

**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 2nd
December 2020.

Reference No: 2020/0241/TP

Ward: 5

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Applicant:

Mr Gordon Wallace
32 Newtonlea Avenue
Newton Mearns
East Renfrewshire
G77 5QA

Agent:

David Jarvie
27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

Site: 32 Newtonlea Avenue Newton Mearns East Renfrewshire G77 5QA

Description: Erection of single storey rear extension - (Amended application form received 12.10.2020)

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

Reference No: 2020/0585/TP

Ward: 4

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Applicant:

Mr Paolo Di Mambro
29 East Kilbride Road
Glasgow
Scotland
G76 8JY

Agent:

Site: 29 East Kilbride Road Busby East Renfrewshire G76 8JY

Description: Formation of driveway; Re-align front boundary and adjacent footway, including lowering of ground levels
(AMENDED DESCRIPTION ONLY)

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

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REPORT OF HANDLING

Reference: 2020/0241/TP

Date Registered: 29th April 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 254590/:655864

Applicant/Agent:

Applicant:

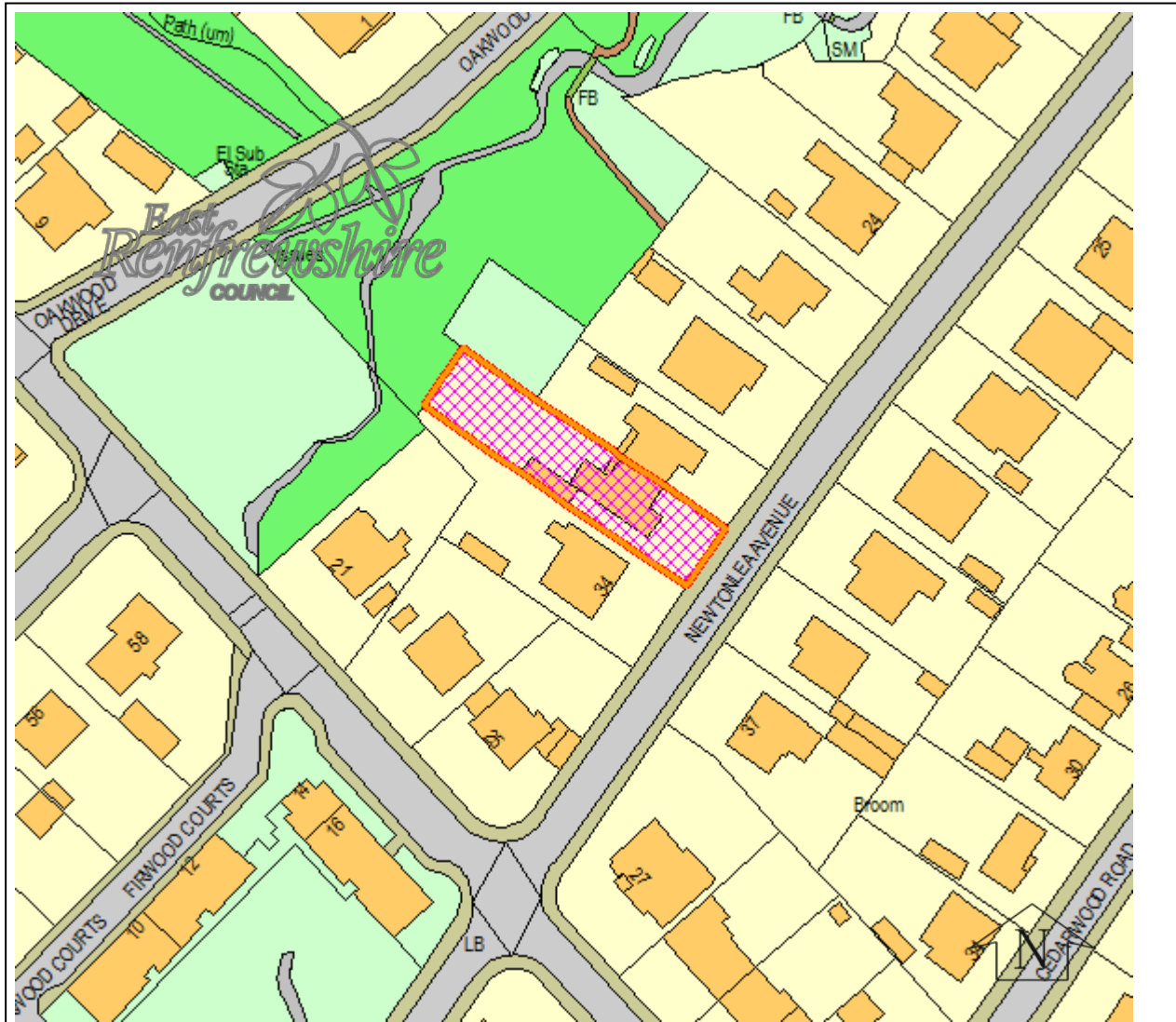
Mr Gordon Wallace
32 Newtonlea Avenue
Newton Mearns
East Renfrewshire
G77 5QA

