual monitoring of completions and land supply through Housing Land Audits.

Policy 8 also indicates Local Authorities should take steps to remedy any shortfalls in the five-year supply of effective housing land through the granting of planning permission for housing developments, on greenfield or brownfield sites, subject to satisfying each of the following criteria:

- The development will help to remedy the shortfall which has been identified;
- The development will contribute to sustainable development;
- The development will be in keeping with the character of the settlement and the local area;
- The development will not undermine green belt objectives; and
- Any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

Policy 9 indicates that in order to support the delivery of affordable housing, including social and specialist provision housing, and meet housing need, in support of the Vision and Spatial Development Strategy, local authorities should through appropriate mechanisms:

- Develop appropriate policy responses where required, including affordable housing, specialist housing and development contributions policies, to deliver housing products taking account of the HNDA as well as local evidence and circumstances; and
- Ensure that any affordable housing, specialist housing and development contributions policies, are applied in a manner that enables the delivery of housing developments.

### **Adopted East Renfrewshire Local Development Plan**

Policy M2.1

M77 Strategic Development Opportunity - Malletsheugh/Maidenhill Newton Mearns

Development within the area west of Newton Mearns as defined on the Proposals Map will be permitted in accordance with Policy M1 and M2, to be defined further through the preparation of a comprehensive 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 of the master plan (M2.1) to ensure a co-ordinated approach to delivery.

The whole area will be removed from the green belt and identified as a master planned area on the Proposals Map. The detailed phasing and delivery of sites will be determined through the preparation of the master plan.

In addition the master plan will have to address the following requirements:

Integration of Maidenhill/Malletsheugh as a sustainable urban expansion with Newton Mearns accommodating:

Mixed housing comprising a range of house types and tenures including affordable;

A high quality environment that will attract a variety of employment generating uses including high tech businesses and the potential for live/work units to assist with the creation of a dynamic and competitive local economy, boost local job and improve inward investment opportunities;

Neighbourhood scale retail;

Community/leisure facilities (including allotments and a potential site for a religious facility) and Education facilities - On site provision of a non-denominational primary school and associated pre-five provision required as an early priority. The requirement for a denominational primary school is provided under Proposal D13.22, South Waterfoot Road, Newton Mearns. Capacity can be managed within other schools subject to provision of appropriate development contributions.

Approximately 1060 homes to be phased 450 homes by 2025 and 610 homes post 2025;

Provision for a sustainable transport strategy comprising:

Public transport upgrades;

Upgrades to Aurs Road,; and

Investigate improvements to connectivity between Barrhead and Newton Mearns including, in the long term, the 'Balgray Link' route.

Enhancement of the Dams to Darnley Country Park by improving access, tourism activity and by encouraging appropriate commercial and leisure activity on key sites.

## Policy SG2

### Distribution of New Housing

The Council will support the additions to the established housing land supply as shown on the Proposals Map and as listed in Schedules 10 and 11 and the master plan areas under Policies M2 to M8. All proposals will require to comply with the terms of Policy SG5 Affordable Housing and Strategic Policy 3.

### 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 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 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 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.

#### **GOVERNMENT GUIDANCE:**

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.

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