Agent:

David Jarvie
27 Aytoun Road
Pollokshields
Glasgow
G41 5HW

Proposal: Erection of single storey rear extension

Location: 32 Newtonlea Avenue
Newton Mearns
East Renfrewshire
G77 5QA



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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY: None

REPRESENTATIONS: 1 representation has been received and can be summarised as follows:

- Overshadowing
- Contrary to Local Development Plan and Supplementary Planning Guidance in that it extends more than 4m in depth.
- Overload of rainwater drainage system
- New guttering can't be maintained from the application site.
- The extension can't be maintained along the north elevation from the applicant's side.
- The common obscure glass fanlight window between No.30 and No.32 must be retained.
- The common hedge must be retained and should not be damaged during construction.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

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

ASSESSMENT:

This application is a 'local' development, but is being reported to the Planning Applications Committee because the applicant is a Member of the planning authority, and accordingly, under the Planning Scheme of Delegated Functions, the application needs to be referred to the Committee for determination.

The application site comprises a semi-detached bungalow with a front and rear garden. The dwelling is externally finished in wet dash render, upvc window/door frames and rosemary roof tiles. The rear curtilage is enclosed by approx. 2m high hedging along the north boundary while the existing detached garage, shed and 1.8m fencing encloses the south boundary. Tall mature trees enclose the rear boundary. A single storey extension has been constructed along part of the rear elevation.

The surrounding area is residential in nature and characterised by similar style properties.

Planning permission is sought for the erection of a single storey rear extension. The extension is to have an apex roof. The proposed finishing materials have not been detailed. The existing extension is to be removed to facilitate the proposal.

The application requires to be assessed against Policies D1 and D14 of the adopted East Renfrewshire Local Development Plan. Policy D1 states that all development should not result in a significant loss of character to the surrounding area and not adversely affect neighbouring amenity. Policy D14 requires that extensions complement the character of the existing building in terms of its style, form and materials. The adopted Supplementary Planning Guidance: Householder Design Guide (SPG) is also of relevance.

The proposed roof style differs from that of the existing; however it is not a large scale extension and the gable does not significantly impact on the overall integrity of the original roof design and is not considered to over dominate the property. In terms of its depth it is worth noting that there is a common glazed panel feature that projects from the main body of the semi-detached block. The extension projects less than 4m from this panel and is therefore considered acceptable with Policy D1 and the application of the SPG in terms of roof design can be set aside in this instance.

There would be no significant additional overlooking onto neighbouring sites than that which already exists.

It is noted that there would be some loss of daylight to the adjoining property at number 30, however, light is already limited to the rear windows at number 32 with the presence of high hedging and roof overhang, and it is not considered that that this aspect alone justifies refusal of planning permission. It is acknowledged that the extension would result in additional overshadowing of a section of their garden. However, it is not considered that the extent of the increase would be detrimental to the property's residential amenity as there would still be a reasonable amount of garden ground which receives sunlight.

The concerns raised by the representee regarding compliance with the LDP and SPG as well as overshadowing have been addressed above. Concerns regarding drainage and maintenance of the extension, communal fanlight window and hedge are not material planning considerations. Retention of the communal fanlight is also a private matter between the relevant owners. Nevertheless the drawings do show that this is to be maintained.

The Proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policies are considered to be D1 and D1.1. The aforementioned policies largely reflect the adopted Local Development Plan policies. Consequently, for reasons stated above, it is considered that the proposed works accord with the relevant policies in the Proposed Local Development Plan.

In conclusion the proposal is considered to generally comply with the terms of the adopted East Renfrewshire Local Development Plan and the proposed East Renfrewshire Local Development Plan. Where it does not there are material considerations that justify granting planning permission.

RECOMMENDATION: Grant subject to conditions.

CONDITION:

- 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.

PLANNING OBLIGATIONS: None.

ADDITIONAL NOTES: None

ADDED VALUE: By condition.

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mrs Zara Foster on 0141 577 3861.

Ref. No.: 2020/0241/TP
(ZAFO)

DATE: 23rd July 2020

DIRECTOR OF ENVIRONMENT

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Reference: 2020/0241/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

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

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;

14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D14

Extensions to Existing Buildings and Erection of Outbuildings and Garages

Any extensions must complement the existing character of the property, particularly in terms of style, form and materials.

The size, scale and height of any development must be appropriate to the existing building. In most circumstances, pitched roofs utilising slates or tiles to match the existing house will be the appropriate roof type. Alternatives, such as flat roofs or green roofs, will be considered on a site specific basis.

Side extensions should not create an unbroken or terraced appearance.

The development should avoid over-development of the site by major loss of existing garden space.

Dormer windows should not in general dominate the existing roof, nor rise above or break the existing ridgeline or hip of the roof, and should be finished in materials to match existing roof finishes.

The above are broad requirements and these are further defined in the Householder Design Guide Supplementary Planning Guidance.

Proposed Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;

5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces 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 Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

Policy D1.1

Extensions and Alterations to Existing Buildings for Residential Purposes

Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;
4. Should not create an unbroken or terraced appearance;
5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and
6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

GOVERNMENT GUIDANCE: None

Finalised 17/11/2020.AC

REPORT OF HANDLING

Reference: 2020/0585/TP

Date Registered: 23rd October 2020

Application Type: Full Planning Permission

This application is a Local Development

Ward: 4 -Clarkston, Netherlee And Williamwood

Co-ordinates: 258177/:656517

Applicant/Agent: Applicant: Mr Paolo Di Mambro
29 East Kilbride RD
Glasgow
G76 8JY

Agent:

Proposal: Formation of access including re-alignment of front boundary and adjacent footway; lowering of ground levels

Location: 29 East Kilbride Road
Busby
East Renfrewshire
G76 8JY

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CONSULTATIONS/COMMENTS:

East Renfrewshire Council Roads Service	Recommends the application is refused on the grounds of public road safety
Busby Community Council	Objects on the grounds of public road safety

PUBLICITY:

13.11.2020 Evening Times Expiry date 27.11.2020

SITE NOTICES: None.

SITE HISTORY:

2018/0102/TP	Formation of driveway	Withdrawn	16.05.2018
2018/0299/TP	Erection of two storey rear extension	Refused	06.07.2018
2018/0385/TP	Formation of driveway incorporating reduction in ground levels and erection of boundary wall	Refused Local Review Dismissed	17.09.2018 28.11.2018
2018/0691/TP	Formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall	Refused Local Review Dismissed	09.01.2019 21.03.2019
2019/0098/TP	Formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall with formation of lowered and raised kerbs at footpath at front	Deemed refusal Appeal to Scottish Minister dismissed	08.08.2019
2019/0614/TP	Formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall with construction of island in centre of road (with signs at either end) and re-alignment of part of East Kilbride Road	Refused	13.12.2019

2019/0855/TP	Erection of one and a half storey side extension following demolition of existing extension	Granted	24.02.2020
2020/0307/TP	Erection of one and a half storey side extension following demolition of existing extension (amended design)	Refused Local Review Dismissed	04.09.2020 04.11.2020
2020/0372/TP	Formation of driveway onto East Kilbride Road and alterations to boundary wall	The Planning Authority declined to determine the application under section 39 (1) (a) of the Town and Country Planning (Scotland) Act 1997 (as amended).	13.07.2020
2020/0695/TP	Erection of one and a half storey side extension following demolition of existing extension	The Planning Authority declined to determine the application under section 39 (1) (a) of the Town and Country Planning (Scotland) Act 1997 (as amended).	13.11.2020

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

Do not understand/agree with the comments of Busby Community Council
 Comments made on other applications for the site that have been determined
 Object to repeated plans being sent in
 The development will exacerbate flooding in the area
 Road safety concerns

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Supporting Statement – The statement argues the proposed driveway would be safe.

Additional data – A spreadsheet has been submitted that provides information on traffic flows and speeds on this section of East Kilbride Road.

ASSESSMENT:

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

The application site comprises a detached dwelling and its curtilage and a section of the footpath and eastbound carriageway of the A727 East Kilbride Road adjacent to the residential curtilage. The dwelling lies to the north side of the A727, within an established residential area. The A727 is a district distributor road that carries in excess of 19,000 vehicles per day. The Glasgow to East Kilbride Railway sits elevated immediately to the east of the site and crosses the A727 East

Kilbride Road via an overbridge, under which there is an immediate bend in the road. The railway overbridge lies 10 metres to the east of the application site. Flatted properties with their maintained common areas lie to the west and north of the site.

The site was previously characterised by established trees and shrubs although the applicant has cleared the entire site and formed areas of hardstanding. The property had a 1.4 metre high sandstone wall that used to run along the entire frontage of the site with East Kilbride Road that contained a pedestrian access with a gate. The applicant partially removed this and re-graded some of the ground in front of the dwelling to the level of the adjacent footway with a view to creating a vehicular access. Having been advised that the formation of an access onto a classified road, as well as the earthworks that had been carried out required planning permission, the applicant ceased work on the formation of the access and positioned stones to prevent vehicles entering the site. Historically there was no vehicular access to the property.

There are bus stops in close proximity to the site on either side of East Kilbride Road.

Background

This application is one of a series of planning applications that have been submitted recently for the formation of a driveway/vehicular access at 29 East Kilbride Road, Busby.

Planning application 2018/0102/TP was submitted in February 2018 and withdrawn by the applicant in May 2018.

The next two planning applications (2018/0385/TP and 2018/0691/TP) were submitted and refused as being contrary to Policy D1 of the adopted East Renfrewshire Local Development Plan and in particular on roads safety grounds.

A Local Review was sought for both of these refusals of planning permission and the Local Review Body upheld the decision of the appointed planning officer in each case.

An appeal against the non-determination of the next planning application 2019/0098/TP was submitted to the Scottish Ministers and the appeal (PPA-220-2053) was dismissed on 8 August 2019. In dismissing the appeal the appointed Reporter considered that any movement of vehicles onto and off the road at this address would significantly increase the risk of vehicular conflict and would therefore be detrimental to road safety. In terms of pedestrian safety the appointed Reporter was concerned that a driveway crossover at this address could encourage pedestrians, generally and wheelchair users in particular (because a dropped kerb is required to allow them to cross the road) to use the crossover as an informal crossing point in order to access the bus stop or the railway station on the opposite side of the road. Consequently the proposal would increase the risk of vehicle/pedestrian conflict and would therefore be detrimental to pedestrian safety.

The next planning application 2019/0614/TP included the formation of an island and the realignment of East Kilbride Road which meant that traffic exiting the site could only turn left towards East Kilbride. This was refused under delegated powers on 13 December 2019.

A further application 2020/0372/TP for the formation of a driveway and alterations to the boundary wall was submitted on 7 July 2020. The Planning Authority declined to determine application 2020/0372/TP under the terms of section 39 of the Town and Country Planning (Scotland) Act 1997 (as amended) because the application was very similar to the recent application that was refused permission and dismissed at the Local Review Body.

Application 2020/0384/TP for the formation of parking bays on East Kilbride Road and alterations to the boundary wall was submitted on 14 July 2020 but was withdrawn by the applicant prior to validation.

Proposed Development

Planning permission is sought for the formation of an access from the site onto East Kilbride Road. This includes a reduction of the ground levels within the curtilage; alterations to the front boundary wall and a re-alignment of the public footway along the front of the site. The applicant also proposes to mark out a "soft island" in thermoplastic white lining on the centre of East Kilbride Road.

The access is proposed to be 5 metres wide and comprises a dropped kerb. It is proposed to be located at the western-most end of the frontage. The re-alignment of the footway is over a distance of 10 metres along the frontage of the residential curtilage. It is proposed to be re-aligned 20 cm towards the access, away from the existing centre line and widened to 2 metres.

The soft island is proposed to measure 10 metres long by 50cm wide and be located in the centre of the road parallel with the re-aligned section of footway. The applicant has explained the purpose of the island is to prevent traffic from turning right towards Clarkston when exiting the site and to prevent traffic entering the site from the direction of East Kilbride.

A section of boundary wall is proposed to be re-aligned in front of the re-aligned footway into the curtilage. The ground level is proposed to be re-graded to provide an incline into the site to a parking and turning area towards the rear of the curtilage.

The applicant has indicated that the proposed development is to assist with a medical condition. Rudimentary drainage proposals have also been indicated.

Procedural matter

It should be noted that Section 39(1) of the Planning Act contains discretionary powers for planning authorities to decline to determine repeat planning applications. Where Scottish Ministers have within the previous 2 years, refused permission on a similar application on appeal and, in the opinion of the planning authority, there has been no significant change in the relevant parts of the development plan or other material considerations since that decision, the planning authority can refuse to deal with the application. Although the application is ostensibly for the formation of a driveway it is sufficiently different from the development subject to appeal decision PPA-220-2053 in that part of the footway and boundary wall are to be re-aligned and an island painted in the road. It is therefore considered that the current application can be determined.

Assessment against the Adopted East Renfrewshire Council Local Development Plan

This application requires to be assessed with regard to Policy D1 of the adopted East Renfrewshire Local Development Plan. Policy D1 requires that all development should not result in a significant loss of character to the surrounding area and that the Council's parking and access requirements are met.

It is considered that the visual amenity of the site is relatively poor in comparison to the amenity of the surrounding area. However this is due to the fact that the dwelling had been unoccupied and unmaintained for some time and the works that have been carried out are incomplete. If the application is approved the completion of the works would ensure that the development is acceptable in appearance and in keeping with the character and visual amenity of the wider area. This aspect in itself does not make the development acceptable or outweigh the other matters relating to this development.

If the application is approved, full details of the drainage system can be approved prior to work commencing. This can be secured by condition.

Of paramount importance in this application is the impact on road safety particularly as the access is onto a district distributor road (the A727). The advice from the Council's Roads Service is that this development is unacceptable on the grounds of public road safety. The Roads Service is the Planning Authority's consultee on matters relating to public road safety and their advice must be given significant weight. In particular the development would involve the construction of a new vehicular access onto the A727 East Kilbride Road where visibility is severely restricted by the existing horizontal alignment of the road and would be likely to give rise to conditions detrimental to road safety.

To expand on this, the location of the access lies west of a low bridge (signed 4.2m /13'9" clearance) which carries the Glasgow to East Kilbride railway line. North west bound traffic approaching the bridge has to negotiate a left hand bend that dips downwards which restricts forward visibility to the site and adversely affects the achievable secondary direction visibility splay of the access.

The required visibility splay for a 30mph road is 2.5m by 90m in both the primary and secondary directions with no interference allowed within the splay above a height of 1.05m. This can clearly not be achieved at the location of the access.

Due to the horizontal and vertical profile of the road, there is a double white line system installed on this section of the A727 from its junction with the B759 Carmunnock Road to a point 45 metres south east of its junction with The Paddock. It should be noted that there are no other accesses to individual dwellings along this double white lined section of road or indeed, for some length thereafter.

Fronting the site and over most of the length of the double white line system, there is a 'no waiting/no loading at any time restriction with sections of 'no waiting; 8am - 6pm; Monday to Friday' over the lengths of road opposite the site and Carmunnock Road.

Immediately north-west of the access is an existing lighting column (R9) and a bus stop with associated infrastructure including a bus shelter and a 'no waiting' bus stop marking. This adversely impacts the primary direction visibility splay.

The Roads Service has advised that the proposed central island is not the correct use of this marking as set out in Chapter 5 of the Traffic Signs Manual paragraph 3.10.1. This variation of the double white line is only to be used in a scenario where an overtaking lane is added. Furthermore, thermoplastic lining would be unlikely to deter someone turning right out of or into the proposed driveway with the attendant risks to road safety. Also the change in horizontal alignment would necessitate an exit/entry taper of 1:40, as per the Design Manual for Roads and Bridges which would mean the tapering starting 52 metres from the start of the island and 52 metres beyond the island. The layout shown does not conform to this requirement and is therefore unacceptable.

The Council's Roads Service has therefore indicated that they would not wish to see any measures introduced at this already difficult location, which would increase risk or inconvenience for either pedestrians or vehicular traffic or adversely affect road safety, and accordingly they recommend refusal of this application.

As indicated above the A727 East Kilbride Road carries in excess of 19,000 vehicles per day and has a challenging horizontal and vertical alignment at this location. It has to be emphasised that the existing road infrastructure, not least the railway bridge, adversely affects visibility splays and various measures such as a double white line system and waiting and loading restrictions have been adopted to lessen these inherent difficulties.

There are therefore significant road safety concerns about this proposal. The required visibility splays cannot be achieved onto this district distributor road and relaxation of these is not acceptable. The construction of the island in the road with the associated re-alignment of the road and footpath also raises significant road safety concerns as it would complicate vehicular traffic movements.

The proposal would also introduce additional traffic manoeuvres at this location because vehicles using the driveway would only be able turn in from the left and exit to the left. This could possibly lead to U-turns elsewhere which would also adversely affect road safety.

The Council's access requirements cannot therefore be met and the development is therefore contrary to Policy D1(9) of the adopted East Renfrewshire Local Development Plan. There are no material planning considerations that outweigh this.

Proposed Local Development Plan 2

The proposed Local Development Plan 2 is a material consideration and with regard to this planning application, the relevant policy is considered to be D1. This policy largely reflects Policy D1 of the adopted Local Development Plan policy. Consequently, for reasons stated above, it is considered that the proposal does not accord with the Proposed Local Development Plan.

Representations

13 people have written in stating their stance that they object to the planning application. The points of objection are considered as follows: Not agreeing with or failing to understand the comments of a consultee is not a material ground for objection. Comments on other planning applications are not relevant to the consideration of this application. Whilst there have been repeated planning applications submitted for this site, this is not a material planning ground for objection to this proposal. Any flooding issues at the site appear largely to be road-drainage issues and it is not considered that this proposal will significantly affect this issue. The road safety issues are addressed above.

Overall conclusion

The proposal is considered contrary to Policy D1(9) of the adopted East Renfrewshire Local Development Plan as well as Policy D1(10) of the proposed Local Development Plan 2 as the proposed access, given its location on a section of East Kilbride Road where visibility is severely restricted by the road's horizontal alignment, would be seriously detrimental to public road safety. The painting of the island in the centre of the road with the associated re-alignment of the part of the road and footpath in front of the property would also be detrimental to road safety.

It is considered that there are no material planning considerations, including what is in the applicant's Supporting Statement and supporting data as well as the cited medical condition that outweigh these policies and allow the application to be approved.

The Council has been consistent in its approach to the formation of a driveway at this location and remains so with this application.

In summary, the principle of the formation of a driveway/vehicular access at this part of East Kilbride Road is not acceptable.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON FOR REFUSAL:

1. The proposal is considered contrary to Policy D1(9) of the adopted East Renfrewshire Local Development Plan as well as Policy D1(10) of the proposed Local Development Plan 2 as the proposed access, given its location on a section of East Kilbride Road where visibility is severely restricted by the road's horizontal alignment, would be seriously detrimental to public road safety. The formation of the thermoplastic white-lined island in the centre of the road with the associated re-alignment of the part of the road and footpath in front of the property would also be detrimental to road safety as it is not the correct use of this type of road marking as

set out in the Traffic Signs Manual and would be an additional feature in the public road that is not properly lined in accordance with the Design Manual for Roads and Bridges. The proposed island also does not meet the minimum width and would not be able to accommodate the required signage and provide adequate horizontal clearance from the signs to the edge of the carriageway.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3861.

Ref. No.: 2020/0585/TP
(DESC)

DATE: 11th November 2020

DIRECTOR OF ENVIRONMENT

Reference: 2020/0585/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

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

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

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

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;

13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Proposed Local Development Plan 2

Policy D1

Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will

be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;

11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;
12. There will be a general presumption against all proposals that involve landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces 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 Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

GOVERNMENT GUIDANCE:

None

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